

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

The first international legal instrument which places the protection of the rights of victims at the centre of the fight against human trafficking. Open for accession by non-member States of the Council of Europe.

2005 Adoption
in Warsaw

2008 Entry into
force

2025 48 State
Parties

WHAT IS THE ADDED VALUE OF THE CONVENTION?

- ▶ Recognises human trafficking as a violation of human rights
- ▶ Applies to all victims and all forms of trafficking
- ▶ Focuses on the protection of victims' rights
- ▶ Provides a framework for victim and witness protection
- ▶ Sets up a monitoring mechanism to ensure effective implementation

WHAT ARE THE MAIN PILLARS OF THE CONVENTION?

- PREVENTION
- PROTECTION
- PROSECUTION
- PARTNERSHIP

WHAT RIGHTS DO VICTIMS OF TRAFFICKING HAVE UNDER THE CONVENTION?



IDENTIFICATION

The right to be identified as victims independently of any criminal proceedings against the traffickers.



PROTECTION OF PRIVATE LIFE

Victims' personal data cannot be made public and can only be stored for specific lawful purposes.



ASSISTANCE

Regardless of whether victims co-operate with the criminal investigation, they are entitled to appropriate and secure accommodation, psychological, material and other assistance.



RECOVERY AND REFLECTION PERIOD

Presumed victims are entitled to a recovery and reflection period of at least 30 days to escape the influence of traffickers and/or decide on co-operating with the authorities.



RESIDENCE PERMIT

The right to a renewable residence permit if the victims' personal situation so requires or if they need to stay in the country to co-operate in the investigation or criminal proceedings.



COMPENSATION AND LEGAL ASSISTANCE

The right to information, legal assistance, free legal aid and compensation for the material and non-material damages suffered.



REPATRIATION AND RETURN

Victims' return to their country of origin must take place with due regard for their rights, safety and dignity, and taking into consideration the status of any related legal proceedings.



NON-PUNISHMENT PROVISION

States must provide for the possibility of not imposing penalties on victims of trafficking for their involvement in unlawful activities which they were compelled to commit.



PROTECTION DURING THE INVESTIGATION AND COURT PROCEEDINGS

Victims and their family are entitled to protection from potential retaliation or intimidation.



CHILDREN'S RIGHTS

In addition to the rights that apply to all victims of trafficking, children benefit from special assistance and protection measures that take into account their best interests.

MONITORING MECHANISM

An important added value of the Convention is the monitoring mechanism set up to supervise its implementation. It consists of two pillars and is based on an ongoing dialogue with the State Parties.



GROUP OF EXPERTS ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS (GRETA)

15 independent experts
Multidisciplinary expertise

GRETA periodically evaluates the implementation of the Convention in each State Party. This involves sending questionnaires to the authorities and civil society, visiting the country, and preparing a report with findings and conclusions. GRETA also provides guidance on themes and concepts of the Convention.



COMMITTEE OF THE PARTIES

A political body composed of representatives of the States Parties to the Convention

On the basis of GRETA's reports and conclusions, the Committee of the Parties addresses recommendations to State Parties concerning the measures to be taken to follow up on GRETA's report.

EACH STATE PARTY IS EVALUATED EVERY 4 TO 5 YEARS

1ST ROUND 2010

Focus: Overview of the implementation of the Convention

2ND ROUND 2014

Focus: Impact of measures, child trafficking and new trends

3RD ROUND 2018

Focus: Access to justice and effective remedies

4TH ROUND 2023

Focus: Vulnerabilities to trafficking and use of information and communication technology

HOW DOES THE MONITORING TAKE PLACE?

For each round, GRETA adopts a **questionnaire**, which is sent to the national authorities and civil society.



GRETA organises a **visit to the country** to collect additional information. GRETA adopts a **draft report**, which is sent to the authorities for comments.



Following the receipt of the authorities' comments, GRETA adopts a **final report**, which is published.



The Committee of the Parties adopts **recommendations** based on GRETA's conclusions. Governments report to the Committee of the Parties on **measures taken** to implement them.



GRETA follows up with **additional questions** and/or the organisation of a **round-table** in the country.

THEMATIC WORK BY GRETA

GRETA has issued thematic reports and guidance on:

- ▶ Trafficking for labour exploitation
- ▶ Child trafficking
- ▶ Victim assistance
- ▶ Access to international protection for victims of trafficking
- ▶ Online and technology facilitated trafficking
- ▶ Trafficking in the context of migration
- ▶ Recovery and reflection period

✓ IMPACT OF MONITORING

- ✓ Legislative changes
- ✓ Appointment of national rapporteurs on human trafficking
- ✓ Adoption of anti-trafficking strategies and action plans
- ✓ Improved procedures for identifying victims of trafficking
- ✓ Setting up of specialised shelters
- ✓ Increased funding for victim assistance
- ✓ Training and specialisation of staff



FOR MORE INFORMATION

All country reports, guidance notes and publications are available online



www.coe.int/trafficking
trafficking@coe.int



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE