



**Committee of the Parties  
to the Council of Europe Convention  
on Action against Trafficking in Human Beings**

**Recommendation CP/Rec(2019)04  
on the implementation of the Council of Europe Convention  
on Action against Trafficking in Human Beings  
by Andorra**

*adopted at the 25th meeting of the Committee of the Parties  
on 18 October 2019*

The Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to as "the Convention"), acting under the terms of Article 38(7) of the Convention;

Having regard to the purposes of the Convention to prevent and combat trafficking in human beings, while guaranteeing gender equality, protect the human rights of victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, ensure the effective investigation and prosecution of the offences related to trafficking in human beings, and promote international co-operation;

Bearing in mind the provisions of Article 36(1) of the Convention concerning the monitoring role of the Group of Experts on Action against Trafficking in Human Beings (GRETA) in the implementation of the Convention;

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Andorra on 23 March 2011;

Recalling Committee of the Parties' Recommendation CP(2014)14 of 5 December 2014 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Andorra and the report of the Andorran authorities on measures taken to comply with this recommendation, submitted on 5 December 2016;

Having examined the second report concerning the implementation of the Convention by Andorra adopted by GRETA at its 34th meeting (18-22 March 2019), as well as the comments of the Andorran Government received on 4 June 2019;

1. Welcomes the progress made by Andorra since the first round of evaluation in the following areas:

- the development of the legal framework for combating trafficking in human beings (THB), with the adoption of the Law on measures for action against trafficking in human beings and protection of victims, as well as legal developments in the areas of immigration and asylum;
- the adoption of an Action Protocol for the protection of victims of trafficking in human beings, aimed at ensuring co-ordination amongst the various stakeholders;
- the measures taken to facilitate the identification of victims of trafficking, through the provision of a list of questions in the appendix to the Action Protocol;

- the efforts made in terms of awareness-raising, via the publication of leaflets disseminated to the general public, and the provision of a free telephone number;
- the introduction in law of a recovery and reflection period of three months, renewable once, during which victims of trafficking cannot be subjected to any administrative police measures, detained or expelled;
- the assignment of a legal guardian to unaccompanied children, following the steps laid down in the Protocol signed with the Accommodation Centre for Children and Young People.

2. Recommends that the Andorran authorities take measures to address the following issues for immediate action identified in GRETA's report:

- adopt some form of strategic policy document, focusing on prevention measures, raising awareness of THB and providing training to relevant professionals, or incorporate such measures of prevention of human trafficking in the Action Protocol or in an existing national action plan, and ensure that adequate resources are allocated and that a precise time-table for its implementation is established;
- continue to take steps aimed at preventing THB for the purpose of labour exploitation, including by:
  - raising awareness among the professionals concerned (police officers, labour inspectors, tax officials, prosecutors, judges) of this form of human trafficking and the rights of victims;
  - raising awareness among the general public and, in targeted initiatives, migrant workers of the risk of trafficking for the purpose of labour exploitation;
  - ensuring that the terms of reference of labour inspectors enable them to contribute to preventing and detecting cases of trafficking for the purpose of labour exploitation, including within households;
  - working in close collaboration with trade unions, civil society and the private sector to raise awareness of trafficking for the purpose of labour exploitation, and strengthen corporate social responsibility, drawing on the Guiding Principles on Business and Human Rights and Recommendation CM/Rec(2016)3 on human rights and business;
- take the necessary measures to transcribe all the purposes of trafficking in human beings set out in the Convention in domestic law, in particular trafficking for the purpose of forced labour or services;
- consider trafficking of children, i.e. of every person of less than 18 years of age, as an aggravating circumstance, in accordance with Article 24 of the Convention;
- adopt legislative measures allowing for the possibility of holding legal persons criminally liable for the offences provided for in the Convention, in conformity with Article 22.

3. Requests the Government of Andorra to report to the Committee of the Parties on the measures taken to improve the implementation of the Convention in the above-mentioned areas by **18 October 2020**.

4. Recommends that the Government of Andorra take measures to implement the further conclusions of GRETA's second evaluation report.

5. Invites the Government of Andorra to continue the dialogue in progress with GRETA and to keep GRETA regularly informed of the measures taken in response to GRETA's conclusions.