



Strasbourg, 3 March 2015

THB-CP(2014)RAP15

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

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**15th meeting of the Committee of the Parties**

(Strasbourg, 5 December 2014)

**MEETING REPORT**

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**Agenda items 1 and 2: Opening of the meeting and adoption of the agenda**

1. The Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to respectively as “the Committee” and “the Convention”) held its 15th meeting on 5 December 2014 in Strasbourg.

2. Pending the election of the new Chair of the Committee, the meeting was opened by Ambassador Drahoslav ŠTEFÁNEK (Slovak Republic), Vice-Chair of the Committee. The Vice-Chair welcomed the President of GRETA, Mr Nicolas LE COZ, and indicated that the list of decisions from GRETA’s 21st meeting, which had taken place on 17-21 November 2014, was available.

3. The Vice-Chair invited the members of the Committee to adopt the draft agenda of the meeting. The agenda, as adopted by the Committee, is set out in Appendix I. The list of participants is set out in Appendix II.

**Agenda item 3: Election of the Chair of the Committee of the Parties**

4. The Vice-Chair informed the Committee that the first term of office of the Chair of the Committee, Ambassador Pekka HYVÖNEN (Finland), had expired on 7 October 2014. He recalled that the term of office of the Chair was one year, renewable once, and noted that Ambassador HYVÖNEN had expressed his interest in continuing to serve as Chair.

5. The Committee elected Ambassador HYVÖNEN as its Chair by acclamation for a second term of office of one year, starting on 5 December 2014. Members of the Committee congratulated the Chair on his re-election and wished him success in guiding the Committee’s work. Ambassador HYVÖNEN thanked the Committee for the trust and indicated that he would continue his efforts to encourage all Council of Europe member States to join the Convention.

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

6. Mr Nicolas LE COZ, President of GRETA, informed the Committee that since the last meeting of the Committee, GRETA had published five reports, concerning Andorra, Iceland, Italy, San Marino and Ukraine, thus bringing the total number of published GRETA evaluation reports to 35. The remaining seven Parties to the Convention were either in the process of being evaluated or, in the case of the most recent ratifications (Belarus and Greece), would be evaluated in the course of 2015-2016. The President further recalled that in May 2014 GRETA had launched the second round of evaluation of the Convention and had started carrying out visits to the first three Parties which were evaluated four years ago (Austria, Cyprus and the Slovak Republic).

7. The President of GRETA also informed the Committee that GRETA’s 4th General Report, which is expected to be published in early 2015, would analyse trends emerging from the 35 published country evaluation reports and highlight gaps in the implementation of the Convention as well as best practices.

8. Mr Le COZ informed the Committee that at its last meeting (17-21 November) GRETA had revised its Rules of procedure for evaluating implementation of the Convention by the Parties. He highlighted two of the amendments: a new wording of Rule 5, according to which GRETA will publish replies to its questionnaire unless otherwise requested by the Party concerned, and a new Rule 7, entitled “Urgent requests for information”, which enables GRETA to take urgent action when it receives reliable information indicating a situation where problems require immediate attention to prevent or limit the scale or number of serious violations of the Convention. The President of GRETA indicated that the amended Rules of procedure would enter into force on 1 January 2015.

9. Further, the President of GRETA provided a summary of the professional expertise of current GRETA members and stressed the importance of having a multi-disciplinary group of experts who bring experience from different areas covered by the Convention, come from different professional backgrounds and geographical regions, and have first-hand knowledge of different aspects of the fight against trafficking in human beings.

10. Mr LE COZ also noted that 2015 marks the 10th anniversary of the opening for signature of the Convention on Action against Trafficking in Human Beings and invited Committee members to share ideas on how to mark this anniversary. The President of GRETA also stressed the need to clarify the interface between the Convention on Action against Trafficking in Human Beings and the new Convention on trafficking in human organs, in order to ensure the best possible protection to victims.

11. Finally, Mr LE COZ referred to the recent meeting organised by the Secretary General of the Council of Europe of presidents of monitoring bodies, which had discussed, *inter alia*, how to improve the operational practices of monitoring mechanisms with similar aims. At that meeting, he had given examples of synergies which already exist between GRETA and other monitoring bodies and had also indicated that during the 2nd evaluation round of the Convention, GRETA will aim to produce shorter country reports which prioritise the recommendations made. At the same time, he had noted some important differences between the Anti-trafficking Convention and the Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), and had stressed that the merging of the Secretariat of the Anti-Trafficking Convention with that of the Istanbul Convention should be a temporary measure. The full text of Mr LE COZ's statement is set out in Appendix III.

12. The Chair thanked Mr LE COZ for his presentation and noted that the Committee looked forward to GRETA's 4th General report which would be discussed by the Committee of Ministers. He welcomed the revision of GRETA's Rules of procedure for evaluating implementation of the Convention by the Parties and in particular the introduction of a rule on situations requiring urgent action. When it comes to organ trafficking, the Chair stressed the importance of keeping under scrutiny the interpretation of the two Conventions. Further, referring to the recent meeting of the Secretary General with presidents of monitoring bodies, the Chair noted that the Committee of the Parties should be attentive to safeguarding the quality of GRETA's work, and that the setting up of the expert monitoring body under the Istanbul Convention (GREVIO) should not undermine the Secretariat of the Anti-Trafficking Convention.

13. Mr Giuseppe CAVAGNA (Italy) remarked that the President of GRETA had spoken about the expertise of two of the candidates for election who were currently GRETA members. He expressed the view that all candidates should be considered for election on an equal footing and that the Committee should not automatically re-elect incumbent members.

14. Ambassador Tatiana PÂRVU (Republic of Moldova) welcomed GRETA's work and its President's participation in various events to promote the Convention in Moldova. She inquired about the latest trends and emerging issues in human trafficking which could be drawn from the recently published evaluation reports of GRETA, including geographical areas and sectors affected by exploitation.

15. Mr Luis TARIN MARTIN (Spain) underlined the need for the Parties to the Anti-Trafficking Convention to sign and ratify the new Council of Europe Convention on trafficking in human organs, because both areas were demand-driven and states should achieve minimum common standards when tackling the two phenomena. As regards the complementarity of the Anti-Trafficking Convention and the Convention on preventing and combating violence against women and domestic violence, Mr MARTIN expressed the view that the scopes of these two legal instruments could overlap to an important extent and that respective monitoring bodies should bear this in mind by co-ordinating their activities to avoid duplication.

16. Ambassador Almir ŠAHOVIĆ (Bosnia and Herzegovina) confirmed that Bosnia and Herzegovina attached great importance to GRETA's activities and considered human trafficking as one of the most serious problems in the South-Eastern European region. Bearing in mind that in May 2015 Bosnia and Herzegovina will take up Chairmanship of the Committee of Ministers, Ambassador ŠAHOVIĆ informed the Committee that the Bosnian authorities are ready to organise, in close co-operation with the Secretariat and the Chair of the Committee, an event to mark the 10th anniversary of the opening for signature of the Convention and to underline the importance of GRETA's work for Europe.

17. Ambassador Jocelyne CABALLERO (France) thanked the President of GRETA for his presentation and noted the attention paid by GRETA and the Secretariat to building synergies between different monitoring mechanisms and sending coherent messages to State Parties. She noted the linkages between the Anti-Trafficking Convention, the Istanbul Convention and the forthcoming Convention on trafficking in human organs, but at the same time stressed that the independence of GRETA and GREVIO should be respected.

18. Mr Le COZ responded that the aim of his intervention concerning the composition of GRETA was to recall the variety of professional expertise among current GRETA members, but of course the decision on whom to elect was entirely in the hands of the Committee of the Parties. As regards trends in trafficking in human beings, the President indicated that the forthcoming 4th General Report of GRETA would provide information on this issue. He noted nevertheless that the exploitation of children for forced criminality was a growing challenge in many countries and that this was linked to the non-punishment provision under the Convention. In this context, the President of GRETA recalled the importance of strengthening the implementation of this provision and referred to a recently organised workshop for judges and prosecution on this issue (see agenda item 9).

#### **Agenda item 5: Election of two members of the Group of Experts on Action against Trafficking in Human Beings (GRETA)**

19. The Chair recalled that the terms of office of two of the 15 members of GRETA would expire on 31 December 2014. He noted that the term of office of a member of GRETA is four years, renewable once, and that no two members of GRETA may be nationals of the same state. In preparation of the election, 29 Parties to the Convention<sup>1</sup> had been invited to nominate candidates for GRETA membership (as the other 13 Parties continued to have nationals among the GRETA members whose mandates run until the end of 2016).

20. The Chair informed the Committee that 10 Parties (Austria, Azerbaijan, Bosnia and Herzegovina, Denmark, Hungary, Italy, Montenegro, Netherlands, Portugal, and Sweden) had nominated a total of 15 candidates for membership of GRETA and that all nominations had been submitted by the deadline of 5 October 2014 (i.e. two months before the election). Two of the candidates presented for election, from Austria and the Netherlands, were nominated for a second term of office as members of GRETA.

##### **5.1 Admissibility of the candidatures for GRETA**

21. The Chair informed the Committee that Montenegro and Hungary had provided two candidates each, both of whom were women. In accordance with rule 10 of Resolution CM/Res(2013)28, he invited the representatives of these Parties to provide an explanation.

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<sup>1</sup> Albania, Andorra, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Denmark, Finland, Georgia, Germany, Greece, Hungary, Iceland, Italy, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, Norway, Poland, Portugal, San Marino, Serbia, Slovenia, Sweden, Switzerland, and "the former Yugoslav Republic of Macedonia".

22. Ms Adrienne TÓTH-FERENCI (Hungary) stated that the Hungarian authorities had made an open call for those interested in membership of GRETA and the two selected candidates, who happened to be both women, had the most relevant expertise in the field of action against trafficking in human beings and fulfilled all criteria for GRETA membership.

23. Ms Danica MARKOVIC (Montenegro) indicated that it was not easy in a small country to find highly qualified experts fulfilling all criteria for GRETA membership, and that the candidates presented were selected on the basis of their expertise in the field of combating human trafficking and knowledge of the working languages of GRETA.

24. In the light of these explanations, the Committee decided to accept the lists of candidates submitted by Hungary and Montenegro.

### ***5.2 Assessment of whether the candidates nominated meet the requirements for membership of GRETA***

25. The Chair referred to Rule 3 of Resolution CM/Res(2013)28, which states that individuals holding decision-making positions as regards defining and/or implementing policies in the field of action against trafficking in human beings in government or in any other organisation or entity, which may give rise to a conflict of interest with the responsibilities inherent to membership of GRETA, shall not be eligible. The independence and impartiality of GRETA members should not be put into question by the mere fact that they are civil servants or otherwise employed by the public sector, but by holding decision-making positions in governmental or other organisation defining or implementing anti-trafficking policies. The Chair noted that the candidate from Denmark, Ms Gitte Tilia, was the National Co-ordinator at the Danish Centre against Human Trafficking and as such could be seen as holding a decision-making position in the field of action against trafficking in human beings in Denmark. However, according to her CV, her post as National Co-ordinator would end on 31 December 2014, and therefore this should not pose a problem in respect of the requirements of Rule 3.

26. The Chair also noted that the candidate from Azerbaijan, Mr Ilkin Gurbanov, was currently the contact person for GRETA, and in case of being elected as a GRETA member, he should step down as GRETA contact person.

27. Ambassador Jocelyne CABALLERO (France) proposed that the matrix prepared by the Secretariat for future elections, which currently provides an overview of the professional expertise and educational background of the candidates for election, also indicates their language qualifications.

28. The Chair opened the floor for short introductions of the candidates by the representatives of the countries presenting them.

### ***5.3 Election of two members of GRETA***

29. The Chair recalled the rules for the election of GRETA members. He informed the Committee that equipment for electronic voting had been provided for the meeting, which ensured the secrecy of the ballot and calculated the results of the voting. The Chair invited the representative of the company providing the equipment, Mr Bastian VINCHON, to explain the electronic voting system.

30. The Committee proceeded with the election of members of GRETA. Following 10 rounds of voting, the Committee elected the following members of GRETA:

- Mr Helmut SAX (Austrian) - re-elected
- Mr Jan van DIJK (Dutch) – re-elected

31. The term of office of these two GRETA members will run for four years, from 1 January 2015 to 31 December 2018. The Committee congratulated the elected candidates and wished them success in their functions as GRETA members.

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**Agenda item 6: Examination of GRETA's reports on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Andorra, Iceland, Italy, San Marino and Ukraine****6.1 Draft recommendation to be adopted in respect of Andorra**

32. The Chair invited the representative of Andorra to take the floor concerning GRETA's final report on the implementation of the Convention by Andorra. Mr Joan FORNER ROVIRA (Andorra), stated that the Andorran authorities were satisfied with the evaluation process. He noted that there had been no victims of trafficking in Andorra and that given the country's small territory and specific geographic situation, it would be difficult to conceal trafficking cases. He indicated that his Government had initiated the process of amending the Criminal Code with a view to establishing human trafficking as a criminal offence

33. The Committee adopted the recommendation in respect of Andorra and decided to request the Government of Andorra to inform it of the measures taken to comply with this recommendation by 5 December 2016.

**6.2 Draft recommendation to be adopted in respect of Iceland**

34. The Chair noted that the representative of Iceland was not present at the meeting. The Committee adopted the recommendation in respect of Iceland and decided to request the Government of Iceland to inform it of the measures taken to comply with this recommendation by 5 December 2016.

**6.3 Draft recommendation to be adopted in respect of Italy**

35. The Chair invited the representative of Italy to take the floor concerning GRETA's final report on the implementation of the Convention by Italy. Mr Giuseppe CAVAGNA (Italy) conveyed the gratitude of the Italian Government to GRETA for its report and recommendations, and indicated that the Italian authorities intended to take them into account when drawing up the national action plan on combating human trafficking. Mr CAVAGNA noted that since 1998 Italy had been at the forefront of action against human trafficking and that it aimed at addressing this phenomenon on the basis of a victim-centred approach. Further, he stressed that action against human trafficking was among the priorities of the Italian chairmanship of the Council of the European Union. Replying to a question from Ms Nicole ZÜNDORF-HINTE's (Germany) concerning the expected adoption of the national action plan, Mr CAVAGNA specified that the action plan was still at the drafting stage.

36. Mr George BULIGA (Romania) welcomed the co-operation between Italian and Romanian law enforcement authorities, which had resulted in numerous arrests on charges of human trafficking in Italy, Romania and other countries. Mr BULIGA also referred to a co-operation project between Italy and Romania in the field of combating trafficking, covering prevention, assistance and social inclusion of victims, and prosecution of traffickers.

37. The Committee adopted the recommendation in respect of Italy and decided to request the Government of Italy to inform it of the measures taken to comply with this recommendation by 5 December 2016.

#### **6.4 Draft recommendation to be adopted in respect of San Marino**

38. The Chair invited the representative of San Marino to take the floor concerning GRETA's final report on the implementation of the Convention. Ms Sylvie BOLLINI, First Secretary to the Department of Foreign Affairs of the Ministry of Foreign and Political Affairs of San Marino, thanked GRETA and its Secretariat for the constructive dialogue during the evaluation process and affirmed her authorities' readiness to strengthen the comprehensive approach and co-operation in the fight against human trafficking. Ms BOLLINI indicated that GRETA's report has been disseminated among relevant stakeholders in San Marino. The full text of Ms BOLLINI's statement is set out in Appendix IV.

39. The Committee adopted the recommendation in respect of San Marino and decided to request the Government of San Marino to inform it of the measures taken to comply with this recommendation by 5 December 2016.

#### **6.5 Draft recommendation to be adopted in respect of Ukraine**

40. The Chair invited the representatives of Ukraine to take the floor concerning GRETA's final report on the implementation of the Convention by Ukraine. Mr Oleksandr KULIKOVSKYI (Ukraine) thanked GRETA for its evaluation report and the specific and constructive recommendations made in it, and affirmed the Ukrainian authorities' efforts to combat human trafficking.

41. Ms Olena FARYMETS, Deputy Head of the Department on Family, Gender issues and Counter-trafficking of the Ministry of Social Policy and GRETA's contact person, expressed the appreciation of the Ukrainian authorities of the constructive dialogue during the evaluation process. She noted that the multidisciplinary working group to combat human trafficking, operated by the Ministry of Social Policy, was in the process of drafting the Counter-Trafficking Programme for 2015-2020, which will reflect GRETA's recommendations and will also focus on new challenges and trends in human trafficking. In addition, the Ukrainian authorities were taking measures to decrease the vulnerability of internally displaced persons from the Eastern regions of Ukraine, which had become one of the main priorities of the Government. The full text of Ms FARYMETS' statement is set out in Appendix V.

42. The Committee adopted the recommendation in respect of Ukraine and decided to request the Government of Ukraine to inform it of the measures taken to comply with this recommendation by 5 December 2016.

### **Agenda item 7: Government replies to Committee of Parties recommendations**

43. The Chair recalled that at its 9th meeting on 12-13 November 2012, the Committee had adopted recommendations concerning the implementation of the Convention by Armenia, Georgia, Montenegro and the United Kingdom, requesting them to inform the Committee of measures taken to comply with these recommendations within a two-year period. He indicated that the Governments of Armenia, Georgia and Montenegro had submitted their replies to the Committee of the Parties recommendations, which had been made available on the Committee's restricted website.

#### **7.1. Armenia**

44. The Chair invited Ms Susanna ADAMYAN (Armenia) to take the floor concerning measures taken by the Armenian authorities to comply with the Committee's recommendation on the implementation of the Convention. Ms ADAMYAN referred to various measures taken by the Armenian authorities in respect of the 22 recommendations made by GRETA, including legislative amendments, the drafting of a new law on the identification of victims of trafficking, and the setting up of a data collection system on victims of trafficking and traffickers, managed by the Ministry of Labour and Social Affairs and the Police. Ms ADAMYAN affirmed the commitment of the Armenian authorities to combat trafficking in human beings and their readiness to continue the excellent co-operation with GRETA. The full text of Ms ADAMYAN's statement is set out in Appendix VI.

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## **7.2. Georgia**

45. The Chair invited Mr Mikheil SULABERIDZE (Georgia) to take the floor concerning measures taken by the Georgian authorities to comply with the Committee's recommendation on the implementation of the Convention. Mr SULABERIDZE underlined that GRETA's recommendations were reflected when amending the Law on combating human trafficking and were also taken into account during the drafting of the National Action Plan for 2015-2016, adopted in November 2014. The full text of Mr SULABERIDZE's statement is set out in Appendix VII.

## **7.3. Montenegro**

46. The Chair invited Ms Danica MARKOVIC (Montenegro) to take the floor concerning measures taken by the Montenegrin authorities to comply with the Committee's recommendation on the implementation of the Convention. Ms MARKOVIC stated that the Government of Montenegro attached great importance to the recommendations given by GRETA and was conducting various activities in order to implement them, in accordance with the National Strategy for Combating the Trafficking in Human Beings (2012-2018).

47. The Committee thanked the authorities of Armenia, Georgia and Montenegro for the detailed information provided on measures to implement the Committee's recommendations. The Committee decided to forward the reports to GRETA for consideration in the framework of the next evaluation round. The Committee also decided to make the reports public on the Council of Europe's anti-trafficking website.

## **7.4. United Kingdom**

48. The Chair informed the Committee that the British authorities had indicated that their report on measures taken to comply with the Committee of the Parties' Recommendation would not be ready before the Committee of the Parties' meeting, due to ongoing policy changes and resource pressures resulting from the Modern Slavery Bill. He invited Mr Mark GOREY (United Kingdom) to provide further information on this point to the Committee.

49. Mr Mark GOREY referred to the ongoing process of adoption of the Modern Slavery Bill, the publication of the Modern Slavery Strategy on 29 November 2014, and the review of the National Referral Mechanism, all of which had led to a delay in providing information to the Committee of the Parties concerning measures taken by the UK authorities. He asked if the deadline for reporting to the Committee of the Parties could be extended until March 2015. The full text of Mr GOREY's statement is set out in Appendix VIII.

50. While welcoming the political attention to human trafficking in the UK, the Chair stressed the importance of observing the deadline put by the Committee of the Parties in its recommendation. The Committee agreed to extend the deadline for the British authorities to submit information on measures taken to implement Recommendation CP(2012)10 until 13 March 2015. The Committee also decided to send a letter to the British authorities concerning the need to reflect GRETA's and the Committee of the Parties' recommendations in the Modern Slavery Bill and the ongoing review of the National Referral Mechanism.

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**Agenda item 8: Follow up to be given to government reports submitted in reply to Committee of the Parties recommendations**

51. The Chair recalled the current approach taken by the Committee of the Parties to government reports submitted in reply to the Committee's recommendations consisted in transmitting the reports to GRETA for consideration and making them public on the Council of Europe's anti-trafficking website. He noted that GRETA was already taking into consideration the information contained in the government reports during the second evaluation round, launched on 15 May 2014.

52. Ms Nicole ZÜNDORF-HINTE's (Germany) proposed that for the 2nd monitoring round, the Committee of the Parties' recommendations focus on the most pressing issues identified by GRETA (where GRETA "urges" the authorities to take action) and requests the authorities to provide information on action taken in respects of these issues, with a view to avoiding very long reports from Parties.

53. The Committee decided to continue the discussion of this issue and to put it on the agenda of its 16th meeting.

**Agenda item 9: Co-operation activities aimed at strengthening the implementation of GRETA's conclusions and the Committee of the Parties' recommendations**

54. The Chair informed the Committee that the Secretariat had prepared a new document on co-operation activities in the area of action against trafficking in human beings (THB-CP(2014)26), which contained an overview of areas for future co-operation activities, and invited the Executive Secretary to present this document.

55. Ms NESTOROVA pointed out a number of recurrent issues which had emerged from the round-table meetings, such as improving the identification and referral to assistance of child victims of trafficking; identification of victims of trafficking for the purpose of labour exploitation; legal assistance and access to compensation for victims of trafficking; facilitating safe return and reintegration of victims; and capacity building for legal professionals, prosecutors and judges to enable them to better protect victims' rights and secure convictions of traffickers. She informed the Committee that a workshop for judicial and prosecutorial officials on promoting the implementation of the non-punishment principle for victims of human trafficking had been held on 9-10 October 2014 in Strasbourg. The workshop, co-organised with the OSCE, had brought together some 40 judges and prosecutors from 23 countries. In the light of the positive feedback received from participants, a second workshop would be organised in 2015.

56. Ambassador Jocelyne CABALLERO (France) welcomed the methodology for identifying needs for activities aimed at strengthening the implementation of the Convention, through the organisation of round-table meetings in each country, and noted the synergies built with other international organisations.

57. Mr Martin REICHARD (Austria) referred to the organisation of a conference entitled "Protecting the Victims of Human Trafficking in Canada and Europe" by the Austrian and Swiss Embassies to Canada and the University of Ottawa, on 16 October 2014. The Executive Secretary of the Convention had made a presentation at this conference. In addition, the Executive Secretary indicated that a session entitled "Human Trafficking: Development Threat and Human Rights Violation" had been organised on 22 October 2014 in Washington as part of the World Bank's Law, Justice and Development Week.

58. The Chair invited members of the Committee to continue emphasising the value of the Convention and its human rights-based approach.

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**Agenda item 10: Information on the activities of other international organisations of interest to the Committee of the Parties**

59. The Chair indicated that the representative of the European Union Delegation to the Council of Europe would provide information on relevant activities in writing (see Appendix IX).

60. The Secretariat circulated a letter concerning a project proposal by the Council of Europe and the International Centre for Migration Policy Development (ICMPD) concerning the strengthening of transnational co-operation and the implementation of Transnational Referral Mechanisms for victims of trafficking.

**Agenda item 11: State of signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings**

61. The Chair indicated that since the last meeting of the Committee of the Parties (7 July 2014), no new instruments of ratification or accession to the Convention had been submitted. The Chair informed the Committee of his intention to hold follow-up meetings with the Ambassadors of the Council of Europe member States which had not signed and/or ratified the Convention with the aim to encouraging further ratifications.

**Agenda item 12: Dates of future meeting**

62. The Committee agreed to hold its 16th meeting on Friday, 29 May 2015.

**Agenda item 13: Other business**

63. The Chair recalled that 2015 would mark the 10th anniversary of the opening for signature of the Convention on Action against Trafficking in Human Beings (on 16 May 2005 in Warsaw) and invited the Committee to reflect on possible ways in which this anniversary could be marked.

64. Ambassador ŠAHOVIĆ (Bosnia and Herzegovina) indicated his authorities' readiness to host an event to mark this anniversary during their forthcoming Chairmanship of the Committee of Ministers. Ambassador CABALLERO (France) noted the importance of organising an event which addresses substantive issues in the implementation of the Convention rather than being a mere celebration of an anniversary. Ms Nicole ZÜNDORF-HINTE's (Germany) suggested that a possible anniversary event should also look at what has been achieved through the Convention, stress the importance of having a monitoring body which benchmarks progress, and promote the Convention beyond Europe.

65. The President of GRETA indicated that GRETA was considering the launching of a study which would address substantive issues related to the implementation of the Convention, for example a study on how the Convention had helped to change the approach taken by State Parties to human trafficking. The Executive Secretary of the Convention informed the Committee that at the last GRETA plenary meeting, the issue of "invisible victims" of trafficking had emerged as a possible topic for an event to mark the 10th anniversary.

66. The Chair noted that the marking of the 10th anniversary of the opening for signature of the Convention could be a good opportunity to make the Convention more visible. He suggested organising an event in conjunction with the next meeting of the Committee of the Parties in May, and involving GRETA members and civil society partners. The Chair stressed that the event should be substance and future-oriented and asked the Secretariat to continue working on this issue, taking into account any specific proposals to be received from the Parties.

**Agenda item 14: Adoption of the list of decisions taken**

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

## **Appendix I**

### **Agenda**

- 1. Opening of the meeting**
- 2. Adoption of the draft agenda**
- 3. Election of the Chair of the Committee of the Parties**
- 4. Exchange of views with the President of GRETA**
- 5. Election of two members of the Group of Experts on Action against Trafficking in Human Beings (GRETA)**
- 6. Examination of GRETA's reports on the implementation of the Convention on Action against Trafficking in Human Beings by Andorra, Iceland, Italy, San Marino and Ukraine and adoption of recommendations in respect of these Parties**
- 7. Government reports submitted in reply to Committee of the Parties recommendations**
- 8. Follow up to be given to government reports submitted in reply to Committee of the Parties recommendations**
- 9. Co-operation activities aimed at strengthening the implementation of GRETA's conclusions and the Committee of the Parties' recommendations**
- 10. Information on the activities of other international organisations of interest to the Committee of the Parties**
- 11. State of signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings**
- 12. Dates of future meetings**
- 13. Other business**
- 14. Adoption of the list of decisions taken**

## Appendix II

### List of participants / Liste de participants

#### **ALBANIA / ALBANIE**

Ms Ardiana HOBDAI  
Ambassador Extraordinary and Plenipotentiary  
Permanent Representative  
to the Council of Europe

Mr Engjëll BEGALLA  
Deputy to the Permanent Representative  
to the Council of Europe

#### **ANDORRA / ANDORRE**

M. Joan FORNER ROVIRA  
*Chargé d'Affaires a.i.*  
Représentant Permanent Adjoint  
auprès du Conseil de l'Europe

#### **ARMENIA / ARMÉNIE**

Mlle Susanna ADAMYAN  
Adjointe au représentant permanent  
de la République d'Arménie  
auprès du Conseil de l'Europe

#### **AUSTRIA / AUTRICHE**

Mr Rudolf LENNKH  
Ambassador Extraordinary and Plenipotentiary  
Permanent Representative  
to the Council of Europe

Mr Martin REICHARD  
Deputy to the Permanent Representative  
to the Council of Europe

#### **AZERBAIJAN / AZERBAÏDJAN**

Mr Emin ASLANOV  
Deputy to the Permanent Representative  
to the Council of Europe

#### **BELGIUM / BELGIQUE**

Mme Marjan JANSSENS  
Représentante Permanente Adjointe  
auprès du Conseil de l'Europe

#### **BELARUS/ BÉLARUS**

M. Andrei SUKHORENKO  
Représentant du Bélarus  
auprès du Conseil de l'Europe

#### **BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE**

Mr Almir ŠAHOVIĆ  
Ambassador Extraordinary and Plenipotentiary  
Permanent Representative  
to the Council of Europe

Ms Lucija LJUBIC-LEPINE  
Deputy Permanent Representative  
to the Council of Europe

Mr Branko BABIC  
Deputy to the Permanent Representative  
to the Council of Europe

#### **BULGARIA / BULGARIE**

Ms Krassimira BESHKOVA  
Ambassador  
Permanent Representative

Ms Detelina STAMBOLOVA-IVANOVA  
Deputy to the Permanent Representative  
to the Council of Europe

#### **CROATIA / CROATIE**

Mr Miroslav PAPA  
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Président du GRETA

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## Appendix III

### Statement made by Mr Nicolas Le Coz, President of GRETA

Mr Chair,  
Excellencies,  
Ladies and Gentlemen,

Since the Committee of the Parties' last meeting, GRETA has made public **five more final country evaluation reports**, concerning Andorra, Iceland, Italy, San Marino and Ukraine, which you will be considering later today with a view to adopting recommendations addressed to the respective national authorities. This brings to 35 the total number of published GRETA reports under the first evaluation round of the Convention. The remaining 7 parties to the Convention are either in the process of being evaluated or, in the case of the most recent ratifications (Belarus and Greece), will be evaluated next year. In the meantime, as I already informed you at your last meeting, GRETA has launched the **second round** of evaluation of the Convention, and has started carrying out visits to the first three Parties which were evaluated four years ago (Austria, Cyprus and the Slovak Republic).

Now that the first evaluation round has been completed in respect of most of the Parties to the Convention, GRETA is in a position to analyse and draw lessons regarding the implementation of Convention. GRETA has decided to avail itself of the **4th General Report** on its activities to analyse trends emerging from the 35 published country evaluation reports and to highlight gaps in the implementation of the Convention as well as best practices. This general report was discussed by GRETA at its recent plenary meeting (16-20 November) and will be made public in early 2015.

At its last plenary meeting, GRETA also adopted **amended Rules of procedure for evaluating implementation of the Convention by the Parties**. The amended Rules have been made available to you and I would like to highlight in particular two of the amendments made:

- Rule 5 has been changed (in the light of what I informed you about at your last meeting) and in the future GRETA shall publish replies to its questionnaire unless otherwise requested by the part concerned.
- A new Rule 7 has been added, entitled "Urgent requests for information", according to which, if GRETA receives reliable information indicating a situation where problems require immediate attention to prevent or limit the scale or number of serious violations of the Convention, it may make an urgent request for information to any party or parties to the Convention. Taking into account the information submitted by the party or parties concerned, as well as any other reliable information available to it, GRETA may designate rapporteurs to assess the specific situation and, if necessary, carry out a visit to the party or parties concerned. GRETA shall transmit its findings and conclusions from the assessment to the party or parties concerned and shall make them public, together with eventual comments from the party or parties concerned.

The amended Rules will be brought to the attention of the contact persons appointed by all parties to the Convention and will start applying **from 1 January 2015**. GRETA trusts that, by amending and updating these rules, it will strengthen the implementation of the Convention and ensure that its operational practices can respond rapidly to urgent situations, which is one of the recommendations made by the Secretary General in his first Report on the State of democracy, human rights and rules of law in Europe.

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Today you will hold **elections for two members of GRETA** and I would like to use this opportunity to stress how important is it for the proper functioning of the independent monitoring mechanism of the Convention to have a multi-disciplinary group of experts who bring experience from different areas covered by the Convention, come from different professional backgrounds and different geographical regions, and have first-hand knowledge of different aspects of the fight against trafficking in human beings.

As the President of GRETA for almost 4 years now, I have had the privilege to work with a highly committed group of experts coming from a variety of professional backgrounds. To give you an example, amongst the 15 current members of GRETA, there are lawyers, a prosecutor, a police officer, a forensic medical doctor, psychologists (including specialised to work with children), NGO representatives, and academics specialised in human rights, criminology, migration and humanitarian law. The two outgoing GRETA members include one who is highly experienced in children's and women's rights and has been the Second Vice-President of GRETA, and another one with important expertise in the areas of victimology, compensation and statistical analysis, as well as experience from working with UN agencies.

There are 8 women and 7 men in the current composition of GRETA, which is a balanced composition when it comes to gender, but the two outgoing members are both men.

When it comes to geographical areas and legal systems represented in the current composition of GRETA, the spread is quite well balanced, with experts from Eastern Europe (post-Soviet countries, the Balkans, the Southern Caucasus), from Central Europe, from Mediterranean countries, from Northern Europe (including Baltic countries), as well as from Western Europe.

I hope that the election today will preserve the richness and balance of GRETA's membership. An effective monitoring system relies on the professionalism, availability, dedication and independence of the experts to whom the task is entrusted. The mission which GRETA fulfils requires experts who have first-hand experience from anti-trafficking work, for example, victim identification – including through border and migration control, victim assistance and protection (including social work), and the investigation and bringing to justice of perpetrators of trafficking offences. These experts have to be available to serve GRETA effectively and for the smooth work of GRETA, it is essential that they have sufficiently good command of at least one of the official languages of the Council of Europe and at least passive command of the other official language.

Next year marks the **10<sup>th</sup> anniversary of the opening for signature** of the Convention on Action against Trafficking in Human Beings and this will be an occasion to celebrate our achievements but also focus on what needs to be improved. GRETA has started reflecting on how to mark this anniversary and your proposals and ideas will be valuable.

Furthermore, in March next year, a new Council of Europe Convention, **on trafficking in human organs**, will be opened for signature. This new Convention fills an important gap when it comes to the criminalisation of the sale of human organs. At its last plenary meeting, GRETA discussed this new Convention and noted important linkages with the Convention on action against Trafficking in Human Beings. We need to further reflect on and clarify the interface between these two CoE Conventions, in the interest of offering the best possible protection to victims of trafficking for the purpose of organ removal.

Thank you for your attention.

## Appendix IV

**Statement made by Ms Sylvie Bollini,  
First Secretary to the Department of Foreign Affairs,  
Ministry of Foreign Affairs**

The Group of Experts on Action against Trafficking in Human Beings made its first visit to San Marino in December 2013.

The visit took place in a very cordial atmosphere; the premise underlying discussions was that there had been no known case of trafficking in human beings in the country. The authorities pointed out that, in some ways, this made it difficult to take stock of the Convention's application, particularly with regard to assistance or, for example, collecting statistical data. Even so, the fact that there have been no cases does not imply a lesser degree of commitment for the Republic of San Marino, which ratified the Convention with conviction, as trafficking in human beings is a crime that, by definition, is transnational and knows no borders.

According to the 2014 Global report on trafficking in persons published recently by the UN Office on Drugs and Crime, the victims identified between 2010 and 2013 were of 152 different nationalities, in 124 countries.

Since no borders could be said to be "hermetically sealed", the San Marino Authorities asked GRETA to help the country to prepare itself to deal with any incidents that might arise.

During the period between the visit and the publication of the GRETA Report, all of San Marino's relevant authorities and institutions were involved in the process, including at the highest level: the members of the Government, parliamentarians and the Captains Regent. A press release was issued to announce the publication of the Report and supply a link to the internet site.

Discussions have already focused on the inclusion of the topic of trafficking in the training programmes run by the Authority for Equal Opportunities in collaboration with the Department of Education of the University of San Marino, both for schools and for the professionals concerned who may come into contact with victims.

A new law on residence permits was considered recently and is likely to be passed at its first reading in Parliament before the end of the year. This law will guarantee better protection for a category regarded potentially at risk by GRETA, that of "caregivers", whose permits, valid up to now for 11 months, will be extended to 12 months and be renewable immediately, to avoid any "legal loopholes".

The law on corporate licensing has also been amended following GRETA's visit and suggestions. Commercial and industrial licences can now be suspended or revoked with immediate effect if a case of trafficking in human beings or another human rights violation is found. This was not a recommendation but the San Marino Authorities believe that Conventions form bases, or guidelines, and that it is possible, and even desirable, to go beyond them in guaranteeing rights.

The San Marino Authorities are aware that much remains to be done in the area of action against trafficking but assure GRETA that they will strive to adopt new provisions following the valuable recommendations made, strengthen co-ordination between those involved as well as their training and also raise awareness at national level.

Thank you for your attention.

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## Appendix V

**Statement made by Ms Olena Farymets,  
Deputy Head of the Department on Family, Gender issues and Counter-trafficking,  
Ministry of Social Policy**

Dear Chairman, Dear colleagues,

First of all, on behalf of the Government of Ukraine I would like to express our appreciation to the Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings and GRETA experts for our close co-operation and constructive dialogue on the implementation of the Convention.

We are grateful to GRETA experts for the positive assessment of Ukrainian Government's efforts to combat human trafficking. We consider the GRETA report on Ukraine to be an objective, the one reflecting the real situation, and recommendations expressed for our country to be practical and will hopefully allow improving the effectiveness of state policy in combating human trafficking.

To ensure the implementation of the Convention, Ukraine has established a system to combat human trafficking and provide assistance to victims:

- Ministry of Social Policy was defined to be the National Co-ordinator on combating human trafficking;
- State Counter-Trafficking Programme is being implemented;
- The Government has adopted the procedure for establishing the status of victims of trafficking, and the provisions launching National Referral Mechanism, which includes provision of social, medical, legal and financial assistance;
- The National Counter-Trafficking Co-ordinator approved the standards for the provision of services to victims of trafficking, guidelines for public servants who work with victims and training program for professionals working in this field;
- Ministry of the Interior has a separate department - the Department to combat crimes related to trafficking in persons;
- Each local state administration has defined unit responsible for establishing the status of victims of trafficking, as well as multidisciplinary councils to co-ordinate the state policy at a local level;
- There is a close co-operation with international and non-governmental organizations working in this area.

Among problems that affect the efficiency of state policy in the field of combating human trafficking in Ukraine we should mention the following:

- Continuous reorganisation of local government authorities and staff turnover in the field;
- Problems with identification and self-identification of trafficked persons.
- Weak interaction and referral of victims between police and responsible local social services;
- Lack of public confidence in local government, law enforcement and the judiciary.

In addition, due to the crisis situation in Ukraine and massive migration from the Eastern regions, we understand that there is a risk of increase of the vulnerability of people to be involved into a situation of human trafficking both in Ukraine and abroad.

Today, one of the main priorities of the Government of Ukraine is social protection of internally displaced persons from the Eastern Ukraine who moved to other regions of Ukraine. Understanding the challenges that we face today, Ukraine has adopted the Law on Internally Displaced Persons and introduced a monthly allowance for targeted assistance to pay for housing and utilities, and reintegration assistance. In this regard, I would like to mention the activities of the International Organization for Migration, OSCE Project Co-ordinator in Ukraine, International Women's Rights Centre "La Strada - Ukraine", and Ukrainian coalition of NGOs working in the field of combating human trafficking. Currently, we are implementing an information campaign for people who moved from the Eastern Ukraine focusing on the risks of human trafficking, safe employment and safe migration.

In addition, the Ministry of Social Policy aimed to protect the rights of civilians who stay in the area of anti-terrorist operation, established a multidisciplinary working group, which is drafting a National Action Plan on the protection of civilians to implement the UN Security Council Resolution No. 1325, which will include measures to prevent negative social phenomena such as violence, human trafficking, kidnapping, as well as measures to assist and protect the rights of victims. Work in combating human trafficking has given new impetus to the establishment of close co-operation of government agencies and international and non-governmental organizations that complement to the system of state assistance provided to the victims.

We continue to develop and improve the state policy on combating human trafficking. Thus, the Ministry of Social Policy operates the continuously acting Working Group to combat human trafficking, which includes representatives of the central government authorities, law enforcement agencies, and international and non-governmental organizations. We already held a working group meeting to discuss further implementation of GRETA recommendations.

In addition, the working group has started drafting the next State Counter-Trafficking Programme up to 2020 year, which will include activities to implement the recommendations of GRETA, as well as focus on new challenges and trends in human trafficking.

The Ministry of Social Policy being the National Counter-Trafficking Co-ordinator, jointly with other partners has initiated drafting of the legislative amendments to ensure better implementation of the Council of Europe Convention and functioning of National Referral Mechanism. We understand that we can minimise the phenomenon of trafficking in human beings only through consolidation of efforts at inter-agency level, through enhancing of international co-operation and implementation of best practices.

Summing up, I would like to mention that we are strongly committed to continue our efforts to improve state policy and legislation in combating human trafficking, strengthen inter-agency co-ordination and co-operation.

We will continue to conduct wide information campaigns to prevent human trafficking and further build the capacities of specialists working in this field, including prosecutors and judges, as well as ensure effective protection and assistance to victims of trafficking.

Thank you for your attention.

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## Appendix VI

### **Statement made by Ms Susanna Adamyán, Deputy to the Permanent Representative to Armenia to the Council of Europe**

Since ratifying the Convention on action against trafficking in human beings Armenia has stepped up its fight in this area. Our country attaches great importance to action against trafficking in human beings and has forged effective co-operation with GRETA, whose activities are very much appreciated by the Armenian authorities. The Council dealing with THB issues, set up in 2007 under the Armenian Government and headed by the Deputy Prime Minister, and its Working Group, co-ordinated by the Ministry of Foreign Affairs, have the task of consolidating action against trafficking, in close partnership with civil society, and developing tools for preventing trafficking in Armenia. Indeed, in the 2012 annual report of the US State Department, published in June 2013, Armenia was ranked in Tier One, thanks to its considerable efforts to develop anti-trafficking measures and combat this scourge.

Regarding the Report submitted by the Government of the Republic of Armenia in reply to GRETA's recommendations, the Armenian authorities have taken all 22 Recommendations into consideration with a view to reinforcing legislative mechanisms and practical tools for action against trafficking.

The Armenian authorities are determined to maintain and promote the progress noted in the first evaluation round national report and, in response to GRETA's recommendations, they have embarked upon new tasks and measures, while others are envisaged in the Action Plan for 2013-2015. At the same time, the continuity of previous initiatives that have proven effective is guaranteed. In particular, the current Action Plan has been enhanced by the incorporation of a mechanism for evaluating its implementation, efforts to co-ordinate anti-trafficking initiatives at regional level and the strengthening of partnerships with the various NGOs operating on the ground. The competent authorities are pursuing the awareness-raising and education policy and continuing to take social and economic assistance measures geared to discouraging demand for services provided by trafficked persons. Regular training sessions are run to build the skills of representatives of the corresponding bodies, and round tables periodically provide a discussion platform for state institutions and civil society to explore possibilities of co-operation to make action against THB more effective.

The new measures undertaken on GRETA's recommendation include the setting up and commissioning of a database providing full, coherent information on victims and perpetrators of trafficking sourced from the Ministry of Labour and Social Affairs and the Police and the introduction of an alert system for reporting cases of trafficking in human beings to those institutions. There are plans for research work in co-operation with the OSCE office in Yerevan and with funding from the Department of the US Secretary of State, focusing on forced labour and child labour. Steps have been or are being taken to block legal loopholes so that trafficking victims can be better identified and the victims and potential victims provided, among other things, with better assistance, protection and support that they need. Among our achievements, we can cite the criminalisation, by Article 132.3 of the Criminal Code of the Republic of Armenia, of the use of the services of a person in a situation of exploitation, where that situation of exploitation is obvious. Among the new legislative initiatives under way, a bill on "identification of and support for people subjected to trafficking and exploitation" has passed its first reading in the National Assembly.

To conclude, we would like to emphasise that Armenia sees close co-operation with GRETA as tremendously important. Armenia is keen to deepen that co-operation and make it more effective in order to constantly optimise action against trafficking in human beings. At the same time, the Armenian authorities are willing, if requested, to share and exchange the experience they have gained in this area with other countries.

Thank you.

## **Appendix VII**

### **Statement made by Mr Mikheil Sulaberidze, Deputy to the Permanent Representative to Georgia to the Council of Europe**

Combating Trafficking in Human Beings (THB) is a top priority of the Government of Georgia. Primarily it is in our national interest to fight against THB efficiently, but we always try to align our policy to international standards. In this respect, the recommendations of GRETA are invaluable for us in the process of shaping anti-THB policy. As a very tangible example, I recall that following GRETA's recommendations in 2012 the Law on combating THB was amended and a new chapter was inserted referring to social and legal protection, assistance and rehabilitation of child victims. In line with international standards, our policy is entirely focused on the so-called 4 Ps, and we are committed to adopting efficient measures in order to enhance Prevention, Protection, Prosecution and Partnership. New National Action Plan (2015-2016) which was adopted a few weeks ago is in compliance with international standards and best practices and enshrines the recommendations of GRETA, among others.

We would like to express our gratitude for your inputs and fruitful co-operation and will be looking forward to receiving your expert mission in 2015.

Thank you.

## **Appendix VIII**

### **Statement made by Mr Mark Gorey, Deputy to the Permanent Representative to the United Kingdom to the Council of Europe**

GRETA evaluated the UK's implementation of the Council of Europe Convention on Action against Trafficking in Human Beings during 2012 and published the evaluation report in September that year. GRETA wrote to the Home Office, the UK's Interior Ministry, in October 2013, requesting information on the measures taken to implement the proposals in the report. They set a deadline of 13 November 2014 for response.

At the time, the Home Office's work in this area was focused on preparing new domestic legislation which became known as the Modern Slavery Bill and which was subsequently introduced into Parliament in December 2013.

Alongside this new legislation, a new Modern Slavery Strategy was being developed and two independent reviews, one into victim care, were under way. Nonetheless, work on the GRETA response began in parallel in summer 2014.

However, it was found that some of the answers to the GRETA recommendations were the subject of, or related to, those parallel pieces of work, especially the reviews. It became clear that the responses to the GRETA recommendations would depend on the outcomes to those other processes.

An extension to the deadline for responding, until the end of November, was requested in order to allow sufficient time for these work-streams to converge. However, with subsequent delays to the publication of the Modern Slavery Strategy, eventually published on 29 November, it was not possible to obtain Ministerial clearance for the GRETA response in the new timeframe. Ministers also concluded that it would not be advisable to put forward a formal response to GRETA while there was still opportunity for the Modern Slavery Bill to change.

This is a long way of explaining that, with the Modern Slavery Bill still progressing through Parliament and therefore subject to change, and while apologising for the delays in its response, the UK requests the understanding of the State Parties and asks for an extension until March for the formal response to the GRETA recommendations.

Thank you.

## Appendix IX

### Written information provided by Tanja Leikas-Botta, Deputy to the Head of the European Union Delegation to the Council of Europe

- The mid-term report on the implementation of the *EU STRATEGY TOWARDS THE ERADICATION OF THB 2012-2016* was presented by Commissioner Malmstrom on 17 October 2014. It takes stock of how the EU Strategy has been implemented, from early 2012 to the third quarter of 2014. The report includes work carried out through cooperation between EU institutions, agencies and bodies, Member States, civil society organisations and the private sector. It covers action taken within the EU and in cooperation with non-EU countries of origin, transit and destination. The report emphasises the Commission's efforts to implement the EU policy framework on THB in a coordinated manner across all relevant policy fields and actors.
- **The second Eurostat** report was published together with the midterm report on 17 October 2014. It covers the years 2010-2012. Over the three years, 30 146 victims were registered in the 28 Member States. According to data disaggregated by gender during the reference period, 80% of registered victims were female. Looking at the data from Member States who provided a breakdown by gender and age (adults/minors), women account for 67 %, men for 17 %, girls for 13 % and boys for 3 % of the total number of registered victims of THB. Data on registered victims disaggregated by different forms of exploitation for all three reference years showed that the majority (69%) of victims registered were trafficked for the purpose of sexual exploitation, 19 % for labour exploitation and 12% for other forms of exploitation such as the removal of organs, criminal activities, or selling of children. Of all the female victims registered, the overwhelming majority were trafficked for the purpose of sexual exploitation (85%). Among registered male victims, 64% were trafficked for labour exploitation.
- The second implementation report of the Directive *2004/81/EC REGULATING THE GRANT OF A TEMPORARY RESIDENCE PERMIT TO THIRD-COUNTRY NATIONAL VICTIMS OF THB COOPERATING WITH THE AUTHORITIES FOR THE INVESTIGATION AND PROSECUTION OF THE ALLEGED TRAFFICKERS* was published on 17 October 2014. It shows that not all of the Member States use Directive 2004/81 to its full potential.
- To date, **25** Member States have notified the Commission of the full transposition of the Directive *2011/36/EU ON PREVENTING AND COMBATING THB AND PROTECTING ITS VICTIMS* in national law. **In 2015**, the Commission will report on the state of transposition across all Member States.