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

8th meeting of the Committee of the Parties
(Strasbourg, 11 June 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 8th meeting on 11 June 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 VI.

Agenda item 3: Exchange of views with the President of GRETA

2. Mr Nicolas LE COZ, President of GRETA, presented the progress of GRETA’s work in the first half of 2012. He informed the Committee that since January 2012, GRETA has carried out country visits to seven Parties to the Convention (in chronological order, Portugal, Latvia, Malta, France, Poland, Bosnia and Herzegovina, and Norway), thus completing the visits to the 2nd group of Parties to the Convention. Furthermore, almost all the countries from the 3rd group of Parties to the Convention had submitted their replies to GRETA’s questionnaire by the deadline of 1 June, which should enable GRETA to start organising country visits to this group in the second half of 2012. The President of GRETA also informed the Committee that GRETA had decided to extend the time given to Parties to submit comments to GRETA’s draft reports from one to two months. The three countries to which this new time period had been applied had respected the deadline.

3. In addition, the President of GRETA referred to recent co-operation activities, in particular the Round Table on action against trafficking in human beings organised jointly with the OSCE and the Secretariat of the Inter-Parliamentary Assembly of the Commonwealth of Independent States in St. Petersburg, Russian Federation on 18 April 2012. The President expressed hope that this event would pave the way to signing and ratifying the Council of Europe Anti-Trafficking Convention by member States which have not already done so, in particular the Russian Federation, as well as CIS countries outside the Council of Europe. Further, Mr LE COZ referred to his recent presentation of the Council of Europe Anti-Trafficking Convention and activities at a regional workshop organised by the League of Arab States and the UNODC in Cairo, Egypt.

4. As regards the forthcoming work of GRETA, Mr LE COZ informed the Committee that GRETA would hold a meeting in Brussels on 10-11 September 2012 during which it will examine, *inter alia*, the follow-up to be given to GRETA’s reports. On this occasion, GRETA will also hold an exchange of views with the European Commission’s Group of Experts on Trafficking in Human Beings and Ms Myria VASSILIADOU, EU Anti-Trafficking Coordinator of behalf of the European Commission. The full text of the presentation by the President of GRETA is set out in Appendix II.

5. The Chair thanked Mr LE COZ for his presentation. Mr Jo HØVIK (Norway) expressed the Norwegian authorities’ appreciation of the professional manner in which GRETA’s recent country visit to Norway had been organised. Ambassador Joseph LICARI (Malta) asked if the above-mentioned two month period was sufficient for Parties to provide comments to GRETA’s draft reports. He also expressed hope that GRETA takes duly into account the Parties’ comments on the substance when drawing up final reports, rather than simply making linguistic or factual corrections. The Chair recalled the decision taken at the last Committee meeting (30 January 2012) to ask GRETA to consider extending the deadline for submitting comments to draft GRETA reports from one to two months.

6. Ambassador Andrei TEHOV (Bulgaria) encouraged GRETA to enter into a real dialogue with Parties and to take on board the authorities’ arguments. He noted that the extension of the period for providing comments to GRETA’s draft reports from one to two months was a positive step, as was the participation of GRETA’s President in the workshop organised by the League of Arab States.

7. The President of GRETA explained that giving Parties more than two months to provide comments to GRETA's draft reports would jeopardise the calendar of the 1st evaluation round. He confirmed GRETA's readiness to enter into a constructive dialogue with the national authorities and to take on board their comments.

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 Georgia, Republic of Moldova and Romania

4.1. Draft recommendation to be adopted in respect of Georgia

8. The Committee took note of the final report of GRETA on the implementation of the Council of Europe Convention by Georgia and the comments submitted by the Georgian authorities. Ambassador Mamuka JGENTI (Georgia) presented proposals for amendments to the draft recommendation in respect of Georgia (see Appendix III). During the discussion which followed, the representatives of France, Norway, Spain and the United Kingdom suggested that an alternative wording be found in relation to the first proposal for amendment ("bearing in mind the ongoing occupation of the regions of Georgia"). Ambassador Alain COOLS (Belgium) referred to the wording used in GRETA's report on Georgia (paragraph 12) as a possible alternative.

9. It was also noted that the amendments proposed by Georgia had not been circulated to all members of the Committee in advance of the meeting (see paragraph 16 of the report on the 7th Committee of the Parties meeting), though on the other hand the Committee's rules of procedure do not preclude members to submit amendments during the meeting. The representatives of three Parties proposed to postpone the consideration of the draft recommendation in respect of Georgia until the next Committee of the Parties meeting. After taking a vote, the Committee decided to postpone the consideration of the draft recommendation in respect to Georgia to its 9th meeting (12-13 November 2012).

10. Ambassador JGENTI stressed that the Georgian authorities attach great importance to the implementation of the Convention and expressed regret that the adoption of the recommendation in respect of Georgia had had to be postponed to the next Committee of the Parties meeting. He also expressed his readiness to proceed with consultations with the Chair and Vice-Chair of the Committee in order to find a solution to the issue in question before the next meeting of the Committee of the Parties. The other amendments tabled by Georgia (see Appendix III) were accepted by the Committee.

4.2 Draft recommendation to be adopted in respect of the Republic of Moldova

11. The Committee took note of the final report of GRETA on the implementation of the Convention by the Republic of Moldova and the final comments submitted by the Moldovan authorities. Ms Ecaterina BEREJAN, Secretary of the National Committee for Combating Trafficking in Human Beings, made a presentation concerning measures taken by the Moldovan authorities in the area of combating human trafficking since GRETA's country visit. She noted that GRETA's report had been taken into account in the drafting of the new national action plan, which was approved at June meeting of the National Committee for Combating Trafficking in Human Beings. The full text of Ms BEREJAN's presentation is set out in Appendix IV.

12. Ambassador Mamuka JGENTI (Georgia) thanked GRETA and the Moldovan authorities for the fruitful co-operation during the evaluation. He noted that the impossibility for the Republic of Moldova to exercise full jurisdiction over its territory, which had prevented GRETA from evaluating action against human trafficking in the territory outside the effective control of Moldovan authorities, represents a serious impediment to effective action against human trafficking. He also noted that the Committee of the Parties should promote the Convention and avoid having "black holes" on the territory of Parties to which the Convention does not apply. Ambassador Stelian STOIAN (Romania) suggested that GRETA should be encouraged to seek access to territories which are

outside the effective control of Parties. Ambassador Andrey TEHOV (Bulgaria) recalled that according to the principles of international law, the national authorities cannot be held accountable for failure to enable GRETA to exercise its mandate if they do not have effective control over certain territories. He suggested that the Committee could express general concern regarding all instances of non-access of GRETA to parts of territories of Parties to the Convention outside their effective control.

13. The Committee adopted the recommendation concerning measures to be taken to implement the conclusions of GRETA by the Republic of Moldova. The Committee requested the Government of Moldova to inform it of the measures taken to comply with this recommendation by 11 June 2014.

4.3. Draft recommendation to be adopted in respect of Romania

14. The Committee took note of the final report of GRETA on the implementation of the Convention by Romania. Ambassador STOIAN (Romania) welcomed the co-operation and dialogue between GRETA and the Romanian authorities. Mr Romulus-Nicolae UNGUREANU, Director of the National Agency against Trafficking in Persons, made a presentation concerning measures already taken by the Romanian authorities in relation to GRETA's report. He noted that the Romanian authorities intend to use GRETA's proposals to further develop the national anti-trafficking action. At the same time, Mr UNGUREANU referred to several proposals of GRETA on which the Romanian authorities had a divergent view as regards the urgency of the measures to be taken. The full text of Mr UNGUREANU's presentation is contained in Appendix V.

15. The Committee adopted a recommendation addressed to the Romanian authorities concerning the measures to be taken to implement the conclusions of GRETA. The Committee requested the Government of Romania to inform it of the measures taken to comply with this recommendation by 11 June 2014.

Agenda item 5: Dates of future meetings

16. The Committee recalled that the Committee of the Parties' next (9th) meeting will take place on 12-13 November 2012. As regards the 10th meeting of the Committee of the Parties, the Chair proposed that it be held on 28 January 2013. As not all members of the Committee could confirm their availability on this date, the date of the 10th meeting remained to be fixed at a later stage.

Agenda item 6: Forthcoming election of GRETA members

17. The Chair recalled that the Committee had agreed to hold the election of 13 GRETA members on 12-13 November 2012. She referred to the letter sent by the Executive Secretary of the Convention on 21 May 2012 concerning the forthcoming election, inviting the 34 Parties entitled to nominate candidates to submit names by 12 September 2012, i.e. two months before the election. The Chair reminded the Committee of the main requirements that the candidates should meet, namely competence in fields relevant to action against trafficking in human beings, independence and impartiality, availability to carry out their duties effectively and good command of one of the two official languages of the Council of Europe.

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

18. The Committee noted with satisfaction that since its 7th meeting (30 January 2012) the Convention had been ratified by two more Council of Europe member States (Iceland and Finland), bringing the total number of ratifications to 36.

19. The Committee once again urged the Council of Europe member States which had not already done so, the non-member States which had participated in the preparation of the Convention, and the European Union to sign and/or ratify the Convention. In addition, the Committee called for other non-member States to accede to the Convention.

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

20. Ms Petya NESTOROVA, Executive Secretary of the Convention, provided additional information concerning the Round Table on combating trafficking in human beings organised on 18 April 2012 in Saint-Petersburg (see paragraph 3). The event had brought together some 100 parliamentarians, representatives of authorities responsible for combating human trafficking from CIS member states, academics and representatives of international organisations and NGOs. Further, the Executive Secretary informed the Committee of plans to organise an expert conference on the issue of prevention, with a particular focus on prevention in the Roma communities and on discouraging demand for services of victims of trafficking. The conference will take place in Bulgaria in the autumn of 2012. In addition, Ms NESTOROVA informed the Committee of plans to explore ways of assisting the first 10 Parties to the Convention to implement GRETA's proposals and the Committee of the Parties' recommendations. As a first step, the Secretariat intends to propose the holding of one-day round tables with the relevant actors in each country to discuss possible co-operation activities.

21. In addition, Ms Fatiha SAÏDI, representative of the Parliamentary Assembly of the Council of Europe, informed the Committee about the ongoing preparation of an PACE Opinion concerning migrating workers and exploitation of their services.

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

22. Ambassador Luisella PAVAN WOOLFE, Representative of the European Union to the Council of Europe, updated the Committee of the anti-trafficking activities of the EU. She referred to the meeting between the Anti-Trafficking Co-ordinator on behalf of the European Commission and GRETA (June 2011) and noted that the European Commission intends to make use of GRETA's reports, which are also placed on the Commission's anti-trafficking website. The European Commission had set up a consultation group on the implementation of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, which had met for the first time in April 2012 and had discussed mainly criminal law issues. Further, Ambassador PAVAN WOOLFE informed the Committee that the EU Anti-Trafficking Strategy was about to be adopted in June 2012. The Strategy will supplement the Directive and contain concrete, practical measures. The European Commission had also developed a list of common indicators for collecting trafficking-related data. Ambassador PAVAN WOOLFE informed the Committee that the next meeting of the network of National Rapporteurs or equivalent mechanisms will take place on 17 October and will be followed by a conference on the occasion of the EU Anti-Trafficking Day (18 October), organised jointly by the European Commission and the

Cypriot Presidency. She also stated that the 2nd report on the implementation of Action-Oriented Paper on strengthening the EU external dimension on action against trafficking in human beings was expected to be published in December 2012.

23. In addition, the Committee was informed about the participation of the President of GRETA as a speaker at the OSCE Human Dimension Seminar on the Rule of Law Framework for Combating Trafficking in Human Beings, which took place in Warsaw on 14-16 May 2012. On this occasion Mr LE COZ also held a meeting with Mr Ilkka LAITINEN, Executive Director of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex). During this meeting it was agreed that GRETA and Frontex would systematically exchange information and relevant reports and documents and pursue other co-operation opportunities. The President of GRETA had also participated in a strategic meeting on trafficking in human beings, organised by Eurojust on 26-27 April 2012 in the Hague.

Agenda item 10: Other business

24. No other business has been dealt with at this meeting.

Agenda item 11: Adoption of the list of decisions taken

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

Appendix I

Agenda

- 1. Opening of the meeting**
- 2. Adoption of the draft agenda**
- 3. Exchange of views with the President of GRETA**
- 4. Examination of GRETA's reports on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Georgia, the Republic of Moldova and Romania**
 - 4.1 Draft recommendation to be adopted in respect of Georgia
 - 4.2 Draft recommendation to be adopted in respect of the Republic of Moldova
 - 4.3 Draft recommendation to be adopted in respect of Romania
- 5. Dates of future meetings**
- 6. Forthcoming election of GRETA members**
- 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

Item 3 of the agenda: Exchange of views with the President of GRETA

Presentation made by the President of GRETA

I am delighted to be able to hold this new exchange of views with you, allowing to focus on the latest progress made by GRETA in its activities.

Firstly, I would like to express great satisfaction on behalf of GRETA that, since our last meeting in January, there have been some positive developments in terms of staffing. The Anti-Trafficking Secretariat has been reinforced with the arrival of two new administrators, one in the team assisting the experts in evaluating national situations and the other responsible for organising co-operation activities.

As far as its timetable is concerned, GRETA has now completed all the visits to the second group of Parties to the Convention, having carried out seven of them since January (to Portugal, Latvia, Malta, France, Poland, Bosnia and Herzegovina and Norway). At its next meeting at the end of June, GRETA will adopt the final reports on the implementation of the Convention by Armenia, Montenegro and the United Kingdom, as well as the draft reports on France, Latvia, Malta and Portugal.

Nearly all the countries from the 3rd group of 10 Parties to the Convention to be evaluated have sent in their replies to the questionnaire within the deadline, namely 1 June. Thanks to the replies already received, GRETA will be able to start organising visits for this group as of the second half of 2012.

As I already pointed out in January, GRETA is committed to developing its working methods in a constant drive for greater efficiency. Since our last discussion, GRETA has decided to give the national authorities two months, instead of one, to provide comments on draft reports. This should facilitate the internal consultations required to submit all relevant comments on a draft report within the allotted deadline, so that these may be taken into account by GRETA when preparing its final report. The aim is to avoid situations where new observations are submitted only when the final report is forwarded, which meant that these could not be taken into account in the body of the report. I am confident that this procedural change will help to further improve GRETA's evaluation process and enhance the constructive aspect of the dialogue forged with the authorities. The initial signs are encouraging: the first three countries to have been granted two months to submit comments on the draft report concerning them - Armenia, Montenegro and the United Kingdom - have all forwarded their comments within the deadline set.

As I mentioned last time, with a view to increasing the efficiency of its work, GRETA has set up three working groups to study (i) mechanisms for the identification and referral of victims of trafficking, (ii) legal issues related to the interpretation of the Convention, and (iii) means of ensuring consistency in GRETA's evaluations. These working groups starting their activities at the last GRETA meeting in March and will continue their work during GRETA's 14th meeting at the end of this month. As I announced at our last exchange of views, a meeting will be held in September 2012 in Brussels to consider ways of following up on GRETA's evaluation reports; the meeting will also be an excellent opportunity to look at the results of the working groups' activities in the areas I have just mentioned. GRETA will also take advantage of this meeting to hold an exchange of views with the European Commission's Group of Experts on trafficking in human beings and the European Anti-Trafficking Co-ordinator.

Regarding co-operation activities in the area of action against trafficking in human beings, the Executive Secretary of the Convention will provide further details under item 8 of the agenda. I will just say a few words on the holding of a Round Table on action against trafficking in human beings in the Commonwealth of Independent States (CIS) in Saint Petersburg on 18 April. The event, which was organised by the Council of Europe in co-operation with the OSCE and the Interparliamentary Assembly of the CIS, brought together around a hundred participants, including parliamentarians, representatives of CIS member States, prosecutors, law enforcement officials, researchers and representatives of non-governmental and intergovernmental organisations. In her opening statement introducing the round table, the Deputy Secretary General of the Council of Europe reiterated the pioneering work of the Council in combating "this abominable scourge which affects millions of women, men and children", stressing the role played by the Council of Europe Convention on Action against Trafficking in Human Beings, which "provides States with effective tools to prevent trafficking, protect its victims and prosecute traffickers". I myself emphasised the Convention's added value as a co-operation tool, "a real code of international legal assistance". I reminded the participants that the judicial authorities of the Parties to this treaty were bound "to co-operate to the widest extent possible" and warned them that "delays and obstructions in mutual co-operation in criminal matters are in the interest of traffickers and seriously penalise victims of trafficking".

GRETA very much hopes that this Round Table will serve as a catalyst, ultimately leading to the signature of the Convention by the Russian Federation, currently one of four Council of Europe member States not yet to have done so.

By way of conclusion, I would like to reiterate the importance of the role of the Committee of the Parties in the application of the Convention's monitoring mechanism, a role which GRETA fully appreciates, and I welcome this regular, constructive dialogue that has been forged between our two bodies.

Appendix III

Item 4 of the draft agenda: Examination of GRETA's report on the implementation of the Convention on Action against Trafficking in Human Beings by the Republic of Georgia

Amendments proposed by Georgia



შვეიცრის საბჭოთიან
საპარტიზოლ მუღმედი წარმომადგენლობა
REPRESENTATION PERMANENTE DE LA GEORGIE
AUPRES DU CONSEIL DE L'EUROPE
№7/157-12

Strasbourg, 8 June 2012

Dear Ambassador

I am referring to the draft Recommendation on the implementation of the Convention by Georgia to be adopted by the Committee of the Parties to the Council of Europe Convention on Action Against Trafficking in Human Beings at its meeting of 11 June and with this letter, would like to bring to the attention of the states' parties to the Convention the following amendments to the draft Recommendation in question:

Keeping in mind paragraph 12 of the Report concerning the implementation of the Convention by Georgia adopted by GRETA at its 12th meeting in December 2011, we are proposing to add in the preamble of the Recommendation the new paragraph 8 as follows: "Bearing in mind the ongoing occupation of the regions of Georgia, which prevents the Georgian authorities to implement the provisions of the Convention, and GRETA from covering the situation concerning human trafficking in these parts of Georgia's sovereign territory";


We are also suggesting to add the words "taking additional measures aimed at" in the beginning of paragraph, which starts with "ensuring that trafficked persons are systematically informed.....";

In paragraph that starts by "addressing the significant reduction in the number of prosecutions....", we are proposing to replace the word "addressing", by the term "examining";

HE Ambassador Tatiana PÂRVU
President of the Committee of the Parties
to the CoE Convention on Action Against
Trafficking in Human Beings

As the last paragraph of the part of the document, which takes note of the areas where further action is required in order to improve the implementation of the Convention by Georgia and before the part which lists the concrete recommendations, we are proposing to insert the following paragraph: “- Continuing to search for pragmatic solutions in the interest of combating trafficking in human beings in the Tskhinvali and Abkhazia regions of Georgia”.

Yours sincerely



Mamuka JGENTI
Ambassador, Permanent Representative

Copy: Ms Petya NESTOROVA, Executive Secretary of the CoE Convention on Action Against Trafficking in Human Beings.

Appendix IV

Item 4 of the draft agenda: Examination of GRETA's report on the implementation of the Convention on Action against Trafficking in Human Beings by the Republic of Moldova

Statement made by Ms Ecaterina BEREJAN, Secretary of the National Committee for Combating Trafficking in Human Beings

Ladies and Gentlemen,

We all know that no country is safe from the Trafficking in Human Beings. Almost all Governments rolled up their sleeves and devoted their time to prevent and combat this phenomenon, underlining "zero tolerance" to THB, including through ratification of European Conventions on action against Trafficking in Human Beings. What is more important is that the Republic of Moldova was the first country who did so.

Since the time of ratification of the Convention up till now the number of registered crimes dropped two times and the number of THB victims assisted by International Organization for Migration Mission to Moldova, dropped three times. These indicators, together with strengthening institutional capacity, harmonizing laws, with the adoption of public policies, confirms the fact that our Government is accountable and is focused on undermining THB and other related crimes.

In 2011, the decision making bodies and law enforcement agencies of the Republic of Moldova continued to streamline their joint efforts and intentions to combat the THB phenomenon through legislative mechanisms and actions. The national policies aimed at decreasing the phenomenon have been supported by the efforts of the civil society and international organizations, which actively participated in the prevention and combating THB.

This way, according to the National Report on Prevention and Combating THB for 2011, nearly 85 percents of all activities of the previous National Action Plan on preventing and combating THB were fulfilled; other 15% have been taking into consideration at the elaboration of the new Action Plan.

About other achievements, it is important to mention that for preventing and combating THB, Republic of Moldova:

- Ratified the Council of Europe's Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.
- With the partner's support, the Government build up three specialized rooms designed for interviewing children, victims of THB, and of course other victims and witnesses of the crimes. These rooms were set up within the Courts of Appeal and District Prosecutors office and their number will soon increase according to the National Strategy on reforming Justice Sector, which obviously is another important achievement, even if it is not directly related to our mission.
- On 6 June the Government approved the draft law on changing the Criminal Code, according to which "customers" of sex services will be punished (pecuniary punishment or work on behalf of the community). The above-mentioned draft law was passed to the Parliament for being examined and adopted.
- Ministry of Internal Affairs and Ministry of Health (on behalf of National Agency for Transplantation), signed a Memorandum of Understanding which envisages the prevention and prosecution of trafficking in organs.
- With the contribution of Ministry of Internal Affairs, the Law on combating organized crime was adopted and further on was drafted and put into application the Action Plan, which includes a segment referring to prevention and prosecution of THB. Also was strengthened institutional

capacity through the creation of the National Council of Coordination of the activities for prevention and combating organized crime.

- The Ministry of Labor, Social Protection and Family adopted the Guide on Identification of Victims and Potential Victims of THB.
- The same Ministry drafted an important Report, about National Referral System, which can be consulted on the Ministry's website. According to it the National Referral System was extended in all regions of the Republic of Moldova, covering now 100 percents of the territory. A noteworthy achievement was registered - in 2011 National Referral System was implemented in 20 villages from Ungheni region and in 2012 in 30 villages from 2 other regions.
- The process of coordination of the efforts was strengthened through the creation of a Permanent Secretariat of the National Committee for Combating THB.
- Permanent Secretariat with the support of the French authorities, on 3-4 May, organized a workshop in Chisinau which the aim to share French experience in establishing and managing the Guarantee Fund for victims of terrorism and other crimes. So far, it is necessary to have a feasibility study which will focus on the capacity of Moldova to set up and maintain a Compensation Fund for victims of THB, as GRETA actually suggested.
- At the same time, Permanent Secretariat drafted a new National Report on THB phenomenon in Moldova, which was consulted by public authorities with NGO and later on amended according to their suggestions. The Report was published on the Government website so everyone interested could consult it. The Report contains also the achievements of the NGOs and IO in the field. Notwithstanding this fact, in order to meet GRETA suggestion about an independent evaluation, the Permanent Secretariat hired an independent national expert to assess national policies in the field of prevention and prosecution of the THB. This assessment will fit into a report, which obviously will end up in recommendations. Recommendations will focus on improvement of the elaboration of policies (*through quantitative and qualitative indicators*) and also on the methodology of monitoring.
- Last but not least, I would like to say that we sent the draft of the National Action Plan for Combating THB for Governmental approval. It is important to say that the process of elaboration of the new Action Plan was different from the last years and it was divided in a few steps. Permanent Secretariat, together with the expert analyzed and identified recommendations from National and International Reports and convened to integrate them into the first draft of the NAP. Later on, in order to discuss the objectives and activities for solving the above-mentioned problems, a meeting of the representatives of all responsible public authorities, NGOs and International Organizations was organized. All this process supposed organization of the 3 extended working meetings and numerous bilateral meetings. Also, the Draft of the new Action Plan was discussed at the meeting of the National Committee for Combating THB, which took place on 27 March 2012.
- In order to strengthen the relationship between central and local public authorities in preventing and combating THB a meeting of presidents of 34 territorial commissions for combating THB was organised on 8 June 2012.

We do believe that the Government achieved some good results in preventing and combating THB and I would like to thank everyone who actively works in the prevention and combating of THB. I call on you to consolidate our common efforts because solidarity remains the most efficient response to the THB phenomenon.

Thank you for your attention.

Appendix V

Item 4 of the draft agenda: Examination of GRETA's report on the implementation of the Convention on Action against Trafficking in Human Beings by Romania

Statement made by Mr Romulus-Nicolae UNGUREANU, Director of the National Agency against Trafficking in Persons of Romania

Fighting against trafficking in human beings remains a top **political priority** for Romania. The relevant **legal framework** has been set up and regularly improved in accordance with the highest international standards in this field and with due regard to a human-rights centered approach.

We are aware that the efficiency of the governmental response depends on a comprehensive and coordinated approach. Therefore, special attention has been paid to consolidating the **national institutional capacity to combat this phenomenon**, including the relations between the central and local authorities. The civil society also plays an important role by complementing, where needed, the governmental efforts.

In May 2011, **the National Agency against Trafficking in Persons (NATIP)** was reorganized directly under the authority of the Ministry of Administration and Interior and remains responsible for co-coordinating, evaluating and monitoring at national level the implementation of anti-trafficking activities and victims' protection and assistance policies by public institutions. Moreover, NATIP will continue its steady work to raise public awareness on human trafficking and its consequences.

We appreciate the attentive work and professionalism of GRETA in preparing the report on the implementation of the CoE Convention on Action against Trafficking in Human Beings by Romania. This monitoring exercise entailed a **productive exchange of information**, including on the occasion of the country visit held from 23 to 27 May 2011.

The report acknowledges the overall progress in the area of combating trafficking in human beings and the political will of the Romanian authorities to improve the legal and institutional framework in this field, while pointing out several areas where additional measures are needed.

We intend to **use constructively GRETA's evaluations** to further develop the national anti-trafficking system.

The Romanian authorities stay open to **continue the dialogue** with GRETA and other relevant international mechanisms for the benefit of potential or actual victims of trafficking.

Without affecting the inventory done in this report, that we find as being in line with what has been achieved, we believe that **several remarks** are also necessary in order to better reflect the state of play in this field, as follows:

Concerning the List of GRETA's proposals in the Addendum to Recommendation CP(2012)7 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Romania

Para. 2

The National Strategy against Trafficking in Persons is under approval by the Romanian Government. The preparation of the Strategy had to follow all the necessary procedural steps set out by the national legislation with reference to the elaboration and adoption of normative instruments.

Para.3

The inter-institutional coordination and cooperation, at the central and local levels, including the cooperation with non-governmental organization, lies at the heart of the national anti-trafficking system.

Against this backdrop, we consider that GRETA's recommendations in para. 3 should not read "should" but "should continue to" in order to take stock of the existing good practice of partnership between the public authorities and the civil society followed since the creation of the National Agency against Trafficking in Persons.

Para. 6

Romania would like to recall the creation of a Parliamentary Group on combating trafficking in persons. This structure was established in 2009 with the goal to support, by parliamentary means, the continuous improvement of the activities of the national competent institutions and the civil society and to promote the national views on this matter within the EU and at the international level. The Parliamentary Group undertook the task to prepare a progress report on the situation of anti-trafficking measures at the national level. The elaboration of this document implied a series of inquiries with representatives of all competent public institutions and NGOs. The report – which is under parliamentary approval procedure – qualifies as a tool of independent evaluation to assess the impact of anti-trafficking policies and actions, as mentioned in para. 6.

Secondly, our authorities would like to point out that GRETA's recommendation on this matter should also have in mind that we are in a period of scarce resources. Creating another structure apart of the Parliamentary Group that is already functional and efficient might be a costly solution that will duplicate what we already have and can not be contested from the point of view of independence vis-à-vis the Governmental action.

Para.10

The Ministry of Justice does not collect but analyzes statistical data provided by the Public Ministry and the Superior Council of Magistracy. Therefore, the recommendation regarding the personal data protection is not applicable in this case.

Para.22

In light of the efforts deployed by the Romanian authorities to provide assistance to victims of trafficking and their commitment to improve the situation in this area, we consider that GRETA's recommendations in para. 22 should not "urge" but "invite/call upon/encourage".

Para. 27

As part of the legal aid received by the trafficking victims, the latter are informed about the right to compensation. Based on these grounds, we consider that GRETA's recommendations in para. 27 should not "urge" but "invite" and, respectively, should not invite to "increase" but to "continue".

Para. 29

The improvement of the procedural framework for the repatriation of trafficking victims was included among the goals and objectives of the National Strategy against Trafficking in Persons 2012-2016. Therefore, we consider that the recommendation should not "urge" but "invite".

Para.37

In accordance with the national Constitution, the law applies equally and without any discrimination to all Romanian citizens. Therefore, public officials are not exempted from criminal liability if found involved in crimes of trafficking in human beings. Consequently, we consider that the recommendation in para. 37 should not "urge" but "invite". We believe that our authorities have already taken proper and timely measures on this matter. Therefore, our preference for a different wording comes from the fact that GRETA's assessment was broadened on the basis of a singular case, that we have promptly dealt with and shared the experience with the Group.

Appendix VI

List of participants

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