



Strasbourg, 14 February 2023

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

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**31st meeting of the Committee of the Parties**

(Strasbourg, 25 November 2022)

**MEETING REPORT**

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### **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 31st meeting on 25 November 2022 in Strasbourg.
2. The Chair, Ambassador Meuwly, opened the meeting by recalling that 25 November was the International Day for the elimination of violence against women, and that the fight against trafficking in human beings also contributed to strengthening the protection of women and girls.
3. The meeting was held in a hybrid format, with some members participating online via the KUDO platform. An international NGO, La Strada International, attended the meeting online as an observer, in accordance with Rule 2c of the Committee's Rules of Procedure.

### **Agenda item 2: Adoption of the draft agenda**

4. The Chair noted that the draft agenda of the meeting included the examination of a draft recommendation concerning Belarus as part of the second round of evaluation of the Convention, on the basis of the report and conclusions drawn up by GRETA. The Belarusian authorities, in their final comments on the GRETA report, had affirmed their readiness to continue co-operating with GRETA as well as engaging in transnational co-operation with other state parties in combating human trafficking. The Chair referred to the decision of the Council of Europe's Ministers' Deputies of 5 October 2022 on the "Modalities for the participation of Belarus in open conventions" (CM/Del/Dec(2022)1445/10.4), inviting all convention-based bodies to decide, in accordance with their rules of procedure, on the modalities of the participation of Belarus in the Council of Europe conventions to which it is a party, at the latest by the end of December 2022, and to envisage possible restrictions on the participation of Belarus in meetings or in the adoption of decisions and the right to vote. The Chair indicated that he and the Vice-President had weighed the pros and cons of restricting Belarus' participation in the present meeting, taking into consideration the purposes of the application of the Convention, and had concluded that the decision of the Ministers' Deputies did not require that a possible limitation of Belarus' participation be placed on the agenda of this meeting. No members of the Committee expressed a different view.
5. 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: 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. The President of GRETA referred to the intensive work conducted by GRETA since the previous meeting of the Committee of the Parties in June 2022, with three plenary meetings and five country visits having been carried out, and two more country visits being planned in December 2022, to Andorra and Lithuania. Ms Gayer noted that by the end of 2023, GRETA aimed to complete the third evaluation round concerning 42 states parties to the Convention. The other states which joined the Convention more recently were still being evaluated under the second round, and Israel was to be evaluated for the first time in 2023. Ms Gayer noted that GRETA aimed to launch the fourth evaluation round in 2023 and had started to work on the focus and design of this new evaluation round. She also mentioned that GRETA had decided to carry out a stock-taking of the third evaluation round, which would allow to have a horizontal review of the implementation of the Convention and pave the way for the fourth round.

8. GRETA's President recalled the concerns about human trafficking as a result of the war in Ukraine and the humanitarian crisis caused by it, noting that GRETA had continued to follow the situation during its country visits, systematically asking about steps taken to prevent and limit the risks of trafficking of Ukrainian refugees, as well as any detected cases.

9. Furthermore, Ms Gayer highlighted the main findings from GRETA's third evaluation reports concerning Belgium, Luxembourg and Ireland, as well as the second evaluation report concerning Belarus, which were the subject of draft recommendations by the Committee of the Parties at this meeting. These reports highlighted improvements in the legislation, policy and practice, but at the same time showed that there were several persistent gaps in the respect and implementation of certain provisions of the Convention.

10. Lastly, the President of GRETA referred to the adoption by the Committee of Ministers, on 27 September 2022, of a recommendation on preventing and combating trafficking for the purpose of labour exploitation. GRETA had been actively involved in the drafting process and intended to promote the recommendation and contribute to monitoring of its implementation. The full text of Ms Gayer's statement is set out in Appendix III.

**Agenda item 4: Examination of GRETA's reports on the implementation of the Convention on Action against Trafficking in Human Beings by Belarus (second evaluation round) and Belgium, Ireland and Luxembourg (third evaluation round), and adoption of recommendations in respect of these Parties**

11. The Chair of the Committee recalled that GRETA had adopted and published a final report concerning Belarus under the second evaluation round of the Convention, and three final reports, concerning Belgium, Ireland and Luxembourg, under the third evaluation round of implementation of the Convention. The four draft recommendations based on these reports had been made available to the Committee and members of the Committee had been invited to send any proposals for amendments by 21 November 2022. The Secretariat had not received any proposals for amendments to the draft recommendations in advance of the meeting. The Chair noted that the draft recommendation concerning Belarus followed the model of recommendations under the second evaluation round, setting a one-year deadline for informing the Committee of the Parties of the measures taken, and that the other three draft recommendations followed the model of recommendations under the third evaluation round, setting a two-year deadline for informing the Committee of the Parties of the measures taken.

**4.1 Draft recommendation to be adopted in respect of Belarus**

12. The Chair invited the Committee to consider the draft recommendation concerning Belarus.

13. Mr Nikita Belenchenko (Head of the mission of Belarus to the Council of Europe) noted that GRETA's report acknowledged some positive developments, but at the same time the assessment was politicised. Nevertheless, he affirmed the readiness of the Belarusian authorities cooperating with GRETA, its Secretariat and other State Parties to the Convention, in a spirit of mutual respect. Mr Belenchenko also indicated that Belarus fully agreed with the draft recommendation.

14. The Committee adopted the recommendation in respect of Belarus and decided to request the Government of Belarus to inform it of measures taken to comply with this recommendation by 25 November 2023.

## **4.2 Draft recommendation to be adopted in respect of Belgium**

15. The Chair invited the Committee to consider the draft recommendation concerning Belgium.

16. Mr Jean-François Minet (Attaché at the Ministry of Justice of Belgium) thanked GRETA and the Secretariat for the constructive dialogue during the evaluation process. He noted that the report was well balanced, referring to the positive aspects of the Belgian policy against trafficking in human beings, and stressing the improvements needed. Mr Minet indicated that a special parliamentary commission had been set up to discuss how to advance on the fight against human trafficking and that it had discussed GRETA's report and recommendations. Some recommendations were already being implemented, for example, there was an increase in the number of labour inspectors. A national point of contact on trafficking had been established to provide information to potential victims in several languages, and the capacity of the shelters would be increased in 2023. Furthermore, Mr Minet noted that following the outbreak of the war in Ukraine, a campaign had been launched on social media to inform refugees of the risks of human trafficking, including the distribution of leaflets using child-friendly language.

17. Mme Sophie Heegaard-Schroeter (Deputy to the Permanent Representative of Switzerland) put a question concerning the fact that the majority of identified victims of trafficking in Belgium are men, trafficked for the purpose of labour exploitation, and whether the services provided to them differ from those provided to victims of sexual exploitation. Mr Minet indicated that the three specialised NGOs running shelters for victims of trafficking received victims of both sexual and labour exploitation. He also noted that there were specialised prosecutors dealing with human trafficking.

18. The Committee adopted the recommendation in respect of Belgium and decided to request the Belgian Government to inform it of measures taken to comply with this recommendation by 25 November 2024.

## **4.3 Draft recommendation to be adopted in respect of Ireland**

19. The Chair invited the Committee to consider the draft recommendation concerning Ireland.

20. Mr Gerry O'Brien (Head of Economic, Transnational and Organised Crime Policy at the Department of Justice of Ireland) thanked GRETA for the constructive and fruitful engagement. He noted that GRETA's report acknowledged positive a number of developments, such as the adoption of a Victim of Crime Act, the establishment of a National Rapporteur on human trafficking, and the increase in the funding provided to anti-trafficking NGOs. He also referred to ongoing work on the development of a National Referral Mechanism and to ongoing investigations into several human trafficking cases.

21. The Committee adopted the recommendation in respect of Ireland and decided to request the Irish Government to inform it of measures taken to comply with this recommendation by 25 November 2024.

## **4.4 Draft recommendation to be adopted in respect of Luxembourg**

22. The Chair invited the Committee to consider the draft recommendation concerning Luxembourg.

23. Ms Pascale Millim (Counsellor at the Ministry of Justice of Luxembourg) thanked GRETA for the constructive reports and recommendations, and indicated that they would be taken into account in the preparation of the new national action plan. She underlined that special attention was being paid by Luxembourg to the protection of victims, particularly the most vulnerable ones, and the implementation of a victim-centred approach. The text of Ms Millim's statement is set out in Appendix IV.

24. The Committee adopted the recommendation in respect of Luxembourg and decided to request the Government of Luxembourg to inform it of measures taken to comply with this recommendation by 25 November 2024.

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**Agenda item 5: Government reports submitted in reply to Committee of the Parties recommendations**

25. The Chair of the Committee noted that, since the previous meeting of the Committee, a report concerning the steps taken to implement previous Committee of the Parties' recommendations had been submitted by the Czech Republic, in the context of the first evaluation round of the Convention. The Chair invited the representative of the Czech Republic to take the floor concerning the Czech authorities' replies to the Committee of the Parties' recommendations.

**5.1 Czech Republic**

26. Mr Adam Gazda of the International Co-operation and EU Department of the Ministry of Justice of the Czech Republic noted that all victims of trafficking could now benefit from a recovery and reflection period of one month. He indicated that, in order to improve access to compensation, the Senate would vote a law modifying the beginning of the time limit for filling the request for compensation which would be the date of adoption of the relevant verdict. Further, Mr Gazda noted that the proper identification of victims was at the centre of the new police methodology on identifying victims of crime. He also insisted on the importance of the victim's cooperation with the police for investigative purposes. Further, he referred to the allocation of extra funds by the Czech authorities for tackling the risks of trafficking of Ukrainian refugees. Mr Gazda concluded by noting that the Czech authorities highly valued GRETA's work and that they would continue working on the implementation of the recommendations. The full text of Mr Gazda's statement is set out in Appendix V.

27. The Chair invited the President of GRETA to comment on the report of the Czech Republic. Ms Gayer recalled that she was one of GRETA's rapporteurs for the first evaluation of the Czech Republic in 2019. She noted that the report submitted by the Czech authorities to the Committee of the Parties was comprehensive and indicates that many of the recommendations made in the first report have been addressed. The adoption of a new National Strategy on Combatting Trafficking in Human Beings was a welcome development, as was the attention paid to training of relevant professionals and raising awareness of human trafficking. However, there was still no formalised victim identification procedure which included specialised NGOs, labour inspectors, child protection professionals and other relevant actors. Furthermore, the assistance through the Programme for the Support and Protection of Victims of Human Trafficking remains limited to victims who cooperated with the authorities. Detecting trafficking for labour exploitation by labour inspectors was limited due to lack of capacity and focus on this issue, and there was still no specific non-punishment provision nor guidance on its application.

**Agenda item 6: Information on activities aimed at strengthening the implementation of GRETA's conclusions and the Committee of the Parties' recommendations**

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

29. The Executive Secretary informed the Committee of the recent organisation of round-table meetings in Moldova, Albania and Croatia, to discuss progress in the implementation of the recommendations made by GRETA and the Committee of the Parties in the context of the third round of evaluation of the Convention. Further, an expert discussion dedicated specifically to access to compensation for victims of trafficking was organised in Cyprus. Further, the Executive Secretary informed the Committee of the holding of a meeting of the network of specialised lawyers and NGOs providing legal assistance to victims of trafficking, gathering professionals from 21 states parties. In addition, she indicated that a revision of the HELP course on trafficking in human beings had started and should be completed by summer 2023. The Executive Secretary also referred to the anti-trafficking co-operation projects which continued in North Macedonia, Serbia and Bosnia and Herzegovina, as well as a new project which had started in Malta.

30. Ms Svetlana Vlahovic Dimanovska (Head of Sector in the Ministry of Internal Affairs of North Macedonia) noted that GRETA's recommendations had been incorporated in a strategic policy document on trafficking and were being followed up through the co-operation project implemented by the Council of Europe under the joint programme of the EU and the Council of Europe "Horizontal Facility for the Western Balkans and Turkey". A new team for the formal identification of victims had been set up, including NGO representatives, police officers and other relevant actors. Further, a new law on state compensation of victims of crime had been adopted with the assistance of the Council of Europe. The authorities of North Macedonia looked forward to the publication of the next GRETA report and were committed to implementing them with the support of the Horizontal Facility.

31. Ms Diana Doros (Head of the Co-ordination Directorate of the State Chancellery of the Republic of Moldova) thanked the Secretariat for the organisation of the round-table meeting in Chisinau in September 2022 and the very fruitful discussions that took place on this occasion. She noted that the authorities were in the process of evaluating the national anti-trafficking strategy and that an external evaluation had been commissioned.

32. Mr Gianluca Puliga (Director of the Service for International Relations and General Affairs at the Department for Equal Opportunities of the Presidency of the Council of Ministers of Italy) informed the Committee of the adoption of a new National Action Plan on Trafficking in Human Beings for 2022-2025 on 19 October 2022, which took into account GRETA's recommendations from the second evaluation round.

### **Agenda item 7: Information on the anti-trafficking activities of other Council of Europe bodies and international organisations of interest to the Committee of the Parties**

33. The Chair invited members, participants and observers to provide relevant information.

34. Ms Annika Vaikla (Rapporteur on the reception of women and children refugees at the Congress of Local and Regional Authorities) stressed the important role played by cities and regions in combating and preventing trafficking in human beings, and supporting victims. She underlined that the Congress had placed great importance on supporting cities and regions in the fight against trafficking, particularly in the context of the arrival of refugees. In 2017 and 2018, the Congress had prepared reports on the reception and integration of refugees and unaccompanied refugee children, which underlined the importance of providing information about the risks of trafficking to refugees. Further, on 25 October 2022 the Congress had adopted a new report on the accommodation needs of women and child refugees, highlighting best practices such as the training of reception centre staff on risks of trafficking and initiatives to coordinate the response of municipalities. The full text of Mr Vaikla's statement is set out in Appendix VI.

35. The Executive Secretary of the Convention highlighted that the important role played by the local authorities in combating trafficking had been visible during the recent visit of GRETA to the Netherlands, and noted that the City of Amsterdam had launched a European inter-city knowledge network. Further, she indicated that the next Principals' meeting of the Inter-Agency Coordination Group against Trafficking (ICAT), in which the Council of Europe participated, of 2 December 2022, would discuss human trafficking in humanitarian crises and conflict situations. At the European Union level, a revised draft text of the Directive on combating trafficking in human beings (2011/36/EU) should be presented in December 2022. The OSCE had published in July 2022 its "Survey Report 2021 of Efforts to Implement OSCE Commitments and Recommended Actions to Combat Trafficking in Human Beings".

### **Agenda item 8: State of signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings**

36. The Chair noted that no new signatures and/or ratifications had been submitted since the last meeting of the Committee in June 2022. He underlined that the invitation addressed to Tunisia to accede to the Convention on action against trafficking in human beings would expire on 7 February 2023.

## **Agenda item 9: Election of members of the Group of Experts on Action against Trafficking in Human Beings (GRETA)**

37. The Chair recalled that the terms of office of seven of the 15 members of GRETA would expire on 31 December 2022. Taking into account that no two members of GRETA may be nationals of the same State (Article 36, paragraph 3, sub-paragraph c, of the Convention), 40 Parties to the Convention<sup>1</sup> had the right to nominate candidates for GRETA membership. The remaining eight Parties to the Convention continued to have nationals among the GRETA members whose mandates would run until the end of 2024.

38. Before proceeding with the election, the Chair invited the Committee to consider the admissibility of the candidatures for GRETA membership, taking into account Rules 10, 11 and 12 of the Rules on the election procedure of the members of GRETA.

39. In compliance with rule 12, the deadline for submitting candidatures had been set at 25 September 2022. By the deadline, 15 states parties had proposed 21 candidates for the election of GRETA members (Bulgaria, Croatia, Czech Republic, France, Georgia, Hungary, Iceland, Israel, Italy, North Macedonia, Norway, Poland, Portugal, Serbia and Spain). Four of the candidates (proposed by Bulgaria, Georgia, Italy and Iceland) had been nominated for a second term of office. Hungary had subsequently informed the Secretariat of the withdrawal of one of its candidates.

40. The Chair indicated that two states parties, Denmark and the Republic of Moldova, had submitted candidates after the deadline, on 26 and 27 September 2022 respectively. Taking into account rule 12, the Secretariat had indicated to these two parties that the admissibility of their candidatures would be examined by the Committee. The Chair indicated that the two states concerned had argued that technical difficulties beyond their control on the computer servers had blocked the transmission of the candidatures, and that the expiry of the deadline on Sunday when offices were closed had not allowed for timely detection of the failures. The country which had submitted its candidates on the first working day following the deadline on Sunday had also invoked the general rule for judicial acts. Given these exceptional circumstances, the Chair asked members of the Committee if they objected to the admissibility of the candidatures from Denmark and the Republic of Moldova. No objections were made, and the Chair concluded that the Committee exceptionally accepted the candidatures from Denmark and the Republic of Moldova, and that for the next elections the meaning of the deadline would be specified more clearly.

41. The Chair recalled that Rule 11 of the Rules on the election procedure of the members of GRETA provided that "each Party shall ensure that the national selection procedure leading to the nomination of candidates for GRETA is in accordance with published national guidelines or otherwise transparent and designed to lead to the nomination of the most qualified candidates". Even though Parties had not been asked specifically to provide information on their national selection procedures, the Chair stressed that it was important that this rule be followed through the publication of public calls of interest and a transparent selection procedure.

42. The Chair noted that France and North Macedonia had submitted several candidates, all of whom were women and, in accordance with Rule 10, paragraph 2, of Resolution CM/Res(2013)28, he invited the representatives of these Parties to provide an explanation. Ms Svetlana Geleva (Permanent Representative of North Macedonia) and Mr Léopold Stefanini (Deputy to the Permanent Representative of France) informed the Committee that there had been open calls for candidates, but only women had expressed interest to be nominated for election as members of GRETA. In the light of these explanations, the Committee decided to accept the lists of candidates submitted by France and North Macedonia.

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<sup>1</sup> Albania, Andorra, Azerbaijan, Austria, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Luxembourg, Malta, Republic of Moldova, Monaco, Montenegro, North Macedonia, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovak Republic, Slovenia, Spain, Turkey, Ukraine and the United Kingdom.



## **9.2. Assessment of whether the candidates nominated meet the requirements for membership of GRETA (rule 9, paragraph 4 of CM/Res(2013)28)**

43. The Chair recalled the requirements which should be taken into account when electing members of GRETA. He stressed that the cornerstone of an effective monitoring system was the competence, independence, integrity and professionalism of the experts to whom the task is entrusted.

## **9.3. Election of seven members of GRETA**

44. The Chair invited the Executive Secretary of the Convention to present the Explanatory note on the procedure to be followed to elect GRETA members (THB-CP(2022)04), which had been prepared by the Secretariat and summarised the rules for the election of GRETA members contained in Resolution CM/Res(2013)28.

45. The Executive Secretary noted that a matrix had been prepared by the Secretariat, providing an overview of the professional expertise and educational background of the candidates for election (document THB-CP(2022)02), and another matrix provided an overview of the professional expertise and educational background of the current GRETA members whose mandates continue for another two years (THB-CP(2022)03).

46. Following an invitation from the Chair, representatives of Parties which had proposed more than one candidate for GRETA indicated their preferences for particular candidates.

47. The Chair informed the Committee that equipment for electronic voting had been provided for the meeting, which ensured the secrecy of the ballot and calculated the results of the voting. Following an introduction of the electronic voting system by Mr Dominique Rouillé, representative of the company Ubiqus providing the equipment, members of the Committee ran a test vote.

48. The Committee proceeded with the election of seven members of GRETA by secret ballot. Following eight rounds of voting, the Committee elected the following members of GRETA for a term of office running from 1 January 2023 to 31 December 2026:

- Ms Tatiana Catana (Moldovan) – first term of office
- Ms Ia Dadunashvili (Georgian) – second term of office
- Ms Biljana Lubarovska (Macedonian) – first term of office
- Mr Luka Maderić (Croatian) – first term of office
- Ms Svala Ísfield Ólafsdóttir (Icelandic) - second term of office
- Ms Rita Penedo (Portuguese) – first term of office
- Ms Antoaneta Vassileva (Bulgarian) - second term of office.

49. The Committee congratulated the elected candidates and wished them success in their endeavours to monitor the implementation of the Convention.

## **Agenda item 10: Dates of future meetings**

50. The Committee decided to hold its next meeting in June 2023.

## **Agenda item 11: Other business**

51. Mr Joan Forner Rovira (Permanent Representative of Andorra) raised concerns about the procedure for the election of GRETA members and suggested that the Committee of the Parties reflect on its possible revision.

**Agenda item 12: Adoption of the list of decisions taken**

52. The Committee approved the decisions taken at the meeting, namely the adoption of recommendations concerning Belarus, Belgium, Ireland and Luxembourg, and the election of seven members of GRETA.

## **Appendix I Agenda**

- 1. Opening of the meeting**
- 2. Adoption of the draft agenda**
- 3. Exchange of views with the President of GRETA**
- 4. Examination of GRETA's reports on the implementation of the Convention on Action against Trafficking in Human Beings by Belarus (second evaluation round) and Belgium, Ireland and Luxembourg (third evaluation round), and adoption of recommendations in respect of these Parties**

### ***Second evaluation round***

- 4.1 Belarus**

### ***Third evaluation round***

- 4.2 Belgium**
- 4.3 Ireland**
- 4.4 Luxembourg**

- 5. Government reports submitted in reply to Committee of the Parties recommendations**

### ***First evaluation round***

- 5.1 Czech Republic**

- 6. Information on activities aimed at strengthening the implementation of GRETA's conclusions and the Committee of the Parties' recommendations**
- 7. Information on the anti-trafficking activities of other Council of Europe bodies and international organisations of interest to the Committee of the Parties**
- 8. State of signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings**
- 9. Election of members of the Group of Experts on Action against Trafficking in Human Beings (GRETA)**
  - 9.1 Assessment of whether the candidates meet the requirements for membership of GRETA (rule 2, rule 3, rule 4 and rule 9, paragraph 4, of CM/Res(2013)28)*
  - 9.2 Election of seven members of GRETA*
- 10. Dates of future meetings**
- 11. Other business**
- 12. 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  
Deputy to the Permanent Representative  
to the Council of Europe

#### **ANDORRA / ANDORRE**

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

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

#### **ARMENIA / ARMÉNIE**

Mr Arman Khachatryan  
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Permanent Representative  
to the Council of Europe

Ms Lena Terzikyan  
Deputy Permanent Representative  
to the Council of Europe

Ms Viktoria Melkumova (*online / en ligne*)  
Third Secretary of the Division of Cooperation with  
International Monitoring Bodies  
Department of Human Rights and Humanitarian Issues  
Ministry of Foreign Affairs

#### **AUSTRIA / AUTRICHE**

Ms Aloisia Wörgetter  
Ambassador Extraordinary and Plenipotentiary  
Permanent Representative  
to the Council of Europe

Ms Katharina Enzesberger  
Deputy to the Permanent Representative  
to the Council of Europe

Mr Wolfgang Spadinger  
Deputy National Coordinator against Trafficking in  
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Federal Ministry for European and International Affairs

#### **AZERBAIJAN / AZERBAÏDJAN**

Mr Tale Aliyev  
Deputy to the Permanent Representative  
to the Council of Europe

#### **BELARUS/ BÉLARUS**

Mr Nikita Belenchenko  
Head of the mission of Belarus

#### **BELGIUM / BELGIQUE**

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

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

Mr Jean-François Minet (*online / en ligne*)  
Attaché  
Ministry of Justice  
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Fundamental Rights  
Criminal Policy Service  
Organised Crime Unit  
Trafficking and smuggling in human beings

#### **BOSNIA AND HERZEGOVINA/BOSNIE-HERZEGOVINE**

Mr Almir Hasecic  
Deputy to the Permanent Representative  
to the Council of Europe

Mr Samir Rizvo  
Assistant Minister of Security and National Coordinator  
for Fight against Trafficking in Human Beings

#### **BULGARIA / BULGARIE**

Ms Maria Spassova (*Vice-Chair / Vice-Présidente*)  
Ambassador  
Permanent Representative  
to the Council of Europe

Ms Boyana Trifonova  
Deputy to the Permanent Representative  
to the Council of Europe

### **CROATIA / CROATIE**

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

Mr Alen Tahiri  
Director of the Governments Office on Human Rights  
and the Rights of National Minorities  
National Co-ordinator for Combating Trafficking in  
Human Beings

### **CYPRUS / CHYPRE**

Mr Kostas Psevdiotis  
Deputy Permanent Representative  
to the Council of Europe

Ms Tania Charalambidou (*online / en ligne*)  
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Ministry of the Interior

### **CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE**

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Permanent Representative  
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Mr Ondřej Abrham  
Deputy Permanent Representative  
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Mr Adam Gazda  
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### **DENMARK / DANEMARK**

Mr Yousif Fares Nasser Al-Saif  
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### **FINLAND / FINLANDE**

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### **FRANCE**

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M. Léopold Stefanini  
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Mr Shota Chitanava (*online / en ligne*)  
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Secretariat of Anti-Trafficking Interagency Council

Ms Ana Ivanishvili (*online / en ligne*)  
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Participants du Comité des Parties**

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ORGANES DU CONSEIL DE L'EUROPE**

**CONGRESS OF LOCAL AND REGIONAL  
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TRAITE DES ETRES HUMAINS (GRETA)**

Ms Helga Gayer  
President of GRETA

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Direction générale de la démocratie et de la  
dignité humaine***

**Secretariat of the Council of Europe Convention  
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## Appendix III

### Statement by Ms Helga GAYER, President of GRETA

Mr Chair, Ladies and Gentlemen,

It is an honour and a pleasure to participate in my fourth exchange with the Committee of the Parties as GRETA's President.

Since your last meeting in June, GRETA has followed an **intensive work schedule**, including three plenary meetings (at the end of June, in September and in November) and five country evaluation visits. By the end of the year, GRETA will have carried out 13 country evaluation visits (the highest number of evaluations in any given year organised by GRETA so far). Two of the visits planned for 2022, to Italy and Ukraine, have had to be postponed to 2023, but we replaced them by visits to Andorra and Lithuania, expected to take place in December. As you can see, after the delay caused by the COVID-19 pandemic, GRETA is back on track. We are aiming to complete the third round of evaluation of the Convention in respect of 42 state parties next year, and to launch the fourth evaluation round. The six states which joined the Convention more recently are still being evaluated under the second round, and Israel is to be evaluated for the first time next year.

At our last exchange, I informed you of the steps taken by GRETA to react to the **risks of human trafficking caused by the humanitarian crisis provoked by the war in Ukraine**. We have continued to follow the situation during our country visits, systematically asking about steps taken to prevent and limit the risks of trafficking of Ukrainian refugees, as well as any detected cases. In **Spain**, for example, legislation was adopted in March on urgent measures for dealing with the economic and social consequences of the war in Ukraine. It enabled the local authorities and specialised NGOs to grant the status of victim of trafficking to detected victims of sexual exploitation. GRETA was informed of one case in which an NGO detected a man pretending to be the uncle of two Ukrainian girls who were preparing to subject them to prostitution in Malaga. The man was detained, and the girls were placed under the care of the child protection system in Madrid. In **the Netherlands**, the Government has set up a specific Directorate General within the Ministry of Justice and Security to deal with policy coordination, support and planning of the reception of displaced persons from Ukraine. The Police and the Gendarmerie (*Royal Marechaussee*) informed GRETA that they had started six investigations into possible cases of trafficking (five concerning sexual exploitation and one related to forced criminality). In **Sweden**, the authorities informed GRETA that some 40 Ukrainian refugees had complained about labour exploitation, however, after investigations, no victims of trafficking were identified. Across state parties, the number of confirmed cases of human trafficking in relation to the war in Ukraine remains low. However, the social and economic vulnerabilities of the millions of people affected by the war in Ukraine are likely to increase as time goes, which is why it is so important to put in place effective prevention mechanisms and to investigate and prosecute any detected cases.

Since our last exchange of views in June, GRETA has published three final reports under the third evaluation round of the Convention, concerning **Belgium, Luxembourg and Ireland**, and one final report under the second evaluation round, concerning **Belarus**. As these reports are the subject of draft recommendations submitted to you for consideration and adoption today, allow me to briefly refer to some of the main findings of GRETA from these reports.

In its third report on **Belgium**, GRETA welcomed a number of positive developments, including the adoption of a specific provision on the non-punishment of victims of trafficking for unlawful acts they were compelled to commit. The number of investigations and prosecutions has also increased, and some victims of trafficking have been awarded compensation from perpetrators or from the State. Nevertheless, a number of challenges remain. GRETA's report stressed that the eligibility criteria for obtaining legal aid

should be reviewed and simplified, and the criteria for accessing the Financial Aid Fund for Victims of Intentional Acts of Violence should be reviewed. Furthermore, GRETA urged the Belgian authorities to allocate sufficient human and budgetary resources to the anti-trafficking police and labour inspectors in order to enable them to perform their role effectively and proactively. A hearing was recently held at the Belgian Chamber of Representatives by the committee responsible for assessing legislation and policy on human trafficking, in which GRETA was invited to participate. I am pleased to note that the Belgian authorities have decided to recruit 10 additional labour inspectors to join the anti-trafficking unit of the National Social Security Inspectorate in 2023, which could be seen as a positive reaction to one of GRETA's proposal for urgent action.

In the report on **Luxembourg**, GRETA welcomed the steps taken to develop the legislative framework relevant to action against human trafficking, including amendments to the Code of Criminal Procedure and the Law on the Legal Profession, as well as the measures taken to combat trafficking for the purpose of labour exploitation. GRETA also noted with satisfaction the increase in the resources of victim support services. However, the provision of assistance to trafficking victims is still linked to their co-operation with the police, and GRETA once again called on the authorities to change this practice. GRETA was also concerned by the low prosecution rate, the absence of effective sentences, and the rarity of compensation awards to victims of trafficking.

Concerning **Ireland**, GRETA also welcomed positive developments, including the establishment of a human trafficking stakeholders forum, and the designation of the Irish Human Rights and Equality Commission as National Rapporteur for human trafficking. However, several important areas continue to raise concerns. The number of investigations into human trafficking have decreased, and there have been no convictions for trafficking for labour exploitation, despite the growing number of identified suspected cases. No victim of trafficking has received compensation, either from their traffickers or the state. GRETA urged the Irish authorities to finalise the adoption of a National Referral Mechanism, which ensures that different agencies are involved in identifying victims of all types of trafficking, and to provide trafficking victims with specialised assistance.

In its second report on **Belarus**, GRETA assessed progress made in the implementation of the Convention from 2017 until July 2022, including the period marked by the unprecedented arrival of migrants in Belarus, which created heightened risk of abuses, including trafficking in human beings. GRETA noted positively the changes to the procedure for the identification of victims of trafficking, as well as the training and awareness raising carried out. However, GRETA was concerned that the involvement of civil society in anti-trafficking work was limited, due to the clampdown on civil society organisations in Belarus. It urged the authorities to strengthen efforts to prevent trafficking for the purpose of labour exploitation, and to develop programmes to reduce the vulnerability of children to human trafficking. GRETA concluded that the Belarusian authorities had not only taken grossly insufficient measures to detect victims of human trafficking in the context of border controls, but may have themselves contributed to human trafficking, and called on Belarus to strengthen border controls to prevent and detect trafficking of foreign nationals through Belarus.

Looking ahead, GRETA has decided to carry out a **stock-taking of the third evaluation round** of the Convention and to prepare a horizontal review of GRETA's country evaluation reports, identifying good practices, common challenges, and remaining gaps after three rounds of evaluation. The stock-taking is intended to pave the way for the fourth evaluation round of the Convention, which will be launched next year. GRETA has started reflecting on the **focus and design of this new evaluation round**.

An important development since your last meeting is the adoption by the Committee of Ministers, on 27 September 2022, of the new **recommendation on combating trafficking for the purpose of labour exploitation**. GRETA was actively involved in the drafting process and will promote the recommendation and contribute to the monitoring of its implementation.

As you know, the first terms of office of several GRETA members will expire at the end of this year, and some of them are standing for election for a second term of office. I hope that **today's election** to fill

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the vacant seats will ensure a gender and geographic balance and ensure the continuity and professional diversity of GRETA's membership. An effective monitoring system relies on the professionalism, availability, dedication and independence of the experts to whom the task is entrusted.

I am also grateful to the Committee of the Parties, to all its members and particularly to the Chair, Ambassador Meuwly, for supporting GRETA's work. We must continue to work in tandem to strengthen the implementation of the Convention, one of the most important human rights legal instruments of our time.

Thank you for your attention.

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## **Appendix IV**

### **Statement by Ms Pascale Millim, Adviser, Directorate of Criminal and Judicial Affairs, Ministry of Justice, Luxembourg, on behalf of the Grand Duchy of Luxembourg**

We would like to thank GRETA for this opportunity to express ourselves.

It is important for us to acknowledge that GRETA's third evaluation round, and more specifically, the resultant recommendations, are highly relevant and constructive. They will of course be taken into account in the course of the work on the new national action plan currently being prepared by our Monitoring Committee to Combat Trafficking in Human Beings.

Special attention is paid to protecting victims, particularly the most vulnerable ones, and the Grand Duchy undertakes to devise and implement victim-centred measures and activities.

We hope to be able to submit the initial results of all the measures and activities we will be undertaking during the follow-up stage of the third evaluation round.

Thank you for your attention.

## **Appendix V**

### **Statement by Mr Adam Gazda, International Co-operation and EU Department, Ministry of Justice of the Czech Republic**

We were pleased to submit our report in reply to the Committee of the Parties recommendations which have been shared with our relevant national institutions.

The recommendations from GRETA focus in a great part on victims and our effort is also directed in that way. Therefore, allow me to mention some elements touching upon this topic. All presumed victims of trafficking in human beings in the Czech Republic can benefit from a recovery and reflection period of one month. In order to improve the access of victims to the compensation, our Senate will soon vote on the amendment modifying the beginning of the time limit for filling the request by the victim for a satisfaction of his or her property claim which should be newly calculated from the legal effect of all relevant verdicts. The importance of a proper identification of victims, as mentioned in one of the recommendations, is further reflected in the Methodology on Identifying Victims of Crime recently issued by the Police which also covers the victims of trafficking in human beings. The methodology is now being developed into a detailed guide reflecting both psychological and legal point of view and will serve as tool for further training of other stakeholders.

The report also mentions training activities aimed at prevention, identification and assistance to the victims including children. Furthermore, it elaborates on international cooperation which is crucial for investigation and prosecution of the crimes.

Our focus is also on emerging risks; in this respect, we have allocated extra funds aimed at tackling possible trafficking in human beings with regard to Ukrainian refugee crisis caused by Russian aggression. Last but not least, we would like to stress the importance of the victim's cooperation with the police. Such cooperation can lead to the investigation of more crimes committed either by the same or any other perpetrator and can ultimately help to other potential victims of the trafficking in human beings. Our comments on the recommendations reflect this approach too.

We highly value the work of GRETA and its strong contribution to the fight against combatting trafficking in human beings. We are aware that some of its recommendations have not been implemented in a full compliance with their wording and goals. In this respect, we will further work on their full implementation.

## Appendix VI

### **Statement by Annika Vaikla (Estonia, L, ILDG), Rapporteur on the reception of women and children refugees, Congress of Local and Regional Authorities**

Dear Chair, Ambassador Meuwly,

Dear Committee members,

I am glad to participate today to share our most recent work at the Congress of Local and Regional Authorities on combatting human trafficking, highlighting the key role that cities and regions play in this fight.

Cooperation across all levels of government is vital in ensuring a comprehensive approach to trafficking. Countries often develop their strategies at the national level, but it are local and regional authorities that are closest to the actual implementation. As such, we are the first line of defence against human trafficking.

Our closeness to communities and our role as providers of key services means that we are well-placed to prevent trafficking and support victims. Involving us and incorporating our experience is crucial at every stage of the fight against human trafficking.

The Congress has placed great importance on supporting cities and regions in the fight against trafficking, particularly in the context of the arrival of refugees.

In 2017 and 2018, the Congress prepared reports on the reception and integration of refugees and unaccompanied refugee children.

These reports encouraged cities and regions to publish information in different languages and in accessible formats to inform children about the risks of trafficking.

Authorities should help refugees identify and avoid dangerous situations and make sure that they know exactly where to get support. They should also cooperate with NGOs and national authorities at border crossings to make sure that staff are equipped to prevent and respond to trafficking.

Just a few weeks ago, on 25 October, the Congress adopted a new report outlining the steps local and regional authorities should take to accommodate the needs of women and children refugees.

While the need for such a report was sparked by events in Ukraine, its recommendations should apply to all women and children on the run, regardless of their origin, skin colour or religion.

Women and children fleeing conflict are particularly vulnerable to violence and human trafficking throughout their journey and after arriving in the receiving country.

The report therefore includes a section highlighting both the challenges and opportunities for local and regional authorities in the protection of this group.

During the preparation of the report, a Congress delegation visited several reception centres in Poland and we witnessed first-hand the efforts of Polish cities and regions to protect women and children refugees.

One of the risks identified by authorities at border crossings was the large numbers of private volunteers offering free transport to newly arrived refugees. This gave criminals and traffickers the opportunity to capitalise on sometimes chaotic situations and exploit refugees.



Local authorities responded quickly. In one Polish border town, refugees were advised to take a picture with the driver and post it on social media. The same town developed an app designed to track the journeys of registered drivers and refugees.

The report outlines other best practices from a variety of countries, such as improving the training of reception centre staff to spot and respond to human trafficking and initiatives to coordinate the response of municipalities.

As our report highlights, it is important to emphasise that local and regional authorities should not be overlooked. With the right means and tools, we can be strong allies in combatting trafficking, for example by training local police to identify and protect victims of trafficking. We are also often responsible for social service delivery, where we can work towards prevention and early intervention.

Therefore, as national experts on human trafficking, I would urge you to consult with the mayors, city councils and regional administrations in your country, so that we can all work together towards the elimination of exploitation and trafficking of vulnerable refugees, in particular women and children.

Thank you for your attention.