

Practical impact of GRETA's monitoring work

in improving the implementation
of the Convention on Action against
Trafficking in Human Beings



GRETA
Group of Experts on Action against
Trafficking in Human Beings



COUNCIL OF EUROPE



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Trafficking in Human Beings

French edition:

*Impact pratique des travaux
de suivi du GRETA*

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Introduction

The Group of Experts on Action against Trafficking in Human Beings (GRETA) was set up pursuant to Article 36 of the Council of Europe Convention on Action against Trafficking in Human Beings (“the Convention”) to monitor its implementation of the Convention by the States Parties. GRETA started functioning in February 2009, following the entry into force of the Convention on 1 February 2008.

GRETA evaluates the implementation of the Convention following a procedure divided into rounds. The first round of monitoring of the Convention provided an overview of its implementation by States Parties. The second evaluation round of the Convention examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims of trafficking, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking, in particular trafficking for the purpose of labour exploitation, and the vulnerability of children to trafficking. The third evaluation round focused on trafficking victims’ access to justice and effective remedies.

By the end of 2023, most of the State Parties have undergone three rounds of evaluation. Some 130 GRETA country-by-country reports have been made public, tracing the evolution of efforts to combat trafficking in human beings, identifying gaps in the implementation of the Convention as well as good practices. On the basis of GRETA’s reports, the Committee of the Parties to the Convention adopts recommendations, requesting States Parties to report back on the steps taken to implement them.

This document provides a selection of examples of situations where States Parties¹ to the Convention have taken measures to improve their legislation, policy and practice in the light of GRETA’s reports. The document does not purport to be exhaustive, the examples merely serving to illustrate the impact of GRETA’s monitoring work and the Committee of the Parties’ recommendations.

Measuring the impact of monitoring work carried out to improve the respect for human rights is known to be challenging. However, the concrete

1. With the exception of the States Parties where only one evaluation report has been adopted by GRETA by the end of 2023 (Czechia, Liechtenstein, Monaco and Türkiye) or which have not yet been evaluated by GRETA (Israel).

affirmative impact of the Convention and its monitoring mechanism can be gauged in several ways. Many Parties have amended their legislation to comply with the provisions of the Convention following a report by GRETA. The examples included in this document relate to changes to the criminalisation of human trafficking, the adoption of provisions on the recovery and reflection period and residence permits for victims of trafficking, or the adoption of a specific provision on the non-punishment of victims of trafficking. The monitoring work of GRETA has triggered changes to the procedures for identifying victims of trafficking, the setting up of specialised shelters for such victims, and increased funding for victim assistance. Other examples concern the adoption of national anti-trafficking strategies or action plans, and the setting up of coordination structures and independent national rapporteurs in the light of GRETA's reports. The specific focus on trafficking for the purpose of labour exploitation during the second evaluation round of the Convention has resulted in more awareness about this growing threat, better training and improved protection of victims.

■ The monitoring work of GRETA has been an integral contributing factor to all these changes. Of great importance is also pressure from other international organisations and domestic actors referring to the Convention's standards and GRETA's reports. These include national parliaments, national human rights institutions, national rapporteurs on trafficking in human beings and civil society. Further impact is observed through judgments of national courts, which refer to the Convention and GRETA's findings. Finally, reporting in the media about newly released reports by GRETA and their main findings has an impact, in that it raises awareness of human trafficking and keeps it on the political agenda.



Albania

In its first report (2011), GRETA made a number of recommendations related to the criminalisation of trafficking in human beings (THB) in Albanian law. As a follow-up to GRETA's recommendations, several amendments were made to the Criminal Code (CC) in 2013. The separate article criminalising trafficking in women was repealed, and Article 110/a of the CC was amended to criminalise trafficking in both men and women, as well as to expressly refer to internal trafficking. Other amendments concerned the list of aggravating circumstances and the criminalisation of acts related to travel and identity documents for the purpose of enabling THB. Further, a new article was added criminalising the use of the services of a victim of THB, with the knowledge that the person has been trafficked.

At the time of GRETA's first evaluation, there was no specific provision in Albanian law stipulating that victims of THB are not to be punished for their involvement in unlawful activities, to the extent that they have been compelled to do so. In the light of the recommendation made in GRETA's first report, amendments were made to the CC in 2013 to include a specific non-punishment provision pursuant to Article 26 of the Convention.

In its second report (2016), GRETA was concerned that few victims of THB benefited from legal assistance. The new Law No. 111/2017 "On Granting State-Guaranteed Legal Aid", which entered into force on 1 June 2018, includes victims of trafficking in human beings amongst the beneficiaries of legal aid regardless of their income.

In its second report, GRETA noted that the number of convictions for THB was rather low and urged the Albanian authorities to take measures to ensure that THB cases are investigated proactively, prosecuted successfully, and lead to effective, proportionate and dissuasive sanctions. Subsequently, the Albanian authorities set up a Task Force for the purpose of analysing closed and unsolved cases, in the framework of the implementation of the Memorandum of Understanding between the National Co-ordinator for the Fight against Trafficking in Persons, the General Prosecutor's Office and the State Police.

■ In its second report, GRETA called on the Albanian authorities to take further steps to ensure the timely identification of victims of THB, and to provide the necessary funding enabling the regional mobile teams, which visit places where there are risks of trafficking, to be reactivated and new ones to be created covering the whole territory of the country. During the third evaluation, mobile units were functioning in three regions of the country (Tirana, Vlora and Elbasan), and at the beginning of 2020, three more new mobile units were set up in the regions of Shkodra, Kukës and Dibër.

More information about GRETA and Albania



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 February 2008

- ▶ 2011: 1st evaluation report
- ▶ 2016: 2nd evaluation report
- ▶ 2020: 3rd evaluation report



Andorra

Following GRETA's first report (2014), in which GRETA urged the Andorran authorities to adopt legislative measures establishing THB as a criminal offence, the offences of trafficking in human beings for the purpose of sexual exploitation, slavery or servitude, and organ removal were introduced in the Criminal Code (CC). The CC was amended again in 2021, broadening the criminalisation of trafficking in human beings to cover forced labour, forced services and forced begging. As a result, Andorran law now covers all the purposes of exploitation set out in the Convention.

■ In its first report, GRETA urged the Andorran authorities to adopt such legislative or other measures as may be necessary to proactively identify trafficking victims and enable them to access the assistance and other measures provided for in the Convention. As a follow-up action, the "Law on measures for action against trafficking in human beings and protection of victims" (Law 9/2017) was passed by the Andorran Parliament on 25 May 2017. Further, the Action Protocol for the protection of victims of trafficking in human beings was approved by the government on 6 June 2018, establishing measures for the detection, identification, assistance and protection of trafficking victims.

■ In its first report, GRETA urged the Andorran authorities to provide in law for a recovery and reflection period for victims of trafficking in human beings, in conformity with Article 13 of the Convention. Through Law 9/2017, the Law on Immigration was amended, introducing a recovery and reflection period of three months (renewable once).

■ Acting upon a recommendation made in GRETA's second report (2019), in March 2021 the Andorran authorities adopted the first national action plan against THB, entitled a "Strategic Policy on Combating Trafficking in Human Beings 2021-2023". It takes into account many of GRETA's previous recommendations by GRETA and represents a significant step forward for Andorra's effective implementation of the Convention.

■ As recommended in GRETA's second report, specific provisions on the non-punishment of victims of trafficking for their involvement in unlawful

activities, to the extent that they have been compelled to do so, were added to the CC in 2022.

■ In its second report, GRETA considered that the Andorran authorities should increase their efforts to proactively identify victims of THB and provide indicators for the identification of victims of THB to all professionals who may come into contact with possible victims. Subsequently, the authorities developed a detailed list of indicators for the identification of victims of different forms of trafficking, including among domestic workers and children. Further, joint training on THB for professionals likely to intervene in cases of trafficking in human beings started being organised since 2019.

More information about GRETA and Andorra



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 July 2011

- ▶ 2014: 1st evaluation report
- ▶ 2019: 2nd evaluation report
- ▶ 2023: 3rd evaluation report



Armenia

As a follow-up to GRETA's first report (2012) recommendations, the National Referral Mechanism (NRM) for victims of human trafficking was reviewed, in particular by disconnecting the identification process from the victim's co-operation in the investigation. Further, a Commission for the identification of victims of trafficking in human beings and exploitation was set up, comprising representatives of public bodies and NGOs.

■ The adoption of the Law on Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation, which entered into force on 1 July 2015, reflected a number of GRETA's first report recommendations. In particular, the law contains provisions on the recovery and reflection period (Article 19) and a temporary residence and/or work permit to victims of trafficking (Article 22, paragraph 17).

■ The Armenian authorities took steps to implement GRETA's first report recommendation to set up a State compensation scheme accessible to victims of trafficking by including in the Law on Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation a provision which envisages the granting of a lump-sum monetary compensation to victims of trafficking. The aim of this compensation is to partially reimburse the damages suffered during the trafficking offence, but it cannot in any way substitute or restrict the right of the victim to receive compensation from the perpetrator.

■ Following GRETA's second report (2017), the Anti-Trafficking Law was amended, introducing a clause on providing financial support to child victims of THB until they turn 18 and specifying the procedure for child victims of trafficking to apply for state compensation.

■ In its second evaluation report, GRETA urged the Armenian authorities to strengthen their efforts to prevent trafficking for the purpose of labour exploitation, including by ensuring that the new health and labour inspection receives clear competences, strengthening the monitoring of recruitment and temporary work agencies, and building up public awareness on safe migration and the risks of trafficking. Subsequently, the mandate of the Health and Labour

Inspection Body was expanded to check compliance with labour legislation and impose sanctions, and additional 60 positions for labour inspectors were created. The Ministry of Labour and Social Issues prepared extensive amendments to the Labour Code, the CC and the Anti-Trafficking Law.

■ In its first report, GRETA urged the Armenian authorities to take legislative and practical measures to ensure that legal entities may be held liable for human trafficking offences. In its third report, GRETA welcomed the inclusion of criminal liability of legal persons in Chapter 20 of the new CC, pursuant to which a legal person is subject to criminal liability if the crime was committed by someone representing and acting in the interest of that legal person. Legal persons can be fined, forbidden from temporarily or permanently engaging in certain activities, or liquidated.

More information about GRETA and Armenia



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 August 2008

- ▶ 2012: 1st evaluation report
- ▶ 2017: 2nd evaluation report
- ▶ 2022: 3rd evaluation report



Austria

In its first evaluation report (2011), GRETA considered that the Austrian authorities should examine the dissuasiveness of the penalties provided for THB in the Criminal Code. As a follow-up to GRETA's recommendations and with a view to transposing Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, the penalties for the basic offence of THB, as well as for trafficking in children, were increased.

With a view to addressing trafficking for the purpose of labour exploitation and in accordance with GRETA's first report recommendations, a working group on labour exploitation was set up within the Austrian Task Force on Combating THB in December 2012. It prepared a list of indicators of trafficking for the purpose of labour exploitation as a first step for increasing the detection of such cases. Further, a drop-in and counselling centre for undocumented migrant workers, UNDOK, was set up in June 2014.

In its first evaluation report, GRETA considered that the Austrian authorities should create an assistance system adapted to the specific needs of male victims of THB. In order to improve knowledge on trafficking in men in Austria and develop a strategy for the assistance and protection of male victims of trafficking, the Federal Ministry of Labour, Social Affairs and Consumer Protection commissioned a study on the situation of trafficked men. Following up on the main recommendation of the study, a specialised support centre for male victims of human trafficking, MEN VIA, was set up in 2014, financially supported by the Ministry of Labour, Social Affairs and Consumer Protection. In 2018, with funding from the Ministry of the Interior, MEN VIA reopened its specialised shelter for male victims of THB.

In the first evaluation report, GRETA considered that the Austrian authorities should reinforce co-ordination and co-operation between the federal government and the governments of the federal provinces (*Länder*). In November 2018, the Task Force issued a reflection paper with guidelines on the role of the *Länder* in tackling human trafficking in Austria, in which it recommends, *inter alia*, the appointment of a regional anti-trafficking co-ordinator in each

federal province. At the time of GRETA's third visit, the federal states of Tyrol and Vorarlberg had appointed regional anti-trafficking co-ordinators. Some of the other federal states also have co-ordinators who participate in the work of the Task Force, although they are not formally appointed by the respective governments. Further, a working group on THB was set up in the City of Vienna Human Rights Office.

■ To address GRETA's recommendations made in the second report (2015), in February 2017, the Federal Ministry of Justice issued an internal decree aimed at raising awareness of the non-punishment provision. Furthermore, in April 2017, the Federal Chancellery issued a circular on the implementation of the non-punishment provision in the context of administrative law.

■ In its second evaluation report, GRETA urged the Austrian authorities to adopt as a matter of priority a National Referral Mechanism for child victims. In 2016, Austria adopted practical guidelines on identifying and working with potential victims of child trafficking, which constitute a National Referral Mechanism for children. It provides non-binding guidance to relevant professionals, including a set of indicators to enable early identification of child victims and recommended actions for police, child and youth welfare services, asylum and immigration authorities, healthcare sector and detention authorities.

More information about GRETA and Austria



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 February 2008

- ▶ 2011: 1st evaluation report
- ▶ 2015: 2nd evaluation report
- ▶ 2020: 3rd evaluation report



Azerbaijan

To address GRETA's recommendations made in the first report (2014), a new Article 123(1) was introduced into the Criminal Procedure Code (CPC), stipulating that police officers conducting a criminal investigation and prosecutors are authorised to grant a recovery and reflection period to victims of THB. While the recovery and reflection period was already defined in the Law on Combating Trafficking in Human Beings, adding a provision on it to the CPC was an important development as police officers and prosecutors are guided by the CPC in their work.

■ In line with a recommendation made in GRETA's first report to reinforce the interagency and multi-disciplinary approach in designing and implementing prevention and assistance measures, the "Programme on Elimination of Social Problems Creating Conditions for Human Trafficking" was updated in 2016. Further, the 2014-2018 National Action Plan against Trafficking in Human Beings included measures addressing the root causes of human trafficking, such as the encouragement of employers to employ persons vulnerable to trafficking and victims of trafficking.

■ In its second report (2018), GRETA considered that the Azerbaijani authorities should provide adequate funding to the Assistance Centre for Victims of THB, as well as to specialised NGO running shelters and providing services to victims. Subsequently, the human and financial resources of the Assistance Centre for victims of human trafficking allocated by the Ministry of the Interior were increased (from AZN 84 700, i.e. about EUR 49 000, in 2019, to AZN 122 126, i.e. about EUR 71 000, in 2021).

■ In its second report, GRETA urged the Azerbaijani authorities to improve the identification and referral to assistance of child victims of trafficking, including by setting up a specific identification mechanism which takes into account the special circumstances and needs of child victims and is accompanied by standard operation procedures. Standard Activity Procedures (SAP) for the application of the Rules on the National Referral Mechanism on Victims of THB were adopted at the end of 2018. The SAPs contain separate chapters for children describing the procedure to be followed from the moment of the

detection of a child who may be victim of trafficking until the initiation of the preliminary criminal investigation. According to the SAPs, special protection measures should be applied to children. The Government adopted a strategy (2020–2030) and an action plan (2020-2025) for improving child protection, which include measures aimed to prevent child labour and establish a monitoring mechanism for detecting vulnerable children. Further, measures were taken to improve the registration of children at birth.

■ In June 2019, provisions were introduced to the Migration Code allowing foreign citizens and stateless persons who are victims of THB to be granted a temporary residence permit based on a document provided by the criminal prosecution authorities, regardless of whether they co-operate with the law enforcement authorities, and without the obligation to obtain a work permit. This is linked to a recommendation made in GRETA's second report to ensure that a recovery and reflection period is systematically proposed and effectively granted to all presumed foreign victims of THB.

More information about GRETA and Azerbaijan



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 October 2010

- ▶ 2014: 1st evaluation report
- ▶ 2018: 2nd evaluation report
- ▶ 2023: 3rd evaluation report



Belarus

As recommended by GRETA in its first evaluation report (2017), the procedure for identifying victims of trafficking stipulated in Government Decree No. 485 of 11 June 2015 was amended in 2020 by introducing a simplified identification procedure in certain cases and providing for a 30-day reflection and recovery period, independent of the victim's consent to participate in the identification procedure and/or any criminal investigation. The amended Victim Identification Regulation also clarified that identification can only be carried out with the informed, written consent of the possible victim and introduced a shortened version of the questionnaire in cases where the possible victim is unable or incapable to undergo lengthy interviewing.

■ In its first evaluation report, GRETA considered that the authorities should issue a national guidance on the systematic use of the child-friendly rooms to interview children and other vulnerable victims of THB and to use the testimony given in such rooms in court, thus avoiding repeated questioning of victims. The provisions of the Criminal Procedure Code (CPC) concerning the interviewing of children were amended, providing for mandatory audio and video recording of interviews with victims and witnesses who are children below the age of 14, and the possibility to use these recordings at trial in lieu of in person testimony, as well as the possibility to use child-friendly rooms to interview children.

■ In its first report, GRETA urges the Belarusian authorities to review the legal and procedural framework for the return of victims of THB in order to ensure that it is conducted with due regard for their rights, safety and dignity and the status of any legal proceedings related to the fact that the person is a victim, and is preferably voluntary. In 2019 of a memorandum of understanding was signed between the Ministry of the Interior, the State Border Committee and the IOM Office in Belarus to establish a mechanism for long-term co-operation in the field of facilitating the voluntary return of foreigners to their country of origin or permanent residence. The Memorandum stipulates that any return must be voluntary and must be carried out with respect for human dignity and human rights, and in the case of children, must comply with the

principle of the best interests of the child, as guided by the UN Convention on the Rights of the Child. Pursuant to it, the IOM Office started implementing an EU-funded programme for voluntary return and reintegration, which can cover victims of THB.

More information about GRETA and Belarus



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 March 2014

- ▶ 2017: 1st evaluation report
- ▶ 2022: 2nd evaluation report



Belgium

With a view to implementing the recommendations made in GRETA's first report (2013), Article 433septies of the Criminal Code was amended in May 2016, expanding the list of means used to commit the offence of human trafficking to include kidnapping, deception, abuse of power, giving or receiving of payments or benefits to allow for a person having control over another person.

■ In order to meet GRETA's first report recommendation concerning the recovery and reflection period, Article 61/2 of the Law on the Access to the Territory, Stay, Settling in and Removal of Foreigners was amended in March 2017, replacing the "order to leave the territory" by "a temporary residence document".

■ Following judgment No. 106/2013 of the Belgian Constitutional Court, by a law of 12 May 2014, legal guardianship was extended to unaccompanied children from EU and EEA countries, which complies with one of the recommendations made in GRETA's first report.

■ The circular on implementing multidisciplinary co-operation in respect of victims of trafficking and/or certain aggravated forms of human smuggling was revised by the Federal Ministry of Justice and published on 30 March 2017. It sets out the National Referral Mechanism, explaining the role of each stakeholder, the information to be provided to victims, the assistance provided by specialised centres, and the granting of a recovery and reflection period and a residence permit. The revised circular contains sub-sections relating to the identification of possible victims of trafficking for the purpose of domestic servitude in diplomatic households, as well as child victims of trafficking.

■ In its second report (2017), GRETA urged the Belgian authorities to secure adequate funding to the specialised reception centres for victims of trafficking to ensure their unimpeded operation and the provision of all assistance measures envisaged in Article 12 of the Convention. The provision of public funding for the three specialised reception centres for victims of trafficking was improved, following the centralisation of their budget within the Federal Ministry of Justice.

■ To strengthen the provision of safe accommodation to child victims of trafficking, as previously recommended by GRETA, a reception centre for girls victims of trafficking for sexual exploitation opened in Flanders on 1 March 2022, managed by the NGO Minor-Ndako.

■ In the light of recommendations made by GRETA in its first and second reports, the principle of non-punishment of victims of trafficking for offences committed by them as a direct result of their exploitation was included in the Criminal Code (CC) in May 2019.

More information about GRETA and Belgium



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 August 2009

- ▶ 2013: 1st evaluation report
- ▶ 2017: 2nd evaluation report
- ▶ 2022: 3rd evaluation report



Bosnia and Herzegovina

As a follow-up to GRETA's first report (2013) recommendations, the offence of trafficking in human beings was included in the Criminal Codes of the Republika Srpska, the Federation of Bosnia and Herzegovina, and Brčko District. The State Criminal Code was modified to apply only to transnational cases of trafficking in human beings.

■ In the first evaluation round, GRETA urged the authorities of Bosnia and Herzegovina to ensure that the recovery and reflection period provided for in Article 13 of the Convention is specifically defined in law. The new Law on Foreigners, which entered into force on 25 November 2015, contains provisions establishing the right of victims of trafficking to be granted a recovery and reflection period and the right of victims of trafficking who have been granted temporary residence on humanitarian grounds to have access to the labour market and education.

■ In accordance with GRETA's first report recommendation, as part of the amendments made to the State Criminal Code in 2015, a new paragraph 10 was added to Article 186, pursuant to which victims of human trafficking are not to be punished for their involvement in illegal activities to the extent that they were forced into such activities. A similar non-punishment provision was introduced into the Criminal Codes of the Federation of Bosnia and Herzegovina and the Brčko District.

■ Following up on GRETA's second report (2017) recommendation, in May 2020, the State Ministry of Security and the State Ministry of Human Rights and Refugees concluded an agreement to create a common fund for assistance to all victims of trafficking (national and foreign).

■ As a follow-up to GRETA's second report recommendation to introduce a comprehensive statistical system on trafficking in human beings, in June 2020 a statistics portal was set up on victims of human trafficking within the project "Short-term and medium-term support to strengthen efforts in the fight against trafficking in human beings", implemented by IOM with the support of the United States Agency for International Development (USAID).

■ Following GRETA's second report, in which GRETA recommended that the authorities develop specialisation of prosecutors and judges to deal with THB cases, a network of specialised prosecutors and investigators working on human trafficking cases and anti-trafficking units within the Prosecutor's Office of Bosnia and Herzegovina and the State Investigation and Protection Agency were set up.

More information about GRETA and Bosnia and Herzegovina



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 May 2008

- ▶ 2013: 1st evaluation report
- ▶ 2017: 2nd evaluation report
- ▶ 2022: 3rd evaluation report



Bulgaria

In accordance with GRETA's first report (2011) recommendation, the Bulgarian authorities adopted a specific provision in the Criminal Code concerning the non-punishment of victims of trafficking for their involvement in unlawful activities, to the extent that they were compelled to do so.

Several measures were taken after the first evaluation by GRETA to prevent trafficking for the purpose of labour exploitation, through awareness raising and information campaigns, research, appointing "labour attachés" in countries where many Bulgarian nationals seek employment, and strengthening the capacity of labour inspectors to detect forced labour.

Acting upon recommendations made in GRETA's second report (2015), the Law on Combating Trafficking in Human Beings was amended to increase the minimum period a victim can remain in a shelter (from 10 to 30 days), with a possibility of extension until the end of criminal proceedings, as well as the introduction of a provision entitling victims to free legal assistance and, if necessary, interpretation during this time-period. Another amendment concerned the possibility to set up shelters for continued reintegration of victims of THB.

In its second evaluation report, GRETA urged the Bulgarian authorities to ensure that the National Mechanism for Referral and Support to Victims of Trafficking (NRM) was effectively implemented in practice, including by backing it up with adequate funding and periodically training all relevant professionals. The authorities carried out a revision and updating of the NRM, which was approved by the Council of Ministers as an official and mandatory document. The list of stakeholders involved in the NRM was expanded by adding the National Legal Aid Bureau and the national legal aid helpline. In order to develop knowledge about the NRM and improve its implementation in practice, annual training is provided to stakeholders.

Acting upon recommendations made in GRETA's second report, the Bulgarian authorities re-opened the two specialised shelters for victims of trafficking, in Burgas and Varna, as well as opening a specialised crisis centre for child victims of trafficking in Sofia.

■ To improve the protection of victims of THB, specially equipped facilities for interviewing children involved in criminal proceedings, known as “blue rooms”, have been set up in a number of cities in Bulgaria where child victims of trafficking can be questioned in a child-friendly manner. During the third evaluation visit, prosecutors informed GRETA that the “blue rooms” are used quite frequently at the pre-trial stage, both for child and for adult victims, to avoid contact with the trafficker.

More information about GRETA and Bulgaria



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 February 2008

- ▶ 2011: 1st evaluation report
- ▶ 2015: 2nd evaluation report
- ▶ 2020: 3rd evaluation report



Croatia

A number of legislative developments took place after GRETA's first evaluation (2011). The new Criminal Code, which entered into force on 1 January 2013, expanded the definition of trafficking in human beings and criminalised acts relating to travel and identity documents carried out for the purpose of enabling trafficking in human beings, in line with the recommendation made in GRETA's first report.

■ The Criminal Procedure Act was also amended with a view to specifying the rights of victims of trafficking in human beings during criminal investigations and proceedings. Further, measures were put in place to assist victims in court and avoid contacts with offenders.

■ The National Action Plan to Combat Trafficking in Human Beings 2012-2015 followed the recommendation made by GRETA in its first report to adopt criteria on the selection of civil society organisations for membership of the National Committee for Combating Trafficking in Human Beings and the Operative Team.

■ As recommended by GRETA in its second evaluation report (2015), the Labour Inspectorate was included into the National Committee for Combating Human Trafficking and its Operational Team. Other measures were taken as a follow-up to GRETA's recommendations to step up the identification of victims of trafficking for the purpose of labour exploitation, such as capacity building, the production of leaflets on migrants' labour rights, and a campaign focusing on temporary agency workers.

■ In its second evaluation report, GRETA urged the Croatian authorities to intensify their efforts to prevent child trafficking, and to take further steps to improve the identification of, and assistance to, child victims of trafficking. Several awareness-raising activities on child trafficking, including a campaign on the recruitment of victims of trafficking through the Internet and outreach in schools were organised. The National Plan for Combating THB in 2018-2021 included measures to strengthen the identification of, and assistance to, child victims, such as the development of indicators, guidelines and tools for identifying children who are victims of THB, the development of individual

plans and programmes for the assistance of child victims, as well as training for staff of social welfare institutions for children. Steps were taken to ensure child-sensitive procedures for obtaining access to justice and remedies, including the setting up specially equipped rooms for interviewing children.

■ The authorities have made additional efforts to provide access to work, vocational training and education to victims of trafficking. The Croatian Employment Service took measures to facilitate the integration into the labour market of victims of trafficking as a vulnerable category of workers by subsidising jobs.

More information about GRETA and Croatia



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 February 2008

- ▶ 2011: 1st evaluation report
- ▶ 2015: 2nd evaluation report
- ▶ 2020: 3rd evaluation report



Cyprus

After GRETA's first evaluation (2011), the Cypriot authorities adopted Law 60(I)/2014 on Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims, which reflected several of GRETA's first report recommendations. In particular, it makes specific reference to the irrelevance of the victim's content to the intended exploitation and includes the aggravating circumstance of THB committed by a public official in the performance of his/her duties. The law also criminalised the use of services provided by victims of trafficking where their client should reasonably have been able to conclude or suspect that the service was provided by a victim of trafficking.

■ As recommended by GRETA, the new Law 60(I)2014 provided that all victims of trafficking, regardless of whether they are EU or third-country nationals, are entitled to a reflection period of at least one month (two months for children) to escape the influence of the traffickers and decide whether or not to co-operate with the prosecution.

■ In the period following GRETA's first evaluation, the capacity of the specialised Police Office for Combating Trafficking in Human Beings was strengthened and its mandate expanded to cover the investigation of human trafficking cases.

■ Following GRETA's second evaluation report (2015), a National Referral Mechanism was established in 2016. It defines the co-operation framework between the relevant services and NGOs, and provides guidance and standard operating procedures for handling victims and potential victims of human trafficking, including identifying and referring victims to services.

■ In 2019, further amendments were made to the anti-trafficking legislation, increasing significantly the penalties for human trafficking.

■ In its second evaluation report, GRETA urged the Cypriots authorities to increase their efforts to prevent and combat THB for the purpose of labour exploitation. Subsequently, the mandate of the Labour Inspectorate Service was expanded, the monitoring of private employment agencies was strengthened,

and changes were made to the regime for overseas domestic workers. The number of victims of THB for the purpose of labour exploitation increased.

More information about GRETA and Cyprus



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 February 2008

- ▶ 2011: 1st evaluation report
- ▶ 2015: 2nd evaluation report
- ▶ 2020: 3rd evaluation report



Denmark

After GRETA's first report (2011), the Danish authorities took steps to prevent human trafficking for the purpose of labour exploitation, through awareness-raising campaigns, working with businesses, promoting corporate social responsibility and issuing guidelines for companies and employers on managing the risk of hidden forced labour.

■ In line with GRETA's recommendation in its first report on Denmark, the fourth National Action Plan against THB stopped using the term "trafficked to Denmark", and the previously restrictive interpretation of this term, which excluded victims of internal trafficking, was abolished.

■ In February 2015, the Director of Public Prosecutions issued binding Guidelines on the handling of cases of trafficking in human beings, intended to support the police and prosecutors in their work on combating human trafficking. The Guidelines cover a broad range of issues linked to the identification and rights of victims of trafficking and the prosecution of traffickers, including instructions on how the non-punishment provision should be applied in relation to victims.

■ In its first report, GRETA noted that there was no specific legal basis to grant residence permits to victims of trafficking in Denmark. In 2013, a new section 9c(5) was added to the Aliens Act, stating that a temporary residence permit may be granted to foreign nationals, including victims of THB, if their presence in Denmark is required for the investigation or criminal proceedings.

■ In its second report (2016), GRETA urged the Danish authorities to improve the identification of child victims of trafficking, including amongst unaccompanied children. Following GRETA's second report, the Danish Centre against Trafficking in Human Beings (CMM) increased efforts to identify child victims of trafficking amongst asylum seekers and co-operated with the Danish Red Cross to promote such identification. In 2017-2020 State funds were allocated to a project carried out by the Danish Red Cross to identify victims of THB among unaccompanied asylum-seeking children.

■ In 2018 a website for victims of trafficking was set up, providing information in seven languages, including a video clip, about giving testimony, legal assistance, protection measures, compensation, and the non-punishment principle.

■ In its second report, GRETA considered the Danish authorities should intensify their efforts to prevent THB for the purpose of labour exploitation, including by further sensitising relevant officials about THB for the purpose of labour exploitation and the rights of victims, and by working more closely with the private sector. Efforts to detect and combat trafficking for labour exploitation increased, with the involvement of the Danish Tax Agency's inspectors and the Trade Union 3F.

More information about GRETA and Denmark



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 February 2008

- ▶ 2011: 1st evaluation report
- ▶ 2016: 2nd evaluation report
- ▶ 2020: 3rd evaluation report



Estonia

In its first report (2018), GRETA urged the Estonian authorities to strengthen action to combat THB for the purpose of labour exploitation by reviewing the legislative framework, improving the identification of, and assistance to, victims of THB for the purpose of labour exploitation, and involving civil society, trade unions, labour inspectorates and the private sector. To prevent illegal employment, changes were made to the Aliens Act, Income Tax Act and Taxation Act in 2020, providing that the lawfulness of the employment of a foreigner is the responsibility of the company in Estonia that benefits from the foreigner's work. Further, in 2019, amendments were made to Labour Market Services and Benefits Act, which regulates private recruitment and temporary work agencies. In June 2020, amendments were made to the Working Conditions of Employees Posted to Estonia Act. The Labour Inspectorate provides migrant and Estonian workers with free legal services regarding work-related problems, such as unpaid salaries, and runs a phone line and website providing information on workers' rights. In 2021, the Labour Inspectorate created a new portal (available in Estonian, English and Russian) with information on labour trafficking. In 2022, materials were added in Ukrainian.

In its first report, GRETA urged the Estonian authorities to provide regular training on issues related to THB to all professionals who may come into contact with victims of THB. In 2019 and 2021, joint training sessions were held for the police, prosecutors, labour inspectors, tax and customs inspectors, and victim support providers. Training on the topic of human trafficking is part of the basic and in-service training of police officers.

In its first report, GRETA urged the Estonian authorities to strengthen their efforts to ensure that THB offences for the purposes of different types of exploitation are proactively investigated and prosecuted. Several actions have been undertaken to investigate THB crimes committed online. The National Police is deploying an IT tool to screen internet-based advertisements for sexual services in order to identify possible crimes of pimping or THB for sexual exploitation. The National Police has also established cooperation with all main service providers in Estonia for the removal of illegal online content. Action

against THB is included in the Criminal Policy Guidelines until 2030, which focus on the prevention, deterrence and repression of THB, and envisage a periodic review and, if necessary, an update of the criminal policy. Prevention of THB is also part of the Internal Security Development Plan 2020-2030, which refers to the aim of increasing the identification of victims of human trafficking.

More information about GRETA and Estonia



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 June 2015

- ▶ 2018: 1st evaluation report
- ▶ 2023: 2nd evaluation report



Finland

In its first report (2015), GRETA urged the Finnish authorities to improve victim identification procedures and to ensure that, in practice, identification is dissociated from the victim's co-operation in the investigation. Following amendments to the International Protection Act, the Assistance System for victims of trafficking was given the competence to formally identify victims of human trafficking independently of the opening of an investigation for THB and grant them a recovery and reflection period.

In its first report, GRETA called on the Finnish authorities to ensure that the assistance provided to victims of trafficking is adapted to their specific needs and that minimum standards are guaranteed across the country, regardless of the service provider. With a view to improving the provision of assistance to victims of trafficking, the Association of Finnish Local and Regional Authorities issued guidance to municipalities regarding the assistance to be given to victims of trafficking, and an office of the Assistance System was opened in Oulu, in western Finland.

In its first report, GRETA urged the Finnish authorities to adopt additional measures to facilitate and guarantee access to compensation for victims of trafficking. The Criminal Investigation Act was amended in 2016, making it compulsory for the police to inform victims of the possibility to seek compensation in connection with the criminal proceedings, as well as to benefit from free legal aid, interpretation and translation.

More information about GRETA and Finland



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 September 2012

- ▶ 2015: 1st evaluation report
- ▶ 2019: 2nd evaluation report



France

A number of legislative developments took place after GRETA's first evaluation report (2012), in line with GRETA's recommendations. Law No. 2013-711 of 5 August 2013, amending the definition of the offence of trafficking in human beings in Article 225-4-1 of the Criminal Code, introduced the element of "means" as a component of the offence, along the lines of the recommendations made by GRETA in its first report. Furthermore, slavery, servitude, forced labour and the removal of organs were added to the purposes of exploitation in Article 225-4-1 of the Criminal Code.

■ Following on from these amendments to the criminal legislation, and in line with a recommendation made by GRETA in its first report, a Minister of Justice circular was issued on 22 January 2015 setting out the criminal law policy in the sphere of action against trafficking in human beings.

■ In line with the recommendation made in GRETA's first report concerning the eligibility of all victims of trafficking for State compensation, Law No. 2013-711 of 5 August 2013 removed the requirements relating to the injured party's nationality or legal residence in France.

■ In its first report, GRETA urged the French authorities to adopt measures to combat all forms of trafficking in human beings, including for the purpose of labour exploitation. Since 2016, labour inspectors have been empowered to report offences relating to trafficking, forced labour and servitude. Contact persons for THB have been designated in Regional Directorates for Enterprises, Competition Policy, Consumer Affairs, Labour and Employment. There has been an increase in court cases concerning trafficking for the purpose of labour exploitation as a result of the Labour Inspectorate's involvement and the work of the Central Office for Combating Illegal Labour (OCLTI). The Ministry of Labour has been organising training courses on THB since 2018. In addition, the OCLTI holds training courses on illegal labour, social security fraud and trafficking for the purpose of labour exploitation, for police and gendarmerie investigators and customs staff.

■ As a follow-up to GRETA's second report (2017) recommendation to set up and maintain a comprehensive and coherent statistical system on trafficking in human beings, an annual survey was introduced to gather data on identified and presumed trafficking victims assisted by NGOs.

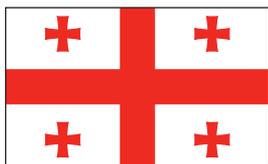
■ In its second report, GRETA asked the authorities to develop specific accommodation for child victims of THB which employs specifically trained staff and provides programmes for the reintegration of child victims of trafficking. A decree was published on 5 May 2021 authorising the opening of a centre to provide child victims of trafficking with educational, psychological, legal and health support. The NGO Koutcha is responsible for setting up this centre of 12 places for children and/or young adults aged 18 to 21 years (girls and boys).

More information about GRETA and France



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 May 2008

- ▶ 2012: 1st evaluation report
- ▶ 2017: 2nd evaluation report
- ▶ 2021: 3rd evaluation report



Georgia

As a follow-up to GRETA's recommendation made in the first evaluation report (2012), a new chapter concerning the social and legal assistance to child victims of trafficking and their rehabilitation was added to the Law on Combating Human Trafficking.

■ In accordance with GRETA's first report recommendation, the new Law on the Legal Status on Aliens and Stateless Persons, in force since 1 September 2014, contains provisions on granting temporary residence permits to victims of human trafficking, both on the grounds of their co-operation in the criminal proceedings and for humanitarian reasons.

■ A unified database was set up containing information on victims of human trafficking, as well as on offenders, which is disaggregated by nationality, sex, age, type of exploitation and country of exploitation.

■ In its second evaluation report (2016), GRETA urged the Georgian authorities to increase their efforts to proactively identify victims of trafficking for the purpose of labour exploitation, by providing the Labour Inspectorate with the requisite resources and training. The number of labour inspectors was increased from 25 to 65, and they were given training on human trafficking. The new Law on Labour Inspection specifies that the mandate of the Labour Inspectorate covers forced labour and human trafficking.

■ As recommended by GRETA in its second evaluation report, the definition of "abuse of a position of vulnerability" was amended to comply with the Council of Europe Convention on Action against Trafficking in Human Beings.

■ With a view to proactively identifying victims of trafficking among migrants and asylum seekers, the Human Trafficking Council approved guidelines on the identification of victims of trafficking at the borders of Georgia, with indicators and standard interview questions. Training was delivered on the implementation of the guidelines.

More information about GRETA and Georgia



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 February 2008

- ▶ 2012: 1st evaluation report
- ▶ 2016: 2nd evaluation report
- ▶ 2020: 3rd evaluation report



Germany

In its first report (2015), GRETA urged the German authorities to ensure that the national definition of trafficking in human beings fully complied with the Convention. Following amendments to the German Criminal Code (CC), the new Article 232 of the CC, which criminalises human trafficking, comprises the three elements of the Convention's definition of trafficking in human beings.

To address GRETA's concerns raised in the first evaluation report, a Federal Working Group on Combating Human Trafficking for the Purpose of Labour Exploitation was established in 2015. Based on the recommendations of this group, the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking was established in August 2017 in Berlin on a pilot basis.

With a view to creating a specific referral process for cases of trafficking in children, as recommended by GRETA, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and ECPAT Germany, in co-operation with other public and civil society actors, developed a document entitled "Federal Co-operation Guidance on Protecting and Supporting Child Victims of Trafficking and Exploitation".

In its first report, GRETA considered that the German authorities should take further steps to ensure that victims of trafficking can benefit from a residence permit in Germany and the rights attached to it. Amendments to the Residence Act introduced in August 2015 brought some notable improvements to the possibility for victims of trafficking to be issued a residence permit, The new possibility to be issued a residence permit after the conclusion of the criminal proceedings, for humanitarian or personal reasons, encompasses situations where the criminal proceedings are discontinued despite the fact that the victim had declared his/her willingness to give evidence.

More information about GRETA and Germany



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 April 2013

- ▶ 2015: 1st evaluation report
- ▶ 2019: 2nd evaluation report



Greece

The Greek legislative framework relevant to combating THB has undergone a number of developments since GRETA's first evaluation (2017), reflecting some of the recommendations by GRETA. Amendments to the Criminal Code (CC), in force since 1 July 2019, repealed Article 351 (which criminalised THB for the purpose of sexual exploitation), incorporated sexual exploitation in Article 323A ("trafficking in human beings"), and expanded the list of forms of exploitation contained in the latter article. Additional changes were introduced by Law 4855/2021 with regard to the punishment prescribed for different forms of THB.

■ In May 2019, following a period of seven years without an anti-trafficking action, the Office of the National Rapporteur issued the National Action Plan for Preventing and Combating Trafficking in Human Beings and the Protection and Rehabilitation of Victims for 2019-2023. The adoption of this plan corresponds to a recommendation made in GRETA's first report.

■ In its first report, GRETA urged the Greek authorities to adopt measures to facilitate and guarantee access to compensation for victims of trafficking. Changes concerning the conditions under which victims of THB can seek and obtain state compensation were made through Law 4689/2020. Furthermore, in 2019 a provision was added to Law 4478/2017 stipulating that, in accordance with the CCP, assets seized during the criminal procedure which are "judged to be assigned to the victim" are immediately returned to him/her.

■ In its first report, GRETA urged the Greek authorities to introduce a procedure for the proactive identification of child victims of trafficking, paying particular attention to unaccompanied children, and to improve the assistance to child victims of trafficking, including through the assignment of legal guardians. The formal launch of the NRM in 2019, with specific guidelines in the case of child victims, has facilitated the identification and referral to assistance of presumed victims of THB. The NRM statistics show that the number of identified child victims has increased over the years (15 in 2017, 12 in 2018, 49 in 2019, 74 in 2020, and 35 in 2021). Law No. 4554/2018 provided the regulatory framework for the guardianship of unaccompanied children. The Special Secretariat for the

Protection of Unaccompanied Minors was established under the Ministry of Migration and Asylum in February 2020. It has developed a five-year Strategy for the Protection of Unaccompanied Children.

More information about GRETA and Greece



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 August 2014

- ▶ 2017: 1st evaluation report
- ▶ 2022: 2nd evaluation report



Hungary

To address GRETA's concerns raised in the first evaluation report (2015), a database for the registration of presumed victims of trafficking in human beings, EKAT, was launched in September 2017, enabling the collection of information from a range of relevant professionals, including NGOs.

■ The list of professional groups entitled to perform identification of victims of human trafficking was extended to include the victim support services, the probation services and the legal aid services. Further, with a view to strengthening the identification of victims of trafficking amongst asylum seekers, relevant questions were added to the standard questions used during asylum interviews.

■ The Ministry of Justice established three support centres for victims of crime, including victims of human trafficking, which provide psychological support and assist victims in preparing for criminal proceedings.

■ In its second report (2019), GRETA noted the absence of a National Strategy against THB in Hungary since 2016 and asked the authorities to adopt a comprehensive strategy in which concrete activities and stakeholders responsible for their implementation are clearly defined and budgetary resources allocated, accompanied by a mechanism for monitoring its implementation and evaluating its impact. In February 2020, the Hungarian Government adopted the National Anti-Trafficking Strategy for 2020-2023, which reflects some of GRETA's recommendations and has a dedicated budget.

■ In its second report, GRETA recommended strengthening the monitoring of recruitment and temporary work agencies and reviewing the legislative framework for any gaps that may limit protection or preventive measures. In 2022, the Hungarian Government adopted a decree which introduced stricter rules for the licensing and operation of temporary employment agencies. According to the Hungarian authorities, the new system is expected to prevent the flow of work force into the black and grey economy and significantly reduce the risk of workers becoming victims of human trafficking.

■ In its second report, GRETA urged the Hungarian authorities to take measures to ensure that THB cases are investigated proactively and result in effective, proportionate and dissuasive convictions. In its third report (2023), GRETA noted that three guidelines were issued by the Office of the Prosecutor General in order to facilitate the detection and prosecution of THB cases, as well as a consistent application of the law in practice. In 2019, anti-trafficking senior supervisor officers were appointed in all county/capital police headquarters. Further, a network of prosecutors specialised in trafficking in human beings was set up. The number of prosecutions and convictions for THB and related offences has increased compared to the period covered by GRETA's second report.

■ In its second evaluation report, GRETA urged the authorities to repeal the legislation pursuant to which children aged 14-18 could be fined for engaging in prostitution. The Minor Offences Act was amended in 2020 to provide that persons under the age of 18 shall not be punished for the provision of sexual services.

More information about GRETA and Hungary



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 August 2013

- ▶ 2015: 1st evaluation report
- ▶ 2019: 2nd evaluation report
- ▶ 2023: 3rd evaluation report



Iceland

To address GRETA's concerns raised in the first evaluation report (2014), two teams were set up by the Ministry of Welfare to provide assistance and services to victims of trafficking, and a human trafficking team was established at the Directorate of Labour.

■ The legislative framework relevant to action against human trafficking evolved after GRETA's first evaluation as a result of amendments to the Act on Foreigners, which increased the duration of the recovery and reflection period from six to nine months. Further, victims of human trafficking who have been granted a residence permit were also entitled to receive a work permit.

■ Following the first evaluation by GRETA, an information/education team was set up in 2014, comprising a police officer, a prosecutor, a representative of the social services and a trade union representative. The team organised multi-agency training seminars for police officers, health care workers, social workers and labour inspectors to boost local co-operation. Education was also provided to border guards, staff of the Directorate of Immigration, the Directorate of Labour and children's services.

■ Following GRETA's second report (2018), Article 227.a of the General Penal Code (GPC), criminalising THB, was amended to include additional forms of exploitation, in particular forced marriage, slavery, servitude, forced service, begging and criminal activities, which is in line with GRETA's previous recommendations.

■ The third National Action Plan for Combating THB was adopted in March 2019, following a consultation with NGOs and trade unions, and taking into account the recommendations made in GRETA's second report. Following the adoption of the Action Plan, a new Steering Group was set up by the Ministry of Justice to advise the government on policy in the area of combating human trafficking as well as to support, monitor and evaluate the implementation of the plan. It is composed of representatives of public agencies, NGOs and other persons with expertise in the area of combating THB.

■ In 2021, the National Commissioner of the Icelandic Police set up a police advisory group on human trafficking, in co-operation with the Ministry of Justice. The group's role is to provide advice to all Icelandic police departments on the identification and investigation of suspected THB cases, disseminate information to police department staff, collect statistics and exercise oversight of the human trafficking situation in the country.

More information about GRETA and Iceland



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 June 2012

- ▶ 2014: 1st evaluation report
- ▶ 2018: 2nd evaluation report
- ▶ 2023: 3rd evaluation report



Ireland

As recommended in GRETA's first evaluation report (2013), the setting up of the Garda National Protective Services Bureau in 2015 and the inclusion into it of the Human Trafficking Investigation and Co-Ordination Unit (which was previously part of the Garda National Immigration Bureau) resulted in the separation of the identification of victims of trafficking from immigration control.

■ The second National Action Plan, which was approved by the Irish Government and published in October 2016, addressed a number of issues raised in GRETA's first report, such as a re-examination of the victim identification process, and an examination of criminal justice measures, and measures in relation to enhancing the effectiveness of anti-trafficking policy and practice concerning labour exploitation.

■ In its first report, GRETA stressed the need to strengthen action to combat trafficking for the purpose of labour exploitation. A number of measures were taken to prevent trafficking for the purpose of labour exploitation, including legislative amendments, research and NGO-run projects.

■ Acting on GRETA's second report recommendations (2017), in October 2020 the Irish authorities designated the Irish Human Rights and Equality Commission as National Rapporteur for trafficking in human beings.

■ The level of engagement with civil society increased, as recommended by GRETA in its second report, through the human trafficking stakeholders forum, bringing together relevant state departments, agencies and civil society organisations.

■ With a view to addressing GRETA's previous recommendations, on 11 May 2021, the Irish Government approved a proposal for a revised National Referral Mechanism (NRM). An interdepartmental group was set up to work on operational protocols which will outline how the different agencies will interact within the new framework.

More information about GRETA and Ireland



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 November 2010

- ▶ 2013: 1st evaluation report
- ▶ 2017: 2nd evaluation report
- ▶ 2022: 3rd evaluation report



Italy

In its first report (2014), GRETA stressed the importance of adopting as a matter of urgency a comprehensive national anti-trafficking action plan. The first National Action Plan against Trafficking in, and Serious Exploitation of, Human Beings was adopted in February 2016. It was comprehensive in nature and paid particular attention to improving knowledge on human trafficking, strengthening prevention, and combating trafficking for the purpose of labour exploitation.

In order to strengthen the institutional framework for combating human trafficking, as recommended by GRETA in its first report, the Italian authorities set up the Steering Committee (*Cabina di regia*), an inter-institutional forum for planning, implementation and financing of measures to combat human trafficking.

A National Referral Mechanism for the identification and referral to assistance of victims of trafficking was drafted and Guidelines for the identification of victims of trafficking among applicants for international protection were developed. Further, there was an increase in the budgetary funding allocated to anti-trafficking projects, the duration of which was increased to 15 months. These measures correspond to recommendations made in GRETA's first report.

Italy adopted its second National Action Plan against trafficking and serious exploitation of human beings (2022-2025), which refers to previous GRETA recommendations. In addition, a National Plan to combat labour exploitation and illegal recruitment in agriculture was adopted in February 2020, and a National Plan for the prevention and fight against sexual abuse and exploitation of minors in May 2022.

In its second evaluation report (2019), GRETA urged the Italian authorities to intensify their efforts to prevent and combat trafficking for the purpose of labour exploitation. In order to prevent and combat the phenomenon, the Italian authorities adopted several policies and measures, such as guidelines on the identification, protection and assistance to victims of labour exploitation in agriculture. Efforts were also made to develop a multi-agency

approach to labour inspections, with the involvement of cultural mediators and specialised NGOs.

■ The funding made available by the Department of Equal Opportunities for victim assistance increased from 22.5 million euros in 2017 to approximately 27.2 million euros for the projects running from July 2022 to February 2024.

■ In its second report, GRETA urged the authorities to adopt as a matter of priority a National Referral Mechanism for child victims and to ensure that relevant actors take a proactive approach and increase their outreach work to identify child victims of THB for different forms of exploitation. The second anti-trafficking National Action Plan includes in an appendix standard operating procedures for the identification of child victims of THB and exploitation. Another appendix, entitled “Knowing how to recognise child victims of trafficking and exploitation in Italy”, provides general indicators of child trafficking, as well as indicators specific to sexual and labour exploitation. Further, have been steps taken to register unaccompanied foreign children and appoint guardians to them.

More information about GRETA and Italy



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 March 2011

- ▶ 2014: 1st evaluation report
- ▶ 2019: 2nd evaluation report
- ▶ 2023: 3rd evaluation report



Latvia

In line with GRETA's first report (2012) recommendations, Section 154² of the Criminal Law criminalising trafficking in human beings was amended, adding "abuse of a position of vulnerability" to the means for the commission of the offence, as well as an explanation of the term "vulnerability". Further, compelling a person to commit criminal activities was added to the forms of exploitation. Another legal development was the introduction of a provision in the Criminal Law making it possible to release from criminal liability a person who was compelled to commit a criminal offence while being trafficked.

With a view to implementing another recommendation made in GRETA's first evaluation report, an amendment to Section 3 of the Law on the Protection of the Rights of the Child was adopted by the Latvian Parliament on 26 November 2015, providing that persons under 18 years of age are considered as children in the context of the administrative violations and criminal justice system.

In its first report, GRETA urged the Latvian authorities to ensure the provision of adequate funding for victim assistance. The annual budget allocated by the Ministry of Welfare for assistance to victims of human trafficking was increased from 87 794 euros in 2012 to 162 562 euros in 2015.

To improve the identification of victims of trafficking, as recommended by GRETA in its second report (2016), the authorities set up a multi-disciplinary identification commission comprising at least one social worker, psychologist and lawyer, representatives of the two specialised NGOs providing services to victims of trafficking, and, if necessary, other specialists.

Steps were taken to prevent and detect trafficking for the purpose of labour exploitation, as recommended in GRETA's second report, including awareness-raising campaigns and the provision of training of labour inspectors. There has been a significant increase in the number of identified victims of trafficking for the purpose of labour exploitation, which has emerged as the main form of exploitation in recent years.

■ The Administrative Violations Code was amended in 2017, releasing from administrative liability victims of trafficking who have committed administrative violations as a result of being trafficked. This amendment is related to one of the recommendations made in GRETA's second report, to extend the scope of the non-punishment provision to cover all offences victims of trafficking are compelled to commit, including administrative and immigration-related offences.

More information about GRETA and Latvia



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 July 2008

- ▶ 2012: 1st evaluation report
- ▶ 2016: 2nd evaluation report
- ▶ 2021: 3rd evaluation report



Lithuania

To address GRETA's concerns raised in the first evaluation report (2015), the authorities adopted a new National Action Plan against Trafficking in Human Beings for 2017-2019. It included activities to be implemented both at national and local level and defined the responsible bodies, timeframe and financial resources for each objective.

Following the adoption of Recommendations regarding the Identification of Victims of Trafficking, Criminal Investigations and Interagency Co-operation, a formalised National Referral Mechanism was set up, promoting a multi-disciplinary approach to victim identification.

As a follow-up to GRETA's first report recommendations, the authorities increased the public funding allocated to specialised NGOs providing assistance to victims of trafficking and extended the duration of the contracts awarded to NGOs from one to two years.

In its second report (2019), GRETA considered that the Lithuanian authorities should introduce an independent evaluation of national action plans as a tool for assessing the impact of the activities and for planning future policies and measures to combat trafficking. At the request of the Minister of the Interior, in 2020 the NGO Diversity Development Group evaluated the National Action Plan for 2017-2019.

In order to step up the prevention of trafficking for the purpose of labour exploitation, as recommended by GRETA in its second report, the State labour Inspectorate and the National Association against Trafficking in Human Beings signed a co-operation agreement on the exchange of information on cases of forced labour/THB. In August 2020 a pilot group, consisting of two labour inspectors specialised on THB, was established in the territorial branch of the State Labour Inspectorate for Vilnius to investigate reports of potential cases of forced labour/THB. In June 2022 a second pilot group of two labour inspectors was set up in the State labour Inspectorate's branch office in Kaunas. The pilot groups filled out six victim identification cards and transferred them to the pre-trial investigation authorities.

■ In its second evaluation report, GRETA urged the Lithuanian authorities to provide adequate funding to cover all expenses incurred by specialised NGOs in the course of identifying and assisting victims of THB. The Ministry of Social Security and Labour increased its funding from 165,000 Euro in 2018 to 240,000 Euro in 2020 and 300,000 Euro in 2022. In addition, NGOs working with victims of THB receive funding from the municipalities, pursuant to the Law on Social Services, to provide services to persons who are registered in the respective municipality.

More information about GRETA and Lithuania



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 November 2012

- ▶ 2015: 1st evaluation report
- ▶ 2019: 2nd evaluation report
- ▶ 2023: 3rd evaluation report



Luxembourg

There were a number of legislative developments relevant to action against trafficking in human beings after GRETA's first report (2013). In line with GRETA's recommendation in that report, a new offence was added to the Criminal Code, punishing the obtaining, procuring, destroying, concealing, disposing, confiscating, retaining, altering, reproducing or holding of another person's travel or identity document or facilitating its fraudulent use with a view to committing offences of sexual exploitation, pimping, trafficking in human beings or migrant smuggling.

■ In line with a recommendation made in GRETA's first report, the legislative provisions on State compensation were amended to allow access to compensation for trafficking victims who are third-country nationals.

■ To address GRETA's concerns raised in the first evaluation report, an Inter-ministerial Committee tasked with co-ordinating activities to prevent and evaluate the phenomenon of trafficking in human beings was set up and drew up the first National Action Plan against Trafficking in Human Beings, which was adopted in December 2016.

■ In its first report, GRETA urged the Luxembourg authorities to ensure that victims of human trafficking who are not EU nationals have access to compensation. In 2014 amendments were made to the Law of 12 March 1984 on Compensation for Certain Victims of Corporal Harm Resulting from an Offence and the Repression of Fraudulent Insolvency, making state compensation available to trafficking victims who are third-country nationals and exempting child victims of trafficking from the requirement to provide proof of the damage to their physical or mental integrity.

■ As recommended by GRETA in its second evaluation report (2018), the authorities increased the number of labour inspectors and strengthened the training provided to them on human trafficking. This enabled labour inspectors to be more proactive in detecting trafficking cases, as demonstrated by the large increase in the number of victims of trafficking for the purpose of labour exploitation detected between 2018 and 2021. Further, the Mines and

Labour Inspectorate started to record situations of trafficking for the purpose of labour exploitation.

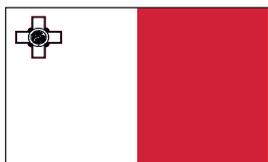
■ Acting on GRETA's recommendations in its second report, the authorities increased the number of hours of assistance services for victims of human trafficking financed by the government (from 40 hours per week to 100 hours per week) and improved co-operation between assistance services and the police.

More information about GRETA and Luxembourg



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 August 2009

- ▶ 2013: 1st evaluation report
- ▶ 2018: 2nd evaluation report
- ▶ 2022: 3rd evaluation report



Malta

Article 248A of the Criminal Code, which criminalises trafficking in human beings, was amended in line with GRETA's first report (2012) recommendations. The term "abuse of a position of vulnerability" was included among the means and the list of forms of exploitation was expanded to include "forced labour", "activities associated with begging" and "any other unlawful activities". The irrelevance of the victim's consent to the intended or actual exploitation, where any of the means have been used, was also made explicit.

■ In its first report, GRETA urged the Maltese authorities to improve the identification of victims of trafficking by ensuring multi-agency involvement in victim detection and identification and providing operational indicators, guidance and toolkits to frontline staff. A National Referral Mechanism (NRM) was introduced in 2013. It defines the stakeholders who can be involved in the identification of victims or potential victims of trafficking and can refer them to assistance and support, as well as the relevant procedures. The NRM is accompanied by Standard Operating Procedures and a list of indicators.

■ Following the first GRETA report, the Criminal Injuries Compensation Regulations were amended to explicitly include trafficking in human beings among the offences for which a victim may seek state compensation. By virtue of the Victims of Crime Act (Cap 539), enacted on 2 April 2015, victims of human trafficking and their families benefit from compensation under the Criminal Injuries Compensation Scheme.

■ Reflecting recommendations made in GRETA's second report (2016), the legislation was amended to increase the penalty for trafficking in human beings, introduce new aggravating circumstances for trafficking offences, exclude from public procurement procedures companies involved in trafficking, and strengthen trafficking victims' access to assistance.

■ In its second evaluation report, GRETA urged the Maltese authorities to step up their efforts to provide assistance, including safe accommodation, which is adapted to the specific needs of victims of trafficking, including to

male victims. The funding for victim assistance was increased and a safe house for victims of trafficking (women and men) was opened.

■ In April 2018, the possibility of being awarded moral damages up to a maximum amount of €10 000 in THB cases was introduced to the Criminal and Civil Codes.

More information about GRETA and Malta



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 May 2008:

- ▶ 2012: 1st evaluation report
- ▶ 2016: 2nd evaluation report
- ▶ 2021: 3rd evaluation report



Republic of Moldova

In line with GRETA's first report (2011) recommendations, the provisions of the Criminal Code were amended with a view to clarifying the distinction between forced labour and trafficking for the purpose of labour exploitation, on the one hand, and between pimping and trafficking for the purpose of sexual exploitation, on the other. Further, the use of services from a victim of human trafficking, with the knowledge that the person has been trafficked, was criminalised.

In its first report, GRETA invited the Moldovan authorities to commission an independent evaluation of the implementation of the National Action Plan. The Permanent Secretariat of the National Committee commissioned external evaluations of the 2010-2011 and 2012-2013 National Anti-trafficking Action Plans, which were carried out by the NGO La Strada Moldova, with funding from the OSCE.

Following GRETA's second evaluation report (2016), the legislative framework relevant to action against trafficking in human beings was further developed. Additional forms of exploitation were introduced in Article 165 of the Criminal Code (CC), which criminalises trafficking in human beings, and Article 206 of the CC on trafficking in children.

In its second evaluation report, GRETA considered that the Moldovan authorities should take further steps in the area of preventing trafficking for the purpose of labour exploitation. A new law regulating the activity of private agencies that facilitate employment abroad was adopted in 2018. In July 2013, the police Centre for Combating Trafficking in Human Beings signed a co-operation agreement with the State Labour Inspectorate on prevention and early identification of THB for labour exploitation and forced labour, which foresaw joint operations and exchange of data. Further, between March and May 2019, a national information campaign funded by the US Embassy was carried out focusing on risks of human trafficking for the purpose of labour exploitation abroad.

■ Law No. 137 on the Rehabilitation of Victims of Crime, which stipulates minimum support services for victims of crime, including access to state compensation, came into force in January 2018.

■ With a view to improving the criminal justice response to THB, a specialised panel of judges to deal with human trafficking cases and related crimes was set up in June 2019 in Chişinău.

More information about GRETA and the Republic of Moldova



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 February 2008

- ▶ 2011: 1st evaluation report
- ▶ 2016: 2nd evaluation report
- ▶ 2020: 3rd evaluation report



Montenegro

In the light of recommendations made in GRETA's first report (2012), the Montenegrin authorities introduced amendments to the Criminal Code, adding to the list of forms of exploitation related to human trafficking "slavery and practices similar to slavery", "other forms of sexual exploitation" and "entering into unlawful marriage". Further, the definition of "victim" in the Criminal Code was amended and the irrelevance of the trafficking victim's consent to the intended exploitation was explicitly stated.

In accordance with GRETA's first report recommendation, a provision was added to the new Law on Foreigners (in force since 1 January 2015) introducing a recovery and reflection period of up to 90 days for victims of human trafficking, as well as a provision of granting temporary residence permits on humanitarian grounds to victims of human trafficking.

As recommended by GRETA in its second report (2016), guidelines on the application of the non-punishment principle to victims of human trafficking for police officers, prosecutors and judges were developed in 2017.

New Standard Operating Procedures for the identification of victims of trafficking were developed, specifying that victim identification is not connected to the initiation of criminal proceedings and is performed by a multi-disciplinary team, as recommended by GRETA.

Following GRETA's recommendation on the improvement of investigation and prosecution of human trafficking cases, at the end of 2018 the Supreme State Prosecutor and the Director of the Police Directorate formed an Operational Team for Combating Trafficking in Human beings, resulting in an increase in the number of prosecutions and convictions for human trafficking.

More information about GRETA and Montenegro



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 November 2008

- ▶ 2012: 1st evaluation report
- ▶ 2016: 2nd evaluation report
- ▶ 2021: 3rd evaluation report



Netherlands

In line with GRETA's first report (2014) recommendation to strengthen the multi-agency involvement in the decision-making process leading to the identification of victims of trafficking, an independent multi-disciplinary Victim Identification Board was set up as a pilot project in January 2018, tasked with examining cases of possible victims of human trafficking on the basis of certain criteria.

To address GRETA's concerns raised in the first evaluation report, a number of campaigns and projects were launched to prevent trafficking in children, procedures were put in place for appointing guardians to unaccompanied or separated children, and clear procedures were introduced for tracing missing children.

Following GRETA's first report, the composition of the Task Force on Human Trafficking was expanded to include the Association of Netherlands Municipalities, the National Information and Expertise Centre (LIEC) and the Youth Care authorities. Further, a national network of regional care co-ordinators of the assistance provided to victims of trafficking was set up.

In its second report (2018), GRETA invited the Dutch authorities to criminalise the use of services of a victim of THB, with the knowledge that the person is a victim of THB. In January 2022, Section 273g was added to the Criminal Code, criminalising the use of sexual services from a person with the knowledge or reasonable suspicion that he/she is a victim of THB.

Following GRETA's second evaluation, the Public Prosecution Service updated and/or adopted three policy documents relating to combatting THB: the Guideline for Criminal Procedure in Human Trafficking, stipulating sentencing guidelines; the Directive on THB, spelling out the Prosecution Service's tasks and priorities in the fight against THB; and the Directive on dismissal and grounds of dismissal, incorporating the non-punishment principle.

In its second evaluation report, GRETA urged the Dutch authorities to ensure that all possible foreign victims of trafficking, including EU citizens, are consistently provided with a recovery and reflection period. In reply to

GRETA's recommendation, section B8/3.1 of the Aliens Circular was amended in October 2018, codifying the possibility for EU citizens to obtain a recovery and reflection period.

More information about GRETA and Netherlands



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 August 2010

- ▶ 2014: 1st evaluation report
- ▶ 2018: 2nd evaluation report
- ▶ 2023: 3rd evaluation report



North Macedonia

In its first report (2014), GRETA recommended that the authorities strengthen action to combat THB for the purpose of labour exploitation by involving labour inspectors, civil society, businesses, trade unions and employment agencies in a joint platform. The National Commission for Combating Trafficking in Human Beings and Illegal Migration was enlarged to include members of the State Labour Inspectorate and the Employment Agency. Further, awareness-raising measures were implemented, as well as carrying out research and training of labour inspectors.

As a follow-up to GRETA's first report recommendations, the authorities developed indicators for the identification of victims of human trafficking in mixed migration flows. Further, in order to better identify persons vulnerable to human trafficking among visa applicants, the Ministry of Foreign Affairs and the Ministry of the Interior developed a questionnaire to be used by diplomatic and consular staff as well as the border crossing points when interviewing visa applicants.

As recommended in GRETA's second report (2017), the recovery and reflection period provided for in Article 13 of the Convention was specifically defined in the 2018 Law on Foreigners. Further, the new law provided for a renewable residence permits for victims of trafficking, based on their personal situation.

In its second report, GRETA urged the authorities to take additional measures to ensure compliance with the principle of non-punishment of victims of THB, by adopting a specific legal provision and/or the developing guidance for police officers and prosecutors. On 31 December 2018, the Criminal Code of North Macedonia was amended and a specific provision on the non-punishment of victims of human trafficking for illegal acts they were compelled to commit while being trafficked was incorporated in its Article 418a (trafficking in adults) and Article 418d (trafficking in children).

In its first and second reports, GRETA urged the authorities to set up a State compensation scheme accessible to victims of THB, regardless of their

nationality and immigration status. The Law on the Payment of Monetary Compensation to Victims of Violent Crimes was adopted in November 2022, introducing state compensation for victims of human trafficking.

■ Following up on GRETA’s recommendation to establish an independent National Rapporteur or designate another mechanism as an independent organisational entity with a view to ensuring effective monitoring of the anti-trafficking activities of state institutions, the authorities designated in December 2019 the Office of the Ombudsman as National Rapporteur on Combating Trafficking in Human Beings.

■ In its second report, GRETA urged the authorities to promote a multi-agency involvement in victim identification by formalising the role and input of specialised NGOs. The Standard Operating Procedures for Treatment of Victims of Trafficking in Human Beings were revised and five mobile teams for the identification of possible trafficking victims were set up. The multi-sectoral approach applied by the mobile teams significantly contributes to strengthening co-ordination between the relevant stakeholders (Ministry of the Interior, MLSP and NGOs).

More information about GRETA and North Macedonia



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 September 2009

- ▶ 2014: 1st evaluation report
- ▶ 2017: 2nd evaluation report
- ▶ 2022: 3rd evaluation report



Norway

In its first report (2013), GRETA considered that the Norwegian authorities should strengthen their efforts to provide assistance to victims of trafficking, including safe and suitable temporary accommodation. In 2015 the Norwegian Parliament established a new grant scheme of 7 000 000 NOK (about 763 000 Euros) for measures to prevent trafficking in human beings and provide support to victims of trafficking, managed by the Ministry of Justice and Public Security. In May 2016 the Salvation Army opened a shelter in the Oslo area with four beds for male victims of trafficking and/or couples, with funding from the new grant scheme.

With a view to improving access to compensation for victims of trafficking, a brochure was issued with information on compensation for victims of crime and the services provided by the Service for Victims of Crime, which is available in eight foreign languages. The regional offices of the Service for Victims of Crime provide advice to victims, including victims of trafficking, on how to seek compensation for injuries suffered and support witnesses before, during and after court proceedings.

In its first report, GRETA considered that the Norwegian authorities should strengthen their efforts to ensure that crimes related to human trafficking are investigated and prosecuted promptly and effectively. In the 2015 Guidelines of the Director of Public Prosecutions, it is stated that trafficking in human beings should be considered a priority area for the prosecution authorities and that investigations in this context need to focus more on financial investigations, including by means of strengthened co-operation with financial institutions.

In the light of GRETA's second report (2017) recommendation to intensify efforts to prevent child trafficking, a central guidance unit for child victims of trafficking was established within the Norwegian Directorate for Children, Youth and Family Affairs in September 2019. It works on improving procedures for the identification of children that are victims of trafficking, provides guidance, training and capacity-building activities, and supports and strengthens the coordination between different authorities in protection of child victims of trafficking.

■ Following GRETA's second report, seven inter-agency centres against work-related crime (A-Krim centres), which include the Norwegian Labour Inspection Authority, were set up and collaborate with the 12 anti-trafficking police units on the detection of cases of trafficking for the purpose of labour exploitation.

■ To increase awareness of THB for the purpose of labour exploitation among migrant workers, the Norwegian Labour Inspection Authority produced information materials in Norwegian and seven other languages for migrant and posted workers in Norway, which are available in the form of leaflets and online.

More information about GRETA and Norway



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 May 2008

- ▶ 2013: 1st evaluation report
- ▶ 2017: 2nd evaluation report
- ▶ 2022: 3rd evaluation report



Poland

The legal provisions related to the recovery and reflection period and residence permits for victims of trafficking evolved since GRETA's first evaluation (2013), following amendments to the Law on Foreigners adopted in December 2013 (in force since 1 May 2015). The amendments introduced a certificate for third-country victims of trafficking confirming that the holder is a presumed victim of trafficking and in that capacity may remain in Poland for three months (four months in the case of children). The law also extended the maximum validity of the residence permit granted to victims who co-operate with the law enforcement agencies to three years and introduced the possibility to obtain a permanent residence permit.

■ In order to improve the identification of child victims of trafficking in human beings, a document entitled "Algorithm of Identification of Child Victims of Trafficking in Human Beings and Conduct of Police and Border Guard Officers" was issued in mid-2015. Pursuant to it, identification cannot be based only on information provided by the child, but must be supplemented by an in-depth analysis of the child's situation and circumstances, and hearings of presumed child victims must be performed in a child-friendly environment.

■ In its second report (2017), GRETA recommended that the Polish authorities take further measures to prevent and combat human trafficking for the purpose of labour exploitation, and in particular review and assess the system of "statements of intention to employ", and provide the National Labour Inspectorate with necessary resources and further training. Following amendments to the Law on the Promotion of Employment and Labour Market Institutions and certain other acts, the "statement of intention to employ," which enabled nationals of several countries to get work visas for Poland, was replaced by a "declaration on entrusting work to a foreigner", and the validity of the work visa was increased from six to 24 months. A Handbook on "Forced Labour: How to Recognise and Counteract It" was published in October 2020 with a view to helping employers reduce risks and counter consequences of forced labour in their operations. Further, "Guidelines for labour inspectors on the methodology of carrying out inspection activities in cases of suspected

trafficking in human beings, in particular forced labour” were issued in 2021. Two-day training on THB is organised annually by the Labour Inspectorate Training Centre.

■ In its second report, GRETA considered that additional steps should be taken to provide assistance to victims, and to ensure that sufficient funding is made available when the assistance is delegated to NGOs or local authorities. In 2023 the budget of the National Consulting and Intervention Centre for Victims of Trafficking (KCIK) was increased by almost 40% to PLN 1,500,000 (about 320,000 euros).

■ In its second report, GRETA urged the Polish authorities to ensure that all foreign victims of trafficking, including EU/EEA nationals, are consistently offered a recovery and reflection period. The Law of 20 December 2020 amending the Law of 14 July 2005 on Entering the Territory of Poland extended the possibility to issue a certificate of a presumed victim of trafficking to European Economic Area (EEA) and Swiss nationals. Further, the Law of 24 November 2017 amending the Law on Foreigners introduced the possibility to grant a temporary residence permit to child victims of THB regardless of their co-operation with the authorities.

More information about GRETA and Poland



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 May 2009

- ▶ 2013: 1st evaluation report
- ▶ 2017: 2nd evaluation report
- ▶ 2023: 3rd evaluation report



Portugal

In accordance with GRETA's first report (2012) recommendations, Article 160 of the Criminal Code ("trafficking in persons") was amended by adding to the list of forms of exploitation slavery, forced begging and the exploitation of other criminal activities, as well as adding a list of aggravating circumstances. Further, a paragraph was added stating that the victim's consent to the offences set out in Article 160 does not exclude the wrongfulness of the act.

Law No. 23/2007 on the Entry, Stay, Exit and Removal of Foreigners from Portugal was amended by introducing a new provision, Article 185-A, stipulating the punishment of an employer or user of the work or services of an irregular foreign citizen, with the knowledge that he/she is a victim of offences related to human trafficking.

An evaluation of the implementation of the second National Action Plan against Trafficking in Human Beings was carried out by the University of Minho and the evaluation results were taken into consideration in the development of the third National Action Plan.

As a follow-up to GRETA's first report recommendations, a revision of the National Referral Mechanism (NRM) was carried out, taking into account new trends and enabling the adaptation of the NRM procedures to the legislative and institutional changes. The revised NRM was approved in 2014. Four more regional multi-disciplinary teams for the support and protection of victims of trafficking were set up, in addition to the one in Porto which existed at the time of GRETA's first evaluation, based respectively in Coimbra, Lisbon, the Alentejo and the Algarve region.

Acting on GRETA's second report (2016) recommendation to improve the identification of child victims, in May 2021, the authorities introduced a new National Referral Mechanism (NRM) for child victims of trafficking which establishes procedures the goal of which is to ensure that the best interests of the child are guaranteed throughout the procedure, by strengthening the

co-operation and training of all professionals involved in the identification process.

■ In its second evaluation report, GRETA recommended that the authorities provide adequate support and services which are adapted to the needs of child victims of trafficking, including appropriate accommodation. In view of implementing this recommendation, the Portuguese authorities set up in 2018 a shelter for child victims of trafficking, with a capacity of seven places, located in the region of Coimbra and managed by the NGO Akto.

■ With a view to improving the criminal justice response to human trafficking, as recommended previously by GRETA, the General Prosecutor's Office issued specific guidance for investigating human trafficking cases.

■ The number of specialised shelters for victims of THB in Portugal increased from one at the time of the first GRETA evaluation, to five at the time of the third evaluation (two for female victims, two for male victims, and one for children).

More information about GRETA and Portugal



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 June 2008

- ▶ 2012: 1st evaluation report
- ▶ 2016: 2nd evaluation report
- ▶ 2022: 3rd evaluation report



Romania

In accordance with the recommendations made in GRETA's first report (2012), additional measures were made to provide training to relevant professionals and to expand the categories of staff targeted, by including professionals working with children and health-care staff. The training provided to the Border Police contributed to the detection of victims of human trafficking by border guards.

In its first report on Romania, GRETA urged the Romanian authorities, including the entities responsible in the field of ensuring respect of the labour legislation, to conduct proactive investigations concerning trafficking offences. In its second report on Romania, GRETA welcomed the high rate of convictions for human trafficking. In the investigation of cases of transnational trafficking, Romanian law enforcement agencies have co-operated with the authorities of other countries through the exchange of information, requests for legal assistance and the conclusion of joint investigation teams (JITs).

The setting up of the National Agency for the Management of Seized Assets was a step towards implementing GRETA's recommendation to review the system of confiscation of assets in order to reinforce its effective implementation to trafficking-related offences.

As a follow up to GRETA's second report (2016), amendments were made to the Criminal Code to increase the minimum penalty for trafficking in children and introduce new aggravating circumstances to this offence.

A Monitoring Committee following the implementation of the National Strategy for Combating THB and a working group on victim assistance were created, and the National Identification and Referral Mechanism was updated in 2019.

Following GRETA's second evaluation report, a mechanism for the identification of vulnerable asylum seekers, including victims of trafficking in human beings, was put in place.

More information about GRETA and Romania



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 February 2008

- ▶ 2012: 1st evaluation report
- ▶ 2016: 2nd evaluation report
- ▶ 2021: 3rd evaluation report



San Marino

In line with a recommendation made in GRETA's first report (2014), the Law on the Entry and Stay of Foreigners was amended, enabling the issuing of renewable residence permits to victims of trafficking in human beings for humanitarian reasons and/or for the purpose of their co-operation in the investigation or criminal proceedings.

In GRETA's first report, concerns were raised about the potential vulnerability to human trafficking and exploitation of migrant workers employed as private carers ("*badanti*"). Subsequently, amendments were made to the Law on the Entry and Stay of Foreigners, and a dedicated helpdesk to provide private carers with information on their rights was set up.

Through the adoption of Law No. 57 on 6 May 2016, the authorities extended the available assistance measures to all victims of violence (women, men and children), including victims of human trafficking.

More information about GRETA and San Marino



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 March 2011

- ▶ 2014: 1st evaluation report
- ▶ 2018: 2nd evaluation report



Serbia

As a follow-up to GRETA's first report recommendations (2013), the Serbian authorities set up the Office for Co-ordinating Action against Trafficking in Human Beings, headed by the National Co-ordinator and comprising four police officers.

■ In its first report, GRETA considered that the authorities should strengthen the implementation of the non-punishment provision of the Convention. To implement this recommendation, a working group consisting of a judge, a prosecutor and an academic drew up guidelines for judges, prosecutors and police officers on the non-punishment provision.

■ To address GRETA's concerns raised in the first evaluation report, the Serbian authorities took measures to strengthen the protection of victims of human trafficking from retaliation or intimidation in the course of judicial proceedings. Courts have increasingly applied the status of "especially vulnerable witnesses" to victims of human trafficking, which has resulted in limiting the face-to-face examination ("direct confrontation") of victims and defendants.

■ In its first evaluation report, GRETA urged the Serbian authorities to provide access to public health care for victims of trafficking. The Law on Health Care, adopted in 2019, stipulates that victims of trafficking are entitled to health care and that the costs of health services provided to foreigners who are victims of THB shall be covered from the state budget. According to the Law on Health Insurance, also adopted in 2019, victims of THB shall be considered as insured, regardless of whether they meet the conditions for insurance under the law.

■ Following GRETA's second evaluation (2017), the position of National Rapporteur on Trafficking in Human Beings was established in Serbia, pursuant to the new Law on the Ombudsman adopted in November 2021, according to which the function of National Rapporteur shall be fulfilled by the Ombudsman (Protector of Citizens).

■ Pursuant to the new Law on Foreigners, adopted in March 2018 and amended in April 2019, victims of trafficking can be granted a temporary residence permit for humanitarian reasons, regardless of whether or not they

co-operate with investigative authorities. Moreover, the law provides for a recovery and reflection period of 90 days for presumed victims of trafficking.

More information about GRETA and Serbia



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 August 2009

- ▶ 2013: 1st evaluation report
- ▶ 2017: 2nd evaluation report
- ▶ 2023: 3rd evaluation report



Slovak Republic

In the light of GRETA's recommendation made in the first report (2011), the Slovak authorities adopted new terms of reference of the Expert Group for the Area of Combating Trafficking in Human Beings and introduced a procedure for selection of NGOs to participate in the work of the Expert Group.

Following up on GRETA's first report recommendations, the Ministry of the Interior adopted a new Regulation No. 180/2013 which set out the procedure for the formal identification of victims of trafficking, with a view to enabling their access to state-funded assistance.

As recommended in GRETA's first report, the Slovak authorities introduced a legal provision concerning the non-punishment of victims of trafficking who have been compelled to be involved in unlawful activities.

Following GRETA's second evaluation report (2015), victims of human trafficking were defined in law as particularly vulnerable victims and were given a number of additional rights, including to be protected from secondary or repeated victimisation, and to receive state compensation.

To address GRETA's previous recommendations, a methodological tool for the provision of assistance to victims of trafficking was issued, with a special focus on children and foreigners.

The National Labour Inspectorate prepared a methodological guideline for labour inspectorates on how to detect illegal employment, which lists indicators for human trafficking and defines referral steps that labour inspectors should follow in case of detecting presume victims of trafficking.

More information about GRETA and Slovak Republic



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 February 2008

- ▶ 2011: 1st evaluation report
- ▶ 2015: 2nd evaluation report
- ▶ 2020: 3rd evaluation report



Slovenia

As recommended by GRETA in its first report (2013), the Criminal Code was amended to criminalise the retaining, removing, concealing, damaging or destroying of identity documents of victims of trafficking in human beings. Further, the use of services provided by a victim of trafficking in human beings, with the knowledge that the person concerned is a victim, was also criminalised. Moreover, victims of trafficking holding a temporary residence permit were granted access to the labour market.

■ As a follow-up to GRETA's first report recommendations, the victim identification procedures was formalised in the Manual on the Identification, Assistance and Protection of Victims of Trafficking in Human Beings, which was approved by the Slovenian Government in 2016. The manual defines the role and tasks of relevant public bodies and NGOs and contains indicators for the identification of trafficking in human beings for different forms of exploitation.

■ In its first report, GRETA urged the Slovenian authorities to ensure that safe and suitable accommodation is provided to victims of trafficking beyond the five-day period of emergency assistance, depending on their needs. With a view to implementing this recommendation, the crisis accommodation programme for victims of trafficking was extended to 30 days, regardless of whether victims co-operate in the investigation.

■ The increase in the staff dedicated to national coordination of action against THB was one of the key recommendations made in GRETA's second report (2017). In November 2018 the Anti-Trafficking Service was established within the Ministry of the Interior to support the National Anti-Trafficking Co-ordinator and ensure inter-ministerial cooperation and coordination of activities in the field of preventing and combatting THB. As of June 2022, it had a staff of four (up from one in 2019).

■ Article 113 of the Slovenian CC, which criminalises THB, was amended on 27 January 2023 to explicitly include begging and practices similar to slavery as forms of exploitation, and to add a sixth paragraph specifically on THB committed by officials or civil servants in the performance of their official duties.

■ In its second evaluation report, GRETA urged the Slovenian authorities to review the legislation in order to ensure that all foreigners for whom there are reasonable grounds to believe that they are victims of THB, including EU citizens, are provided with a recovery and reflection period. GRETA also invited the Slovenian authorities to grant temporary residence permits to victims of THB on the basis of their personal situation. In October 2017, Article 50 of the Aliens Act was amended to remove the condition that a trafficking victim's testimony is considered important by the authority conducting the criminal case in order to obtain a temporary residence permit. Further, in March 2021, the possibility for victims of THB to be issued a temporary residence permit owing to their personal situation was added to the existing grounds for a residence permit for the purpose of participation in the criminal proceedings.

■ In its second report, GRETA considered that the authorities should guarantee access to public health care to all victims of THB. In July 2021 the Inter-ministerial Working Group for Combating Trafficking in Human Beings adopted a decision according to which the Ministry of Health, on the proposal of the National Anti-Trafficking Co-ordinator, can issue victims of THB with a certificate stating that they are entitled to non-urgent medical care (medication) at the discretion of a doctor.-

More information about GRETA and Slovenia



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 January 2010

- ▶ 2013: 1st evaluation report
- ▶ 2017: 2nd evaluation report
- ▶ 2023: 3rd evaluation report



Spain

A number of legislative developments took place since GRETA's first evaluation report (2013), in line with GRETA's recommendations. The list of means and forms of exploitation in Article 177bis of the Criminal Code, which criminalises human trafficking, was expanded. Amendments were also made to other provisions of the Criminal Code designed to strengthen the prosecution and punishment of traffickers. Moreover, Article 59bis of Organic Law 4/2000 on the Rights and Freedoms of Foreigners in Spain and Their Social Integration was amended, increasing the minimum duration of the recovery and reflection period from 30 to 90 days.

■ After GRETA's first evaluation, in order to facilitate co-ordination and co-operation in the process of identification of victims and guarantee their assistance, new collaboration protocols were developed, such as the Framework Protocol on certain actions related to unaccompanied foreign children, a draft Framework Protocol for the identification and assistance to child victims of trafficking in human beings, as well as regional protocols linked to the Framework Protocol in an increasing number of autonomous communities. Further, "social interlocutors" were designated within the National Police and the Guardia Civil, pursuant to Instruction 6/16 of 15 June 2016 of the State Secretariat for Security, in order to facilitate co-ordination of anti-trafficking activities with civil society and other actors.

■ In its second evaluation report (2017), GRETA urged Spain to adopt a comprehensive National Action Plan on THB, addressing all forms and victims of trafficking. On 22 January 2022, the Spanish Government published the National Action Plan against trafficking in and exploitation of human beings (2021-2023), which was prepared in consultation with relevant stakeholders, including NGOs.

■ In its second report, GRETA urged the Spanish authorities to improve the identification of victims of THB by ensuring that formal identification of victims does not depend on the presence of sufficient evidence for the initiation of criminal proceedings, and strengthening multi-agency involvement in the identification of victims of trafficking by formally recognising the role of specialised

NGOs in the decision-making process. A procedure for the “administrative accreditation” of victims of trafficking was introduced pursuant to the Royal Decree-Law 6/2022 of 29 March 2022 on urgent measures for dealing with the economic and social consequences of the war in Ukraine. It enables territorial public administrations and specialised NGOs to identify victims of trafficking in order to give them access to social assistance measures. The objective of this new procedure is to improve the early identification of victims of trafficking, irrespective of the action of law enforcement authorities, and even before exploitation has effectively occurred. It is not limited to victims of trafficking identified in relation to the war in Ukraine. However, it only concerns victims of trafficking for the purpose of sexual exploitation.

■ With a view to ensuring compliance with the non-punishment provision, the Guidance on judicial proceedings regarding trafficking in human beings, published in 2018 by the National Council of the Judiciary, expressly refers to Article 26 of the Council of Europe Anti-Trafficking Convention and indicates that in order to assess the applicability of the non-punishment provision, the facts committed by victims should be investigated and prosecuted in the same proceedings as the offence of THB. When it is not possible to have a joint prosecution, the proceeding concerning the victim’s criminal liability should be suspended. In case of a final conviction of the victim prior to the end of the proceedings concerning the traffickers, the victim can ask for a review of the process.

More information about GRETA and Spain



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 August 2009

- ▶ 2013: 1st evaluation report
- ▶ 2017: 2nd evaluation report
- ▶ 2023: 3rd evaluation report



Sweden

In its first report (2014), GRETA urged the Swedish authorities to set up a formalised national referral mechanism (NRM). In 2016, the County Administrative Board of Stockholm (CABS) launched a manual on how to act in the case of suspicion of human trafficking, which was developed in co-operation with the International Centre for Migration Policy Development (ICMPD), the National Task Force and the Platform Swedish Civil Society against Human Trafficking. The manual defines the roles and responsibilities of different actors who may come into contact with victims of trafficking with regard to their identification, assistance and protection.

As a follow-up to GRETA's first report recommendations, in 2016 the CABS started funding the National Support Programme, which is implemented by the Platform Swedish Civil Society against Human Trafficking and allows presumed victims of trafficking who have not been formally identified to benefit from different forms of assistance. Further, the first specialised shelter for male victims of trafficking was set up in April 2017 by the Salvation Army.

In its first report, GRETA considered that the Swedish authorities should strengthen their efforts to facilitate and guarantee access to compensation for victims of trafficking. The new Criminal Injuries Compensation Act which entered into force on 1 July 2014 extended the time-limit for applying for compensation. Further, information materials for victims have been made available in different languages by the Crime Victim Compensation and Support Authority.

In its first report, GRETA urged the authorities to ensure that, in practice, access to assistance for victims of THB is not made conditional on their co-operation in the investigation and criminal proceedings. In 2016, the Swedish authorities started financing the National Support Programme (NSP), which is implemented by the Platform Swedish Civil Society against Human Trafficking. Presumed victims of THB who have not necessarily been formally identified by the police and granted a recovery and reflection period can be included in this programme. Assistance is provided for an initial 30 days, with the possibility of extension for another 90 days. Beyond this period, the NSP can

provide partial support for another 90 days, as well as financial assistance for an additional 45 days to facilitate the victim's re-integration upon return to their country of origin. GRETA was informed that the government provided SEK 2.5 million (around EUR 223,000) to the National Support Programme in 2022, up from SEK 2 million in 2021.

■ In the years following GRETA's second evaluation (2018), the Swedish authorities placed increased emphasis on the prevention and combating of trafficking for the purpose of labour exploitation, with a focus on inter-agency co-operation. In 2018, the Gender Equality Agency, the Work Environment Authority and seven other government agencies were mandated by the Swedish Government to develop methods to jointly address THB for the purpose of labour exploitation, including the preparation of two public information campaigns. In February 2022, these nine agencies were tasked with formalising their co-operation by establishing regional centres against labour criminality (AKC) in the seven regions of Sweden.

■ In its second evaluation report, GRETA urged the Swedish authorities to pay increased attention to the identification of victims of trafficking among asylum seekers, migrants and persons placed in detention centres. The Gender Equality Agency issued a revised NRM Manual in 2019 providing a list of indicators for the identification of victims of THB. Since 2019, Government's Ordinance (2019:502) for the Swedish Migration Agency (SMA), which decides on applications for international protection and grants residence permits, provides that the SMA shall contribute to the work against THB and similar crimes. The SMA has developed internal procedures to be followed by case officers in case of suspected THB, as well as information guidelines on THB for appointed guardians of unaccompanied children. Further, the SMA has provided training on THB to its employees, including staff of migration centres and SMA regional co-ordinators.

More information about GRETA and Sweden



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 September 2010

- ▶ 2014: 1st evaluation report
- ▶ 2018: 2nd evaluation report
- ▶ 2023: 3rd evaluation report



Switzerland

The second National Action Plan to Fight Human Trafficking (2017-2020) reflects many of GRETA's first report (2015) recommendations and involves the setting up of a number of thematic working groups (e.g. on victim protection, on asylum and human trafficking, on the development of guidelines and procedures for victim identification, on the development of checklists with human trafficking indicators).

■ In its first report, GRETA noted that few awareness-raising measures had taken place in Switzerland, depending on the initiative of individual cantons, and considered that the Swiss authorities should carry out information and awareness-raising campaigns on different forms of THB, with a special attention to raising awareness of THB for the purpose of labour exploitation and child trafficking. The Swiss authorities made efforts to raise public awareness of human trafficking, in co-operation with IOM, civil society and the private sector. A campaign to raise awareness among medical staff was launched in 2018 with a view to improving the identification of possible victims, in particular in emergency departments.

■ In line with a recommendation made in GRETA's first report, the number of places in shelters providing specialised assistance to victims of trafficking, including men, was increased.

More information about GRETA and Switzerland



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 April 2013

- ▶ 2015: 1st evaluation report
- ▶ 2019: 2nd evaluation report



Ukraine

Following GRETA's first report (2014) recommendation to improve the co-ordination of anti-trafficking activities, the Interdepartmental Council for Family, Gender Equality, Demographic Growth, Prevention of Family Violence and Combating Trafficking in Human Beings re-convened in March 2016 to discuss, *inter alia*, the strengthening of the National Referral Mechanism and the implementation of Ukraine's commitments in the anti-trafficking area. At regional level, interdepartmental anti-trafficking councils have been set up across the country, bringing together a range of relevant actors, including civil society.

■ Specialised anti-trafficking units of the National Police were set up in all regions of Ukraine and prosecutors specialised in procedural oversight of criminal proceedings for human trafficking offences were designated in many of the country's regions. The Prosecutor General and the Ministry of the Interior prioritised the fight against trafficking in human beings and the strengthening of inter-agency co-operation, which resulted in an increase in the number of investigations into human trafficking cases.

■ As a follow-up to GRETA's first report recommendations, steps were taken to improve the capacity of relevant actors at local level to identify victims of human trafficking and apply the National Mechanism of Interaction, resulting in an increased number of persons granted the status of victims of trafficking.

More information about GRETA and Ukraine



Entry into force of the Council of Europe
Anti-Trafficking Convention: 1 March 2011

- ▶ 2014: 1st evaluation report
- ▶ 2018: 2nd evaluation report



United Kingdom

Following GRETA's first evaluation (2012), several important legal developments regarding action against human trafficking took place in the UK and its different jurisdictions, reflecting a number of the recommendations made by GRETA. In October 2013 the UK Government introduced the Modern Slavery Bill, which became an Act in 2015. In addition to increasing the maximum sentence for human trafficking to life imprisonment, the new legislation introduced provisions for slavery and trafficking prevention orders and made it easier to confiscate the assets of traffickers and use them to compensate victims. Further, the Act created a new statutory defence for victims who have been compelled to commit offences. Moreover, it established the office of an Independent Anti-Slavery Commissioner and made provision for the prevention of modern slavery in supply chains.

■ In April 2014, the UK Government commissioned a review of the National Referral Mechanism (NRM), in line with a recommendation made by GRETA in its first evaluation report. Following the review, the NRM decision-making and the asylum procedure were separated.

■ To address GRETA's concerns raised in the first evaluation report, new regulations were adopted to ensure the protection of victims of human trafficking during criminal proceedings and prevent secondary victimisation.

■ Following GRETA's second evaluation report (2016), the NRM was reformed in order to improve victim identification and support, including the setting up of a Single Competent Authority and independent multi-agency panels of experts to review negative identification decisions.

■ To improve victim assistance as recommended by GRETA, the support for confirmed victims in England and Wales was increased from 45 days to a minimum of 90 days through the Modern Slavery Victim Care Contract. In April 2020, a new Statutory Guidance under section 49 of the Modern Slavery Act was published, setting out the roles and responsibilities of actors involved in the NRM, explaining the different steps of the decision-making process, and defining for the first time the full range of support available to victims.

■ In its second report, GRETA recommended that possible child victims of trafficking are assigned a legal guardian as expeditiously as possible. The Independent Child Trafficking Guardian service has been made operational in two third of local authorities in England and Wales.

More information about GRETA and United Kingdom



Entry into force of the Council of Europe Anti-Trafficking Convention: 1 April 2009

- ▶ 2012: 1st evaluation report
- ▶ 2016: 2nd evaluation report
- ▶ 2021: 3rd evaluation report

The 2005 Council of Europe Convention on Action against Trafficking in Human Beings is the first international legal instrument to adopt a human rights-based approach to combating human trafficking. Its implementation is being monitored by the Group of Experts on Action against Trafficking in Human Beings (GRETA), which issues country-by-country reports tracing the evolution of efforts to combat trafficking in human beings, and identifying gaps in the implementation of the Convention as well as good practices.

On the basis of GRETA's reports, the Committee of the Parties to the Convention adopts recommendations, requesting States Parties to report back on the steps taken to implement them.

This publication provides a selection of examples of situations where States Parties to the Convention have taken measures to improve their legislation, policy and practice in the light of GRETA's reports and the Committee of the Parties' recommendations. The monitoring work of GRETA has been an integral contributing factor to these changes.

www.coe.int

The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

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