



Strasbourg, 11 December 2009

THB-GRETA(2009)LD4

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

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**4th meeting of GRETA**  
(Strasbourg, 8-11 December 2009)

## **LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN**

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Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings  
Directorate General of Human Rights and Legal Affairs – DG-HL



1. The *Group of Experts on Action against Trafficking in Human Beings (GRETA)* held its fourth meeting at the Council of Europe in Strasbourg from 8 to 11 December 2009 with Ms Hanne Sophie GREVE in the chair. The agenda, as adopted by GRETA, is set out in Appendix I. The list of participants appears in Appendix II.

2. GRETA discussed the draft *Questionnaire for the first round of the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the parties* (the Questionnaire) and instructed the Secretariat to make the final modifications to the text of the Questionnaire as adopted by GRETA. In accordance with Article 38 paragraph 2 of the *Council of Europe Convention on Action against Trafficking in Human Beings* (the Convention) and Rule 5, first paragraph of the *Rules of procedure for evaluating implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the parties* (Rules of Evaluation Procedure) GRETA decided to make this Questionnaire public, as soon as the final version was available.

3. In accordance with Rule 5, second paragraph of the Rules of Evaluation Procedure, GRETA decided to send the Questionnaire for its first evaluation round to the 26 parties to the Convention (number of parties as at 1 February 2010). As stipulated in Rule 3 of the Rules of Evaluation Procedure, "*the first evaluation round with regard to a party is initiated by addressing the questionnaire for this round to the party at the earliest one year and at the latest two years following the entry into force of the Convention for the party concerned*". Bearing in mind the current number of parties to the Convention, as well as the expected ratifications, for its first evaluation round, GRETA will have to complete, on average, 10 evaluations per year (including country visits). GRETA drew up the following timetable for the first evaluation round:

- by 1 February 2010 the Questionnaire will be sent to the following parties: Moldova, Romania, Austria, Albania, Georgia, Slovak Republic, Bulgaria, Croatia, Denmark and Cyprus;
- by 1 February 2011 the Questionnaire will be sent to the following parties: *France, Bosnia and Herzegovina, Norway, Malta, Portugal, Latvia, Armenia, Montenegro*, Poland and the United Kingdom (the first evaluation round for the first eight countries (indicated in *italics*) should be initiated in 2010, however, GRETA decided that it would not be feasible to evaluate more than 10 parties in 2010);
- by 1 February 2012 the Questionnaire will be sent to the following parties: Spain, Luxembourg, Serbia, Belgium, "the former Yugoslav Republic of Macedonia", Slovenia and the next four parties to the Convention.

4. GRETA further decided that the Questionnaire would be addressed to each party, if possible through a "contact person" appointed by the latter to liaise with GRETA, as stipulated in Rule 5, second paragraph of the Rules of Evaluation Procedure. To this end, GRETA decided that its President would address a letter to the members of the *Committee of the Parties of the Council of Europe Convention on Action against Trafficking in Human Beings*, inviting each party to appoint such a "contact person" as soon as possible.

5. Finally, GRETA decided that the parties should be required to respond to the Questionnaire at the latest on the first day of the month following the expiration of a period of six months after the date of sending the Questionnaire.

6. GRETA took note of the adoption of the Council of Europe budget for 2010, which included a financial adjustment of GRETA's budget mainly for the purpose of carrying out country visits and welcomed the additional post allocated to its Secretariat. However, GRETA stressed that these adjustments fell short of the actual needs of GRETA and recalled that it would have to complete, on average, 10 evaluations per year (including 10 country visits). GRETA also recalled that once the evaluation procedure was launched, in accordance with the Convention, it had a legal obligation to treat all the parties on an equal footing, and in particular to complete the evaluation in respect of each party within an equal time-frame. GRETA further stressed that, being the only independent human rights monitoring mechanism in the field of action against trafficking in human beings and having a mandate of unlimited duration, it required a permanent and stable secretariat. Therefore, GRETA reiterated its request to the Council of Europe to increase the financial and, above all, the human resources allocated to its activities.

7. GRETA held an exchange of views concerning the activities of other international organisations in the field of trafficking in human beings. In particular, GRETA took note of the launching event of the *Joint Council of Europe/United Nations Study on trafficking in organs, tissues and cells and trafficking in human beings for the purpose of the removal of organs*, which took place in the United Nations headquarters in New York on 13 October 2009. GRETA noted that among the main conclusions of this Joint Study was the need to distinguish clearly between "trafficking in organs, tissues and cells" and "trafficking in human beings for the purpose of the removal of organs". It also noted that, according to the Joint Study, the definition of trafficking in human beings set out in the Council of Europe Convention covered the removal of organs as one of the forms of exploitation and that therefore there was no need for a new legally binding international instrument in this particular field at universal or regional level.

8. GRETA also took note of the participation of the newly elected Secretary General of the Council of Europe in the European Union Ministerial Conference *Towards Global EU Action against Trafficking in Human Beings* which took place on 19-20 October in Brussels. GRETA welcomed the Final Declaration, resulting from this Conference, which encouraged signature and ratification of the Council of Europe Convention and recognised the potential of GRETA to provide concrete recommendations for further action against trafficking in human beings.

9. GRETA took note that since its last meeting there had been no further signatures or ratifications of the Convention (to date: 26 ratifications and 15 signatures). GRETA once again urged the Council of Europe member States which had not already done so and the European Union to sign and/or ratify the Convention. In addition, GRETA called for non-member States to accede to the Convention.

10. GRETA took note of the information provided by the Secretariat concerning the *Expert meeting on the possible accession of Belarus to the Council of Europe Convention* (Strasbourg, 18 November 2009), organised by the Secretariat at the request of the Belarusian authorities, and carried out in the framework of the Slovenian Chairmanship of the Committee of Ministers of the Council of Europe. The aim of the meeting was to hold an exchange of views concerning the legislation and practice of Belarus as regards action against trafficking in human beings in light of the main measures and requirements of the Council of Europe Convention with a view to examining the possibility of Belarus acceding to the Convention. In conclusion of the meeting it was considered that the main legislative and practical measures of Belarus to combat trafficking in human beings seemed to offer a sufficient basis to enable Belarus to consider acceding to the Convention. Should Belarus wish to become party to the Council of Europe Convention an official request should be addressed to the Secretary General of the Council of Europe.

11. GRETA took note of the information provided by its members on their participation in conferences, seminars and other events on behalf of GRETA and in their individual capacity.

12. 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**
- I. ITEMS FOR DECISION**
- 2. Adoption of the draft agenda**
- 3. Preparation of the questionnaire for the first round of evaluation of the implementation of the Convention by the parties (article 38, paragraph 2 of the Convention)**
- II. ITEMS FOR INFORMATION**
- 4. State of signatures and ratifications of the Convention**
- 5. Progress in setting up the Trafficking Information Management System (TIMS)**
- 6. Information on Council of Europe activities of interest to GRETA**
- 7. Information on the activities of international governmental and non-governmental organisations of interest to GRETA**
- 8. 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  
[Apologised/Excusée]

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

#### Secretariat

##### **DIRECTORATE GENERAL OF HUMAN RIGHTS AND LEGAL AFFAIRS**

Mr Christos GIAKOUMOPOULOS  
Director of Monitoring

##### **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 (Committee of the Parties and GRETA)

Mr David DOLIDZE  
Administrator

Mme Yvette SCHILLER  
Secretarial Assistant

#### Interpreters

Mme Sylvie BOUX  
Mr Christopher TYCZKA