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

29th meeting of the Committee of the Parties

(Strasbourg, 17 December 2021)

MEETING REPORT

Table of contents

Agenda item 1: Opening of the meeting.....	3
Agenda item 2: Adoption of the draft agenda.....	3
Agenda item 3: State of signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings.....	3
Agenda item 4: Exchange of views with the President of GRETA.....	3
Agenda item 5: Study on online and technology-facilitated human trafficking: presentation by Dr Paolo Campana, Institute of Criminology, University of Cambridge	5
Agenda item 6: Examination of GRETA's reports on the implementation of the Convention on Action against Trafficking in Human Beings by Malta and the United Kingdom (third evaluation round) and adoption of recommendations in respect of these Parties	6
Agenda item 7: Government reports submitted in reply to Committee of the Parties recommendations	7
Agenda item 8: Exchange of information on the situation at the border between Poland, Lithuania, Latvia and Belarus: possible risks with regard to trafficking in human beings.....	7
Agenda item 9: Information on activities aimed at strengthening the implementation of GRETA's conclusions and the Committee of the Parties' recommendations	8
Agenda item 10: Information on the anti-trafficking activities of other international organisations of interest to the Committee of the Parties	9
Agenda item 11: Dates of future meetings.....	9
Agenda item 12: Other business.....	9
Agenda item 13: Adoption of the list of decisions taken	10
Appendix I	11
Appendix II	12
Appendix III	19
Appendix IV.....	22
Appendix V.....	30
Appendix VI.....	31
Appendix VII.....	33
Appendix VIII.....	34

Agenda item 1: Opening of the meeting

1. The Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to respectively as "the Committee" and "the Convention") held its 29th meeting on 17 December 2021 in Strasbourg. Due to the social distancing measures and travel restrictions imposed by the COVID-19 pandemic, the meeting was held in a hybrid format, with some members participating online via the platform KUDO.

2. The Chair of the Committee, Ambassador Christian Meuwly (Switzerland), opened the meeting and indicated that following a consultation of the members of the Committee of the Parties, the Russian Federation had been invited to send a representative to the meeting as an observer, pursuant to Rule 2.c. of the Rules of Procedure of the Committee of the Parties. Further, the Chair noted that the Organization for Security and Co-operation in Europe (OSCE) was also participating in the meeting as an observer.

Agenda item 2: Adoption of the draft agenda

3. The Chair invited the Committee to adopt the draft agenda of the meeting. The agenda, as adopted by the Committee, is set out in Appendix I. The list of participants is set out in Appendix II.

Agenda item 3: State of signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings

4. The Chair noted that since the last meeting of the Committee in June 2021, the Convention had entered into force in respect of Israel, on 1 September 2021.

5. The Chair recalled that the Russian Federation was the only Council of Europe Member State which had not yet acceded to the Convention. He underlined the importance of all Council of Europe member States joining the Convention, and encouraged the Russian Federation to sign and ratify the Convention.

Agenda item 4: Exchange of views with the President of GRETA

6. The Chair invited Ms Helga Gayer, President of the Group of Experts on Action against Trafficking in Human Beings (GRETA), to take the floor for the periodic exchange of views with the Committee.

7. Ms Gayer informed the Committee that since its last meeting, GRETA had held two plenary meetings, respectively in July and November 2021. Furthermore, since September, GRETA had managed to carry out eight country evaluation visits, some of which were long overdue. For example, the visit to Armenia had been repeatedly postponed, due to the political and security situation in the country and the sanitary and travel restrictions imposed as a consequence of the COVID-19 pandemic, and could finally take place in September 2021. Similarly, the second evaluation visit to Belarus had been postponed several times and could eventually take place at the end of September. GRETA's draft report on the second evaluation of Belarus' implementation of the Convention would be discussed at GRETA's next plenary meeting in March 2022, but in the meantime, GRETA was following closely all information about the situation at the border of Belarus with EU countries and its implications for human trafficking.

8. Further, the President of GRETA highlighted the main findings from GRETA's final reports on Malta and the United Kingdom, which were the subject of draft recommendations by the Committee of the Parties at the current meeting.

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9. Ms Gayer also referred to the meeting of National Anti-Trafficking Co-ordinators and Rapporteurs, organised jointly by the Council of Europe and OSCE on 15-16 November 2021 in Strasbourg and online. Representatives of 60 countries - Council of Europe member States and OSCE participating States, as well as three OSCE Mediterranean Partners for Co-operation - had attended the meeting. The topics discussed at the meeting included new developments in combating trafficking for the purpose of labour exploitation, the role of National Action Plans in maximising national anti-trafficking responses, monitoring and evaluation of State's anti-trafficking action, and the provision of support and assistance to victims of trafficking independent of the criminal justice process.
10. Furthermore, GRETA's President referred to the work of the Drafting Committee on Trafficking for the Purpose of Labour Exploitation (DH-TET) entrusted with the drafting of a new recommendation by the Committee of Ministers of the Council of Europe on combating trafficking for the purpose of labour exploitation. DH-TET had already held two meetings, in October and November 2021, and two more meetings were being planned in February and April 2022.
11. As regards GRETA's plans for 2022, Ms Gayer informed the Committee that GRETA aimed to carry out 13 country visits and thus catch up on its evaluation visits programme. She stressed that physical visits were indispensable for a proper evaluation of the situation on the ground, including first-hand contacts with victims and specialists supporting them. In this context, GRETA's President welcomed the decision of the Committee of Ministers to relocate the unspent budget of monitoring bodies to the next four-year Programme and Budget, as well as to temporarily reinforce the Secretariat. Ms Gayer's statement is reproduced in full in Appendix III.
12. The Chair thanked GRETA's President for the comprehensive update on GRETA's activities and opened the floor for questions or comments concerning GRETA's work.
13. Mr Jan Austad of the Ministry of Justice and Public Security of Norway expressed appreciation for the high number of country evaluation visits that GRETA had managed to carry out in recent months, including to Norway. Noting GRETA's ambitious visit plans for 2022, he asked if there would be sufficient staff capacity to carry out 13 country visits.
14. Ambassador Nina Nordström (Finland) expressed hope that the COVID-19 pandemic would not interfere with GRETA's visit plans. Referring to a new study on the relevance of the Istanbul Convention and the Council of Europe Convention on Cybercrime (Budapest Convention) in addressing online and technology-facilitated violence against women, she suggested that attention should be paid to the interface between the Council of Europe Anti-Trafficking Convention and the Istanbul Convention.
15. Ambasssador Joan Forner Rovira (Andorra) noted that the increase in the visits carried out by monitoring bodies as a result of the improvement in the sanitary and travel situation risked creating an extra burden on national administrations, in particular those of small countries. He suggested that there should be more co-ordination between Council of Europe monitoring bodies.
16. Ambassador Marie Fontanel (France) thanked GRETA's President for her presentation and noted with appreciation the work done by GRETA to support individual countries in ensuring that they make progress in the implementation of the Convention. However, she stated that it was difficult for countries to see how they measured up to other countries and how much further they had to go. She suggested that in addition to country-by-country assessments, GRETA should carry out a comparative evaluation of the steps taken by all State Parties to implement the Convention, including with a hierarchy of the difficulties that they face.

17. Ambassador Svetlana Geleva (North Macedonia) underlined the importance of the Convention for her country, which is situated along a migration route. She stressed the need for creating synergies with the OSCE and the UN system, including the Committee on the Elimination of Discrimination against Women (CEDAW). Further, she noted that although the burden of reporting to various international bodies was particularly heavy for small countries, her country's authorities were eager to co-operate with GRETA. She asked if the impact of the COVID-19 pandemic on GRETA's monitoring visits calendar, which had resulted in a five-year cycle of evaluation of State Parties rather than the four-year cycle initially envisaged, risked diminishing the effectiveness of the Convention.

18. The President of GRETA thanked the Committee members for their positive feedback on GRETA's work. In response to the questions put, she noted that the Secretariat had played an important role in ensuring the continuation of the monitoring activities, despite the limitations imposed by the COVID-19 pandemic, and that the dates of country visits were always agreed upon in consultation with the national authorities, aiming to avoid clashes with other monitoring visits. In this connection, Ms Gayer referred to the travel restrictions related to the COVID-19 pandemic faced by some GRETA members from non-EU member states and the need for GRETA to be flexible when appointing rapporteurs for country evaluations. Furthermore, she indicated that GRETA worked at building synergies with other Council of Europe monitoring bodies through periodic exchanges, e.g. with GREVIO, the Lanzarote Committee and the Cybercrime Convention Committee (T-CY). In addition, she affirmed that GRETA had established very good co-operation with all other relevant international bodies, including the UN Special Rapporteur on trafficking in persons, especially women and children, the EU Anti-Trafficking Co-ordinator, the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, and the Council of Baltic Sea States, amongst others. As regards the comparative evaluation of how all State Parties meet their obligations under the Convention, Ms Gayer noted that GRETA had a "hierarchy of recommendations", using three different verbs - "urge", "consider" and "invite" – which correspond to different levels of importance of the recommendation for bringing the party's legislation and/or practice into compliance with the Convention.¹ In relation to the impact of the pandemic on GRETA's monitoring calendar, Ms Gayer noted that many State Parties already had well-established structures to deal with human trafficking and therefore the five-year periodicity of evaluations, while not optimal, did not risk diminishing the effectiveness of the Convention.

19. The Chair thanked GRETA's President for the additional information and responses provided. He referred to the annual co-ordination meetings between the Council of Europe and the OSCE, which provided an opportunity to exchange on activities and priorities. Concerning the facilitation of the travel of GRETA members, the Chair asked if issuing them with diplomatic passports might be a solution, and suggested that this aspect be looked into later on.

Agenda item 5: Study on online and technology-facilitated human trafficking: presentation by Dr Paolo Campana, Institute of Criminology, University of Cambridge

20. The Chair noted that since the Committee of the Parties' last meeting, the study on online and technology-facilitated human trafficking which GRETA had decided to launch earlier this year had been completed. He invited Dr Paolo Campana, University Lecturer in Criminology and Complex Networks at the University of Cambridge, to present a summary of the findings and recommendations contained in the report drafted as a result of the study.

¹ See GRETA's 9th General report for an overview of the implementation of the Convention, along 34 indicators, by the State Parties which have completed the second evaluation round. <https://rm.coe.int/9th-general-report-on-the-activities-of-greta-covering-the-period-from/16809e169e>

21. Dr Campana indicated that responses to the questionnaire prepared for the purpose of the study had been received from 40 State Parties, 12 NGOs and 2 tech companies. The study offered a systematic assessment of the evidence base, in addition to a comprehensive literature review of a variety of sources. He highlighted the structural changes which technology has produced in the way offenders operate, which require State Parties to adapt and equip their law enforcement agencies and criminal justice system with capabilities in step with this (constantly) changing environment. Dr Campana presented a summary of the challenges posed by technology on the investigation of human trafficking cases, which included in the first place data encryption, followed by the large volume of data, the speed of technological change, the lack of technical equipment and inadequate legislative tools. As regards challenges to the prosecution, the main one was obtaining evidence from other countries, followed by lack of training among prosecutors, inadequate legislative tools and assistance from the private sector. Dr Campana highlighted some of the recommendations of the study, in particular the need to invest in the human capital and organise joint training activities, the importance of building synergies between the Council of Europe Anti-Trafficking and Cybercrime Conventions, and improving international co-operations and data-sharing procedures. Further, he stressed the need for shared ethical guidelines in the light of the European Convention on Human Rights. Dr Campana's PowerPoint presentation is reproduced in Appendix IV.

22. The Chair thanked Dr Campana for his presentation and stressed the importance of synergies with the second protocol to the Budapest Convention and further co-operation with T-CY. He also expressed the view that in its next monitoring round, GRETA could examine some of the issues covered by the report, for example the training provided to prosecutors.

Agenda item 6: Examination of GRETA's reports on the implementation of the Convention on Action against Trafficking in Human Beings by Malta and the United Kingdom (third evaluation round) and adoption of recommendations in respect of these Parties

23. The Chair noted that GRETA's final reports concerning Malta and the United Kingdom had been made public and that the draft recommendations to be adopted by the Committee of the Parties concerning these countries followed the model of recommendations under the third evaluation round. The recommendations requested the authorities to report on measures taken to address a number of urgent issues within two years of the adoption of recommendations by the Committee of the Parties.

6.1 Draft recommendation to be adopted in respect of Malta

24. The Chair invited the Committee to consider the draft recommendation concerning Malta.

25. Ambassador Lorenzo Vella (Malta) thanked GRETA and the Secretariat for the comprehensive report, and expressed his country's readiness to continue strengthening the implementation of the Convention. He noted that combating human trafficking had become a priority for Malta in recent years, and referred to the preparation of a new national strategy which will provide guidance on child-friendly justice. His statement is reproduced in full in Appendix V.

26. The Committee adopted the recommendation in respect of Malta and decided to request the Maltese Government to inform it of measures taken to comply with this recommendation by 17 December 2023.

6.2 Draft recommendation to be adopted in respect of the United Kingdom

27. The Chair invited the Committee to consider the draft recommendation concerning the United Kingdom.

28. Mr Matthew Richmond of the Home Office's Modern Slavery Unit expressed appreciation for the detail and rigour of GRETA's report. He noted that the UK authorities accepted the recommendations made in the report and had already started working on their implementation. The UK intended remaining a world leader in the fight against human trafficking and there were plans to review the Modern Slavery Strategy in order to cover issues such as victims' access to justice and victim support.

29. The Committee adopted the recommendation in respect of United Kingdom and decided to request the UK to inform it of measures taken to comply with this recommendation by 17 December 2023.

Agenda item 7: Government reports submitted in reply to Committee of the Parties recommendations

30. The Vice-Chair of the Committee, Ambassador Marie Fontanel (France) noted that, since the previous meeting of the Committee, reports concerning the steps taken to implement previous Committee of the Parties' recommendations had been submitted by the government of Turkey, in the context of the first evaluation round of the Convention, and the government of Liechtenstein, in the context of the combined first and second evaluation round of the Convention. The Vice-Chair invited the representatives of the countries concerned to take the floor concerning their authorities' replies to the Committee of the Parties' recommendations.

31. On behalf of Liechtenstein, Mr Claudio Nardi, Counsellor at the Office for Foreign Affairs, stated that the Liechtenstein Government had mandated the Ministry for Home Affairs, Economy and Environment to draft a recommendation, due by March 2022, on the setting up of a working group to examine issues of labour and social security law with regard to vulnerable groups of workers. Mr Nardi also referred to the launch of the "Liechtenstein Initiative on Finance against Slavery and Trafficking" (FAST) as well as other activities supported by Liechtenstein in the area of combating human trafficking. Mr Nardi's statement is reproduced in full in Appendix VI.

Agenda item 8: Exchange of information on the situation at the border between Poland, Lithuania, Latvia and Belarus: possible risks with regard to trafficking in human beings

32. The Chair recalled that one of the functions of the Committee of the Parties, as set out in Rule 1 of the Rules of Procedure of the Committee of the Parties, is to act as an international observatory on the prevention and combating of human trafficking, and for this purpose the Committee may hold debates on different aspects of trafficking in human beings. The Chair noted that in recent months, there had been worrying reports about the presence of thousands of migrants on Belarus' border with Poland, Latvia and Lithuania. Some of these reports had referred to human trafficking taking place and the multiplication of attempts to cross the border increased the risks of human trafficking. The Chair indicated that the inclusion of this agenda item in the meeting provided an opportunity to hold an exchange of information and seek ways to strengthen co-operation between State Parties to prevent and combat human trafficking. The Chair invited members of the Committee of the Parties to take the floor.

33. Mr Dariusz Bogucki, Deputy Director of the Department for International Affairs and Migration of the Ministry of the Interior and Administration of Poland, stated that the migrants' issues at the border between Belarus and the EU are part of a hybrid influence instrument. According to him, there was evidence of the Belarusian authorities transporting and escorting migrants towards the EU border, and preventing their return to Belarus. He noted that there had been 38 796 attempts at illegal crossing of Poland's border from the Belarusian side in January-October 2021. In three cases, two girls from Congo and one boy from Guinea had been identified as victims of human trafficking and steps had been taken to initiate proceedings. Mr Bogucki's statement is reproduced in full in Appendix VII.

34. Ms Agnese Zile-Veisberga, Senior Expert at the Ministry of the Interior of Latvia, shared the concerns expressed by the representative of Poland and referred to a “hybrid movement” of people across the border with Belarus. She noted that while the number of migrants attempting to cross the border with Latvia was lower than in the case of Poland and Lithuania, the situation was considered to be at risk and was being kept under scrutiny by the Latvian authorities. Further, she suggested that this discussion be kept on the agenda of the next Committee of the Parties meeting when Latvia may have more information to share.

35. Ms Monika Bimbaitė, Deputy Permanent Representative of Lithuania to the Council of Europe, stated that the massive influx of migrants from Belarus was a cynical instrumentalisation of vulnerable third-country nationals on a large scale for political purposes, amounting to state-sponsored human smuggling or trafficking in persons. She affirmed that this was a well-orchestrated hybrid operation by the Belarusian authorities which organised the travel of vulnerable people from third countries into Belarus and afterwards groups of migrants, including families, pregnant women, and children, were escorted by armed Belarusian security forces towards the borders of EU member states – Lithuania, Latvia and Poland – pushing them to illegally enter the EU. As a result, people were left without documents or right to return home, and many of them were in urgent need of humanitarian assistance. Ms Bimbaitė called for the condemnation of these inhumane actions which put people’s lives in danger, violate international law and disregard fundamental human rights. According to the Ministry of the Interior of Lithuania, no cases of human trafficking had been identified so far, but the situation was being monitored, and international and local co-operation of relevant institutions, NGOs and the Border Guard service was fully-functioning.

36. Mr Nikita Belenchenko, Representative of Belarus to the Council of Europe, asked GRETA’s President for the opinion of GRETA on the issue under discussion. In reply, GRETA’s President noted that the identification of victims of trafficking in mixed migration flows was not easy and could be a lengthy process, which probably explained the low number of identified victims of trafficking reported by the Polish authorities. She stressed that more information was needed in order to assess the risks of human trafficking and that GRETA was concerned by the situation and intended to continue following it through appropriate means.

37. Mr Nikita Belenchenko, Representative of Belarus to the Council of Europe, noted the importance of dialogue and co-operation, and stated that Belarus rejected the allegations of an artificial creation of the situation at the border with the EU. He referred to the engagement of Belarus in international action against trafficking in human beings at the level of the United Nations. Various anti-trafficking projects had been implemented in Belarus by IOM, UNICEF and others, but the funding for them had been stopped by the EU and this prevented the provision of assistance to victims of trafficking. Mr Belenchenko provided statistics related to the first 10 months of 2021, according to which 17 organisers of illegal migration had been detained, 15 criminal cases opened, and some 2 000 foreigners deported. Further, in September 2021, some 30 travel agencies were barred from providing tourist visas at the airport. He also noted that his authorities had facilitated access to the border by IOM, UNHCR and the Belarusian Red Cross.

38. The Committee decided to invite GRETA to take note of the information received and to follow it up, if necessary, in accordance with its Rules of procedure for evaluating implementation of the Convention.

39. GRETA’s President stated that the follow-up action will be discussed as a priority by GRETA’s Bureau, including the possibility of making an urgent request for information and carrying out an urgent visit.

Agenda item 9: Information on activities aimed at strengthening the implementation of GRETA’s conclusions and the Committee of the Parties’ recommendations

40. The Chair gave the floor to the Executive Secretary to update the Committee on co-operation activities.

41. The Executive Secretary informed the Committee of the recent organisation of two round-table meetings, in Turkey and the Czech Republic, to discuss progress in the implementation of the recommendations made by GRETA and the Committee of the Parties in the context of the first round of evaluation of the Convention. She also referred to four co-operation projects in Bosnia and Herzegovina, North Macedonia, Serbia and Turkey, funded under the Horizontal Facility II, a joint programme of the Council of Europe and the European Union, noting that a decision had been taken to continue the projects in North Macedonia and Serbia under the Horizontal Facility III. As regards Bosnia and Herzegovina and Turkey, alternative funding would have to be found to enable the continuation of the projects. A new voluntary contribution had been made to enable the continuation of the project in Kosovo.* The Executive Secretary further recalled that two multi-country project proposals had been put forth for funding. One of the projects focused on the prevention and combating of trafficking for labour exploitation, while the second one concerned strengthening access to justice for victims of human trafficking.

Agenda item 10: Information on the anti-trafficking activities of other international organisations of interest to the Committee of the Parties

42. The Chair invited the Executive Secretary to present information concerning activities of other international organisations in the area of combating trafficking in human beings.

43. The Executive Secretary informed the Committee that the European Commission had recently launched a public consultation on the future of combating trafficking in human beings, which is intended to inform the evaluation and possible revision of the EU Anti-Trafficking Directive. GRETA intended to make a submission and stress that any revision of the EU Anti-Trafficking Directive should be carried out in harmony with the Council of Europe's Anti-Trafficking Convention.

44. Further, the Executive Secretary informed the Committee of the recently held third meeting of Principals of UN agencies and other international organisations which are members of the Inter-Agency Coordination Group against Trafficking in Persons (ICAT). In addition, she referred to a recently published report by the UN Special Rapporteur on trafficking in persons, especially women and children, on trafficking in human beings and terrorism, according to which there is a wide-spread impunity in the field of trafficking linked to terrorism. Within its country evaluation work, GRETA had started asking the national authorities to provide information on measures taken to detect and protect persons trafficked by terrorist organisations.

45. The Executive Secretary also noted that the next OSCE high-level Alliance against Trafficking in Persons conference, to be organised in the spring of 2022, would focus on the provision of assistance to victims of trafficking independently of the criminal justice process. She noted that this topic corresponded to one of the provisions of the Council of Europe's Anti-Trafficking Convention which had been paid particular attention by GRETA throughout its monitoring work.

46. Ambassador Marie Fontanel (France) underlined the importance of State Parties sharing information and practices in the field of combating trafficking on various international platforms.

Agenda item 11: Dates of future meetings

47. The Committee decided to hold its next meeting in June 2022, for example on 10 June 2022. The exact date will be fixed at a later date.

Agenda item 12: Other business

* All references to Kosovo, whether the territory, institutions or population, in this text shall be understood in full compliance with United Nation's Security Council Resolution 1244 and without prejudice to the status of Kosovo.

Agenda item 13: Adoption of the list of decisions taken

48. The list of decisions appears in Appendix VIII.

Appendix I

Agenda

- 1. Opening of the meeting**
- 2. Adoption of the draft agenda**
- 3. State of signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings**
- 4. Exchange of views with the President of GRETA**
- 5. Study on online and technology-facilitated human trafficking: presentation by Dr Paolo Campana, Institute of Criminology, University of Cambridge**
- 6. Examination of GRETA's reports on the implementation of the Convention on Action against Trafficking in Human Beings by Malta and the United Kingdom (third evaluation round) and adoption of recommendations in respect of these Parties**
 - 6.1 Malta**
 - 6.2 United Kingdom**
- 7. Government reports submitted in reply to Committee of the Parties recommendations**

First evaluation round

- 7.1 Turkey**

First/second evaluation round

- 7.2 Liechtenstein**

- 8. Exchange of information on the situation at the border between Poland, Lithuania, Latvia and Belarus: possible risks with regard to trafficking in human beings**
- 9. Information on activities aimed at strengthening the implementation of GRETA's conclusions and the Committee of the Parties' recommendations**
- 10. Information on the anti-trafficking activities of other international organisations of interest to the Committee of the Parties**
- 11. Dates of future meetings**
- 12. Other business**
- 13. Adoption of the list of decisions taken**

Appendix II

List of participants

Members of the Committee of the Parties

Membres du Comité des Parties

ALBANIA / ALBANIE

Ms Sidita Gjipali (*participation online / en ligne*)
Deputy to the Permanent Representative
to the Council of Europe

ANDORRA / ANDORRE

M. Joan Forner Rovira
Ambassadeur Extraordinaire et Plénipotentiaire
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auprès du Conseil de l'Europe

Mme Eva Garcia Lluelles (*participation online / en ligne*)
Chef de la Section des Relations Internationales et
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Département de la Justice et de l'intérieur

ARMENIA / ARMÉNIE

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Chargé d'affaires a.i.
Deputy to the Permanent Representative
to the Council of Europe

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International Monitoring Bodies
Department of Human Rights and Humanitarian Issues
Ministry of Foreign Affairs

AUSTRIA / AUTRICHE

Ms Katharina Enzesberger
Deputy to the Permanent Representative
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Mr Wolfgang Spadinger (*participation online / en ligne*)
Deputy National Coordinator against Trafficking in
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Federal Ministry for European and International Affairs

AZERBAIJAN / AZERBAÏDJAN

Mr Tale Aliyev
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to the Council of Europe

Mr Samir Garayev (*participation online / en ligne*)
Main Department on Combating Human Trafficking
Ministry of Internal Affairs

BELARUS/ BÉLARUS

Mr Nikita Belenchenko
Representative of Belarus
to the Council of Europe

BELGIUM / BELGIQUE

M. Jean-Cedric Janssens de Bisthoven
Ambassadeur extraordinaire et plénipotentiaire
Représentant Permanent
auprès du Conseil de l'Europe

Mme Sarah Van Buggenhout (*participation online / en ligne*)
Attaché
Représentation Permanente
auprès du Conseil de l'Europe

BOSNIA AND HERZEGOVINA/BOSNIE-HERZEGOVINE

BULGARIA / BULGARIE

Ms Maria Spassova (*participation online / en ligne*)
Ambassador
Permanent Representative
to the Council of Europe

Mr Emil Valev (*participation online / en ligne*)
Deputy Permanent Representative
to the Council of Europe

Mr Dobromir Petrov (*participation online / en ligne*)
Chief expert
National Commission for Combating Trafficking in
Human Beings

Ms Ernesta Rousseva (*participation online / en ligne*)
Senior expert
National Commission for Combating Trafficking in
Human Beings

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Ms Narcisa Bećirević
Deputy to the Permanent Representative
to the Council of Europe

CYPRUS / CHYPRE

Mr Kostas Psevdiotis
Deputy Permanent Representative
to the Council of Europe

Ms Tania Charalambidou (*participation online / en ligne*)
Administrative Officer, Directorate of Migration, Asylum
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Ministry of the Interior

CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE

Mr Ondřej Abrham
Deputy Permanent Representative
to the Council of Europe

Mr Adam Gazda (*participation online / en ligne*)
International Cooperation and EU Department
Ministry of Justice

DENMARK / DANEMARK

Mr Erik Laursen (*participation online / en ligne*)
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Permanent Representative
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ESTONIA / ESTONIE

Ms Anu Leps (*participation online / en ligne*)
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Permanent Representative
to the Council of Europe

Ms Hanna Siponen (*participation online / en ligne*)
Ministry of Foreign Affairs

FRANCE

Mme Marie Fontanel (*Vice-Chair / Vice-Présidente*)
Ambassadrice
Représentante Permanente
auprès du Conseil de l'Europe

M. Léopold Stefanini (*participation online / en ligne*)
Adjoint à la Représentante Permanente
auprès du Conseil de l'Europe

Mme Elisabeth Moiron-Braud (*apologised for absence / excusée*)
Secrétaire générale
Mission interministérielle pour la protection des
femmes contre les violences et la lutte contre la traite
des êtres humains

GEORGIA / GÉORGIE

Ms Ekaterine Zodelava
Counsellor
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GERMANY / ALLEMAGNE

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Division 402 – Combating Trafficking in Human Beings
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Federal Ministry for Family Affairs,
Senior Citizens, Women and Youth

Ms Lisa Fischer (*participation online / en ligne*)
Division 402 - Combating Trafficking in Human Beings
and Prostitute Protection Act
Federal Ministry for Family Affairs, Senior Citizens,
Women and Youth

GREECE / GRECE

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Adjoint au Représentant Permanent
auprès du Conseil de l'Europe

Mr Heracles Moskoff (*participation online / en ligne*)
National Rapporteur on Trafficking in Human Beings
Ministry of Foreign Affairs

HUNGARY / HONGRIE

ICELAND / ISLANDE

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Ms Hildur Sunna Pálmadóttir (*participation online / en ligne*)
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IRELAND / IRLANDE

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ISRAEL / ISRAËL

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ITALY / ITALIE**LATVIA / LETTONIE**

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Ms Agnese Zile-Veisberga (*participation online / en ligne*)
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LIECHTENSTEIN

Mr Claudio Nardi (*participation online / en ligne*)
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Office for Foreign Affairs

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CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF THE COUNCIL OF EUROPE / CONGRÈS DES POUVOIRS LOCAUX ET RÉGIONAUX DU CONSEIL DE L'EUROPE

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President
Congress of Local and Regional Authorities
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Mr Mefody Ivanov
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Others / Autres

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

Ms Helga Gayer
President of GRETA

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**Secretariat of the Council of Europe Convention
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Secrétariat de la Convention du Conseil de
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Mr Grégoire Devictor
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Ms Julia Tanner

Appendix III

Statement by Ms Helga GAYER, President of GRETA

Mr Chair, Ladies and Gentlemen,

I am honoured and pleased to participate for the second time in a meeting of the Committee of the Parties for the traditional exchange of views with the President of GRETA.

Since the last meeting of the Committee of the Parties in June 2021, GRETA has held **two plenary meetings**, respectively in July and November. These meetings were “hybrid” events, with the majority of GRETA members physically present, and some attending online, due to the restrictions related to the coronavirus pandemic.

Furthermore, since September, GRETA has managed to carry out **eight country evaluation visits**, some of which were long overdue. For example, the visit to **Armenia** had been repeatedly postponed since early 2020, due to the political and security situation in the country and the sanitary and travel restrictions imposed as a consequence of the pandemic. The visit which finally took place in September 2021 enabled GRETA to hold meetings with relevant governmental and non-governmental actors, collect additional information and examine the practical implementation of adopted measures.

Similarly, the second evaluation visit to **Belarus** was postponed several times and could eventually take place at the end of September. In addition to meeting officials from relevant ministries and agencies in Minsk, GRETA’s delegation travelled to Brest where it met representatives of relevant regional and local authorities. GRETA’s draft report on the second evaluation of Belarus’ implementation of the Convention will be discussed at GRETA’s next plenary meeting in March 2022. In the meantime, GRETA continues to follow closely all information about the situation at the border of Belarus with EU countries and its implications for human trafficking.

Since the last meeting of the Committee of the Parties, GRETA has published final reports on **Malta** and the **United Kingdom**, in the context of the third evaluation round of the Convention, which are the subject of draft recommendations that you will discuss and adopt today. Allow me to highlight the main findings of GRETA from these reports, the thematic focus of which is on victims’ access to justice and effective remedies.

In **Malta**, the legislation has been amended to increase the penalty for human trafficking, exclude from public procurement procedures companies involved in trafficking, and strengthen victims’ access to assistance. A new National Action Plan on Combating Trafficking in Human Beings, covering the period 2020-2023, was adopted. However, despite the possibilities existing in Maltese law to claim compensation, no victim of trafficking has ever been granted compensation, be it from the perpetrators or the State. GRETA urged the authorities to make efforts to guarantee effective access to compensation for victims of trafficking, including by reviewing the eligibility criteria for state compensation. Further, GRETA was concerned by the fact that the majority of prosecutions for human trafficking have resulted in acquittals as well as by the length of criminal proceedings, and urged the Maltese authorities to ensure that human trafficking cases lead to effective, proportionate and dissuasive sanctions. The report also examined progress made on the implementation of previous GRETA recommendations on selected topics. While commending the efforts made to prevent and combat trafficking for the purpose of labour exploitation, GRETA considered the Maltese authorities should encourage law-enforcement officers, labour inspectors and other relevant actors to increase their outreach work to identify victims of trafficking. In the period 2018-2020, a significant number of asylum seekers arrived by boat from Libya in Malta, and GRETA urged the Maltese authorities to take additional steps to proactively identify victims of trafficking by screening asylum seekers for indicators of trafficking upon or swiftly after their arrival.

In the report on the **United Kingdom**, GRETA welcomed the UK authorities' efforts to establish specialised anti-trafficking bodies, their active involvement in international efforts to tackle human trafficking, and the commitment to eliminating human trafficking in business and supply chains, including in the public sector. GRETA noted that the number of possible victims of trafficking referred to the National Referral Mechanism (NRM) had risen from 1 182 in 2012 to 10 613 in 2020. This significant increase is an illustration of the impact of the Modern Slavery Act and other measures taken by the UK authorities to strengthen the identification of victims of trafficking and their referral to assistance. However, as the report demonstrates, increased victim identification can result in bottlenecks if not all parts of the anti-trafficking system are developed in the same way. GRETA urged the UK to speed up the identification of victims of trafficking by funding further recruitment of relevant staff and making the process more efficient. The authorities should also do more to prevent trafficking for labour exploitation, including by strengthening the remit and capacity of labour market inspectorates. GRETA also expressed concern at the low number of convictions compared to the number of identified victims, highlighting insufficient resources, cuts to the criminal justice system and a lack of sustainable support for victims. Whilst welcoming the range of legal avenues available for claiming compensation, GRETA expressed concern at the low number of victims who have actually received compensation from either their traffickers or the state, and urged the authorities to enable all victims of trafficking, including undocumented migrants, to make use of their right to compensation. Finally, GRETA stressed that the UK government's new Plan for Immigration, announced earlier this year, which is accompanied by the Nationality and Borders Bill currently under discussion, must be implemented in line with the UK's commitments under the anti-trafficking convention.

Mr Chair, I would also like to refer to the recent **meeting of National Anti-Trafficking Co-ordinators and Rapporteurs**, organised jointly by the Council of Europe and OSCE, for the fourth consecutive year. Representatives of 60 countries - Council of Europe member States and OSCE participating States, as well as three OSCE Mediterranean Partners for Co-operation - discussed new developments and promising practices in combating trafficking in human beings for the purpose of labour exploitation, which has been the subject of increased attention in many countries, with the adoption of new legislation on due diligence and transparency in companies' supply chains. The need for National Action Plans to build momentum and maximise national anti-trafficking responses was also stressed. In addition, participants examined ways to improve monitoring and evaluation of State's anti-trafficking action. Finally, the meeting highlighted the need to provide support and assistance to victims of trafficking independent of the criminal justice process.

As you know, trafficking for the purpose of labour exploitation will be the focus of a **new recommendation by the Committee of Ministers** of the Council of Europe. The Drafting Committee on Trafficking for the Purpose of Labour Exploitation (DH-TET), placed under the authority of the Steering Committee for Human Rights (CDDH), has already held two meetings – in October and November 2021 – and has made good progress on the drafting of this recommendation. Two more meetings are planned in February and April 2022. GRETA members attend the meetings as "participants" and GRETA's Secretariat is also actively involved in the process.

Human trafficking is a dynamic crime with an ever-growing use of information and communication technologies (ICT). Back in 2007, the Council of Europe commissioned [a study on the misuse of the Internet for the recruitment of victims](#). Since then, the rapidly increasing availability of technology and generalised access to the Internet have significantly changed the landscape: perpetrators of human trafficking offences can work from home and reach out to potential victims in many countries, taking advantage of ICT for recruitment of victims, grooming, financial transactions, advertisement of services, sexual exploitation via live streaming, and to control and monitor the victims. At the same time, digital technologies and Artificial Intelligence create new opportunities, serving as a tool to prevent and investigate crimes, and to identify and assist victims. GRETA has included in its country evaluation reports information on investigation of human trafficking offences committed through the Internet, including the possibility of blocking websites which are used to facilitate the recruitment of trafficking victims. At the same time, the evidence base on online and technology-facilitated human trafficking remains limited and patchy. This is why GRETA decided to conduct a study, based on a questionnaire sent to State Parties, civil society organisations and private tech companies,

to assess the extent to which technology impacts trafficking and explore the operational and legal challenges that states face in detecting, investigating and prosecuting online and ICT-facilitated trafficking. You will hear more about the outcome of the study from Dr Paolo Campana later today.

As regards GRETA's **plans for 2022**, we are aiming to carry out 13 country visits and thus catch up on our evaluation visits programme. GRETA remains convinced that physical visits are indispensable for a proper evaluation of the situation on the ground, including first-hand contacts with victims and specialists supporting them. We count very much on the co-operation of State Parties to enable GRETA to continue to perform its monitoring work. GRETA is grateful for the decision of the Committee of Ministers to relocate the unspent budget of monitoring bodies to the next four-year Programme and Budget, as well as to temporarily reinforce the secretariat.

I thank you for your attention and look forward to answering any questions that you may have.

Appendix IV

PowerPoint presentation by Dr Paolo Campana

Online and Technology-facilitated Trafficking in Human Beings (THB)

Dr Paolo Campana

Associate Professor in Criminology and Complex Networks
Institute of Criminology
University of Cambridge (UK)

Objectives of the study

- Exploring the problems faced by States Parties in relation to the detection, investigation and prosecution of online and technology-facilitated THB.
- Exploring the existing legislative and operational tools, as well as good practices that help prevent and combat ICT-enabled trafficking in human beings.
- Exploring the complementarity between the CoE Anti-Trafficking and the Budapest Conventions and possible gaps in the legal framework for combating ICT-enabled human trafficking.

Evidence Base

- Evidence *systematically* collected through questionnaires from:
 - 40 State Parties
 - Plus 12 NGOs and 2 Tech Companies
- Literature review covering a variety of sources: international organisations; academia; NGOs and charities; private sector.

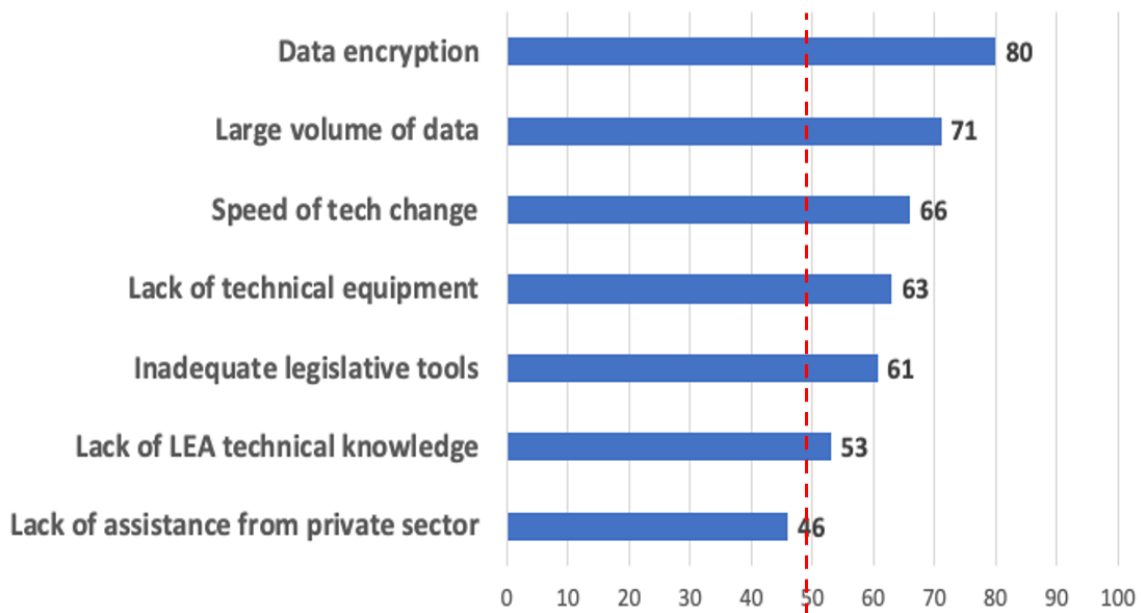
ICTs impact on THB

- **Increasing relevance** of online materials, advertisements, and sites/apps in the search for jobs
- **Increasing relevance** of online socialisation and personal interactions
- Technology **creates opportunities** for THB offenders and **exacerbates existing vulnerabilities**.
- Technology has changed the way people interact, and Covid-19 has accelerated some of these changes

ICTs impact on THB

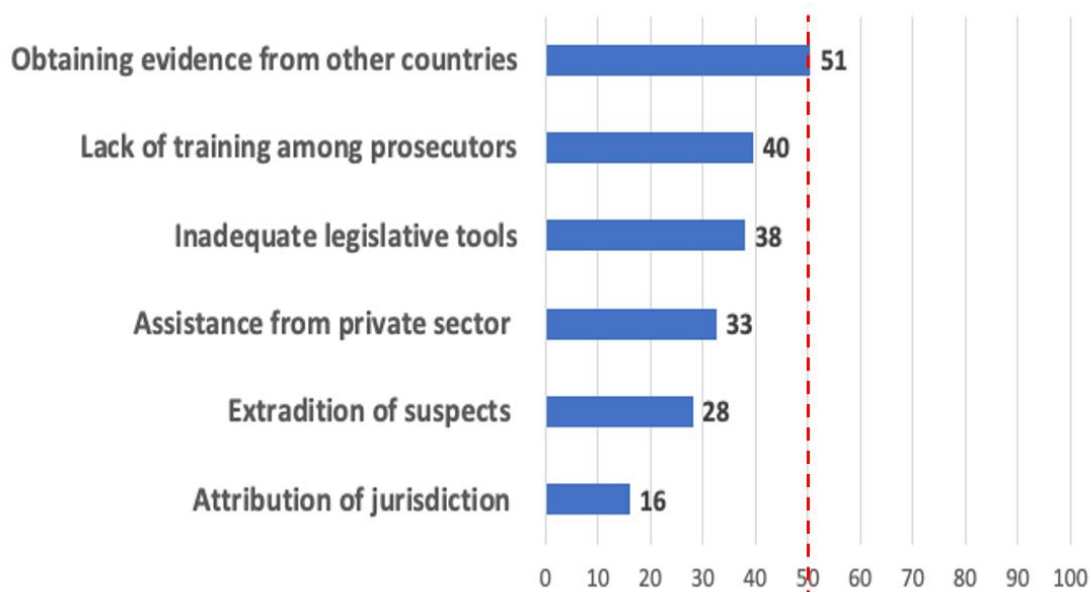
- Technology can be used to **coordinate activities across countries** → e.g., **separation** between the place where a sexual activity is performed by a victim and the place where the main offenders are located
- Technology increases **interdependencies among countries** → calls for coordinated actions across countries/shared frameworks
- Changes brought about by technology are **structural** → law enforcement and criminal justice systems need to adapt

Challenges to Investigation Severity Scores



Scores range = [0, 100]

Challenges to Prosecution Severity Scores



Scores range = [0, 100]

Training

- Need to invest in **human capital** as much as in **technological tools**
- Developing new training curricula and skills among law enforcement:
 - electronic evidence, big data capabilities, social network analysis, cyber-patrols, digital undercover officers;
 - expanding "technical support groups" within police forces.

Training/2

- **Joint Training Activities (JTAs)**
- Transnational knowledge exchanges on technology-facilitated THB --> international/regional training sessions
- Sharing of case studies and scenarios – as well as best practices
- Creation and dissemination of **strategic analysis** on emerging trends in the technological landscape as well as offenders' modus operandi
- Training should be extended to NGOs (e.g., on scenarios and trends)

Institutional Designs

- Importance of institutional designs:
 - Where do we place the relevant knowledge?
 - How can we make sure it can be easily accessed?
 - How can we avoid bottlenecks in the system?

E.g.: lack of specialist officers at the local level can create **bottlenecks in the investigations**, if assistance from a (busy) centralised unit (e.g., cyber-crime unit) needs to be repeatedly sought.

Institutional Designs

- On **bottlenecks**: Cybercrime convention establishes a network of contact points
- This is an important tool; however, with the increasingly central role played by ICTs and electronic evidence, such contact points will be under increasing pressure
- Where the contact point is located – and how it is staffed – are key and can be very consequential

Synergies between Cybercrime and THB Conventions

- Great deal of synergies given the importance of **electronic evidence**
- Clear need for a swift implementation of the Second Additional Protocol
- Importance of non-restricting **procedural measures** to offences explicitly listed in the Convention (e.g., Chapter II, Section 1)
- Need to train prosecutors on the possibilities offered by the CY-C
- Joint monitoring activities Greta/T-CY

International cooperation

- Need to improve data-sharing procedures across countries and with private companies (e.g., devising commonly agreed and accepted templates)
- Need to smoothen MLA requests
- Clear need for a common framework on data retention obligations for ISPs (current data retention periods are often considered too short/inadequate)

Victims

- Develop the use of technology to assist victims
 - E.g., online chat tools and enhanced confidential reporting systems
- Use technology to decrease the burden on victims, e.g. during investigations and prosecutions
- Developing a transnational framework to facilitate the collection of cross-border victims' testimony and avoid them reliving their trauma

Social Advertising and Awareness

- Working with private companies to develop **social advertising** around technology-facilitated THB
- Develop campaigns and disseminate best practices on the **safe use of technology in light of THB risks**. Potential targets:
 - THB victims
 - Vulnerable groups
 - Students and young users

Tech tools and ethics

- Tech tools are increasingly needed to handle and process large volume of data
- This includes automatic data collection tools and web-crawlers
- Need to devise shared ethical guidelines – also in light of the European Convention on Human Rights
- Need to train operators in using such tools (ethics training as well as THB training)

Appendix V

Statement by Ambassador Lorenzo Vella, Permanent Representative of Malta to the Council of Europe

Allow me to start by thanking the members of GRETA and the Secretariat who were in charge of this third evaluation round and Report on Malta for their comprehensive evaluation and recommendations to further strengthen my country's response to prevent and combat human trafficking.

Over the past years, combating human trafficking has become a priority for the Maltese Government. As acknowledged in the Report under discussion, several measures and initiatives have been taken and progress has been registered towards curbing this serious crime, including through the development of victim assistance services, training of government officials, and raising of public awareness through national campaigns.

The legislative framework related to actions against trafficking in human beings has also evolved considerably, including the increase in the minimum penalty from four to six years and the maximum to twelve years. Furthermore, the Victims of Crime Act was further amended to introduce two new services to the list of minimum services offered to victims of crimes, namely medical treatment and protection measures against the risks of intimidation and retaliation. Such services are provided to victims even when the offence was committed outside Maltese territories.

Moreover, special support measures for child victims of trafficking are also incorporated in Maltese legislation, through the Minor Protection (Alternative Care) Act. This Act is in line with the Guidelines of the Committee of Ministers on Child-Friendly Justice, and covers various aspects of child protection, including a review of the childcare system, protection of children during judicial procedures, the availability of children's advocates and issues related to foster care.

Currently, a study is underway to identify any gaps which may exist in the legislative, institutional and policy framework for action against this crime, with the aim of drafting a National Strategy on Combating Trafficking in Human Beings. Once implemented, the Strategy will present strategic goals and specific objectives which are clearly defined, both qualitatively and quantitatively, and will include measures which are verifiable through a detailed monitoring and assessment process.

Having said this, there is still more that needs to be done to truly overcome the challenges of human trafficking. To this end, the GRETA report and recommendations have served as a reliable guidance on how to address this complex challenge in a more comprehensive and effective manner.

In conclusion, Malta remains committed to continue co-operating and collaborating with the Council of Europe in particular, with GRETA, to achieve higher standards in preventing and combating trafficking in human beings.

I thank you for your attention.

Appendix VI

Statement by Mr Claudio Nardi, Counsellor, Office for Foreign Affairs of the Principality of Liechtenstein

Madam Chair,

We wish to thank you for hosting the 29th Meeting of the Conference of the Parties. We also wish to thank the secretariat for its invaluable support to this meeting as well as their important work for the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings.

Let me assure you that we attach utmost importance to meeting our obligations under the Convention. Our administration worked actively on drafting Liechtenstein's response on any development concerning GRETA's recommendations on the implementation of the Convention. In this regard, I draw your attention to the decisions the Liechtenstein Government has taken on how to follow-up on several of the recommendations:

- With regard to the prevention and protection measures for vulnerable groups, especially relating to personal care workers and agricultural trainees, the Government of Liechtenstein mandated the Ministry for Home Affairs, Economy and Environment to draft a recommendation on the potential establishment of a working group to examine issues of labour and social security law with regard to identified vulnerable groups of workers. This draft recommendation is due in March 2022;
- Pertaining to GRETA's encouragement to sign and ratify the Council of Europe Convention against Trafficking in Human Organs, we wish to inform you that the Government of Liechtenstein has mandated the Office for Foreign Affairs to draft an analysis with regard to the implementation of the Convention and to suggest next steps. This analysis is due in January 2022;
- Pertaining to GRETA's suggestion on making use of special investigation techniques in suspected cases of trafficking in human beings, the Government of Liechtenstein has mandated the Office of Justice to examine the possibility of introducing further investigative measures in the Liechtenstein legislation. This examination is due in January 2022;
- Pertaining to the several recommendations made on training of relevant professionals, the Government of Liechtenstein has mandated the Round Table on Human Trafficking and the Office of Economic Affairs to plan and implement relevant trainings, especially for labor inspectors. Of course, this is complementary to the trainings that our specialists take part on an ad-hoc basis, also virtually.

Madam Chair,

Within the international community we actively advocate for an efficient and effective fight against trafficking in human beings and support a wide range of foreign policy initiatives and development projects. Last year, we invested around CHF 9 million in projects that promote human rights and the rule of law through our International Humanitarian Cooperation and Development, with a view to achieving the 2030 Agenda for Sustainable Development and particularly ending human trafficking and modern slavery as stipulated in SDG 8.7.

Human trafficking and modern slavery are among the most grave human rights challenges of our time. Given that forced labour alone generates illegally 150 billion USD per year, Liechtenstein is of the view that we must track down the financial flows created by these crimes. For us, this is not just a compliance discussion. Creating greater financial inclusion is critical too. And, of course, responsible lending and investment can have a huge impact as well. The interest and expertise of Liechtenstein's financial centre and philanthropic sector led us to the launch of the "Liechtenstein Initiative on Finance Against Slavery and Trafficking" (FAST). FAST is supported by Australia, Luxembourg, the Netherlands and Norway as well as various private sector

partners and carried out by the United Nations University. The vision of FAST is to place financial institutions at the heart of the fight against modern slavery and human trafficking. It would be a pleasure and honour to work more closely with the members of the Committee of State Parties and we stand ready to provide you with more detail on how such forms of co-operation can look like.

Additionally, Liechtenstein financially supported the elaboration of the first Commentary on the Council of Europe Convention on Action against Trafficking in Human Beings. The Commentary was prepared by the Boltzmann Institute for Fundamental and Human Rights. We look very much forward to make it more known amongst our community.

Madam Chair,

Let me assure you that we will continue to work actively to combat modern slavery and human trafficking within the international community and also in Liechtenstein. We also look forward to a fruitful cooperation within the Committee of Parties.

I thank you!

Appendix VII

Statement by Mr Dariusz Bogucki, Deputy Director, Department for International Affairs and Migration, Ministry of the Interior and Administration, Poland

First, we would like to stress that migrant's issues on the **Belarussian-UE border** (not only on the Polish-Belarussian part) is element of **hybrid influence instrument**. There are proofs that Belarussian State Services have been transporting and escorting migrants towards the EU border, preventing their return to Belarus, providing them with help and tools to breach temporary border barriers, thereby exposing them to direct confrontation with the legitimate PL services guarding the external border of the EU.

In the period from January to October 2021, the Border Guard recorded **38 796** attempts to illegally cross the Polish border from the Belarussian side. In the period from December 1 to December 12, 838 such attempts were recorded, 627 were prevented and 157 people received a decision to leave the territory of the Republic of Poland.

The phenomenon of trafficking in human beings may also affect foreigners who illegally cross the Polish-Belarussian border. **But in our opinion, the problem of trafficking in human beings concerns migrant minorities:**

In the analyzed period only **3 cases** of victims of trafficking in human beings who were illegally transferred from Belarus to Poland (in a place not intended for this - across the "green border") were found: 2 girls from Congo and 1 boy from Guinea. All persons have been identified as victims of exploitation in prostitution or sex business.

In cases indicating the possibility of a crime of trafficking in human beings, the system of support and assistance was launched and the National Intervention and Consultation Center was activated. Simultaneously the steps were taken to collect evidence and initiate proceedings according to Polish Penal Code (art. 189a - trafficking in human beings).

The crime of trafficking in human beings is a conventional crime so it is the subject to prosecution regardless of where the crime was committed (the Republic of Poland has signed international conventions in this area). This means that Poland recognises victims exposed to THB outside its territory and disclosed in Poland. In this regard procedural activities are carried out and the evidence materials are transferred to the relevant judiciary authorities.

Appendix VIII

List of decisions

Item 6 Examination of GRETA's reports on the implementation of the Convention on Action against Trafficking in Human Beings by Malta and the United Kingdom (third evaluation round) and adoption of recommendations in respect of these Parties

Item 6.1 Malta

The Committee adopted the recommendation in respect of Malta and decided to request the Government of Malta to report on the measures taken to comply with this recommendation by 17 December 2023.

Item 6.2 United Kingdom

The Committee adopted the recommendation in respect of Malta and the United Kingdom and decided to request the Government of the United Kingdom Malta to report on the measures taken to comply with this recommendation by 17 December 2023.

Item 8 Exchange of information on the situation at the border between Poland, Lithuania, Latvia and Belarus: possible risks with regard to trafficking in human beings

The Committee decided to invite GRETA to take note of the information provided by State Parties and to follow it up, if necessary, in accordance with its Rules of procedure for evaluating implementation of the Convention by the State Parties.