

10th GENERAL REPORT ON GRETA'S ACTIVITIES



GRETA
Group of Experts
on Action against
Trafficking
in Human Beings

covering the period from
1 January to 31 December 2020



COUNCIL OF EUROPE



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French edition:

*10^e Rapport Général
sur les activités du GRETA*

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COUNCIL OF EUROPE CONVENTION ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS



Introduction by the President of GRETA

I am pleased to introduce the 10th General Report on the activities of the Group of Experts on Action against Trafficking in Human Beings (GRETA), covering the period from 1 January to 31 December 2020.

What makes this report stand out from previous General Reports is the impact on a global scale of the **COVID-19 pandemic**. So many areas of our lives have been affected and disrupted by the pandemic, and this fundamental feature is reflected in one way or another throughout the report.

Taken from the perspective of GRETA's work, the pandemic crucially dictated that less country visits were carried out. GRETA has adapted its working methods by organising plenary and other meetings online and adopting several reports under a written procedure.

A much more worrying aspect is the extent to which the pandemic is affecting victims of human trafficking. In a **statement issued on 2 April 2020**, GRETA drew attention to the particular difficulties experienced by victims of trafficking, who generally find themselves in a position of great insecurity and vulnerability, and whose situation deteriorated as a result of the measures taken to control the pandemic and their socio-economic impacts. Frontline civil society organisations have issued alerts about delays in identification of victims and hindered access to health care and shelters,

putting victims at risk of continued exploitation and homelessness. Traffickers have exploited the coronavirus crisis, profiting from vulnerabilities and difficult economic circumstances. Law enforcement agencies have reported increased prevalence of sexual exploitation online and use of technology to facilitate criminal conduct. There have also been delays in the criminal justice system, to the detriment of victims' rights.

The fight against human trafficking remains among the key strategic priorities announced by the Secretary General of the Council of Europe, Ms Marija Pejčinović Burić, as part of the four-year strategic framework of the Organisation. As noted by this document, a growing number of people are victims of this crime and the current pandemic, with its potentially long-term socio-economic impact, creates a heightened risk of exploitation of vulnerable groups. Reinforced prevention efforts are therefore required. This is related to some of the other priorities included in the Organisation's strategic framework, namely fighting growing social inequalities and poverty, non-discrimination and ensuring the protection of vulnerable groups (including combating all forms of violence against women), as well as the fight against environmental degradation and climate change.

The lockdown measures and impossibility to travel during the COVID-19 pandemic did not prevent GRETA from carrying out other important work, and I am pleased to announce that in the course of 2020, GRETA produced three documents which can assist State Parties in meeting their obligations under the Convention.

The first document is a **Guidance Note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection**, which analyses the application of the principles of international protection in the context of human trafficking, building upon earlier UNHCR guidelines. GRETA has paid particular attention to the interface between trafficking in human beings and asylum, examining in its country reports the measures taken by State Parties to combat human trafficking in the context of the unprecedented surge in asylum applications in Europe. GRETA's monitoring observations are presented in a thematic section in the present General Report. The review demonstrates that there are some promising practices in play to enable the effective identification of trafficked persons, as well as persons at risk of being trafficked, amongst asylum seekers. However, there remain significant weaknesses and disparities in state practice. One of the main gaps concerns the proactive detection and identification of trafficked persons amongst asylum seekers, which is the prerequisite for an access to rights as defined in the Convention. Insufficient measures are being taken to identify vulnerable children, in particular among unaccompanied children. It is important to ensure structural compatibility between the asylum process and the assistance and protection framework for trafficked persons. Training, acknowledging the role of NGOs in visiting places where asylum seekers and migrants are accommodated, and the development of referral mechanisms are essential in order to improve victim identification and assistance.

GRETA's monitoring of the implementation of the Convention has highlighted an increase in human trafficking for the purpose of labour exploitation, which has emerged as the main form of human trafficking in some member states. The recently published UNODC 2020 Global Report on Trafficking in Persons also noted an increase in the prevalence of trafficking for the purpose of forced labour, which

accounted for about 38% of the total trafficking cases detected globally in 2018. In the course of 2020, GRETA published a **Compendium of good practices in addressing trafficking in human beings for the purpose of labour exploitation**, which highlights effective measures taken by parties to the Convention to prevent and combat trafficking for the purpose of labour exploitation, providing food for thought and direction in their future efforts.

The compendium served as the basis for the elaboration of a **Guidance Note on preventing and combating human trafficking for the purpose of labour exploitation**. The Guidance Note covers a range of issues, including the concept of “exploitation” within the criminalisation of human trafficking, the role of labour inspections, targeted prevention for at-risk groups, the identification of victims, their access to assistance and effective remedies, and building criminal cases of trafficking for labour exploitation. Particular attention is paid to measures to discourage demand, including through public-private partnerships, public procurement and supply chain reporting requirements. GRETA’s Guidance Note demonstrates the need to supplement the existing legally binding instruments with a Committee of Ministers recommendation to all member states which codifies the necessary guidance.

During the 12 years in which GRETA has been active, there have been a number of improvements in states’ responses to human trafficking and the protection of victims. However, there are persisting gaps and new challenges, which make the fight against trafficking in human beings a constant battle. On 4 December 2020, the Committee of the Parties partially renewed GRETA’s membership, and the new composition of GRETA will meet for the first time in March 2021. I would like to wish the new members every success in continuing the third round of monitoring of the Convention and responding to new challenges. The task of GRETA members is not easy, but they receive great support from the Executive Secretary, Ms Petya Nestorova, and the rest of the dedicated Secretariat. I would also like to express my deep gratitude to the outgoing members of GRETA for their professionalism and dedication. It has been an honour and a pleasure to serve as member and President of GRETA.

Davor Derenčinović
President of GRETA



27th meeting of the Committee of the Parties, Strasbourg, 4 December 2020

Activities during the period from 1 January to 31 December 2020

Introduction

1. GRETA is set up pursuant to Article 36 of the Council of Europe Convention on Action against Trafficking in Human Beings (“the Convention”) to monitor the implementation of the Convention by the Parties. GRETA is composed of 15 members, who sit in their individual capacity and are independent and impartial in the exercise of their functions. GRETA started functioning in February 2009, following the entry into force of the Convention on 1 February 2008, and the first election of GRETA members by the Committee of the Parties to the Convention in December 2008. GRETA is currently the only independent panel of experts monitoring the implementation of binding international legal provisions on combating trafficking in human beings.
2. As concerns its working methods, GRETA evaluates the implementation of the Convention by the Parties following a procedure divided into rounds. In carrying out its monitoring work, GRETA has the right to avail itself of a variety of means for collecting information. As a first step, GRETA sends a questionnaire to the authorities of the Party undergoing evaluation. The questionnaire is also sent to non-governmental organisations (NGOs) active in the field of action against trafficking in human beings. After receiving the authorities’ reply to its questionnaire, GRETA organises a visit to the country concerned in order to hold meetings with relevant governmental and non-governmental actors, collect additional information and evaluate the practical implementation of adopted measures.



3. Following the country visit, GRETA draws up a draft evaluation report containing an analysis of the implementation of the Convention and conclusions concerning the action which the Party needs to take to deal with any problems identified. The draft report is discussed in a plenary meeting and, following its approval by GRETA, is sent to the national authorities for comments. Following the receipt and consideration of these comments, GRETA draws up a final report, which is discussed and adopted in another plenary session, and subsequently transmitted to the Party concerned, as well as the Committee of the Parties to the Convention. GRETA's final report is made public together with any final comments by the Party concerned. The Committee of the Parties to the Convention considers GRETA's reports and, on the basis of those reports, adopts recommendations to the governments of the Parties concerned (for a workflow of the monitoring mechanism of the Convention, see Appendix 9).

4. On the basis of GRETA's reports and recommendations, the Council of Europe assists member states to strengthen the implementation of the Convention through projects funded from the organisation's ordinary budget or external sources.

GRETA meetings

5. During the reporting period, GRETA held three plenary meetings. Due to the emergency measures put into place in March 2020 as a result of the COVID-19 pandemic, GRETA decided to postpone its 37th meeting, initially scheduled to take place on 23-27 March 2020. The 37th meeting was held on 29 June - 3 July 2020 in a hybrid format, with GRETA's President and Second Vice-President, as well as the Secretariat, being physically present in Strasbourg, while the rest of the GRETA members participated in the meeting by conference call.

6. Due to the continuing travel restrictions related to the COVID-19 pandemic, GRETA's 38th meeting, held on 6-9 October 2020, was also a hybrid event, with five GRETA members and the Secretariat being physically present in Strasbourg, and the rest of the GRETA members joining by conference call.

7. GRETA's 39th meeting took place on 18-20 November 2020 also in a hybrid format, with GRETA's President and the Secretariat being physically present in Strasbourg, and the rest of the GRETA members joining by conference call.



GRETA evaluation visit, Romania (3rd evaluation round), 2-6 March 2020

8. During the reporting period, GRETA adopted nine final country reports as part of the third evaluation round of the Convention, concerning Albania, Austria, Bulgaria, Cyprus, Croatia, Denmark, Georgia, the Republic of Moldova, and the Slovak Republic. Three of these reports, concerning Austria, Cyprus and the Slovak Republic, were adopted by GRETA following a written procedure, due to the postponement of the 37th meeting. Further, at its 38th meeting, GRETA considered two draft reports, concerning Montenegro and Romania.

9. In addition to adopting country reports, GRETA finalised and published three documents which can assist all State Parties in meeting their obligations under the Convention. The first one, a Guidance Note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection, was published on the occasion of the World Refugee Day, 30 June.¹ The second and third documents were drafted by an *ad hoc* working group set up by GRETA in July 2019: a Compendium of good practices in addressing trafficking in human beings for the purpose of labour exploitation,² approved by GRETA at its 37th meeting, and a Guidance Note on preventing and combating trafficking in human beings for the purpose of labour exploitation,³ adopted at the 39th meeting (see paragraphs 13-15).

Country visits and evaluations

10. In 2020, GRETA carried out three country evaluation visits as part of the third round of evaluation of the Convention, in chronological order, to Montenegro (2-5 March), Romania (2-6 March), and Malta (28 September - 1 October).

11. GRETA was prevented from carrying out further visits due to the sanitary and travel restrictions imposed as a consequence of the COVID-19 pandemic. The country visits to the United Kingdom and Latvia were planned and postponed repeatedly.

1. Available at: <https://rm.coe.int/guidance-note-on-the-entitlement-of-victims-of-trafficking-and-persons/16809ebf44>

2. Available at: <https://rm.coe.int/mpendium-of-good-practices-in-addressing-trafficking-in-human-beings-f/16809f9bef>

3. Available at: <https://rm.coe.int/guidance-note-on-preventing-and-combating-trafficking-in-human-beings-/1680a1060c>



GRETA online evaluation visit, United Kingdom (3rd evaluation round), 28 September – 5 October 2020

Mindful of the importance of proceeding with the third evaluation of the United Kingdom without further delay, GRETA decided to hold a series of online meetings from 28 September to 5 October 2020. Similarly, due to the impossibility of carrying out a physical visit to Latvia, online meetings were held with relevant Latvian officials and NGOs on 11, 14 and 17 December 2020. GRETA maintains the option of organising targeted physical visits to these countries whenever possible.

12. GRETA decided to postpone the rest of the evaluation visits scheduled to take place in 2020 to 2021 (namely, to Armenia, Belarus, Bosnia and Herzegovina, France, Norway and Portugal). In light of the sanitary and travel restrictions related to COVID-19, GRETA decided to revise the timetable of its evaluation visits (see Appendix 7).

Strengthening action to combat trafficking for the purpose of labour exploitation

13. Trafficking in human beings for the purpose of labour exploitation has been identified as one of the major challenges facing Europe in the report by the former Secretary General of the Council of Europe, *Ready for Future Challenges - Reinforcing the Council of Europe*.⁴ At the 129th Ministerial Session on 17 May 2019 in Helsinki, the Committee of Ministers agreed to continue analysing the protection provided by existing European standards with a view to identifying gaps and developing sector-specific recommendations, guidelines and codes of conduct, as well as, if required, other instruments, and instructed its Deputies to examine ways of strengthening action against trafficking in human beings.⁵

14. In November 2019, the Secretary General presented to the Committee of Ministers a Roadmap on strengthening action against trafficking in human beings for the purpose of labour exploitation,⁶ indicating future action foreseen with a view to the implementation of the Committee of Ministers' decision. In accordance with this Roadmap, in 2020, GRETA finalised two documents related to its implementation. The first, entitled *Compendium of good practices in addressing trafficking in human beings for the purpose of labour exploitation*, highlights effective measures

4. Available at: https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=090000168093af03

5. [CM/Del/Dec\(2019\)129/2a](#)

6. [SG/Inf\(2019\)34](#)



taken by States Parties to the Convention to prevent and combat trafficking for the purpose of labour exploitation, providing food for thought and direction in their future efforts. This compendium served as the basis for the elaboration by GRETA of a Guidance Note on preventing combating trafficking in human beings for the purpose of labour exploitation. The Guidance Note covers a range of issues, including the concept of “exploitation” within the criminalisation of human trafficking, the role of labour inspections, targeted prevention for at-risk groups, the identification of victims, and their access to assistance and effective remedies. Particular attention is paid to measures to discourage demand, including through public-private partnerships, public procurement and supply chain reporting requirements. Further, guidance is provided on how to build criminal cases on trafficking for labour exploitation. A synopsis of recommended actions appears at the end of the Guidance Note.

15. At its 27th meeting (4 December 2020), the Committee of the Parties to the Convention considered the Guidance Note, and welcomed GRETA’s investment in promoting better understanding of the ways to prevent and combat human trafficking for the purpose of labour exploitation. The Committee of the Parties agreed to propose the preparation of a Committee of Ministers’ recommendation to all member States, which would supplement the provisions of the Convention and codify the necessary guidance, in accordance with the Committee of Ministers Helsinki decisions. The modalities for the preparation of such a recommendation will be decided by the Committee of Ministers in 2021.



GRETA Bureau members. From left to right: Davor Derenčinović, President, Helga Gayer, Second Vice-President, Ryszard Piotrowicz, First Vice-President

GRETA membership and Bureau

16. The composition of GRETA and its Bureau during the reporting period is set out in Appendix 3.

17. The terms of office of eight of the 15 members of GRETA expired on 31 December 2020. Elections to fill the vacant seats were held at the 27th meeting of the Committee of the Parties, on 4 December 2020. As a result of these elections, two GRETA members were re-elected for a second term of office, and six new members were elected. The mandates of these eight members will run from 1 January 2021 until 31 December 2024.

18. GRETA warmly thanks its outgoing President, Mr Davor Derenčinović, and First Vice-President, Mr Ryszard Piotrowicz, as well as the other outgoing members – Mr Rudolf Christoffersen, Mr Frédéric Kurz, Mr Ola Laurell and Mr Mihai Șerban - for their commitment, professionalism and contribution to monitoring of the implementation of the Convention and promoting the Convention's standards.

19. The new composition of GRETA is due to hold its first meeting on 22-26 March 2021. Pending the election of a new Bureau at that meeting, GRETA's work is directed by a Bureau *ad interim* composed of Ms Helga Gayer (President), Ms Dorothea Winkler (First Vice-President) and Ms Nathalie Martin (Second Vice-President).⁷

7. The composition of the Bureau *ad interim* follows Rule 7 of the Internal rules of procedure of GRETA.



Signatures and ratifications of the Convention

20. No new ratifications of the Convention took place during the reporting period. The total number of Parties to the Convention remains at 47 (see Appendix 1). GRETA once again calls upon the Russian Federation, as the only remaining Council of Europe member state which has not done so, to sign and ratify the Convention, in order to ensure a pan-European response to the challenges posed by human trafficking.

21. By letter of 2 August 2020 addressed to the Secretary General of the Council of Europe, the Government of the State of Israel made a request to be invited to accede to the Convention. According to Article 43, paragraph 1, of the Convention and following the practice of the Council of Europe, all member states of the Council of Europe and non-member states Parties to the Convention must be consulted on this request for accession.

22. GRETA recalls that the Convention is open to non-member states and hopes that more states which are not members of the Council of Europe will express interest in, and accede to, the Convention.



Visibility and impact of the monitoring process

Publicity of GRETA's reports

23. In accordance with Article 38, paragraph 6, of the Convention, the final reports and conclusions of GRETA are made public, together with any final comments by the Party concerned. During the reporting period, eight GRETA country evaluation reports were published (see Appendix 5).⁸ Six of them were drawn up by GRETA under the third evaluation round of the Convention (concerning Albania, Austria, Croatia, Cyprus, the Republic of Moldova, and the Slovak Republic). One report, concerning the Czech Republic, was published under the first evaluation round of the Convention, the report on Monaco was on the combined first and second evaluation rounds.

24. A press release is issued whenever a GRETA report is published. In addition, interviews are given by GRETA members and the Secretariat to journalists, serving as a basis for press articles and broadcasts. According to the sample processed by the Council of Europe Media Monitoring and Analysis Unit, the reports issued by GRETA received numerous mentions in key national and international print and electronic media.

8. There is a time lag between the adoption and the publication of GRETA reports, due to the fact that GRETA awaits the receipt of the national authorities' final comments before publishing a country evaluation report.

25. In February, GRETA's reports on the **Czech Republic** and **Monaco** were reported in the respective countries' media. The Czech outlets noted that the authorities should improve the identification, protection and compensation of human trafficking victims, and avoid punishing them for unlawful activities they were forced to commit (*fRomea.cz, Ceskoaktualne.cz, Radio Prague, CTK*). As for Monaco, the local press highlighted that although the authorities had not identified any victims of trafficking, the arrival of visitors to annual events are a magnet for "escort girls" staying in neighbouring towns, which indicates the possibility of forced prostitution (*Monaco Tribune, Monaco Hebdo, Qe-Magazine, Monaco Matin, Nice Matin*).

26. In April 2020, **GRETA's 9th General Report** attracted substantial media coverage (*AFP, Euronews, Zeit Online, ANSA, SIR, EFE, El Pais, La Vanguardia, Publico, Aravot, Reporter.gr, Cyprus News Agency, To Thema, N1 Info, Agerpres, Segal*). While examining the data concerning their respective countries, the news outlets also noted that GRETA had recorded a considerable rise in the number of identified human trafficking victims in Europe (by 44% in the period 2015-2018). It was also reported that GRETA had issued a **statement on the dangers of the COVID-19 pandemic** relating to trafficking in human beings (see paragraph 56).

27. In June, GRETA's reports on **Austria, Cyprus** and the **Slovak Republic** received considerable media attention. Articles in the Austrian and international media highlighted GRETA's findings that Austria needed to make more efforts, especially with regard to the integration of victims and their compensation (*AFP, Volksblatt, Kleine Zeitung, Reporter.gr, Stiripesurse*). In Cyprus, media noted the increased penalties for human trafficking, but reported on GRETA's concerns over Cyprus' failure to guarantee victims' access to compensation (*AP, The Washington Post, Kathimerini, Cyprus Mail, Financial Mirror*). Similarly, in the Slovak Republic, media reported that GRETA had stressed the need to improve victims' access to justice and compensation (*AFP, The Slovak Spectator, TASR, Tera, Dennik N, DPA, Agenparl, CTK, Aravot*).

28. Three more GRETA reports issued in December 2020 also attracted media attention. The **Moldovan** press gave prominence to GRETA's call to guarantee access to justice for victims of trafficking by ensuring that they receive specialised assistance and free legal aid at an early stage, as well as protection from intimidation during or after investigations and court proceedings (*ZDG.md, Sardegnagol, Point.md, Infotag, Agerpres, Stiripesurse, Deschide.md*). GRETA's report on **Croatia**, which called on the authorities to strengthen human trafficking investigations and improve victims' access to compensation, was covered by *Agence Europe, IBNA, Balkan Insight* and *HRT*. Finally, the findings and conclusions of GRETA's report on **Albania** was covered by *Exit, Koha Jone, Sot, Gazeta Liberale, Dosja, Shqiptarja, ANSA* and *Euronews*.

29. GRETA's anti-trafficking social media accounts on Twitter (@CoE_Trafficking) and LinkedIn (Action against Trafficking in Human Beings) attracted increased numbers of followers, reactions and shares, particularly on and around the World Day against Trafficking in Persons and the European Anti-trafficking Day (30 July and 18 October, respectively). Both platforms have proved to be useful methods for exchange, highlighting not only GRETA's and the Council of Europe anti-trafficking activities in general, but also for bringing partners activities to the attention of social media followers.



Practical impact of GRETA's monitoring work

30. Based on GRETA's reports published in the course of 2020, the following section provides examples of measures taken by State Parties to improve their legislation, policy and practice in the light of GRETA's previous recommendations.



Albania

- ▶ Following GRETA's second evaluation report, there have been a number of legislative developments strengthening the rights and position of victims of criminal offences, including additional protection measures for child victims.
- ▶ The Standard Operating Procedures related to the implementation of the National Referral Mechanism (NRM) were revised and approved by Council of Ministers Decision No. 499 of 29 August 2018, and two new members representing civil society were added to the NRM.
- ▶ The implementation of the National Action Plan for Combating Trafficking in Human Beings 2018-2020 is supported by a budget of 488.9 million ALL (approximately 3.9 million Euros).



Austria

- ▶ Following the development of guidelines specifying the role of the federal states in the fight against human trafficking, regional co-ordinators were appointed in Tyrol and Vorarlberg.
- ▶ To address GRETA's recommendations made in the second report, in February 2017, the Federal Ministry of Justice issued an internal decree aimed at raising awareness of the non-punishment provision. Furthermore, in April 2017, the Federal Chancellery issued a circular on the implementation of the non-punishment provision in the context of administrative law.
- ▶ To improve the provision of assistance to victims of trafficking, the Austrian Government increased the funding allocated to specialised NGOs.



Croatia

- ▶ As recommended by GRETA in its second evaluation report, the Labour Inspectorate was included into the National Committee for Combating Human Trafficking and its Operational Team.
- ▶ Steps were taken to ensure child-sensitive procedures for obtaining access to justice and remedies, including the setting up of specially equipped rooms for interviewing children.
- ▶ The authorities have made additional efforts to provide access to work, vocational training and education to victims of trafficking.



Cyprus

- ▶ In 2019, amendments were made to the anti-trafficking legislation, increasing significantly the penalties for human trafficking and criminalising the use of sexual services of victims of trafficking.
- ▶ Following GRETA's second evaluation report, a National Referral Mechanism was established in late 2016. It defines the co-operation framework between the relevant services and NGOs, and provides guidance and standard operating procedures for handling victims and potential victims of human trafficking, including identifying and referring victims to services.
- ▶ There was an increase in the state funding allocated to victim assistance, and a Children's House was set up to avoid re-traumatisation of child victims of sexual abuse.



Republic of Moldova

- ▶ Following GRETA's second evaluation report, the legislative framework relevant to action against trafficking in human beings was further developed, by the introduction of additional forms of exploitation and means for committing the offence.
- ▶ Law No. 137 on the Rehabilitation of Victims of Crime, which stipulates minimum support services for victims of crime, including access to state compensation, came into force in January 2018.
- ▶ A specialised panel of judges to deal with human trafficking cases and related crimes was set up in June 2019 in Chişinău.



Slovak Republic

- ▶ Following GRETA's second evaluation report, victims of human trafficking were defined in law as particularly vulnerable victims, and given a number of additional rights, including to be protected from secondary or repeated victimisation, and to receive state compensation.

- ▶ To address GRETA's previous recommendations, a methodological tool for the provision of assistance to victims of trafficking was issued, with a special focus on children and foreigners.
- ▶ The National Labour Inspectorate has prepared a methodological guideline for labour inspectorates on how to detect illegal employment, which lists indicators for human trafficking and defines referral steps that labour inspectors should follow in case of detecting presumed victims of trafficking.

Activities related to the implementation of GRETA's recommendations

31. On the basis of GRETA's reports, the Council of Europe assists member states to strengthen the implementation of the Convention by organising targeted co-operation activities. As part of the joint EU-Council of Europe Horizontal Facility (HF) programme for the Western Balkans and Turkey, four multi-annual projects are being implemented, in Bosnia and Herzegovina, North Macedonia, Serbia and Turkey (see Appendix 6 for a detailed list of activities). The aim of these projects is to support the implementation of country-specific recommendations contained in GRETA's reports, thereby strengthening national capacities to prevent and combat trafficking in human beings.

32. During the COVID-19 pandemic, the HELP (Human Rights Education for Legal Professionals) online training course on combating trafficking in human beings and other online activities has played an important role in helping to ensure continuity in capacity building of relevant professionals. In 2020, the course was translated and launched in Bosnia and Herzegovina, North Macedonia, Romania, Slovak Republic, Spain, Serbia and Turkey.

33. In **Bosnia and Herzegovina**, three HELP training events, involving a total of 53 judges, prosecutors, lawyers and law students, were organised to support legal professionals in dealing with human trafficking cases, and improve the protection of victims' rights. Further, to improve the multi-sectoral response to trafficking in human beings for the purpose of labour exploitation, two training activities were organised for labour inspectors and representatives from the police, employment agencies, trade unions and civil society organisations. Moreover, two information campaigns on human trafficking for the purpose of labour exploitation were conducted in co-operation with the NGOs *Ja bih u EU* and Foundation Lara.

34. In **North Macedonia**, four HELP training events, involving a total of 120 judges, police officers, lawyers and law students, were conducted. Further, two information campaigns were conducted in co-operation with the NGO Open Gate and the Association of Journalists for Human Rights, drawing the attention of the public to the risks of labour exploitation and existing channels for reporting cases. A series of webinars on child trafficking was organised for education advisors, focusing on children from socially vulnerable groups, resulting in 49 persons being trained and expected to become multipliers for other education professionals. Moreover, a targeted training for media professionals was organised in co-operation with the

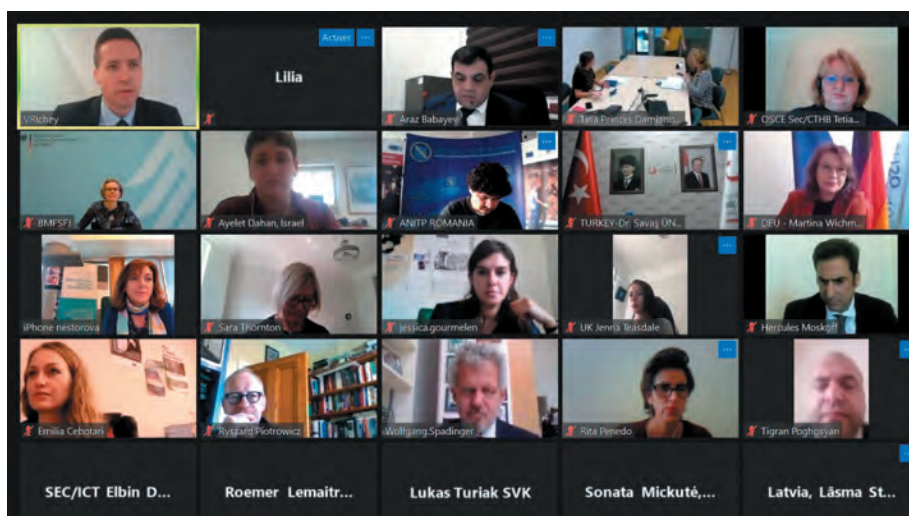


Workshop on human trafficking for the purpose of labour exploitation, Vrdnik (Serbia), 20-21 February 2020

ICMPD to improve the understanding of journalists covering the field of human trafficking and to promote media participation in anti-trafficking actions.

35. In **Serbia**, two HELP training events, involving a total of 67 judges, prosecutors and law students, were conducted. Further, two information campaigns were carried out in co-operation with the NGOs Atina and Astra to raise awareness among the general public, high school pupils, local institutions and civil society organisations about the risks of human trafficking and available assistance services for victims.

36. In **Turkey**, three webinars were organised to raise awareness among representatives of the Gendarmerie, Coast Guard and the Directorate General of Security about the provisions of the Council of Europe Anti-trafficking Convention.



3rd Joint meeting of National Anti-trafficking Co-ordinators and Rapporteurs, online, 3-4 November 2020

Meeting of National Anti-Trafficking Co-ordinators and Rapporteurs

37. On 3 and 4 November 2020 the Council of Europe and the OSCE organised jointly, for the third time, a meeting of National Anti-Trafficking Co-ordinators and Rapporteurs. The meeting was held online and was attended by representatives of 50 countries from Europe, North America and Central Asia. GRETA was represented by its President, Mr Davor Derenčinović, and its First Vice-President, Mr Ryszard Piotrowicz.

38. The meeting focused on challenges posed by the COVID-19 pandemic to anti-trafficking responses. Participants shared promising practices in the prevention of human trafficking, the protection of victims, and the prosecution of traffickers amid the pandemic. They emphasised that the COVID-19 pandemic had created more favourable conditions for traffickers by exacerbating pre-existing vulnerabilities and creating new ones, pushing people in difficult economic circumstances into risky and exploitative situations (see paragraphs 57 and following). The meeting focused on solutions to the challenges posed by the pandemic, including some promising national practices that have emerged in recent months. Broader use of trafficking hotlines, an increase in law enforcement presence online, and more on-site labour inspections in high-risk sectors were highlighted as positive anti-trafficking responses.

39. On the second day of the meeting, Mr Olivier Onidi, EU Anti-Trafficking Co-ordinator, presented the European Commission's third report on the progress made in the fight against trafficking in human beings, and the way forward for the EU anti-trafficking efforts. A separate session was dedicated to access of victims of trafficking to international protection, during which GRETA's Guidance Note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection, was presented. The final session featured the presentation of new resources, including GRETA's Compendium of good practices in addressing trafficking for the purpose of labour exploitation, and two recent OSCE publications: Leveraging innovation to fight trafficking in human beings: a comprehensive analysis of technology tools⁹ and Following the Money: Compendium of Resources and Step-by-step Guide to Financial Investigations Into Trafficking in Human Beings.¹⁰

9. [Leveraging innovation to fight trafficking in human beings: a comprehensive analysis of technology tools | OSCE](#)

10. [Following the Money: Compendium of Resources and Step-by-step Guide to Financial Investigations Into Trafficking in Human Beings | OSCE](#)



26th meeting of the Committee of the Parties, Strasbourg, 26 June 2020

Relations with the Committee of the Parties

40. According to Article 38, paragraph 7, of the Convention, the Committee of the Parties may adopt, on the basis of GRETA's reports and conclusions, recommendations addressed to the Parties concerning the measures to be taken to implement GRETA's conclusions, if necessary setting a date for submitting information on their implementation, and aiming at promoting co-operation with the Party concerned for the proper implementation of the Convention. GRETA recalls that the purpose of this provision of the Convention is to strengthen the implementation of GRETA's conclusions.

41. The Committee of the Parties has continued to hold regular exchanges with the President of GRETA. Such exchanges are an opportunity to present GRETA's ongoing work, highlight the main findings from country evaluations, and clarify the content of certain substantive obligations under the Convention.

42. At its 26th meeting (12 June 2020), the Committee of the Parties considered five GRETA reports and adopted recommendations addressed to the Governments of the Czech Republic (first evaluation round), Monaco (first/second evaluation round), Austria, Cyprus and Slovak Republic (third evaluation round). At its 27th meeting (4 December 2020), the Committee of the Parties adopted recommendations concerning Albania, Croatia and the Republic of Moldova, based on GRETA's third round evaluation reports.

43. The Committee of the Parties also examined reports submitted by Parties on the implementation of the Committee's recommendations. Thus, at its 26th meeting, the Committee considered reports submitted by the authorities of Belarus and Greece concerning measures taken to comply with the Committee of the Parties' first round recommendations on the implementation of the Convention, as well as reports submitted by the authorities of Azerbaijan, Iceland, Italy, Luxembourg, the Netherlands, Spain, Sweden and Ukraine concerning measures taken to comply with the Committee of the Parties' second round recommendations on the implementation of the Convention. At its 27th meeting, the Committee considered reports from the governments of Andorra, Estonia, Finland, Germany, Hungary, Lithuania and Switzerland concerning the implementation of the previous recommendations issued to these Parties. The Committee of the Parties decided to transmit these reports to GRETA for examination. Subsequently, letters were sent to the Parties concerned, asking them to provide further information on certain issues. This information will be followed up during the third evaluation round of the Convention.



Co-operation with other Council of Europe bodies

44. On 26 March 2020, GRETA submitted comments to the Committee of Ministers concerning three Parliamentary Assembly recommendations: 2171 (2020) “Concerted action against human trafficking and the smuggling of migrants”, 2172 (2020) “Missing refugee and migrant children in Europe” and 2173 (2020) “Combating trafficking in human tissues and cells”.



Co-operation with other intergovernmental organisations

45. Co-operation, strong partnerships and co-ordinated action are the keys to the success of anti-trafficking action. GRETA has continued developing links and forging partnerships with international organisations active in the area of combating trafficking in human beings. The country evaluation visits were an opportunity to meet representatives of international organisations present in the respective countries (ILO, IOM, OSCE, UNHCR, UNICEF). Further, members of GRETA and the Secretariat participated in events organised by other international organisations, at which they presented the Convention and GRETA's work (see Appendix 8).

Inter-Agency Co-ordination Group against Trafficking in Persons (ICAT)

46. The Council of Europe is a partner of the Inter-Agency Co-ordination Group against Trafficking in Persons (ICAT). GRETA's Secretariat has been involved in ICAT Working Group meetings and has contributed to the preparation of issue briefs, ensuring that the Convention's standards and GRETA's work are duly reflected. Further, the Executive Secretary participated in the second ICAT Principal level meeting held online on 15 December 2020. On the occasion of the 20th anniversary of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Palermo Protocol), ICAT agreed on six priority areas for action.¹¹

11. [Inter-Agency Coordination Group against Trafficking in Persons \(ICAT\)](#)

OSCE/ODIHR

47. Action against trafficking in human beings has been one of the four priority areas of co-operation between the Council of Europe and the OSCE. Besides a bilateral format, co-operation between the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings (SR/CTHB) and the Council of Europe continues to develop in the framework of the OSCE Alliance Expert Coordination Team (AECT), as well as ICAT.

48. Members of GRETA and the Secretariat participated in various events organised by the OSCE/ODIHR. By way of example, Mr Kevin Hyland served as a moderator at the OSCE 20th Conference of the Alliance against Trafficking in Persons entitled “Ending Impunity: Delivering justice through prosecuting trafficking in human beings”, held on 20-22 July 2020 in Vienna and via teleconference. Further, the Executive Secretary delivered a presentation at an online expert meeting on “Combating Trafficking in Human Beings for the Removal of Organs,” co-organised by the OSCE, OHCHR and WHO on 6-7 July 2020. The Executive Secretary also attended the 32nd meeting of the Council of Europe/OSCE Co-ordination Group, which was held online on 13 November 2020.

49. As noted above, the Council of Europe and the OSCE organised jointly a meeting of National Anti-Trafficking Co-ordinators and Rapporteurs, held online on 3-4 November 2020 (see paragraphs 37-39).

European Union

50. The Executive Secretary presented GRETA’s activities at the meeting of the EU Network of National Rapporteurs and Equivalent Mechanisms on Trafficking in Human Beings, held online on 20 October 2020.

51. The President of GRETA spoke at a European Parliament joint committee hearing on “Trafficking in human beings” which was organised by the Committee on Civil Liberties, Justice and Home Affairs (LIBE) and the Committee on Gender Equality and Women’s Rights (FEMM) on 26 October 2020. This hearing was organised concerning the joint LIBE-FEMM implementation report on Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims.



Co-operation with civil society

52. The Convention provides for co-operation and building strategic partnerships with civil society, which can help governments fulfil their obligations under the Convention (Article 35). In its country reports, GRETA has emphasised the need to adopt an inclusive approach and develop formal and systematic consultation between governmental and non-governmental actors involved in anti-trafficking action. Civil society, including trade unions, should be involved in the development and implementation of anti-trafficking measures and their evaluation. Further, GRETA has called for the involvement of specialised NGOs in a multi-agency effort to identify and protect victims of trafficking.

53. During the reporting period, international and national NGOs continued to provide information to GRETA in the context of the preparation of country evaluation visits and reports. Furthermore, NGOs provided feedback to GRETA on the follow-up given to its reports.

54. Members of GRETA and the Secretariat participated in a number of events organised by civil society organisations (see Appendix 8). The Executive Secretary presented a keynote speech at the launch event of the Swiss NGO Platform against Human Trafficking on 14 October 2020 in Bern. Further, Mr Ryszard Piotrowicz and the Executive Secretary spoke at webinars organised by La Strada International on 29-30 October on the occasion of the 20th anniversary of the setting up of La Strada International.

55. GRETA is grateful for the contributions made by NGOs to its monitoring work and is committed to continuing the existing co-operation with civil society.



Unsplash/Arya Pratama

Impact of COVID-19 on combating human trafficking

56. The year 2020 was marked by the COVID-19 pandemic, which has raised a number of issues related to the fight against trafficking in human beings. On 2 April 2020, GRETA issued a statement calling for the effective protection of the rights and safety of trafficking victims during the pandemic.¹² GRETA stressed that the Council of Europe Convention on Action against Trafficking in Human Beings continues to apply during the emergency measures, and that under the Convention, State Parties have an obligation to identify victims of trafficking and to adopt measures to assist them in their physical, psychological and social recovery, taking into account their safety and protection needs.

57. As noted above (see paragraphs 37-39), on 3-4 November 2020, the Council of Europe and the OSCE co-organised an online meeting of National Anti-Trafficking Co-ordinators and Rapporteurs, which focused on the impact of the COVID-19 pandemic on the fight against human trafficking. Participants reported that the effects of the pandemic had made victims of human trafficking more vulnerable, making it more challenging to identify and support them. Lockdown measures

12. [In time of emergency the rights and safety of trafficking victims must be respected and protected - News \(coe.int\)](#)

and movement restrictions contributed to a surge in some forms of exploitation, particularly online child exploitation. It was noted that high-risk sectors included agriculture and food-processing industries, where opaque recruitment procedures, low-qualification requirements and low wages created favourable conditions for traffickers. Industries characterised by long supply chains with several sub-contractors were also considered as being at risk for exploitation.

58. Even though GRETA was prevented from carrying out country visits during the pandemic, information about its impact on anti-trafficking measures was provided in government replies to GRETA's questionnaire received in 2020, as well as in government comments to GRETA reports and reports submitted in response to Committee of the Parties' recommendations.

59. While under normal circumstance the identification of victims of trafficking is challenging, the pandemic has made it even more difficult, including in countries which have functioning National Referral Mechanisms (NMRs). In the early stages of the pandemic, there were delays in the identification of victims, due to decreased police checks and labour inspections. For example, in the UK, the number of victims referred to the NRM dropped by 23% in April to June 2020 because there were fewer first responders on the ground, and exploitation moved increasingly online. In the Republic of Moldova, a decrease in the number of identified and assisted victims was observed in the first nine months of 2020.

60. In Germany, following a decision taken on 16 March 2020 to enact a temporary closure of brothels and other businesses involving prostitution throughout the country as part of the "Guidelines to combat the coronavirus epidemic", there has been an increase in hidden prostitution, accompanied by more exploitative conditions and violence. In Spain, perpetrators are increasingly using digital platforms, such as Airbnb, to rent apartments where sexual exploitation takes place, which reduces the ability of law enforcement agencies to detect victims.

61. In Malta, after the first cases of COVID-19 were detected amongst asylum seekers, all asylum reception centres and immigration detention centres were closed, preventing UNHCR and NGOs from visiting and providing information and legal assistance.

62. Traffickers have exploited the coronavirus crisis, profiting from vulnerabilities and difficult economic circumstances. Lockdown measures and movement restrictions have contributed to a surge in sexual exploitation online (via webcam). There are reports of increased grooming and exploitation of children online through gaming sites and social media platforms.¹³

63. High-risk sectors include agriculture and food-processing industries, where opaque recruitment procedures, low-qualification requirements and low wages created favourable conditions for traffickers. In Germany, unlawful working conditions in the meat industry and agriculture have highlighted the structural vulnerabilities of those working in these sectors, as well as the risks of becoming victims of human trafficking. The situation of migrant workers in the meat processing industry

13. [Exploiting isolation: Offenders and victims of online child sexual abuse during the COVID-19 pandemic, EUROPOL, June 2020](#)

worsened considerably, with fraud and deception in the recruitment of workers being reported, as well as insufficient or missing infection protection measures. In July 2020, the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking published an analysis of the parcel and meat industries which found indicators of forced labour and labour exploitation within the meaning of the German Criminal Code. Legislative steps were taken to improve occupational safety and health enforcement.

64. The pandemic has created unprecedented challenges for businesses in managing their supply chains across the globe. Supply chains have been disrupted, which may increase the risk of exploitation of vulnerable workers. At the same time, many businesses are focusing on securing supplies to make sure they can keep trading. A research team in the UK is currently exploring the challenges faced by businesses in addressing modern slavery in supply chains, whilst also responding to COVID-19 disruptions.¹⁴

65. In some countries, governments have been working closely with civil society actors to ensure that support structures remain functional and can be accessed by those affected, including victims of human trafficking. In Spain, the Ministry of Equality adopted a Contingency Plan against gender violence due to the COVID-19 crisis, with specific measures guaranteeing the protection of the rights of victims of sexual exploitation and trafficking for sexual purposes, as well as the provision of services and resources to meet their specific needs.¹⁵ This includes the right to a minimum living income for victims, including those in an irregular administrative situation, and a housing alternative, with public entities being able to arrange for the use of tourist accommodation establishments. In Italy, due to the COVID-19 emergency, the Department for Equal Opportunities decided to postpone the issuing of a new call for victim assistance project proposals and provided for an extension of all projects until 31 December 2020. In the UK, service providers indicated that access to shelters and services had continued, with an increase in virtual support.

66. However, there are reports about hindered access to services, such as shelter and health care, thus increasing the likelihood of re-traumatisation or re-victimisation. The pandemic has led in particular to a disruption in victim assistance and support services provided by NGOs.¹⁶ While some organisations have shifted their services online, such as virtual counselling, many others have been forced to halt their operations leaving a huge gap in the provision of information and legal support. Many victims, being foreigners, may be unable to access information about COVID-19 and have less timely access to information, support and services related to the pandemic.

67. Further, the COVID-19 crisis has highlighted the need for skills and training for working with mental health issues, which have been on the rise. The loss of sense

14. [Modern Slavery PEC | Research projects](http://modernslaverypec.org/research-areas/covid-19)<http://modernslaverypec.org/research-areas/covid-19>

15. [Ampliación de medidas dirigidas a víctimas de explotación sexual, trata y mujeres en contextos de prostitución en el Plan de Contingencia contra la Violencia de Género COVID-19 - Observatori violencia.org](https://observatoriviolencia.org/)

16. [The impact of COVID-19 on the protection of rights of trafficked and exploited persons, La Strada International, March 2020](https://www.strada-international.org/en/news/2020/03/16-the-impact-of-covid-19-on-the-protection-of-rights-of-trafficked-and-exploited-persons)

of freedom, lack of access to work and inability to return home have retriggered trauma.

68. ODIHR and UN Women conducted a global survey on the consequences of the pandemic, which involved 94 survivors of human trafficking, as well as some 400 front-line organisations.¹⁷ 77% of respondents indicated a need for additional funding to address challenges resulting from the pandemic.

69. In December 2020, the Alliance against Trafficking in Persons Expert Coordination Team (AECT) issued a Statement, co-signed by 20 organisations, including the Council of Europe, calling on states to increase their support to anti-trafficking civil society organisations during the COVID-19 pandemic, by providing them with long-term financial support to ensure the sustainability and digitalisation of their services, enabling their access to migration reception and detention facilities to allow for identification and referral of victims of trafficking, and facilitating their contacts and co-ordination with government institutions, including online.¹⁸

70. There have also been delays in the criminal justice system during the pandemic because the activities of courts and public prosecutors' offices were limited, dealing only with very urgent matters. As a result, access to justice by the victims, including their right to seek and obtain compensation, has been seriously affected. According to EUROJUST, the pandemic has affected mutual legal assistance in criminal matters, particularly when it comes to executing the arrest warrants, investigation orders, and functioning of the joint investigation teams.¹⁹

71. The effects of COVID-19 have made it increasingly difficult for the various actors involved to implement their goals in combating human trafficking, due to the impossibility of holding co-ordination meetings, awareness raising and training activities in the usual format, even if over time, digital alternatives have been found to facilitate exchange and co-operation. By way of example, in Estonia, the authorities created e-training videos and e-lecture classes on human trafficking for secondary school pupils.²⁰

72. In addition to the immediate impact of the pandemic, its long-term socio-economic effects are likely to aggravate the root causes of human trafficking, amongst which are poverty, unemployment and gender inequality. According to the World Bank, the COVID-19 pandemic is estimated to push an additional 88 million to 115 million people into extreme poverty in 2020, with the total rising to as many as 150 million by 2021, depending on the severity of the economic contraction.²¹

73. Migrant workers are at a heightened risk of exploitation due to loss of employment and lack of protection, and can become undocumented, forcing them into the

17. [Addressing Emerging Human Trafficking Trends and Consequences of the COVID-19 Pandemic](#), ODIHR and UN Women, July 2020

18. [Statement on support for civil society organisations during the COVID-19 pandemic - News \(coe.int\)](#)

19. [Executive summary - Impact of COVID-19 on Judicial Cooperation in Criminal Matters, Compilation of Replies](#), EuroJust, October 2020

20. <https://youtu.be/MbXzdlhoFyo> (in Estonian), <https://youtu.be/zN9IDhbNYSA> (in Russian).

21. <https://www.worldbank.org/en/news/press-release/2020/10/07/covid-19-to-add-as-many-as-150-million-extreme-poor-by-2021>

hands of traffickers. They also run a higher risk of contracting COVID-19 due to long working hours and poor working conditions, which do not allow physical distancing or regular handwashing.²²

74. The Global Protection Cluster Anti-Trafficking Task Team, in collaboration with IOM and UNHCR, published a guidance note addressing the problem of trafficking in persons amongst internally displaced persons (IDPs) who may fall victim more easily because of the further exacerbation of their already precarious conditions, with the pandemic fuelling further displacement, especially in countries where it impedes physical and economic access to food and essential services.²³

75. In Portugal, the Observatory on Trafficking in Human Beings conducted in-depth analyses on how the pandemic had exacerbated inequalities and other structural conditions that allow exploitation to take place. The results of the research were used for training seminars and awareness-raising campaigns, mainly aimed at migrant workers in precarious situations.

76. In July, the Council of Europe's Anti-Trafficking Division launched a call for proposals from civil society organisations to prevent trafficking in human beings and assist and protect victims of trafficking in the specific context of the COVID-19 pandemic. A total of 35 NGOs from 20 Council of Europe member states applied. The proposals covered topics including research on the impact of COVID-19 on the fight against trafficking in human beings; facilitation of access to health; adequate accommodation and psycho-social services to victims of trafficking in human beings; facilitation of access to justice for victims of trafficking; and awareness-raising activities. Four project proposals were selected, by NGOs from Bulgaria, France, Germany and Serbia. Through the grants, the Council of Europe supports initiatives from front-line civil society organisations ensuring that the victims of human trafficking and persons at risk of being trafficked are included in the response measures to the COVID-19 pandemic and its aftermath. In particular, the grants aim to support direct assistance to victims, strengthen the economic and social inclusion of victims, and increase knowledge of trafficking in human beings, related risks and the rights of victims.

22. [What's happening to undocumented people during the Covid-19 pandemic, PCIUM, July 2020](#)

23. [An Introductory Guide to Anti-Trafficking Action in Internal Displacement Contexts: 2020 - | IOM Online Bookstore](#)



Identification of trafficked persons amongst asylum seekers and access to international protection by victims of trafficking

Introduction

77. GRETA has paid particular attention to the interface between trafficking in human beings and asylum, dedicating a thematic section in its 5th General Report to a number of issues related to the identification and protection of victims of trafficking amongst asylum seekers, refugees and migrants.²⁴ Since then, GRETA country reports have examined in detail the measures taken by State Parties to combat human trafficking in the context of the unprecedented surge in asylum applications in Europe. In June 2020, GRETA issued a Guidance Note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection.²⁵

24. GRETA, 5th General Report on GRETA's activities, covering the period 1 October 2014 to 31 December 2015, <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168063093c>

25. GRETA, Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection, <https://rm.coe.int/guidance-note-on-the-entitlement-of-victims-of-trafficking-and-persons/16809ebf44>



78. The COVID-19 pandemic poses additional challenges to the identification of victims of trafficking, including amongst asylum seekers. Due to limited capacities of law enforcement and services, victims of trafficking can find themselves in an even more vulnerable position.²⁶ In some countries, the access of UNHCR, specialised NGOs and lawyers to asylum reception centres and immigration detention centres has been limited or stopped altogether.²⁷

79. GRETA presents in this General Report its most recent observations on the identification of trafficked persons amongst asylum seekers, as well as access to international protection for victims of trafficking.

Framework for identification of trafficked persons amongst asylum seekers

80. Early identification of victims of THB is central to ensuring that they receive appropriate protection and assistance. Under Article 4 of the European Convention on Human Rights, States have a positive obligation to identify presumed victims of trafficking, which arises also in the context of receiving persons seeking asylum, in determining applications for asylum and in resettlement procedures.²⁸ Further, Article 10 of the Council of Europe Anti-trafficking Convention requires that the competent authorities have staff who are trained and qualified in identifying and helping victims, including children, and that the authorities collaborate with one another and with relevant support organisations. The victim identification process is independent of any criminal proceedings against those responsible for the trafficking.

81. The identification of trafficked persons amongst asylum seekers was the focus of a conference on the interface between human trafficking and asylum which was co-organised by the Council of Europe, UNHCR and the Bulgarian National Commission

26. GRETA, [In time of emergency the rights and safety of trafficking victims must be respected and protected - News \(coe.int\)](#)

27. FRA Quarterly Bulletin 3, Migration: Key Fundamental Rights Concerns, https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-migration-bulletin-3_en.pdf

28. GRETA, Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection, GRETA(2020)06, para 39.

for Combating Trafficking in Persons in June 2015.²⁹ The discussions indicated that significant gaps exist in the identification of victims of trafficking amongst asylum seekers, and there is considerable reliance on self-identification of victims.

Multi-agency co-operation

82. GRETA has urged the authorities of several State Parties to pay increased attention to the proactive detection of victims of trafficking amongst asylum seekers. In order to improve the identification of trafficked persons amongst asylum seekers and prevent vulnerable persons from being exploited, States need to implement a formalised framework for multi-agency co-operation by setting up a National Referral Mechanism (NRM) and adopting guidelines on how to proceed when a presumed victim of trafficking is detected in the asylum procedure. For example, in Bulgaria, GRETA welcomed the updating of the NRM, which provides a framework for multi-agency co-operation, and involves the State Agency for Refugees and civil society actors.³⁰

83. The Italian Ministry of the Interior, together with UNHCR, developed and published Guidelines for the identification of victims of trafficking among applicants for international protection and referral procedures in 2017, which were updated in January 2021. The guidelines contain Standard Operating Procedures (SOPs) with flowcharts, indicators and practical suggestions on how to conduct interviews, plus a list of specialised anti-trafficking NGOs. When indicators of trafficking are detected by the Territorial Commissions for the recognition of international protection during an asylum interview, the case worker provisionally identifies the person as trafficked, and refers him/her to a specialised anti-trafficking NGO, which carries out the formal identification. While the identification process is on-going, with the person's agreement, the examination of the asylum claim is suspended in order to allow time for establishing a relationship of trust, and permit the person to reflect (which, according to the Guidelines, corresponds to the recovery and reflection period). The recommended maximum time for suspension of the asylum procedure is four months. After conducting interviews with presumed victims, the NGO sends a report to the Territorial Commission with information to assist it in continuing the consideration of the international protection claim. The two protection procedures can continue in parallel, i.e. a person who is identified and assisted as a victim of trafficking can obtain international protection. The guidelines have led to more victims of trafficking being identified amongst asylum seekers but have also increased the workload of NGOs without additional funding being made available. GRETA has urged the Italian authorities to provide NGOs involved in the identification of victims of trafficking amongst asylum seekers with sufficient resources to enable them to fulfil this task and enable effective co-operation.³¹

84. The project "REST – Residency Status: Strengthening the protection of trafficked persons", implemented by NGOs in six European countries, and co-funded by the Council

29. International Conference – The Interface between Trafficking in Human Beings and Asylum (23-24 June 2015, Sofia, Bulgaria), <https://rm.coe.int/international-conference-sofia-2015/1680710a17>

30. GRETA 3rd report on Bulgaria, GRETA(2020)10 prov, para 234.

31. GRETA 2nd report on Italy, GRETA(2018)28, paras 150-158.

of Europe, describes as a promising practice the launch of a pilot procedure for the identification and referral of potential victims of trafficking amongst persons seeking asylum at Madrid Barajas Airport. It is based on co-operation between the Spanish Asylum Office, the Spanish Red Cross and specialised NGOs. When asylum officers detect signs of trafficking amongst those applying for asylum at the airport, they inform the Red Cross, which has a team at the airport providing social support. The Red Cross, in turn, contacts one of the specialised NGOs so that they can meet the presumed victim, assess his/her situation, confirm whether there is evidence of trafficking, and inform the person about his/her rights and options. The NGO further prepares a report with findings and recommendations on referral for the Asylum Office.³²

85. In North Macedonia, faced with a sharp increase in the number of migrants and asylum seekers in 2015-2016, the national authorities have developed, in collaboration with UNHCR, indicators for the identification of victims of trafficking in mixed migration flows, Standard Operating Procedures for Processing Vulnerable Categories of Foreign Nationals, and Standard Operating Procedures for Dealing with Unaccompanied and Separated Children.³³ In Estonia, Migration Board officials dealing with asylum applications and staff of reception centres have at their disposal guidelines for detecting persons with special needs prepared by the European Asylum Support Office (EASO), which include indicators for the identification of victims of trafficking.³⁴

86. In order to detect situations of trafficking in human beings during asylum interviews, several States have developed guidelines for interviews, including specific questions related to trafficking (e.g. Austria, Slovak Republic) or refer to the application of the EASO online tool for the identification of persons with special needs.³⁵ However, GRETA has stressed that this needs to be embedded in a robust NRM combined with training for all representatives of the authorities involved.³⁶ As shown in Cyprus for instance, despite the efforts to improve the identification of victims of trafficking amongst asylum seekers by applying a “vulnerability assessment tool”, persons identified as presumed trafficked persons by UNHCR and NGOs have reportedly not been assessed as trafficked by the relevant police authority.³⁷

87. Several countries have set up focal points specialising in identifying possible victims of trafficking within the asylum system. By way of example, Finland appointed an expert on human trafficking to the Asylum Unit of the Immigration Service, and the local branches of the Asylum Unit also have liaison officers specialised in trafficking in human beings, who advise case workers conducting interviews.³⁸ France appointed specialised contact persons for trafficking in human beings within the French Office for the Protection of Refugees and Stateless Persons (OFPRA), who assist the officers examining asylum requests.³⁹ In Germany, every branch office of

32. REST – Residency Status: Strengthening the protection of trafficked persons, Policy Paper (January 2021), p. 62.

33. GRETA 2nd report on North Macedonia, GRETA(2017)39, para 191.

34. GRETA 1st report on Estonia, GRETA(2018)6, para 129.

35. EASO tool for identification of persons with special needs, <https://ipsn.easo.europa.eu/easo-tool-identification-persons-special-needs>

36. GRETA 3rd report on the Slovak Republic, GRETA(2020)05, paras 202-210.

37. GRETA 3rd report on Cyprus, GRETA(2020)04, paras 160 and 164.

38. GRETA 2nd report on Finland, GRETA(2019)06, para 100.

39. GRETA 2nd report on France, GRETA(2017)17, para 137.

the Federal Office for Migration and Refugees (BAMF) has a trained case manager, who acts as a special representative for victims of THB and serves as contact point for all matters related to human trafficking.⁴⁰ Poland appointed a specific co-ordinator in the Office for Foreigners (which is responsible for asylum applications and subordinated to the Ministry of Foreign Affairs) with the particular responsibility for identifying possible victims of trafficking.⁴¹

88. GRETA stresses the important role of NGOs in the identification of victims of THB, and has repeatedly recommended that national authorities ensure access of NGOs to asylum facilities and immigration detention centres, as well as provide sufficient funding to NGOs to enable them to carry out visits to such establishments, which are often located in remote places (e.g. Poland).⁴²

89. Despite a persistent lack of meaningful and accurate qualitative and quantitative data on the number of trafficked persons identified amongst asylum seekers, and on how often asylum is granted where the persecution feared is linked to human trafficking,⁴³ State Parties have strengthened their efforts in setting up mechanisms enabling statistical information to be compiled on victims of trafficking and allowing its disaggregation. Even though some countries still have no data collected/available on the number of victims of trafficking identified amongst asylum seekers, an increasing number of State Parties report having identified trafficked persons amongst asylum seekers.⁴⁴ However, in some countries this identification seems to be down to chance rather than the outcome of a comprehensive and systematic identification effort.

In **Norway**, according to the Directorate of Immigration (UDI), 98 international protection applicants were identified as presumed victims of trafficking in the course of the evaluation of their claims in 2016-2019.⁴⁵ In **Switzerland**, according to the State Secretariat for Migration (SEM), 289 presumed victims of trafficking were detected amongst asylum seekers in 2014-2017.⁴⁶

In **Slovenia**, the authorities reported that, in the first half of 2017, 82 interviews were conducted with asylum seekers, and trafficking indicators were found in seven cases. In **Spain**, 256 asylum seekers were interviewed in 2016-2017, following information supplied by the Office of Asylum and Refugees, in order to establish whether they were victims of trafficking.⁴⁷

90. In some countries, most referrals of potentially trafficked persons into the NRM arise from asylum claims.

40. GRETA 2nd report on Germany, GRETA(2019)07, para 130.

41. GRETA 2nd report on Poland, GRETA(2017)29, para 107.

42. GRETA 2nd report on Poland, GRETA(2017)29, para 109.

43. See GRETA, 5th General Report on GRETA's activities, GRETA(2016)1, para 114.

44. Austria, Bulgaria, Cyprus, Croatia, Czech Republic, Denmark, France, Germany, Greece, Hungary, Italy, Latvia, Liechtenstein, Malta, North Macedonia, Norway, Poland, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland and the United Kingdom.

45. Response of Norway to GRETA's third round questionnaire, GRETA(2018)26_NOR_rep.

46. GRETA 2nd report on Switzerland, GRETA(2019)14, para 128.

47. GRETA 2nd report on Spain, GRETA(2018)7, para 150.

In **Finland**, in the period 2014-2016, 40% of all referrals of potentially trafficked persons from the asylum system were Nigerian women. In **Italy**, as a result of the adoption of the Guidelines for the identification of victims of trafficking amongst applicants for international protection and referral procedures, the Territorial Commission in Rome referred and examined 533 requests for international protection from presumed victims of trafficking.⁴⁸ In the **United Kingdom**, a large proportion of the referrals into the NRM was made by the United Kingdom Visas and Immigration: 30% in 2018 and 23% in 2019.⁴⁹

91. In order to improve identification, GRETA recommends setting up and periodically updating the NRM, and strengthening the training of relevant officials (see paragraphs and following). Further measures recommended are the inclusion of specific measures on trafficking and asylum in National Action Plans. By way of example, Austria's fifth National Action Plan, covering 2018-2020, has an enhanced focus on preventing and combating trafficking of refugees and asylum seekers, and enhanced capacity building in reception centres.⁵⁰

Compatibility between asylum procedures and the assistance and protection framework for trafficked persons

92. It is important that States ensure structural compatibility between the asylum process and the assistance and protection framework for trafficked persons. There can be confusion as to the relationship between the asylum determination process and identification procedures for victims of trafficking. It is important that there is a possibility for identification and asylum procedures to be conducted in parallel. Complementary procedures can ensure that trafficked persons are entitled to specific rights as victims of trafficking whilst seeking asylum.⁵¹

93. In Belgium, the process of identification of a person as a victim of trafficking can be conducted in parallel with the examination of asylum applications. When a person is identified as trafficked, no new residence permit is issued if the person already has a permit as part of the asylum procedure.⁵² However, as pointed out in the context of the project "REST – Residency Status: Strengthening the protection of trafficked persons", there are situations in other countries in which residence permits based on the status of being trafficked are withdrawn once the person concerned applies for asylum, or the application for a temporary residence permit based on the status of being trafficked is rejected on the grounds that the asylum claim needs to be determined first.⁵³

48. GRETA 2nd report on Italy, GRETA(2018)28, para 151.

49. See National Referral Mechanism statistics UK: End of year summary 2019: data tables second edition, Table 9, available at: <https://www.gov.uk/government/statistics/national-referral-mechanism-statistics-uk-end-of-year-summary-2019>.

50. GRETA 3rd report on Austria, GRETA(2020)03, para 222.

51. International Conference – The Interface between Trafficking in Human Beings and Asylum (23-24 June 2015, Sofia, Bulgaria), conference report, p 25; TRACKS – Identification of trafficked asylum seekers' special needs, Comparative Report (2018), p. 11, https://ccme.eu/wp-content/uploads/2018/12/2018-01-25-TRACKS_consolidated_Full_Report_January_2018.pdf

52. GRETA 2nd report on Belgium, GRETA(2017)26, para 103.

53. REST – Residency Status: Strengthening the protection of trafficked persons, Policy Paper (January 2021), pp. 13-46.

94. A specific issue of compatibility concerns the right to a recovery and reflection period pursuant to Article 13 of the Convention. In Spain, a person who has been granted a recovery and reflection period can at the same time apply for asylum within a period of three months.⁵⁴ However, in Norway, the recovery and reflection period is incompatible with an asylum procedure: when a victim of trafficking applies for asylum after having been granted the recovery and reflection period, he/she might lose certain entitlements, such as the right to work.⁵⁵ Similarly, the Swiss authorities do not grant a recovery and reflection period where there are reasonable grounds to believe that an asylum seeker is a victim of human trafficking. GRETA has stressed in this context that, where reasonable grounds exist that a person is a victim of trafficking, they should have access to a recovery and reflection period, independently of the fact that the person has sought asylum. Linked to the right to a recovery and reflection period is the obligation to provide assistance measures which may not be covered by the standard asylum assistance.⁵⁶

95. Victims of trafficking, who are also seeking asylum, must be provided with specialised support measures according to Article 12 of the Convention, despite possibly different levels of assistance entitlements for victims of trafficking and asylum seekers.⁵⁷ Trafficked persons should have access to specialised shelters and accommodation that should be separate from the immigration system. Presumed victims of trafficking are also entitled to appropriate and secure accommodation, hence it needs to be gender-sensitive, protect victims from intimidation by other residents and staffed with persons who are aware of the needs of victims of trafficking.⁵⁸

Accelerated asylum procedures

96. The Council of Europe's Guidelines on human rights protection in the context of accelerated asylum procedures define an accelerated asylum procedure as "one that derogates from normally applicable procedural time scales and/or procedural guarantees with a view to expediting decision-making".⁵⁹ The vulnerability of unaccompanied children and trafficked persons needs to be taken into account when deciding whether to apply accelerated asylum procedures to these groups. Part of the minimum procedural guarantees are, for instance, having an individual interview and access to legal advice and assistance. In accelerated asylum procedures, there is a risk that indicators of trafficking in human beings are not noticed, and that persons who might have been trafficked are not identified as such. As noted by GRETA in its 5th General Report, claims based on the harms of human trafficking are particularly unsuited to accelerated processing, and limit the likelihood of identification of victims.⁶⁰ GRETA stresses in this context the importance of carefully screening cases

54. Ibid., p. 12.

55. GRETA 2nd report on Norway, GRETA(2017)18, para 123.

56. GRETA 2nd report on Switzerland, GRETA(2019)14, para 186.

57. GRETA, Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection, GRETA(2020)06, para 41.

58. Ibid., para 43.

59. Committee of Ministers of the Council of Europe, Guidelines on human rights protection in the context of accelerated asylum procedures (adopted by the Committee of Ministers on 1 July 2009 at the 1062nd meeting of the Ministers' Deputies). See Appendix 6, page 29: [Result details \(coe.int\)](#)

60. GRETA, 5th General Report on GRETA's activities, para 116.



channelled into the accelerated procedure for possible trafficking claims, and the need to proactively identify possible victims of trafficking amongst asylum seekers in order to avoid possible victims of trafficking being subjected to the accelerated procedure.⁶¹

97. The European Commission's New Pact on Migration and Asylum⁶² includes a pre-entry screening at the EU external borders that encompasses also a vulnerability check, which is foreseen when assessed as "relevant" by the authorities.⁶³ In the screening, national child protection authorities and anti-trafficking rapporteurs should also be involved, "where appropriate".⁶⁴ GRETA stresses the importance of ensuring that the screening process enables the detection of indicators of trafficking in human beings or signs of vulnerability to being trafficked (see paragraphs 145-146 on pushback policies and practice).

Training of key actors in the asylum system on trafficking in human beings

98. Article 10, paragraph 1, of the Convention requires State Parties to provide their competent authorities with persons "who are trained and qualified in preventing and combating trafficking in human beings, in identifying and helping victims, including children". To fulfil the duty to identify victims of trafficking amongst asylum seekers, States are required to ensure that all persons responsible for determining asylum claims are trained in the identification and referral of victims of trafficking to specialised assistance.⁶⁵

99. Several recently published GRETA reports provide examples of relevant training. In Austria, the Federal Office for Immigration and Asylum (BFA) has offered, together with the specialised NGO LEFÖ-IBF, training on human trafficking to BFA officials and staff at Federal Reception Centres. In addition, IOM Austria and LEFÖ-IBF have

61. GRETA 2nd report on Iceland, GRETA(2019)02, paras 98 and 101.

62. https://ec.europa.eu/info/publications/migration-and-asylum-package-new-pact-migration-and-asylum-documents-adopted-23-september-2020_en

63. See Article 9 (2) of the Proposal for a Regulation of the European Parliament and of the Council introducing a screening of third country nationals at the external borders and amending Regulations (EC) no 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817, COM/2020/612 final.

64. Ibid., Article 6 (7).

65. See GRETA, Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection, GRETA(2020)06, para 40.

been sensitising asylum officials from the BFA and the Federal Administrative Court, legal counsellors and social workers in the asylum procedure on human trafficking and intercultural competence. In 2017-2019, approximately 500 law enforcement officers and medical staff of police detention centres (PAZ) received training on the identification of victims of human trafficking, including amongst asylum seekers.⁶⁶ In Bulgaria, training on human trafficking has been provided to staff of the Migration Directorate of the Ministry of the Interior and the State Agency for Refugees, in order to increase staff capacity for identification, risk assessment and referral to specialised services of victims of trafficking.⁶⁷ Similarly, in Germany, the Federal Office for Migration and Refugees (BAMF) has reported that all decision-makers in asylum proceedings have completed the EASO module on interview techniques, consideration of evidence and granting of protection. According to the BAMF, since November 2018, all newly appointed decision-makers have received information on the identification of victims of human trafficking as part of their basic training.⁶⁸

100. In Denmark, at the Sandholm asylum reception centre visited by GRETA, all staff were trained in human trafficking, including on trafficking indicators.⁶⁹ In Belgium, the federal agency for the reception of asylum seekers (Fedasil), organises training on human trafficking for its staff, including with a view to sensitising the teams dealing with unaccompanied foreign children.⁷⁰ In Italy, the Ministry of the Interior and UNHCR have provided training on the identification of victims of trafficking amongst asylum seekers to members of the Territorial Commissions for the recognition of international protection, on the basis of the Guidelines for the identification of trafficking victims amongst asylum-seekers. In addition, in the framework of the project ADITUS, IOM implemented training for staff working at facilities for asylum seekers and staff of the Prefectures involved in the management of the phenomenon of trafficking and exploitation, focusing also on trafficking for the purpose of labour exploitation.⁷¹

101. State practice in this field, however, remains variable. In most State Parties, training of relevant professionals on the identification of trafficked persons amongst asylum seekers tends to be haphazard and *ad hoc*. There is little in the way of systematic, comprehensive and repeated training and awareness-raising that would address gaps and ensure that new personnel receive training as others move on. When training is available to asylum staff, it is not necessarily compulsory. The consequence is that there is a real risk that trafficking victims in the asylum system will not be recognised as such.

102. GRETA has repeatedly called upon States to provide systematic training and including THB in the regular training curricula of relevant professional groups, including immigration police officers, asylum case workers, and staff working in centres for accommodation of asylum seekers and immigration detention centres.⁷²

66. GRETA 3rd report on Austria, GRETA(2020)03, para 223.

67. GRETA 3rd report on Bulgaria, GRETA(2020)10 prov, para 228.

68. GRETA 2nd report on Germany, GRETA(2019)7, para 43.

69. GRETA 3rd report on Denmark, GRETA(2020)09 prov, para 178.

70. GRETA 2nd report on Belgium, GRETA(2017)26, para 38.

71. GRETA 2nd report on Italy, GRETA(2018)28, paras 49 and 51.

72. GRETA urgent procedure report on Italy, GRETA(2016)29, para 72; GRETA 2nd report on Spain, GRETA(2018)7, para 151.



103. One issue of concern, not relating to the training itself, is the delegation of the operation of reception centres for asylum seekers to private companies.⁷³ While it is not uncommon for certain functions to be delegated, such as the running of shelters by NGOs, the State remains legally responsible for the identification of trafficking victims, including amongst asylum seekers. It must therefore ensure that private companies meet the requisite standards in the identification of victims.

104. Another issue is that some countries are dependent upon outside funding and expertise to conduct training. The expertise may be recruited directly, or through programmes run by other organisations, including IOM and the European Law Academy. While these programmes have audiences drawn from several countries, they do not necessarily deal in depth with individual countries' needs. Some countries have used the resources of EASO in training of their personnel.⁷⁴ Conferences have also been used to raise awareness and knowledge of the issues.⁷⁵

Asylum seekers' vulnerability to being trafficked in the country of destination and risk of asylum procedures being exploited by traffickers

105. Some people may be in the process of being trafficked at the time of filing an asylum application, while others may claim asylum at a later stage, after having escaped their traffickers. Risks of being trafficked and subjected to exploitation may also be faced by people who have already been recognised as refugees, or granted a different form of protection, including humanitarian and subsidiary protection.

106. Asylum seekers are already in a vulnerable position. They may have no regular or legitimate means of income. They are usually separated from their families, and the only support network may be what is provided by the State. The level of support may

73. GRETA 2nd report on Finland, GRETA(2019)06, para 101. See also GRETA 2nd report on Ireland, GRETA(2017)17, para 135, and GRETA 1st report on Greece, GRETA(2017)27, para 82.

74. For example, GRETA 2nd report on Germany, GRETA(2019)07, paras 43-44; GRETA 3rd report on Croatia, GRETA(2020)10, para 119; GRETA 2nd report on Hungary, GRETA(2019)13, para 33.

75. For example, Bulgarian National Commission for Combating Trafficking in Human Beings, Council of Europe and UNHCR, International Conference on the Interface between Trafficking in Human Beings and Asylum, 23-24 June 2015.

vary considerably between countries, especially as some countries must cope with significantly higher numbers of asylum seekers compared to others. For example, in Greece, GRETA noted that the relocation of asylum seekers to other EU countries had been slow, and concerns were expressed about the impact of tighter entry procedures and the closure of borders on families and unaccompanied children being exposed to exploitation and trafficking when they seek the help of smugglers and try to raise money for their journey.⁷⁶ In Serbia, GRETA noted that migrants are vulnerable to exploitation in settings where they have been stranded or unable to move on because they lack resources to pay smugglers or others to help them to continue their journey, a vulnerability exacerbated by their irregular status and inability to seek protection from exploitation from the authorities.⁷⁷

107. In France, Italy and Portugal, the authorities have highlighted the instrumentalisation of the asylum system by trafficking networks, which maintain control over trafficked persons in reception centres, taking advantage of their regularised status and of the gaps in the identification and protection of trafficked persons amongst asylum seekers.⁷⁸ In Italy, GRETA further observed that trafficking for the purpose of labour exploitation had been on the rise, as a substantial share of asylum seekers and refugees accommodated in temporary reception centres are believed to constitute a cheap labour force and often work in substandard, if not abusive, conditions.⁷⁹ Asylum seekers need to be housed in safe accommodation to reduce the risk of being kept under the influence of, or recruited by, traffickers. Such accommodation should have staff trained to identify those who have been trafficked or who are at risk of being trafficked.

108. While a lack of practical support regarding accommodation and other living conditions may increase the vulnerability of asylum seekers to being trafficked,⁸⁰ measures to integrate them may reduce that vulnerability. In Italy, the project “Inside” was launched in November 2015 to promote social and labour integration of beneficiaries of international protection accommodated in the asylum reception system.⁸¹ In Estonia, the authorities implemented the Strategy of Integration and Social Cohesion entitled “Integrating Estonia 2020”. In 2014, an action plan entitled “Welcoming Programme” was adopted, the main goal of which is to support the integration of refugees and asylum seekers by providing them with information on the functioning of the Estonian State and society, daily life, work, study and family matters, and facilitating the learning of the Estonian language.⁸² Malta has a scheme that allows rejected asylum seekers who have been in Malta for more than five years, and who cannot return to their home state, to obtain a two-year renewable residence permit, which should lessen the vulnerability to being trafficked.⁸³

76. GRETA 1st report on Greece, GRETA(2017)27, para 14.

77. GRETA 2nd report on Serbia, GRETA(2017)37, para 113.

78. Reply of France to GRETA’s third round questionnaire, GRETA(2018)26_FRA_rep, p. 45; GRETA urgent procedure report on Italy, GRETA(2016)29, para 29; GRETA 2nd report on Portugal, GRETA(2017)4, para 15.

79. GRETA 2nd report on Italy, GRETA(2018)28, para 39.

80. GRETA 3rd report on Cyprus, GRETA(2020)04, para 171.

81. GRETA 2nd report on Italy, GRETA(2018)28, para 95.

82. GRETA 1st report on Estonia, GRETA(2018)6, para 109.

83. Reply of Malta to GRETA’s third round questionnaire, GRETA(2018)26_MLT_rep, para 28.



109. Access to employment may reduce the isolation of some asylum seekers and enable them to support themselves. This may also reduce the likelihood of accepting offers of informal employment, which may in fact be recruitment for exploitation. GRETA considers that asylum seekers, and trafficked persons amongst asylum seekers, should be allowed effective access to the labour market. In Portugal and Sweden, asylum seekers can access the labour market immediately after their claim is registered with the authorities. In Italy, an asylum seeker can take up employment after 60 days from the date of lodging their asylum application.

110. Many countries, however, do not allow access to the labour market to asylum seekers, or else they allow only restricted access. In the United Kingdom, asylum seekers are not generally allowed to carry out paid work, with the exception of those who are given permission to enter employment when their claim has been outstanding for a year. In Ireland, asylum seekers, including trafficked persons seeking asylum, were excluded from accessing the labour market, until a Supreme Court decision delivered on 30 May 2017 found that such absolute prohibition was contrary to the constitutional right to seek employment.⁸⁴ Although a scheme for accessing the labour market was introduced in 2018, the requirements are high and access is limited in practice. One of the few available options to avoid having to comply with the income threshold defined in the scheme is self-employment. However, GRETA noted that, in some countries that allow self-employment, this has apparently led, *inter alia*, to some women asylum seekers being driven into working in prostitution on a self-employed basis.⁸⁵

Access to information in the asylum system on the rights of trafficked persons

111. Access to information, including as regards their legal rights, should be available once the authorities are aware that there is a possibility that an asylum seeker has been trafficked, or is at risk of being trafficked; it should not depend on formal identification as such. Effective access to relevant information, including legal counselling, is not only a matter of providing information itself. That information must be

84. Supreme Court decision No. 31 & 56/2016, 30 May 2017, as quoted in GRETA 2nd report on Ireland, GRETA(2017)17, para 140.

85. GRETA 3rd report on Austria, GRETA(2020)03, para 72.



able to be understood by the recipient. Therefore, it needs to be in a language that the person can understand, or else explained to them by a person who is qualified to do so. This may require persons with appropriate legal and linguistic expertise.

112. Various measures may be used to achieve this, including advice from specialised NGOs,⁸⁶ leaflets with information about asylum seekers' rights and other information, such as contact details for support bodies,⁸⁷ workshops and training courses.⁸⁸ GRETA has stressed that asylum seekers should be systematically informed, in a language they can understand, about their rights in the framework of the asylum procedure, as well as the consequences of entering the NRM and the legal rights and services available to victims of trafficking.⁸⁹ Furthermore, legal advice should be provided free of charge at early stages of the identification and asylum procedure, to assist asylum seekers in understanding the procedure and also the risks they may face in case of return or transfer to the first country of asylum.⁹⁰

113. It is vital that competent interpreters be available in dealing with the authorities. Interpreters should be of the same sex as the asylum seeker where possible (in particular if the asylum seeker requests this), and they should not have personal connections to the asylum seeker, to avoid the possibility that the interpreter may seek to influence the discussion or misinterpret what has been said.

Access to asylum for victims of trafficking

114. In general, people who have been trafficked, or who are at risk of being trafficked in the future, may have an entitlement to international protection in a state of which they are not a citizen or permanent resident. Hence, as stressed by GRETA in the Guidance Note issued in June 2020, all States Parties to the Convention should

86. GRETA 3rd report on Austria, GRETA(2020)03, para 41.

87. GRETA 2nd report on Belgium, GRETA(2017)26, para 26; GRETA 1st report on Greece, GRETA(2017)27, para 145; GRETA 2nd report on Hungary, GRETA(2019)13, para 94; GRETA 3rd report on the Slovak Republic, GRETA(2020)05, para 90.

88. GRETA 3rd report on Croatia, GRETA(2020)10 prov, para 50; GRETA 2nd report on Latvia, para 79.

89. GRETA 3rd report on Albania, GRETA(2020)09 prov, para 166; GRETA 3rd report on Croatia, GRETA(2020)10 prov, para 187; para 199.

90. REST – Residency Status: Strengthening the protection of trafficked persons, Policy Paper (January 2021), p. 7.

allow for asylum applications to be made while presumed victims of trafficking are in an identification procedure. The human rights-based approach enshrined in the Convention requires States Parties to take into account the risk of persecution of victims of trafficking, as well as to ensure that all foreign nationals identified as victims of trafficking are informed about their right to request international protection and have access to fair and efficient asylum procedures.⁹¹

115. Access to fair and efficient asylum procedures, early legal counselling and specialised assistance in accordance with Article 12 of the Convention are essential if victims of trafficking are to be enabled to present an asylum claim effectively. Any linkage between the evaluation of the merits of a claim to asylum and the willingness of the victim to give evidence in proceedings against the traffickers should be avoided. Given the complex nature of the crime of trafficking, and the trauma endured by victims of trafficking, such asylum claims require an examination on their merits in regular procedures. Therefore, as noted above, claims based on the harms associated with human trafficking are particularly unsuited to accelerated processing and may impede identification of victims.⁹²

116. In a number of countries, GRETA was informed that victims of trafficking were recognised as refugees or obtained some other kind of international protection, such as subsidiary or humanitarian protection.

In **Austria**, there has been an increase in the number of victims granted asylum, mostly Nigerian women, based on the grounds of membership of a particular social group.⁹³ In **Cyprus**, from 2015-20, 12 persons were granted refugee status on the grounds of being victims of trafficking (primarily from Cameroon and Nigeria).⁹⁴ In **Finland**, many asylum seekers are granted asylum based on the fact that they have been victims of human trafficking, but there are no available statistics.⁹⁵ In **France**, membership of a particular social group has been recognised for Nigerian women originating from Edo State, and for women from Albania, Kosovo* and Ukraine who are victims of human trafficking.⁹⁶ In **Norway**, in 2016-2019, 55 presumed victims of trafficking (both women and men) were granted residence permits in the international protection procedure (of which 36 were recognised as refugees).⁹⁷

117. The case of Malta highlights a significant impediment to the recognition of trafficking victims amongst asylum seekers. Malta does not recognise that being trafficked can form the basis for a claim to international protection.⁹⁸ This would

91. GRETA, Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection, GRETA(2020)06, paras 37-38; see also UNHCR, *Guidelines on International Protection: The application of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees to victims of trafficking and persons at risk of being trafficked*, paras 45-50.

92. GRETA, 5th General Report on GRETA's Activities, para 116.

93. GRETA 3rd report on Austria, GRETA(2020)03, para 224.

94. GRETA 3rd report on Cyprus, GRETA(2020)04, para 14.

95. GRETA 2nd report on Finland, GRETA(2019)06, para 163.

* All references to Kosovo, whether the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

96. GRETA 2nd report on France, GRETA(2017)17, paras 136-138.

97. GRETA 2nd report on Norway, GRETA(2017)18, para 132; reply of Norway to GRETA's third round questionnaire, GRETA(2018)26_NOR_rep.

98. Reply of Malta to GRETA's third round questionnaire, GRETA(2018)26_MLT_rep, p. 36.



not in itself prevent a trafficking victim who has made a claim for asylum on some other basis being recognised as a victim. However, given that national policy is to disregard possible linkage between victims of trafficking and legitimate asylum claims makes it less likely that the state will look for victims of trafficking amongst asylum seekers.

Victims of trafficking amongst children seeking asylum

118. The Convention recognises the additional measures of protection and prevention required to ensure that the rights of child victims of trafficking are effectively protected by States. Pursuant to Article 5, paragraph 5, of the Convention, Parties are required to take specific measures to reduce children's vulnerability to trafficking. Further, States have a positive obligation to identify child victims, and in the context of significantly increased numbers of unaccompanied and separated children arriving in Europe, the obligation on States to ensure protection of such vulnerable children and young persons is ever more urgent. States should establish early identification measures to detect trafficking amongst migrant children and develop referral mechanisms.⁹⁹

119. In order to avoid trafficking and exploitation of unaccompanied and separated children, effective care arrangements, including safe and appropriate accommodation, need to be provided. In general, all children should be promptly referred to the existing child protection system and authorities upon initial identification.¹⁰⁰ Reception centres for migrants or facilities for children need to be adequately financed to be fully and effectively operational. Children's vulnerability is increased when too much time is taken to refer them to special facilities or when they are accommodated

99. Joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, CMW/C/GC/4-CRC/C/GC/23, para 43.

100. Forin, Roberto and Healy, Claire (2018). *Trafficking Along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking* (ICMPD) p. 118.

together with unrelated adults in first reception facilities. Unaccompanied children should be provided with separate bedrooms, and not reside in the same facility as adult applicants.¹⁰¹

120. GRETA's reports provide examples of countries having set up facilities for unaccompanied or separated children, with high levels of staff supervision.

In the Netherlands, unaccompanied children under 15 years of age are placed in foster families and those who are older, in small reception centres or in protected shelters if they are considered vulnerable to trafficking.¹⁰² In **Ireland**, unaccompanied children are initially accommodated in small residential centres for six months, after which they are placed in foster care or supported lodgings.¹⁰³

121. However, in some countries, GRETA has noted with concern that unaccompanied children are accommodated together with adults. By way of example, unaccompanied children in Serbia were accommodated together with adults in reception centres for asylum seekers and migrants, without adequate facilities or trained staff.¹⁰⁴

Identification of trafficked children or children at risk of being trafficked amongst unaccompanied children

122. Article 10(4) of the Convention provides that, as soon as an unaccompanied child is identified as a victim, each Party shall: (a) provide for representation of the child by a legal guardian, organisation or authority which shall act in the best interests of that child; (b) take the necessary steps to establish his/her identity and nationality; (c) make every effort to locate his/her family when this is in the best interests of the child.

123. As stressed by GRETA in its 5th General Report, identification of child victims of trafficking requires specialised training to ensure that where a child is unable to explicitly articulate a concrete fear of persecution, including trafficking, such risks are recognised, and protection provided without delay. Identification of child victims is also essential to the prevention of re-trafficking.¹⁰⁵

124. Child victim identification in general constitutes a major gap in the implementation of the Convention.¹⁰⁶ Nevertheless, some positive practices have been noted in GRETA's reports. For instance, Sweden has guidelines entitled "Unaccompanied Children - Handbook on Social Welfare Board's Responsibilities and Duties", which set out the protocol to be followed by social workers when there is a suspicion of trafficking or other crimes against unaccompanied children. Furthermore, a knowledge centre was established at the National Board of Health and Welfare on issues concerning unaccompanied children and young people.

101. Council of Europe, *Promoting child-friendly approaches in the area of migration – standards, guidance and current practice* (2019) p 27.

102. GRETA 2nd report on the Netherlands, GRETA(2018)19, para 143.

103. GRETA 2nd report on Ireland, GRETA(2017)28, paragraph 151.

104. GRETA 2nd report on Serbia, GRETA(2016)20, paras 71-73.

105. GRETA, 5th General Report on GRETA's activities, p. 36.

106. GRETA, 9th General Report on GRETA's activities, p. 68.

125. GRETA has recommended to several Parties that a proactive approach be taken to the detection of victims of trafficking amongst unaccompanied and separated children (e.g. Greece, Italy, Portugal, Serbia). Greater inter-agency co-operation is identified as one key factor for improving the protection of unaccompanied children.¹⁰⁷ Parties should develop guidelines for the different authorities involved on how to deal with cases where a possible victim of trafficking is an asylum seeker.¹⁰⁸ Trafficking should be routinely considered as a possibility when interviewing asylum-seeking children,¹⁰⁹ and children seeking asylum should be screened for indicators of trafficking.¹¹⁰

Children going missing from care

126. In a number of its reports, GRETA has expressed serious concerns about the disappearance of unaccompanied children from reception facilities and has asked the authorities to address this problem by providing suitable safe accommodation and sufficient numbers of adequately trained supervisors.¹¹¹

127. An important measure to prevent children going missing from care is the timely appointment of a legal guardian to represent the child throughout the proceedings, as well as adequate training and supervision of guardians.

In **the Netherlands**, GRETA welcomed the smooth procedures for appointing guardians for unaccompanied children, while the appointment taking place within two to three days.¹¹² Despite challenges within the system of legal guardianship in **Italy**, GRETA was informed about promising practices at local level, such as the initiative of the NGO *AccoglieRete* setting up a database of legal guardians and providing them with training.¹¹³

128. Guardianship systems must be adequately funded, and provisions made to limit the number of children assigned to a guardian. As shown for instance in Serbia, inadequate resources and understaffing of the relevant authority providing guardianship can lead to one staff member having as many as 50 children under his/her guardianship.¹¹⁴

129. Legal guardianship for unaccompanied children in Belgium is linked to several conditions, including that the child is in a situation of vulnerability. GRETA pointed out in this context that “the mere fact of unaccompanied children being present on the territory of a foreign country without an adult exercising parental authority or guardianship makes them vulnerable to trafficking”.¹¹⁵

107. International Conference – The Interface between Trafficking in Human Beings and Asylum (23-24 June 2015, Sofia, Bulgaria), conference report, p. 13.

108. GRETA 2nd report on Iceland, GRETA(2019)02, para 101.

109. GRETA 2nd report on Finland, GRETA(2019)06, para 143; GRETA 2nd report on Sweden, GRETA(2018)8, para 138.

110. GRETA 2nd report on Luxembourg, GRETA(2018)18, para 115.

111. E.g. Croatia, Bulgaria, France, the Netherlands, Norway, Portugal, Slovenia, Sweden, Switzerland, Ukraine, United Kingdom.

112. GRETA 2nd report on The Netherlands, GRETA(2018)19, para 144.

113. GRETA urgent procedure report on Italy, GRETA(2016)29, para 53.

114. GRETA 2nd report on Serbia, GRETA(2016)20, paras 71-73.

115. GRETA 2nd report on Belgium, GRETA(2017)26, para 70.

130. GRETA was concerned that in Sweden, unaccompanied children are not represented by a guardian when having their first interview with the migration authorities.¹¹⁶ In Switzerland, GRETA noted that dozens of children were reportedly sent back to Italy immediately upon coming to the attention of the authorities, without a legal guardian being appointed due to the assumption of the authorities that the children would make false statements concerning their age.¹¹⁷

131. GRETA has made further recommendations to prevent children from going missing from care, including conducting expeditious registration of asylum-seeking children who are at risk of disappearing,¹¹⁸ and ensuring registration at birth of children of asylum seekers.¹¹⁹ In Norway, a fast-track asylum procedure for especially vulnerable unaccompanied child asylum seekers has been introduced.¹²⁰

132. In some countries, GRETA was concerned that after a child disappears from care, it is not clear which institution is responsible for searching for the child, or there was a lack of follow up or investigation (e.g. Norway, Sweden, Switzerland). In the United Kingdom, GRETA urged the authorities to ensure that information about missing children is exchanged between police forces and local authorities.¹²¹

Detention of unaccompanied children

133. GRETA has stressed the importance of ensuring compliance with international standards on the rights of the child, in particular as regards the deprivation of children's liberty as a measure of last resort and for the shortest appropriate period of time.¹²² The UN Committee of the Rights of the Child (CRC) states that on the basis of Article 37 of the UN Convention on the Rights of the Child and the principle of the best interests of the child, unaccompanied or separated children should not, as a general rule, be detained.¹²³ There is an emerging international consensus that detention of children for purely migration-related reasons contradicts various provisions of the CRC.¹²⁴ Research for the recently published UN Global study on children deprived of liberty recognises that migration-related detention of children cannot be considered as a measure of last resort and is never considered as being in the best interests of the child, regardless of whether the child is unaccompanied or with their families.¹²⁵ The European Convention on Human Rights (ECHR) does not explicitly prohibit the detention of refugee and migrant children, but the Court has

116. GRETA 2nd report on Sweden, GRETA(2018)8, para 134.

117. GRETA 2nd report on Switzerland, GRETA(2019)14, para 92.

118. GRETA 2nd report on Sweden, GRETA(2018)8, para 138.

119. GRETA 2nd report on Germany, GRETA(2019)07, para 99; GRETA 2nd report on Ukraine, GRETA(2018)20, para 79.

120. GRETA 2nd report on Norway, GRETA(2017)18, para 106.

121. GRETA 2nd report on United Kingdom, GRETA(2016)21, para 210.

122. GRETA, 6th General Report on GRETA's activities, para 147.

123. CRC Committee, General Recommendation 6, para 61.

124. See for instance Manfred Nowak (ed.), *The United Nations Global Study on Children deprived of Liberty* (2019), p. 450; Joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, CMW/C/GC/4-CRC/C/GC/23, paras 10-12.

125. UN GA, *Global study on children deprived of liberty*, A/74/136, para 56.



found a violation of Article 3 of the ECHR in cases of detention of children taking into account the child's young age, the length of the detention and the unsuitability of the premises for accommodating children.¹²⁶ Several Council of Europe bodies have stressed that deprivation of liberty may increase the vulnerability of asylum seekers, and both the Parliamentary Assembly and the Commissioner for Human Rights have highlighted that vulnerable persons, including unaccompanied children and victims of trafficking, should not be placed in detention.¹²⁷ According to the Parliamentary Assembly, it is "never in the best interests of a child to be detained on the basis of their or their parents' immigration status".¹²⁸ GRETA has urged the authorities of some Parties to seek alternatives to the detention of unaccompanied children.¹²⁹

134. GRETA stresses that, pursuant to Article 10, paragraph 2, and Article 12, paragraph 7, of the Convention, children who are presumed to be victims of trafficking need to be placed in accommodation that has suitably qualified staff and is appropriate in terms of their specific needs.¹³⁰ Hence, when there are reasonable grounds to believe that unaccompanied children are victims of trafficking, they need to be transferred to specialised accommodation.

Dublin Regulations and other return/exclusion mechanisms

135. Article 16 of the Convention provides that, when a Party returns a victim to another State, such return shall be with due regard for the rights, safety and dignity of that person and for the status of any legal proceedings related to the fact that the

126. Council of Europe, *Promoting child-friendly approaches in the area of migration – standards, guidance and current practice*, 2019, 75-76. See for instance *Rahimi v. Greece* (App no 8687/08, 5 April 2011).

127. Council of Europe Steering Committee for Human Rights (CDDH), *Analysis of the legal and practical aspects of effective alternatives to detention in the context of migration*, CDDH(2017)R88add2, 26 January 2018, paras 58-59.

128. PACE, Resolution 2020 (2014), *The alternatives to immigration detention of children*, 3 October 2014, paragraph 9. See further Council of Europe, *Promoting child-friendly approaches in the area of migration – standards, guidance and current practice*, 2019, 74 et seq.

129. E.g. GRETA 2nd report on North Macedonia, GRETA(2017)39, para 122; GRETA 2nd report on Latvia, GRETA(2017)2, para 133.

130. GRETA 2nd report on Hungary, GRETA(2019)13, para 129.



person is a victim, and shall preferably be voluntary. This is applicable to all return mechanisms and procedures, including those in the framework of the Dublin III Regulation.¹³¹

Returns through the Dublin Regulations

136. Evidence points to growing numbers of trafficked persons being subjected to Dublin procedures.¹³² Article 17.1 of the Dublin Regulation III permits States to unilaterally take responsibility for the determination of an asylum claim, even where the objective responsibility criteria allow for a request to be submitted to another State. In various reports, GRETA has stressed the State's obligation to identify victims of trafficking amongst asylum seekers who are subject to the Dublin Regulation procedure, and to carry out a thorough risk assessment before applying the Regulation.¹³³

137. Even though the Dublin III Regulation only mentions trafficking in relation to child applicants, when in the course of a Dublin procedure there are reasonable grounds to believe that a person has been trafficked or is at risk of being trafficked, States are expected to comply with their due diligence obligations. GRETA's reports refer to examples in which Dublin Regulation procedures have been suspended in cases of trafficked persons, including in Norway and Belgium.¹³⁴ In France, Dublin procedures have been suspended on a number of occasions in the case of Nigerian victims who were to be sent back to Italy, as there were serious risks that they would fall back into the hands of traffickers.¹³⁵ In Sweden, GRETA was informed that occasionally the sovereignty clause of the Dublin Regulation III has been applied and possible victims of trafficking not transferred.¹³⁶ According to statistics provided by the Swiss

131. Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person.

132. REST: Residency Status: Strengthening the protection of trafficked person, Policy Paper (January 2021), p. 12.

133. See GRETA, Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection, GRETA(2020)06, para 45.

134. GRETA 2nd report on Norway, GRETA(2017)18, para 132.

135. GRETA 2nd report on France, GRETA(2017)17, para 196.

136. GRETA 2nd report on Sweden, GRETA(2018)8, para 154.

authorities, 211 presumed victims of trafficking were detected in Switzerland in the course of Dublin procedures.¹³⁷

138. When trafficked persons are transferred under the Dublin Regulation, individual guarantees of safety, adequate reception and protection must be secured. The underlying assumption of the Dublin system that all European Union member states are equally safe for the purposes of transferring applicants has been contested and proven inaccurate.¹³⁸

In **Finland**, the Immigration Service and the National Rapporteur conducted a fact-finding mission to Italy in January 2017 to assess the conditions under which asylum seekers, including trafficked persons, are returned under the Dublin Regulations. The mission found that the Italian asylum system is over-strained and access to services cannot be guaranteed, and the authorities stated that this would be taken into account in future decision-making and therefore the return of human trafficking victims to Italy would be considered more carefully, on a case-by-case basis.¹³⁹

139. In Germany, the internal instruction of the Federal Office for Migration and Refugees (BAMF) stipulates that, when there is an indication that a person is a victim of trafficking, it must be considered whether the victim would be safer in Germany than in the EU country where the asylum claim was first lodged (for example, in cases of Nigerian victims, Italy or Spain).¹⁴⁰ However, according to NGOs, the implementation of the BAMF instruction varies according to the qualifications, training and awareness of decision makers. In the context of Austria, GRETA was informed about instances where potential victims of trafficking were transferred to other States in application of the Dublin III Regulation.¹⁴¹ Similarly, GRETA noted with concern the application of the Dublin Regulation to presumed victims of trafficking in the Czech Republic¹⁴² and Switzerland.¹⁴³

140. GRETA has stressed the State's obligation to provide a recovery and reflection period, as well as assistance and protection measures, in accordance with Articles 12 and 13 of the Convention, to all victims of trafficking, including those identified among asylum seekers who are subject to the Dublin Regulation procedure, in order to avoid any risk of reprisals from traffickers or re-trafficking and to ensure that the State's obligations are fulfilled.¹⁴⁴

137. GRETA 2nd report on Switzerland, GRETA(2019)14, para 128.

138. See e.g. the European Court of Human Rights' jurisprudence in *M.S.S. v. Belgium and Greece* (App No 30696/90, 21 January 2011) and *Tarakhel v. Switzerland* (App No 29217/12, 4 November 2014).

139. GRETA 2nd report on Finland, GRETA(2019)06, para 186.

140. GRETA 2nd report on Germany, GRETA(2019)07, para 217.

141. GRETA 3rd report on Austria, GRETA(2020)03, para 225.

142. GRETA 1st report on the Czech Republic, GRETA(2020)01, paras 155 and 161.

143. GRETA 2nd report on Switzerland, GRETA(2019)14, paras 134-136 and 186.

144. See GRETA, 9th General Report on GRETA's activities, para 155 and, *inter alia*, GRETA 2nd report on Denmark, GRETA(2016)7, para 115; GRETA 2nd report on Norway, GRETA(2017)18, para 132; GRETA 2nd report on Sweden, GRETA(2018)8, para 154; and GRETA 2nd report on Switzerland, GRETA(2019)14, para 136.

Returns to countries of origin or countries outside the EU

141. GRETA has made recommendations to several State Parties to ensure that pre-removal risk assessments are conducted and include a thorough evaluation of the risks of being trafficked or re-trafficking on return, giving full consideration to the UNHCR's Guidelines on the application of the Refugee Convention to trafficked people.¹⁴⁵ GRETA has further stressed that repatriation of all trafficked persons must be carried out in compliance with the obligation of *non-refoulement*.

142. In the Netherlands, a risk assessment is carried out by the Migration Service as part of the process to decide whether a victim of trafficking should be granted a residence permit on humanitarian grounds.¹⁴⁶ The authorities reported that an assessment is made of the risk that the asylum seeker runs of being treated in violation of Article 3 of the ECHR if removed from the country, and that victims of trafficking and asylum seekers are not forcibly returned to certain countries, including, at the time of GRETA's most recent visit, Syria and Iraq.¹⁴⁷ In Norway, the National Police Immigration Service, which is responsible for executing any forced returns of irregular migrants or failed asylum seekers, conducts an information gathering process ahead of all returns, including with a view to identifying any victims of trafficking. However, civil society organisations expressed concern that insufficient time is allowed for identifying possible victims of trafficking prior to deportation.¹⁴⁸

143. In Hungary, following amendments to the Asylum Act and the Fundamental Law, a new inadmissibility ground for asylum claims has existed since 1 July 2018. The practical consequence of the amendments is that no asylum seeker who has entered via the transit zones from Serbia will have their asylum claim assessed, since Serbia is considered a safe country by the Hungarian authorities.¹⁴⁹ In Slovenia, amendments to the Aliens Act adopted in 2017 allowed the authorities to close the country's border and to return persons having entered Slovenia irregularly, including asylum seekers, to the country from which they entered.¹⁵⁰ In light of these findings, GRETA is concerned that victims of trafficking could be forced to leave these countries, in breach of the principle of *non-refoulement*, which is enshrined in Article 40, paragraph 4, of the Convention.

144. In Italy, civil society representatives have raised concerns about the impact of readmission agreements or memoranda of understanding which establish simplified identification and return procedures,¹⁵¹ and the lack of attention to the risk of returning trafficking victims.¹⁵² GRETA has urged the relevant authorities to ensure that individualised assessments of risk are undertaken in all cases prior to any forced returns or expulsions,¹⁵³ and has called on national authorities to ensure identification

145. E.g. Austria, Belgium, Bosnia and Herzegovina, Denmark, Finland, Germany, Greece, Italy, Hungary, Montenegro, Portugal, Serbia, Slovenia, and Turkey.

146. GRETA 2nd report on the Netherlands, GRETA(2018)19, para 180.

147. GRETA 2nd report on the Netherlands, GRETA(2018)19, para 181.

148. GRETA 2nd report on Norway, GRETA(2017)18, para 143.

149. GRETA 2nd report on Hungary, GRETA(2019)13, para 141.

150. GRETA 2nd report on Slovenia, GRETA(2017)38, para 143.

151. E.g. with Nigeria, Tunisia, Libya, Sudan.

152. GRETA 2nd report on Italy, GRETA(2018)28, para 217.

153. GRETA 2nd report on Italy, GRETA(2018)28, para 223.

of possible victims of trafficking in human beings at all border crossings in accordance with the OHCHR's Recommended Principles and Guidelines on Human Rights at Borders.¹⁵⁴

145. GRETA has also raised concerns about the negative effects of pushback policies and practices, in particular the refusal of entry and expulsion of persons without any individual assessment of their protection needs, on combating human trafficking. Pushbacks risk that trafficked persons are not identified or that returns may lead to trafficking or re-trafficking. In 2019, the Council of Europe Parliamentary Assembly stated its concern about “the persistent and increasing practice and policies of pushbacks, which are in clear violation of the rights of asylum seekers and refugees, including the right to asylum and the right to protection against *refoulement*”, and urged member states of the Council of Europe to refrain from pushbacks.¹⁵⁵ As held in *Hirsi Jamaa and Others v. Italy*,¹⁵⁶ the ECtHR requires the individual assessment of protection needs and of the safety of a return to prevent a violation of Article 3 of the ECHR and of the prohibition of collective expulsions (Article 4 of Protocol No. 4 to the ECHR).

In **Albania**, GRETA was informed of cases of pushbacks of persons intercepted at the border with Greece without implementing the pre-screening procedure, and urged the authorities to ensure that pre-removal risk assessments prior to all forced removals fully assess risks of trafficking or re-trafficking on return.¹⁵⁷ In **Bulgaria**, refusals of entry and expulsions without an individual assessment of protection needs have become widespread along the border of Bulgaria and Turkey. In 2019, the Bulgarian Helsinki Committee identified some 2,400 cases of pushbacks.¹⁵⁸ In **Croatia**, interlocutors met during the visit raised concerns about pushbacks and excessive force by Croatian border officials at Croatia's borders with Bosnia and Herzegovina and Serbia.¹⁵⁹

146. GRETA has stressed that pushbacks negatively affect the detection of victims of trafficking amongst asylum seekers and migrants,¹⁶⁰ and that they raise grave concerns with respect to compliance with certain obligations of the Convention, including the positive obligations to identify victims of trafficking and to refer them to assistance, and to conduct a pre-removal risk assessment to ensure compliance with the obligation of *non-refoulement*.

154. http://www.ohchr.org/Documents/Issues/Migration/OHCHR_Recommended_Principles_Guidelines.pdf. See Italy, GRETA(2018)28, para 158.

155. Council of Europe Parliamentary Assembly, Resolution 2299 (2019), Pushback policies and practice in Council of Europe member States. In addition, the European Committee for the Prevention of Torture (CPT) tackled the issue of pushbacks in a recent report concerning Greece in which it recommends that the Greek authorities act to prevent any form of pushbacks taking place across the Evros River border by law enforcement officials and military personnel. See Council of Europe, CPT, Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), CPT/Inf(2020)35, para 58.

156. App no 27765/09, 23 February 2012: <http://hudoc.echr.coe.int/eng?i=001-109231>, paras 185-186.

157. GRETA 3rd report on Albania, GRETA(2020)09, para 163.

158. GRETA 3rd report on Bulgaria, GRETA(2021)04, para 236.

159. GRETA 3rd report on Croatia, GRETA(2020)10, para 184.

160. E.g. Albania, Bulgaria, Hungary, Montenegro, Italy.

Conclusion

147. By dedicating a thematic section of this General Report to the linkages between trafficking in human beings and asylum, GRETA intends to show how State Parties implement obligations deriving from the Convention in this matter. GRETA country reports have examined in detail the measures taken by State Parties to combat human trafficking in the context of asylum procedures in Europe and the review demonstrates that there are some promising practices in play to enable the effective identification of trafficked persons, as well as persons at risk of being trafficked, amongst asylum seekers. Several State Parties have implemented measures such as guidelines for identification of trafficked persons amongst asylum seekers, developed structures to prevent unaccompanied children from going missing and established training events for the staff of detention centres and other relevant authorities.

148. However, there remain significant weaknesses and disparities in state practice. One of the main gaps concerns the proactive detection and identification of trafficked persons amongst asylum seekers which is the prerequisite for an access to rights as defined in the Convention. GRETA's monitoring demonstrates that insufficient measures are being taken to identify vulnerable children, in particular among unaccompanied children. Pushback policies and practices expose asylum seekers to further risks as for instance returns may lead to trafficking or re-trafficking. Training, acknowledging the role of NGOs in visiting places where asylum seekers and migrants are accommodated, and the development of referral mechanisms are essential in order to improve identification.

149. It is crucial to the safety of vulnerable asylum seekers that those who have been trafficked or who are at risk are effectively identified and provided with the support, assistance and protection to which they are entitled under not only the Council of Europe Anti-Trafficking Convention but also the wider human rights regime. Therefore, it is important to ensure structural compatibility between the asylum process and the assistance and protection framework for trafficked persons. Victims of trafficking, who are also seeking asylum, must be provided with specialised support measures according to the standards of Article 12 of the Convention.

Appendix 1

Chart of signatures and ratifications of Treaty 197

Council of Europe Convention on Action against Trafficking in Human Beings

Status as of 31/12/2020

Title	Council of Europe Convention on Action against Trafficking in Human Beings
Reference	CETS No.197
Opening of the treaty	Warsaw, 16/05/2005 - Treaty open for signature by the member states, the non-member states which have participated in its elaboration and by the European Union, and for accession by other non-member states
Entry into Force	01/02/2008 - 10 Ratifications, including 8 member states

	Signature	Ratification	Entry into Force	Notes	R.	D.	A.	T.	C.	O.
Albania	22/12/2005	6/2/2007	1/2/2008							
Andorra	17/11/2005	23/3/2011	1/7/2011							
Armenia	16/5/2005	14/4/2008	1/8/2008							
Austria	16/5/2005	12/10/2006	1/2/2008							
Azerbaijan	25/2/2010	23/6/2010	1/10/2010					T.		
Belgium	17/11/2005	27/4/2009	1/8/2009							
Bosnia and Herzegovina	19/1/2006	11/1/2008	1/5/2008							
Bulgaria	22/11/2006	17/4/2007	1/2/2008							
Croatia	16/5/2005	5/9/2007	1/2/2008							
Cyprus	16/5/2005	24/10/2007	1/2/2008							O.
Czech Republic	2/5/2016	29/3/2017	1/7/2017		R.					
Denmark	5/9/2006	19/9/2007	1/2/2008		R.			T.		
Estonia	3/2/2010	5/2/2015	1/6/2015		R.					
Finland	29/8/2006	30/5/2012	1/9/2012		R.					
France	22/5/2006	9/1/2008	1/5/2008		R.	D.				
Georgia	19/10/2005	14/03/2007	1/2/2008			D.				
Germany	17/11/2005	19/12/2012	1/4/2013		R.					
Greece	17/11/2005	11/4/2014	1/8/2014							
Hungary	10/10/2007	4/4/2013	1/8/2013							
Iceland	16/5/2005	23/2/2012	1/6/2012							
Ireland	13/4/2007	13/7/2010	1/11/2010							

	Signature	Ratification	Entry into Force	Notes	R.	D.	A.	T.	C.	O.
Italy	8/6/2005	29/11/2010	1/3/2011							
Latvia	19/05/2006	6/3/2008	1/7/2008		R.					
Liechtenstein	30/11/2015	27/1/2016	1/5/2016							
Lithuania	12/2/2008	26/7/2012	1/11/2012							
Luxembourg	16/5/2005	9/4/2009	1/8/2009							
Malta	16/5/2005	30/1/2008	1/5/2008		R.					
Republic of Moldova	16/5/2005	19/5/2006	1/2/2008			D.				
Monaco	30/11/2015	30/11/2015	1/3/2016		R.					
Montenegro	16/5/2005	30/7/2008	1/11/2008	55						
Netherlands	17/11/2005	22/4/2010	1/8/2010					T.		
North Macedonia	17/11/2005	27/05/2009	1/9/2009			D.				
Norway	16/5/2005	17/1/2008	1/5/2008							
Poland	16/5/2005	17/11/2008	1/3/2009		R.	D.				
Portugal	16/5/2005	27/2/2008	1/6/2008		R.					
Romania	16/5/2005	21/8/2006	1/2/2008							
Russia										
San Marino	19/5/2006	29/11/2010	1/3/2011							
Serbia	16/5/2005	14/4/2009	1/8/2009	55						
Slovakia	19/5/2006	27/3/2007	1/2/2008							
Slovenia	3/4/2006	3/9/2009	1/1/2010		R.					
Spain	9/7/2008	2/4/2009	1/8/2009			D.				
Sweden	16/5/2005	31/5/2010	1/9/2010		R.					
Switzerland	8/9/2008	17/12/2012	1/4/2013		R.					
Turkey	19/3/2009	2/5/2016	1/9/2016			D.				
Ukraine	17/11/2005	29/11/2010	1/3/2011			D.				
United Kingdom	23/3/2007	17/12/2008	1/4/2009		R.					
	Signature	Ratification	Entry into Force	Notes	R.	D.	A.	T.	C.	O.
Belarus		26/11/2013 a	1/3/2014							
Canada										
Holy See										
Japan										
Mexico										
United States of America										
	Signature	Ratification	Entry into Force	Notes	R.	D.	A.	T.	C.	O.
European Union										

Total number of signatures not followed by ratifications: 0

Total number of ratifications/accessions: 47

Notes

(55) Date of signature by the state union of Serbia and Montenegro.

a: Accession – **s:** Signature without reservation as to ratification – **su:** Succession – **r:** Signature “ad referendum”.

R.: Reservations – **D.:** Declarations – **A.:** Authorities – **T.:** Territorial Application – **C.:** Communication – **O.:** Objection.

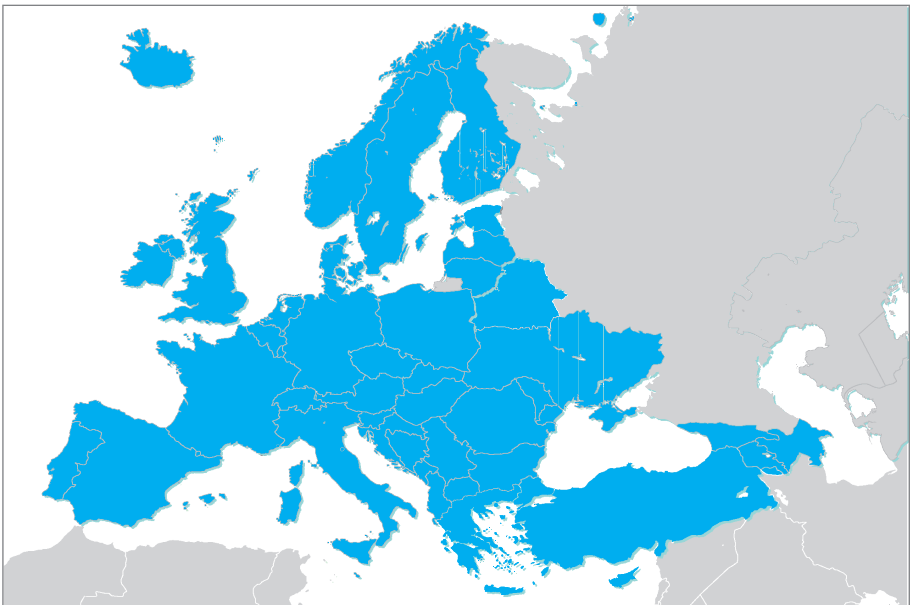
Source: Treaty Office on <http://conventions.coe.int>

Appendix 2

GRETA's field of operations

States bound by the Convention

Albania	Georgia	North Macedonia
Andorra	Germany	Norway
Armenia	Greece	Poland
Austria	Hungary	Portugal
Azerbaijan	Iceland	Romania
Belarus	Ireland	San Marino
Belgium	Italy	Serbia
Bosnia and Herzegovina	Latvia	Slovak Republic
Bulgaria	Liechtenstein	Slovenia
Croatia	Lithuania	Spain
Cyprus	Luxembourg	Sweden
Czech Republic	Malta	Switzerland
Denmark	Republic of Moldova	Turkey
Estonia	Monaco	Ukraine
Finland	Montenegro	United Kingdom
France	Netherlands	





Appendix 3

List of GRETA members (as at 31 December 2020)

Members	Term of office
President: Mr Davor Derenčinović (Croatian)	31/12/2020
First Vice-President: Mr Ryszard Piotrowicz (British)	31/12/2020
Second Vice-President: Ms Helga Gayer (German)	31/12/2020
Mr Rudolf Christoffersen (Norwegian)	31/12/2020
Mr Francesco Curcio (Italian)	31/12/2022
Ms Ia Dadunashvili (Georgian)	31/12/2022
Mr Kevin Hyland (Irish)	31/12/2022
Mr Frédéric Kurz (Belgian)	31/12/2020
Mr Ola Laurell (Swedish)	31/12/2020
Ms Nathalie Martin (French)	31/12/2022
Ms Julia Planitzer (Austrian)	31/12/2022
Ms Ana Revenco (Moldovan)	31/12/2022
Mr Mihai Șerban (Romanian)	31/12/2020
Ms Antoaneta Vassileva (Bulgarian)	31/12/2022
Ms Dorothea Winkler (Swiss)	31/12/2020

Appendix 4

Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings (as at 31 December 2020)

Ms Petya Nestorova, Executive Secretary of the Convention
Mr Alexander Bartling, Administrator
Mr Mesut Bedirhanoglu, Administrator^a
Ms Natacha De Roeck, Administrator^b
Ms Evgenia Giakoumopoulou, Administrator^c
Mr Roemer Lemaitre, Administrator^d
Mr Mats Lindberg, Administrator^e
Ms Daniela Ranalli, Administrator^f
Ms Ursula Sticker, Administrator^b
Ms Asja Žujo, Administrator^d
Ms Susie Morgan, Principal Administrative Assistant^g
Ms Jackie Renaudin-Siddall, Administrative Assistant
Ms Giorgia Spada, Administrative Assistant

Co-operation and capacity-building unit

Ms Lilia Kolombet, Head of Unit
Ms Severina Spassova, Senior Project Officer^a
Ms Naz Gün, Project Officer^g
Ms Monica Petrovici-Ronecker, Project Officer^h
Ms Nadia Marino, Administrative Assistant

-
- a. Employed as from 1 May 2020.
 - b. Employed until 31 January 2020.
 - c. Employed until 31 August 2020.
 - d. Employed as from 1 November 2020.
 - e. Employed until 31 May 2020.
 - f. Employed as from 1 July 2020.
 - g. Employed as from 1 March 2020.
 - h. Employed as from 15 July 2020.

Appendix 5

List of GRETA's activities during the period 1 January to 31 December 2020

GRETA meetings

- ▶ 37th meeting (29 June - 3 July 2020)
- ▶ 38th meeting (5-9 October 2020)
- ▶ 39th meeting (18-20 November 2020)

Meetings of GRETA's Bureau

- ▶ 27 February 2020 (Paris)
- ▶ Periodic online meeting in the period March – November 2020

GRETA's evaluation visits (in chronological order)

- ▶ Montenegro (3rd evaluation round) 2-5 March 2020
- ▶ Romania (3rd evaluation round) 2-6 March 2020
- ▶ Malta (3rd evaluation round) 28 September-1 October 2020

GRETA online evaluation meetings (in chronological order)

- ▶ United Kingdom (3rd evaluation round) 28 September-5 October 2020
- ▶ Latvia (3rd evaluation round) 11, 14 and 17 December 2020

GRETA country evaluation reports (in order of publication)

- ▶ Czech Republic (1st evaluation round) 11 February 2020
- ▶ Monaco (1st/2nd evaluation round) 12 February 2020
- ▶ Austria (3rd evaluation round) 9 June 2020
- ▶ Slovak Republic (3rd evaluation round) 10 June 2020
- ▶ Cyprus (3rd evaluation round) 11 June 2020
- ▶ Croatia (3rd evaluation round) 3 December 2020
- ▶ Republic of Moldova (3rd evaluation round) 3 December 2020
- ▶ Albania (3rd evaluation round) 15 December 2020

Appendix 6

List of activities organised to support the implementation of GRETA's recommendations during the period 1 January to 31 December 2020

- ▶ Workshop on human trafficking for the purpose of labour exploitation, 20-21 February 2020, Vrdnik (Serbia)
- ▶ Workshops on support and assistance to victims for the staff of the shelter for human trafficking victims, 3 March and 13-14 October 2020, Belgrade (Serbia)
- ▶ Workshop on good practices in preventing human trafficking for the purpose of labour exploitation, 1 July 2020, Sarajevo (Bosnia and Herzegovina)
- ▶ Webinars for journalists on human trafficking reporting and ethical journalism, 3-4 September 2020 and 6-7 October 2020 (North Macedonia)
- ▶ Webinar for the local anti-trafficking teams on anti-trafficking action plans and gender mainstreaming, 23 October 2020 (Bosnia and Herzegovina)
- ▶ Webinar for the local anti-trafficking teams on trafficking for the purpose of labour exploitation, 20 October 2020 (Serbia)
- ▶ Webinar for labour inspectors on trafficking for the purpose of labour exploitation and multi-sectoral co-operation, 18-20 November 2020 (Serbia)
- ▶ Webinar for education advisors on trafficking in children, 24-26 November 2020 (Serbia)
- ▶ Webinar for lawyers on legal aid, legal representation and rights of trafficking victims in judicial proceedings, 9 December 2020 (North Macedonia)
- ▶ Webinar on the action against human trafficking for the Gendarmerie and the Coast Guard, organised in cooperation of the Directorate General of Migration Management, December 2020 (Turkey)
- ▶ Webinar on the action against Human Trafficking for the Directorate General of Security, 10 December 2020 (Turkey)
- ▶ Webinar for labour inspectors on trafficking for the purpose of labour exploitation and multi-sectoral co-operation, 15-17 December 2020 (Bosnia and Herzegovina)
- ▶ Webinars for education advisors on trafficking in children, 30 November - 2 December and 14-16 December 2020 (North Macedonia)
- ▶ Webinar for judges and prosecutors on legal protection of victims and victims' rights in judicial proceedings, 18 December 2020 (North Macedonia)

Appendix 7

Provisional timetable of GRETA's 3rd Evaluation Round

Parties	Questionnaire to be sent	Deadline for replies	Evaluation visits	Draft GRETA reports	Final GRETA reports
Austria Cyprus Slovak Republic	November 2018	March 2019	May-June 2019	36th meeting November 2019	written procedure March 2020
Albania Croatia Republic of Moldova	February 2019	June 2019	September - December 2019	37th meeting July 2020	38th meeting October 2020
Georgia Bulgaria Denmark					39th meeting November 2020
Montenegro Romania	June 2019	October 2019	January - March 2020	38th meeting October 2020	40th meeting March 2021
Malta United Kingdom	September 2019	January 2020	September – December 2020	40th meeting March 2021	41st meeting July 2021
Latvia Portugal					
Armenia	July 2019	November 2019	January – March 2021	41st meeting July 2021	42nd meeting November 2021
France	March 2020	September 2020			
Bosnia and Herzegovina Norway				April - June 2021	42nd meeting November 2021
Belgium	October 2020	February 2021	September – December 2021	43rd meeting March 2022	44th meeting July 2022
Ireland Luxembourg Poland					
North Macedonia Serbia Slovenia Spain	May 2021	October 2021	January – March 2022	44th meeting July 2022	45th meeting November 2022
Azerbaijan Netherlands Sweden Ukraine	September 2021	January 2022	April – June 2022	45th meeting November 2022	46th meeting March 2023
Iceland Italy San Marino Andorra	February 2022	June 2022	September – December 2022	46th meeting March 2023	47th meeting July 2023
Finland Lithuania Germany Hungary	May 2022	October 2022	January – March 2023	47th meeting July 2023	48th meeting October 2023
Liechtenstein Monaco Switzerland	September 2022	January 2023	April – June 2023	48th meeting October 2023	49th meeting December 2023

Note: Belarus, the Czech Republic, Estonia, Greece, Turkey, and other new parties to the Convention will undergo the third evaluation round approximately four years after the second evaluation, unless otherwise decided by GRETA ([Rules 2 and 3 of the Evaluation Procedure](#)).

Appendix 8

Participation of GRETA members and Secretariat in events in the area of action against trafficking in human beings

Israel, 4-5 February 2020

Presentation of Council of Europe Conventions, including the Convention on Action against Trafficking in Human Beings

Online, 19 June 2020

UK Parliament web-conference on “Protecting unaccompanied child refugees: enabling relocations and preventing human trafficking”

Online, 3 June and 17 June 2020

Videoconference organised under the Greek chairmanship of the Committee of Ministers of the Council of Europe on “Protection of human life and public health in the context of a pandemic – Effectively responding to a sanitary crisis in full respect for human rights and the principles of democracy and the rule of law”

Strasbourg, 29 June 2020

8th annual meeting between the Secretary General of the Council of Europe and heads of monitoring and advisory bodies

Online, 6-7 July 2020

Expert meeting on combating trafficking in human beings for the removal of organs, co-organised by the OSCE, the OHCHR and the WHO

Online, 20-22 July 2020

20th High-level Alliance against Trafficking in Persons Conference

Online, 10-11 September 2020

10th session of the Working Group on Trafficking in Persons of the Conference of the Parties to the UN Convention against Transnational Organized Crime

Online, 24 September 2020

Working group “Protection from exploitation and international cooperation” of the national council against sexual violence against children and young persons

Online, 28-30 September 2020

Workshop for first-line practitioners on “Protection of migrant minors from all forms of violence”, organised by the Greek Ministry of Citizen Protection and the Hellenic Police

Bern, 14 October 2020

Launch of the Swiss NGO Platform against Human Trafficking

Online, 14-15 October 2020

Conference “Human rights at the time of Corona”, organised by the Austrian Task Force on human trafficking on the occasion of the European Anti-trafficking Day

Online, 20 October 2020

Meeting of the EU Network of National Rapporteurs and Equivalent Mechanisms

Online, 26 October 2020

Joint committee hearing “Trafficking in human beings” organised by the European Parliament Committee on Civil Liberties, Justice and Home Affairs (LIBE) and Committee on Gender Equality and Women’s Rights (FEMM)

Online, 29 and 30 October 2020

La Strada International Anniversary webinars on “Violation of labour rights versus trafficking for labour exploitation” and “Non-punishment: scope and application”

Online, 2 November 2020

Workshop organised by the Hessian Police to improve measures to fight human trafficking

Online, 3-4 November 2020

Joint Council of Europe/OSCE meeting of National Anti-Trafficking Co-ordinators and Rapporteurs or equivalent mechanisms

Online, 13 November 2020

32nd meeting of the Council of Europe/OSCE Co-ordination Group

Online, 23-24 November 2020

Project REST (Residency Status: strengthening the protection of trafficked persons) Focus Group Meeting

Online, 26 November 2020

Alliance Expert Co-ordination Team (AECT) meeting

Online, 26 November 2020

Seminar on “Reinforcing regional action against trafficking in human beings in the South Mediterranean”, organised by the Programme Sud IV of the Council of Europe and the EU

Online, 26-27 November 2020

Regional expert group meeting “Facilitating co-operation between the public and private sector in combating trafficking in persons in South Eastern Europe, online, co-organised by UNODC, the Bulgarian National Commission for Combating Trafficking in Human Beings and the French Ministry of Foreign Affairs

Online, 10 December 2020

6th edition of the European Conference “Together against Human Trafficking: Human Trafficking in Europe and its Challenges for Romania”

Online/Strasbourg, 14-15 December 2020

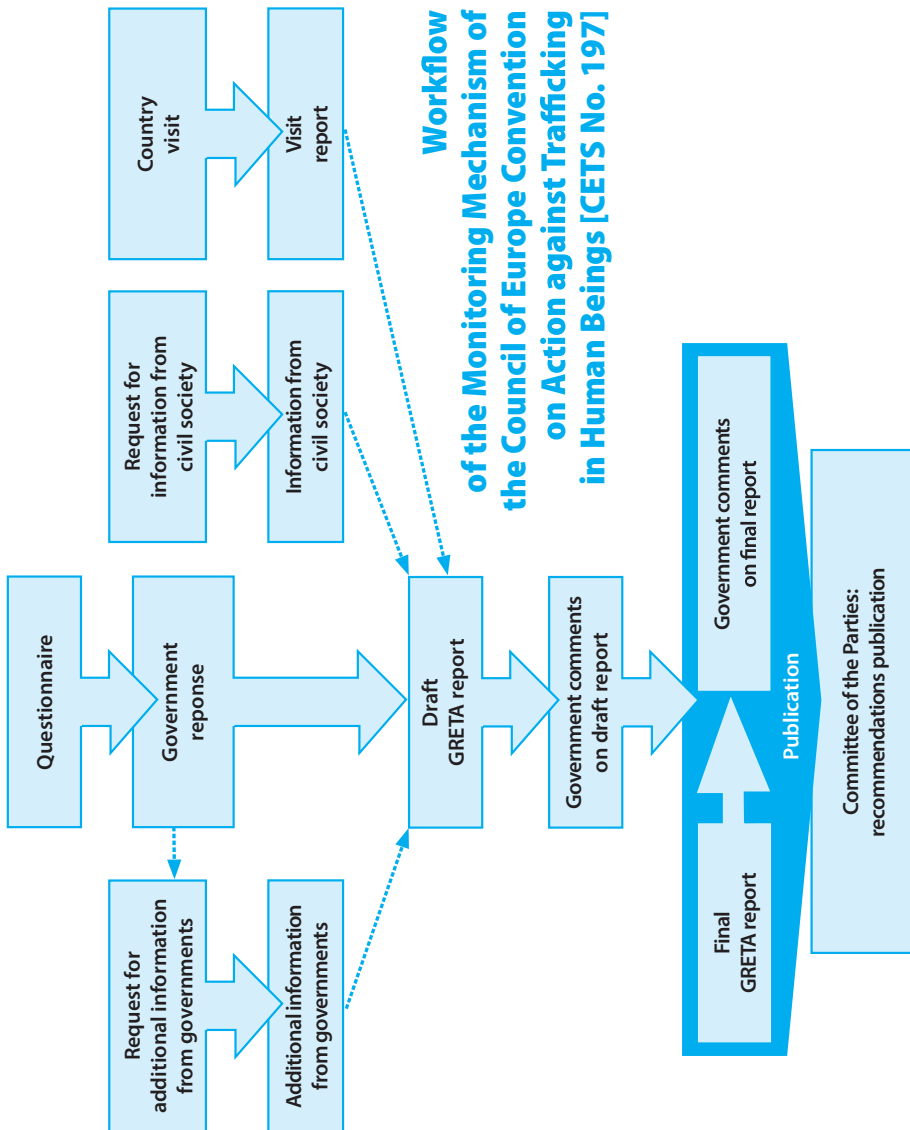
2nd meeting of the Drafting committee on migrant women (GEC-MIG)

Online, 15 December 2020

UN Inter-Agency Co-ordination Group against trafficking in persons (ICAT) Principal Level meeting

Appendix 9

Workflow of the monitoring mechanism of the Council of Europe Anti-Trafficking Convention



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The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

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