



Strasbourg, 27 February 2009

THB-GRETA(2009)LD1

GROUP OF EXPERTS ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS (GRETA)

1st meeting of GRETA
(Strasbourg, 24 -27 February 2009)

LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN

1. The *Group of Experts on Action against Trafficking in Human Beings (GRETA)* held its first meeting at the Council of Europe in Strasbourg from 24 to 27 February 2009. The list of participants appears in Appendix II.
2. The Secretary General of the Council of Europe, the Right Honourable Terry Davis, opened the meeting. He underlined the importance of the *Council of Europe Convention on Action against Trafficking in Human Beings* (hereinafter referred to as "the Convention") in fighting this scourge and qualified it as one of the most important achievements of the Council of Europe during its 60 years of existence and the most important human rights treaty of the last 10 years. The Secretary General stressed proper monitoring as indispensable to the effectiveness, credibility and impact of the Convention and emphasised GRETA's vital role in this respect. The Vice-Chair of the *Committee of the Parties*, Ambassador Bruno Gain, addressed GRETA on behalf of this Committee, the other pillar of the monitoring mechanism of the Convention. He informed GRETA of its work and said that, while respecting the independence and impartiality of GRETA, the Committee would like to cooperate closely with GRETA.
3. The agenda, as adopted by GRETA, is set out in Appendix I.
4. Pursuant to article 36, paragraph 4, of the Convention, GRETA adopted its Internal Rules of Procedure as set out in Appendix III.
5. In accordance with rule 3 of the Internal Rules of Procedure of GRETA, each member made the following solemn declaration concerning the exercise of their functions as members of GRETA: "*I solemnly declare that I will exercise my functions as a member of GRETA honourably, independently, impartially, conscientiously and without accepting any instruction. I will respect on all occasions the confidentiality of GRETA's documents and deliberations, and I will stand by GRETA's decisions*".
6. In accordance with rule 6 of its Internal Rules of Procedure, GRETA elected Ms Hanne Sophie Greve as President for a first term of office of two years starting on 25 February 2009. It also elected Mr Nicolas Le Coz as first Vice-President and Ms Gulnara Shahinian as second Vice-President both for first terms of office of two years also starting on 25 February 2009.
7. GRETA held an exchange of views on the specific modalities of the procedure for evaluating implementation of the measures contained in the Convention by the parties. The Executive Secretary of the Convention provided an overview of the main trends of the monitoring procedure as laid down in article 38 of the Convention. Representatives of the secretariats of the *European Commission against Racism and Intolerance (ECRI)*, the *Framework Convention for the Protection of National Minorities*, the *European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)* and the *European Committee for Social Rights* presented their respective independent human rights monitoring mechanisms and outlined their working methods. GRETA requested the Executive Secretary to prepare for examination and discussion at the next meeting of GRETA preliminary draft rules of the procedure for evaluating implementation of the measures contained in the Convention by the parties.
8. GRETA fixed the following dates of its three remaining meetings in 2009: 16-19 June, 22-25 September and 8-11 December.
9. GRETA took note of the state of signatures and ratifications of the Convention and urged the Council of Europe member states which had not already done so and the European Community to sign and ratify the Convention. In addition, GRETA called for non member states to accede to the Convention.
10. GRETA welcomed the setting-up of the *Trafficking Information Management System (TIMS)* which it considered would constitute an invaluable support for its work.
11. GRETA took note of the information on Council of Europe activities of concern to GRETA and on the activities of other international governmental organisations and of international non-governmental organisations of interest to GRETA.

12. At the request of the Committee of Ministers GRETA took note of the document "*The Council of Europe and the rule of law – An overview*" [CM(2008)170].

13. GRETA adopted this list of items discussed and decisions taken, which in accordance with rule 24 of its Internal Rules of Procedure is public.

Appendix I

Agenda

1. **Opening of the meeting by the Secretary General of the Council of Europe**

- I. **ITEMS FOR DECISION**
2. **Adoption of the draft agenda**
3. **Adoption of the internal rules of procedure of GRETA (article 36, paragraph 4 of the Convention)**
4. **Solemn Declaration by the members of GRETA**
5. **Election of President and first and second Vice-Presidents**
6. **Preparation of the procedure for evaluating implementation of the measures contained in the Convention by the parties (article 38, paragraphs 1 to 6 of the Convention)**
7. **Dates of the three next meetings**

- II. **ITEMS FOR INFORMATION**
8. **State of signatures and ratifications of the Convention**
9. **Presentation of the Trafficking Information Management System (TIMS)**
10. **Information on Council of Europe activities of concern to GRETA**
11. **Information on the activities of other international governmental organisations and of international non-governmental organisations of interest to GRETA**
12. **Other business**

- III. **ADOPTION OF THE LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN**

Appendix II

List of Participants

Members of GRETA

Mme Vessela BANOVA

Ms Louise CALLEJA

Ms Josie CHRISTODOULOU

Mr Davor DERENCINOVIC

Mr Vladimir GILCA

Ms Hanne Sophie GREVE

M. Nicolas LE COZ

Ms Alexandra MALANGONE

Ms Nell RASMUSSEN

Mme Leonor RODRIGUES

Ms Gulnara SHAHINIAN

M. Robert STRATOBARDHA

Ms Diana TUDORACHE

Committee of the Parties

M. Bruno GAIN

Vice-Président, Comité des Parties de la Convention du Conseil de l'Europe sur la lutte contre la traite des êtres humains

Ambassadeur, Représentant Permanent de la France auprès du Conseil de l'Europe

Secretariat

SECRETARY GENERAL

Mr Terry DAVIS

PRIVATE OFFICE OF THE SECRETARY GENERAL AND THE DEPUTY SECRETARY GENERAL

Mr Gianluca ESPOSITO

Adviser, Private Office of the Secretary General and of the Deputy Secretary General

DIRECTORATE GENERAL OF HUMAN RIGHTS AND LEGAL AFFAIRS

M. Philippe BOILLAT
Directeur Général

M. Christos GIAKOUMOPOULOS
Directeur des Monitorings

Secretariat of the European Commission Against Racism and Intolerance (ECRI)

Ms Claudia LAM
Acting Executive Secretary to the European Commission Against Racism and Intolerance

Secretariat of the Framework Convention for the Protection of National Minorities (FCNM)

Ms Artemiza-Tatiana CHISCA
Head *ad interim* of the Secretariat of the Framework Convention for the Protection of National Minorities

Secretariat of the European Committee for the Prevention of Torture (CPT)

Mr Trevor STEVENS
Executive Secretary of the Committee for the Prevention of Torture

Department of the European Social Charter (ESC)

Mr Henrik KRISTENSEN
Deputy Head of Department Deputy Executive Secretary of the European Committee of Social Rights

Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings

Ms Marta REQUENA
Executive Secretary of the Council of Europe Convention on Action against Trafficking in Human Beings

Mr Hallvard GORSETH
Secretary of the Group of Experts on Action against Trafficking in Human Beings (GRETA)

Mr David DOLIDZE
Administrator

Ms Rona STERRICKS
Principal Administrative Assistant

Ms Louise EVERTS
Secretarial Assistant

Mme Yvette SCHILLER
Assistante Secrétariale

Interpreters

Mme Chloé CHENETIER
Ms Jenny GRIFFITH
M. Christopher TYCZKA
Mr Derrick WORSDALE

Appendix III

Internal rules of procedure of the Group of Experts on Action against Trafficking in Human Beings (GRETA)

The *Group of Experts on Action against Trafficking in Human Beings* (GRETA),

Having regard to the *Council of Europe Convention on Action against Trafficking in Human Beings* (CETS No. 197),

Pursuant to paragraph 4 of article 36 of the Convention,

Adopts the present rules:

PART I: GRETA

Rule 1 – Mandate

As stipulated in paragraph 1 of article 36 of the *Council of Europe Convention on Action against Trafficking in Human Beings* (hereinafter referred to as the “Convention”), the *Group of Experts on Action against Trafficking in Human Beings* (hereinafter referred to as “GRETA”) shall monitor the implementation of the Convention by the parties. GRETA shall do so in conformity with the procedure laid down in article 38 of the Convention and the *Rules on the evaluation procedure of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the parties* (hereinafter referred to as the “Rules on the evaluation procedure”).

PART II: MEMBERS OF GRETA

Rule 2 – Exercise of functions

Members shall perform their duties in their individual capacity, shall be independent and impartial in the exercise of their functions and shall be available to carry out their duties in an effective manner as stipulated in litra b of paragraph 3 of article 36 of the Convention. During their term of office they shall not perform any function which is incompatible with these requirements.

In order to effectively contribute to GRETA’s work, members shall have sufficient knowledge of at least one of the two official and working languages of GRETA.

Members shall keep secret GRETA’s deliberations and respect the confidentiality of its documents.

Rule 3 – Solemn declaration

Each member shall, at the first meeting of GRETA at which he/she is present after his/her election, make the following solemn declaration:

“I solemnly declare that I will exercise my functions as a member of GRETA honourably, independently, impartially, conscientiously and without accepting any instruction. I will respect on all occasions the confidentiality of GRETA’s documents and deliberations, and I will stand by GRETA’s decisions”.

Rule 4 – Resignation

A member who wishes to terminate his/her membership shall notify the President of his/her intention to request the Secretary General of the Council of Europe to terminate his/her membership.

Rule 5 – Failure to meet the requirements for membership

If there are grounds to believe that a member has failed to meet the requirements set out in rule 2 above, GRETA may, after the member has had an opportunity to state his/her views, decide to invite the Committee of the Parties to assess whether the matter falls under paragraph 2 of rule 16 of *Resolution CM/Res(2008)7 on rules on the election procedure of the members of the Group of Experts on Action against Trafficking in Human Beings (GRETA)*. The decision to invite the Committee of the Parties to make this assessment shall be taken by secret ballot and by two-thirds majority of the members.

PART III: PRESIDENCY AND BUREAU OF GRETA

Rule 6 – Election of the President and the Vice-Presidents

GRETA shall elect from among its members a President, a first Vice-President and a second Vice-President.

The President and Vice-Presidents shall be elected for a term of office of two years. They may be re-elected. However, the term of office of the President or a Vice-President shall end before its normal expiry if he/she ceases to be a member.

If the President or a Vice-President ceases to be a member or resigns his/her office of President or Vice-President before its expiry, GRETA may elect a successor for the remainder of the term of that office.

The elections of the President and Vice-Presidents shall be held separately and by secret ballot unless GRETA decides otherwise by consensus. Only the members present may stand for election. The member who obtains a majority of the votes cast shall be elected. If no member receives such majority, a second ballot shall take place. The candidate receiving the highest number of votes shall then be elected. In the event of a tie, the longest serving member shall be elected. If the members concerned have the same length of time in office, the eldest shall be elected.

Rule 7 – Functions of the President and the Vice-Presidents

The President shall direct the work of GRETA, chair its meetings and those of its Bureau and perform all other functions conferred upon him/her by the Convention, by the present rules, by the Rules on the evaluation procedure and by GRETA.

In exercising his/her functions, the President shall remain under the authority of GRETA.

The President may delegate on an ad hoc basis certain of his/her functions to either Vice-President.

The first Vice-President shall take the place of the President if the latter is unable to carry out his/her duties or if the office of President is temporarily vacant. The second Vice-President shall

replace the first Vice-President if the latter is unable to carry out his/her duties or if the office of first Vice-President is temporarily vacant. If the President and the Vice-Presidents are at the same time unable to carry out their duties or if their offices are at the same time vacant, the duties of the President shall be carried out by the longest serving member. If two or more members concerned have served the same length of time in GRETA, the eldest shall carry out the duties of the President.

The President, or the Vice-President or member replacing him/her, shall retain the right to participate in the discussions of GRETA and to vote.

Rule 8 – Composition of the Bureau

The Bureau shall consist of the President and the two Vice-Presidents.

Rule 9 – Functions of the Bureau

The Bureau shall direct the work of GRETA and perform all other functions conferred upon it by the present rules, by the Rules on the evaluation procedure and by GRETA.

PART IV: SECRETARIAT OF GRETA

Rule 10 – Staff

The secretariat of GRETA shall consist of the Executive Secretary of the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to as “the Executive Secretary”) and other necessary staff appointed by the Secretary General of the Council of Europe.

PART V: WORKING OF GRETA

Rule 11 – Seat

The seat of GRETA shall be at the Headquarters of the Council of Europe in Strasbourg.

Rule 12 – Languages

The official and working languages of GRETA shall be English and French.

Rule 13 – Holding of meetings

GRETA shall hold such meetings as are required for the exercise of its functions.

The meetings of GRETA shall be held at the seat. However, GRETA may, within the resources available, decide to meet elsewhere, in particular at the Council of Europe Office in Paris or in other Council of Europe premises.

GRETA meetings shall be convened at dates decided by GRETA or, as circumstances may require, by the Bureau. It shall also meet if at least one third of the members so request.

The Executive Secretary shall notify the members of the place, date and opening time of the meeting, its probable duration and the subjects to be dealt with. Convocation letters should be sent at least four weeks in advance of the meeting, except on grounds of urgency which shall be duly explained.

Members who are unable to attend a GRETA meeting or a part thereof shall notify, in due time, the Executive Secretary who shall inform the President.

Analogous arrangements shall apply to meetings of the Bureau.

Information technology shall be used to facilitate the organisation and the smooth running of the meetings.

Rule 14 – Agenda

Following consultation with the President, the Executive Secretary shall transmit a draft agenda to the members at least two weeks in advance of the meeting.

The agenda shall be adopted by GRETA at the beginning of the meeting.

Information technology shall be used.

Rule 15 – Meeting documents

The Executive Secretary shall transmit to the members, whenever possible at least two weeks in advance of the meeting, the working documents relating to the different agenda items.

Information technology shall be used.

Rule 16 – Quorum

The quorum of GRETA shall be the majority of its members.

Rule 17 – Privacy of meetings

GRETA shall meet *in camera*, unless it decides otherwise. Apart from the members of GRETA, only the designated members of the Secretariat of the Council of Europe and other persons assisting GRETA may be present at meetings held *in camera*.

Members of GRETA, members of the Secretariat of the Council of Europe and other persons assisting GRETA are required to maintain the confidentiality of the meeting documents and the deliberations at meetings held *in camera*, unless GRETA decides otherwise.

Analogous provisions shall apply to meetings of the Bureau.

PART VI: CONDUCT OF BUSINESS

Rule 18 – Proposals

Any proposal for a decision by GRETA must be submitted in writing if a member so requests. In that case, it shall not be discussed until it has been circulated.

Rule 19 – Order of voting on proposals and amendments

If two or more proposals relate to the same subject they shall be put to the vote in the order in which they were submitted. In case of doubt as to the order, the President shall decide.

Where a proposal is the subject of an amendment, the amendment shall be put to the vote first. Where two or more amendments to the same proposal are presented, GRETA shall vote first on whichever departs furthest in substance from the original proposal, and so on until all the amendments have been put to the vote. However, where the acceptance of one amendment necessarily entails rejection of another, the latter shall not be put to the vote. The final vote shall then be taken on the proposal as amended or not amended. In case of doubt as to the order of priority, the President shall decide. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

Parts of a proposal or amendment may be put to the vote separately.

In the case of proposal with financial implications, the most costly shall be put to the vote first.

Rule 20 – Points of order

During the discussion of any matter, a member may at any time raise a point of order, and the point of order shall immediately be decided upon by the President. Any appeal against the ruling of the President shall immediately be put to the vote. A member may not, in raising a point of order, speak on the substance of the matter under discussion.

Rule 21 – Order of procedural motions

Procedural motions shall take precedence over all other proposals or motions except points of order. They shall be put to the vote in the following order:

- a. suspension of the meeting;
- b. adjournment of the meeting;
- c. adjournment of discussion on the item in hand;
- d. closure of discussion on the item in hand.

Rule 22 – Reconsideration of a question

When a decision has been taken it is only re-examined if a member so requests and GRETA accedes to this request.

Rule 23 – Votes

Subject to the provisions of rule 5, paragraph 4 of rule 6 and rule 27, the decisions of GRETA shall be taken by a majority of the members present.

Subject to the provisions of rule 5 and paragraph 4 of rule 6, GRETA shall normally vote by show of hands. However, any member may request that a vote be taken by roll-call; in this event, the roll shall be called in the alphabetical order of the surnames of the members, beginning with the letter 'A'. A vote shall be held by secret ballot when a request to that effect is supported by one-third of the members.

After a vote has commenced, there shall be no interruption of the voting except on a point of order by a member in connection with the actual conduct of the voting. Brief statements by members consisting solely of explanations of their votes may be permitted by the President before the voting has commenced or after the voting has been completed.

PART VII: DECISIONS AND REPORTS OF MEETINGS**Rule 24 – Decisions and reports of meetings**

At the end of each meeting the Executive Secretary shall submit to GRETA for its approval a list of the decisions adopted during the meeting. This list is public.

After each meeting a draft meeting report containing a summary of GRETA's discussions shall be prepared by the Executive Secretary. This draft report shall be submitted to the President for approval. The meeting report as approved by the President shall then be transmitted to the members, whenever possible at least six weeks in advance of the next meeting of GRETA. This report shall be public one year after the meeting. However, GRETA may decide not to make public a meeting report or parts of it.

Information technology shall be used.

PART VIII: RELATIONSHIP WITH THE COMMITTEE OF THE PARTIES AND COUNCIL OF EUROPE BODIES AND ORGANS**Rule 25 – Periodic meetings with the Committee of the Parties**

The President shall periodically meet with the Committee of the Parties to inform it about the state of the work of GRETA and progress in preparing GRETA's reports and conclusions concerning the measures taken by the parties to implement the provisions of the Convention, as well as any other issue relating to the good functioning of the monitoring mechanism of the Convention.

GRETA may decide to invite the Chair of the Committee of the Parties for periodic exchanges of views.

Rule 26 – Annual report

GRETA shall submit to the Committee of the Parties and the Committee of Ministers an annual report on its activities containing, *inter alia*, information on the organisation and internal workings of GRETA and on its activities proper. It shall be transmitted to the other bodies and appropriate organs of the Council of Europe and be made public.

PART IX: AMENDMENTS**Rule 27 – Amendment of the rules**

These rules may be amended by decision taken by a majority of the members.