



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

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

9th meeting of the Committee of the Parties
(Strasbourg, 12-13 November 2012)

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 of the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to respectively as “the Committee” and “the Convention”) held its 9th meeting on 12-13 November 2012 in Strasbourg with Ambassador Tatiana PARVU (Republic of Moldova) in the Chair. The agenda, as adopted by the Committee, is set out in Appendix I. The list of participants is set out in Appendix III.

Agenda item 3: Election of new members of the Group of Experts on Action against Trafficking in Human Beings (GRETA)

3.1 Admissibility of the candidatures for GRETA (rule 9, paragraph 1, and rule 13 of CM/Res(2008)7)

2. The Chair recalled that the terms of office of 13 of the 15 members of GRETA would expire on 31 December 2012. In preparation of the election, 34 Parties to the Convention had been invited to nominate candidates for GRETA membership: Albania, Andorra, Armenia, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, France, Finland, Georgia, Iceland, Ireland, Italy, Latvia, Luxembourg, Malta, Republic of Moldova, Montenegro, Norway, Poland, Portugal, Romania, San Marino, Serbia, the Slovak Republic, Slovenia, Spain, Sweden, “The former Yugoslav Republic of Macedonia”, Ukraine, and United Kingdom.

3. The Chair informed the Committee that 24 Parties had nominated a total of 54 candidates for members of GRETA. She indicated that the nominations from five Parties had reached the Secretariat after the deadline of 12 September 2012 (from Italy and Montenegro on 13 September, from Georgia on 14 September, from “The former Yugoslav Republic of Macedonia” on 17 September, and from Norway on 19 October 2012). Further, as regards Italy, the CV of only one candidate had been submitted. In pursuance of Article 36(2) of the Convention and in conformity with 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 (hereinafter referred to as “the Resolution”), the Chair invited the Committee to examine the admissibility of the candidatures for election of new members of GRETA. Following a discussion, the Committee decided that the candidates nominated by Georgia, Italy, Montenegro, Norway and “the former Yugoslav Republic of Macedonia” were not eligible to stand for election as they had not been submitted in compliance with the requirements of the Resolution.

4. The Chair informed the Committee that Azerbaijan, Belgium, Cyprus, Portugal, Serbia and Ukraine had provided single-sex lists and, in accordance with rule 10, paragraph 2, of the Resolution, she invited the representatives of these Parties to provide an explanation. The representative of Azerbaijan explained that during the national selection procedure no women had expressed interest to be nominated as candidates. The representative of Belgium indicated that the female candidate who had passed through the initial selection procedure later decided not to stand for election. The representatives of Cyprus, Portugal, Serbia and Ukraine pointed out that they had put forward single sex lists because the selected candidates had the most relevant experience and expertise in the field of action against trafficking in human beings. In the light of these explanations, the Committee decided to accept the lists of candidates submitted by Azerbaijan, Belgium, Cyprus, Portugal, Serbia and Ukraine.

3.2 Assessment of whether the candidates nominated meet the requirements for membership of GRETA (rule 9, paragraph 2, of CM/Res(2008)7)

5. The Chair recalled the requirements which should be taken into account when electing members of GRETA. According to Article 36 of the Convention, members of GRETA shall be chosen among persons of high moral character, known for their recognised competence in the fields of human rights, assistance and protection of victims and action against trafficking in human beings or having professional experience in the areas covered by the Convention. They shall sit in their individual capacity, shall be independent and impartial, and shall be available to serve GRETA effectively. Finally, candidates are expected to have a good command of one of the two official languages of the Council of Europe (English or French), which are the working languages of GRETA.

6. Further, the Chair recalled Rule 3 of the Resolution, according to which 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 is not 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 stressed that the credibility of the monitoring mechanisms of the Council of Europe, such as GRETA, rests on the competence, independence, integrity and professionalism of its members. She also underlined the importance of ensuring a degree of continuity of GRETA's membership, which is crucial for the ongoing first evaluation round.

7. The Chair drew the Committee's attention to several candidates holding decision-making positions in the field of implementing action against trafficking in human beings in their respective countries and invited the Committee to assess whether all the nominated candidates meet the requirements for membership of GRETA. Ambassador Andrej TEHOV (Bulgaria) indicated that Bulgaria had decided to withdraw the candidature of Ms Antoaneta VASSILEVA, Secretary General of the Bulgarian National Commission for Combating Trafficking in Human Beings, which could be seen as not being in compliance with Rule 3 of the Resolution. In respect of one of the Belgian candidates, Mr Francois MINET, Head of the Multi-agency Anti-Trafficking Unit of Belgium, Ambassador Alain COOLS (Belgium) stated that in the view of his authorities, the risk of a conflict of interests was not evident, but nevertheless he encouraged the Committee to vote for the other Belgian candidate, Mr Frédéric KURZ.

8. The Chair also noted that several of the candidates were currently contact persons for GRETA in their respective countries and should such a candidate be elected as a GRETA member, he/she should no longer act as a contact person for GRETA and another relevant official should be appointed to fulfil this role.

9. Following an invitation from the Chair, the representatives of the Parties which had proposed candidates for GRETA indicated their preferences for particular candidates.

3.3 Election of new members of GRETA

10. The Committee proceeded with the election of members of GRETA by a secret ballot. Following 22 rounds of voting, the Committee elected the following members of GRETA:

- Ms Vessela BANOVA (Bulgarian) - re-elected
- Ms Alina BRAȘOVEANU (Moldovan)
- Mr Olafs BRUVERS (Latvian)
- Mr Frédéric KURZ (Belgian)
- Ms Leonor LADRÓN de GUEVARA Y GUERRERO (Spanish) - re-elected
- Mr Nicolas LE COZ (French) - re-elected
- Ms Kateryna LEVCHENKO (Ukrainian)

- Ms Alexandra MALANGONE (Slovak) - re-elected
- Ms Siobhán MULLALLY (Irish)
- Mr Ryszard PIOTROWICZ (British)
- Ms Gulnara SHAHINIAN (Armenian) - re-elected
- Mr Mihai ȘERBAN (Romanian)
- Ms Rita THEODOROU SUPERMAN (Cypriot)

11. The term of office of the above-listed 13 GRETA members will run for four years, from 1 January 2013 to 31 December 2016. The Committee congratulated the elected candidates and wished them success in evaluating the implementation of the Convention.

Agenda item 4: Examination of GRETA's reports on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Armenia, Montenegro and the United Kingdom

4.1. Draft recommendation to be adopted in respect of Armenia

12. The Committee took note of the final report of GRETA on the implementation of the Council of Europe Convention by Armenia and the comments submitted by the Armenian authorities. Ambassador Armen PAPIKYAN (Armenia) thanked GRETA for the spirit of co-operation which had prevailed during the evaluation. He stated that Armenia would pursue its efforts to combat human trafficking through the new national action plan for 2013-2015. The plan included measures to prevent human trafficking among vulnerable groups, review the legislation, revise the national referral mechanism, develop a state compensation scheme, and address trafficking in children.

13. In response to a question from Ms Kanta ADHIN, representative of the Netherlands, concerning awareness-raising measures for vulnerable groups and young people leaving care institutions, Mr PAPIKYAN indicated that the new national action plan would contain relevant measures. According to him, more detailed information would be presented at a later stage by competent experts.

14. Mr PAPIKYAN proposed two amendments to the draft recommendation: to add the work "further" before the sentence "strengthening the aspect of prevention through social and economic empowerment measures for groups vulnerable to human trafficking", and to add the word "continue" before the phrase "strengthening the training of frontline staff".

15. The Committee adopted the recommendation, as amended, and decided to request the Government of Armenia to inform it of the measures taken to comply with it by 13 November 2014.

4.2 Draft recommendation to be adopted in respect of Montenegro

16. The Committee took note of the final report of GRETA on the implementation of the Convention by Montenegro and the comments submitted by the Montenegrin authorities. Ambassador Ana VUKADINOVIC (Montenegro) expressed appreciation of the manner in which the evaluation had been conducted. She stated that the GRETA report gave credit to the progress made by Montenegro in the area of action against human trafficking, while at the same time identifying areas where further action was needed. Ms VUKADINOVIC informed the Committee of the recent adoption of a new National Strategy and Action plan for combating trafficking in human beings, covering the period 2012-2018, which took into account the points raised in GRETA's report.

17. The Committee adopted the recommendation concerning measures to be taken to implement the conclusions of GRETA by Montenegro and decided to request the Government of Montenegro to inform it of the measures taken to comply with this recommendation by 13 November 2014.

4.3. Draft recommendation to be adopted in respect of the United Kingdom

18. The Committee took note of the final report of GRETA on the implementation of the Convention by the United Kingdom. Ms Kate JONES, representative of the United Kingdom, indicated that her authorities had welcomed the report and the co-operative spirit in which the evaluation had been conducted. She confirmed the strong commitment of the British Government to combating trafficking in human beings and referred to the first annual report of the Inter-Departmental Ministerial Group on Human Trafficking, which was published in October 2012. She also indicated that the British Government would continue acting on GRETA's report.

19. Ambassador Stelian STOIAN (Romania) praised the successful co-operation between the law enforcement authorities of the UK and Romania, including the setting up of joint investigation teams.

20. Ms Kanta ADHIN, representative of the Netherlands, expressed interest in receiving information on awareness-raising activities directed towards British nationals who may fall victim to human trafficking. Ms JONES indicated that awareness raising was an area where more efforts were still needed.

21. The Committee adopted a recommendation addressed to the authorities of the United Kingdom concerning the measures to be taken to implement the conclusions of GRETA and decided to request the Government of the UK to inform it of the measures taken to comply with this recommendation by 13 November 2014.

Agenda item 5: Consideration of a revised draft recommendation in respect of Georgia

22. The Chair recalled that at its last meeting, the Committee had decided to postpone the adoption of a recommendation in respect of Georgia. The revised draft recommendation had been amended in the light of the decisions taken by the Committee at that meeting and was the result of consultations between Ambassador Mamuka JGENTI (Georgia) and the Chair and Vice-Chair of the Committee.

23. The Chair indicated that a request had been received from the Russian Federation to be present at the meeting and that no objections had been received to invite them as an observer. Mr Konstantin KOSORUKOV, Representative of Russian Federation, was given the floor to read a statement concerning the revised draft recommendation in respect of Georgia. The Committee agreed with the proposal of Ambassador LICARI (Malta) to include this statement in the meeting report (see Appendix II).

24. The Committee adopted the revised recommendation and decided to request the Government of Georgia to inform it of the measures taken to comply with this recommendation by 13 November 2014.

Agenda item 6: Dates of future meetings

25. The Committee decided to hold its 10th meeting on 11 February 2013. The Committee agreed to launch a discussion at that meeting on possible amendments to the Rules on the election procedure of members of GRETA.

Agenda item 7: State of signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings

26. The Committee noted with satisfaction that since its 8th meeting the Convention had been ratified by Lithuania, bringing the total number of ratifications to 37.

27. Mr Benedict GUBLER, representative of Switzerland, informed the Committee that the process of ratification of the Convention was progressing and would probably take place by early 2013.

Agenda item 8: Information on Council of Europe activities of interest to the Committee of the Parties

28. Mr Nicolas LE COZ, President of GRETA, informed the Committee of the meeting held by GRETA on 10-11 September 2012 in Brussels at which GRETA had considered reports from its three thematic working groups and had held an exchange of views concerning the second round of evaluation of the implementation of the Convention. The meeting was also an occasion to hold an exchange of views with the European Commission's Group of Experts on Trafficking in Human Beings and Ms Myria VASSILIADOU, Anti-Trafficking Coordinator of behalf of the European Commission. One of the focal points of this exchange was the roles of National Rapporteurs and National Coordinators.

29. Further, the President of GRETA spoke about the publication in June 2012 of the EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016, which referred to the Council of Europe Convention on Action against Trafficking in Human Beings and urged those EU Member States which have not yet done so to ratify it. GRETA had issued a statement welcoming the Strategy and the reference made to GRETA's reports and stressing the importance of avoiding unnecessary duplication of monitoring operations. In a recent recommendation concerning the Strategy, the Council of the EU had asked the European Commission to take into account GRETA's reports.

30. The President of GRETA also informed the Committee that GRETA had provided comments on Recommendation 2003 (2012) of the Parliamentary Assembly on Roma migrants in Europe, as well as on a draft report by the Parliamentary Assembly on trafficking of migrant workers for forced labour.

31. Ms Petya NESTOROVA, Executive Secretary of the Convention, informed the Committee that the Second General Report of GRETA's activities, covering the period from 31 July 2011 to 1 August 2012, had been published on 4 October 2012. Two press conferences were organised on this occasion, attended respectively by the Secretary General of the Council of Europe in Strasbourg and by the President of GRETA in Brussels. The Second General Report would be addressed in detail by the President of GRETA at his exchange of views with the Ministers' Deputies on 14 November 2012.

32. The Executive Secretary informed the Committee of the preparation of the forthcoming international expert conference entitled "Making Prevention Work: Addressing the Root Causes of Human Trafficking in Europe", organised by the Council of Europe in co-operation with the Bulgarian National Commission for Combating Trafficking in Human Beings on 4-5 December 2012 in Sofia, Bulgaria. Invitations had been sent to all Council of Europe member States as well as to relevant intergovernmental organisations, non-governmental organisation and some counties outside Europe.

33. Further, the Executive Secretary informed the Committee of progress made as regards the follow-up to GRETA's country-by-country evaluation reports. The Secretariat had sent letters to the first 10 Parties to the Convention which had been evaluated, proposing the holding of one day round-table meetings to discuss possible co-operation activities in the area of preventing and combating trafficking. The first such meeting was about to take place in Bratislava on 22 November 2012.

34. The Executive Secretary also indicated that in September 2012, first contacts had been made with the Moroccan authorities responsible for combating trafficking in human beings with the view to launching projects in the context of the South Facility Programme financed by the European Union.

35. Finally, the Executive Secretary indicated that the Austrian Ministry of Foreign Affairs had suggested the joint organisation of a conference on trafficking in human beings under the Austrian chairmanship of the Council of Europe, in November 2013 in Vienna.

Agenda item 9: Information on the activities of other international organisations of interest to the Committee of the Parties

36. The Executive Secretary informed the Committee of the recent OSCE High-Level Conference entitled "An Agenda for Prevention: Non-Discrimination and Empowerment" (11-12 October 2012, Vienna). In her closing statement, the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human beings had called for a "second wave of anti-trafficking action" and had stressed the need to bring human trafficking at the forefront of the human rights debate. She had also reiterated the importance of international co-operation and had commended the efforts of the partners of the OSCE-led Alliance against Trafficking in Persons, including the Council of Europe.

Agenda item 10: Other business

37. The Committee took note of the imminent expiry of the second mandate of its Chair, Ambassador PARVU (Republic of Moldova). The Committee expressed its gratitude to Ambassador PARVU for her commitment to anti-trafficking action and her guidance and contribution to the work of the Committee during the two years of her chairmanship. Ambassador PARVU thanked the Vice-Chair, members of the Committee, the Secretariat and the President of GRETA for their constructive co-operation and assistance.

38. Further, the Committee decided by acclamation to re-elect Ambassador Alain COOLS (Belgium) as its Vice-Chair for a second term of office of one year starting on 13 November 2012.

Agenda item 11: Adoption of the list of decisions taken

39. 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 new members of the Group of Experts on Action against Trafficking in Human Beings (GRETA)**
- 4. Examination of GRETA's reports on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Armenia, Montenegro and the United Kingdom**
 - 4.1 Draft recommendation to be adopted in respect of Armenia
 - 4.2 Draft recommendation to be adopted in respect of Montenegro
 - 4.3 Draft recommendation to be adopted in respect of the United Kingdom
- 5. Consideration of a revised draft recommendation in respect of Georgia**
- 6. Dates of future meetings**
- 7. State of signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings**
- 8. Information on Council of Europe activities of interest to the Committee of the Parties**
- 9. Information on the activities of other international organisations of interest to the Committee of the Parties**
- 10. Other business**
- 11. Adoption of the list of decisions taken**

Appendix II

Statement of the Russian Federation made
at the 9th Meeting of the Committee of the Parties
of the Council of Europe Convention on Action against Trafficking in Human Beings

The Russian Federation has long been interested in entering the Convention against Trafficking in Human Beings (CETS 197), and has spent a lot of efforts to bring internal legislation in line with the requirements of the Convention. Entry into the Convention has been included in the five-year National Plan on protecting the interests of the child, adopted in 2012 by a Decree of the President of the Russian Federation.

However, the Russian Federation is concerned about a recent event having to do with the Convention. The Committee of the Parties to the Convention, during its 9th meeting on 12-13 November 2012, adopted a recommendation on the implementation of the Convention by Georgia which does not go in line with the accepted language of the Committee of Ministers on the issue of the conflict in Georgia.

In particular, the conflict is described as “ongoing”, and not limited by the events of August 2008. Furthermore, Abkhazia and South Ossetia are identified as Georgian regions, not as “areas affected by the conflict”, with no reference to their de facto authorities or to the recognition of their independence by the Russian Federation and other nations.

This is in contradiction with the consensus wording of the Decision of the Committee of Ministers adopted at its 119th Session, 12 May 2009, in Madrid. It is puzzling that an intergovernmental body functioning under the auspices of the Council of Europe would take a stance on such a highly political issue in discrepancy with the official position of the Committee of Ministers. Not only does this undermine the political authority of the Committee of Ministers, but it also complicates the Russian Federation’s position vis-à-vis the entry into the Convention.

This decision was taken despite the fact that Russian representatives pointed out the existing discrepancies during the meeting of the Committee of the Parties, as well as in prior contacts with the Secretariat and the Chairmanship of this Committee.

It is not the first case of an attempt to inject highly controversial political terminology into the documents of a specialised Council of Europe intergovernmental body. In the view of the Russian Federation, such politisation and subversion of the specialist bodies of the Council of Europe undermine their integrity, threaten their efficiency and cast doubt on understandings achieved at the level of the Committee of Ministers.

Appendix III

List of participants

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**CONGRESS OF LOCAL AND REGIONAL
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CONFÉRENCE DES ORGANISATIONS
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**Observers of the Committee of the
Parties
Observateurs du Comité des Parties**

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Mr Konstantin KOSORUKOV
Deputy to the Permanent Representative
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Mr Alexey MURATOV
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Others / Autres

**GROUP OF EXPERTS ON ACTION AGAINST
TRAFFICKING IN HUMAN BEINGS /
GROUPE D'EXPERTS SUR LA LUTTE CONTRE LA
TRAITE DES ÊTRES HUMAINS (GRETA)**

Mr Nicolas LE COZ
President of GRETA

Secretariat / Secrétariat

Directorate General of Human Rights and Rule of Law / Direction générale des Droits de l'homme et État de Droit

Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings (GRETA and the Committee of the Parties) / Secrétariat de la Convention du Conseil de l'Europe sur la lutte contre la traite des êtres humains (GRETA et Comité des Parties)

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Ms Rebecca BOWEN

Ms Corinne McGEORGE

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