

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



**Recommendation CP/Rec(2024)06
on the implementation of the Council of Europe Convention
on Action against Trafficking in Human Beings
by Lithuania**

*adopted at the 34th meeting of the Committee of the Parties
on 21 June 2024*

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

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

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

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

Having regard to the instrument of ratification deposited by Lithuania on 26 July 2012;

Recalling Committee of the Parties' Recommendation CP/Rec(2019)09 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Lithuania and the report of the Lithuanian authorities on measures taken to comply with this recommendation, submitted on 16 October 2020;

Having examined the third report concerning the implementation of the Convention by Lithuania, adopted by GRETA at its 49th meeting (13-17 November 2023), as well as the comments of the Lithuanian Government received on 7 February 2024;

Bearing in mind the focus of the third evaluation round of the Convention on access to justice and effective remedies for victims of trafficking;

Considering the conclusions and proposals contained in Appendix I of GRETA's third report on topics related to the third evaluation round and follow-up topics specific to Lithuania;

Welcoming the measures taken and progress achieved by the Lithuanian authorities in implementing the Convention, and in particular:

- the further development of the legislative framework relevant to combating human trafficking, including by amending the Law on State Guaranteed Legal Aid and expanding the application of the non-punishment provision to victims of forced labour or services;
- the steps taken to combat trafficking for the purpose of labour exploitation, including the establishment of two pilot groups within the State Labour Inspectorate to examine reports of potential cases of human trafficking;
- the existence of specialised police officers and prosecutors dealing with human trafficking cases, and the training provided to them;
- the increase in the funding provided to specialised NGOs providing services to victims of trafficking;
- the fact that a number of victims of trafficking have been awarded compensation from the perpetrators by criminal courts;
- the efforts made in developing international co-operation in the fights against human trafficking.

A. Recommends that the Government of Lithuania take measures to address the following issues for immediate action¹ identified in GRETA's report:

1. make additional efforts to guarantee access to justice for victims of trafficking, in particular by ensuring that legal assistance is provided as soon as there are reasonable grounds for believing that a person is a victim of human trafficking, before the person concerned has to decide whether or not he/she is formally identified, wants to co-operate with the authorities and/or make an official statement (paragraph 62);
2. make the State compensation scheme effectively accessible to all victims of trafficking, irrespective of their nationality or residence status, and the outcome of the criminal proceedings. In this respect, reference is made to the Council of Europe Committee of Ministers Recommendation CM/Rec(2023)2 on rights, services and support for victims of crime (Article 14) (paragraph 83);
3. strengthen the co-ordination of anti-trafficking action by reviewing the responsibilities of the Secretary of the Co-ordination Commission and increasing the human and budgetary resources to enable the carrying out of the range of tasks related to national anti-trafficking action, reflecting the requirements of a co-ordinated and effective human rights-based approach to combating human trafficking (paragraph 32);
4. intensify their efforts to prevent and combat human trafficking for the purpose of labour exploitation, taking into account GRETA's Guidance Note on combating trafficking for labour exploitation and the CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation. This should include steps to:
 - ensure that sufficient staff and resources are made available to the State Labour Inspectorate to enable it to play a frontline role in the prevention and identification of trafficking for the purpose of labour exploitation, including in situations where workers are posted to other EU countries;
 - ensure that labour inspectors, law enforcement officers and other relevant actors increase their capacity to detect and identify victims of trafficking for the purpose of labour exploitation, paying particular attention to at-risk sectors, such as transportation, construction, hospitality and agriculture;
 - enhance the exchange of information between labour dispute commissions and labour inspectors on potential cases of human trafficking;

¹ The number of the paragraph setting out GRETA's proposals in the report is indicated in brackets.

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- take effective steps to regulate recruitment and temporary work agencies to strengthen prevention of THB and labour exploitation (paragraph 156);
5. review legislation and practice in order to ensure that individualised assessments are undertaken prior to any forced returns in order to detect any victims of THB and refer them to assistance. This should include steps to build the capacity of the State Border Guard Service to detect cases of human trafficking at the border and the provision of information to foreign nationals, in a language that they can understand, about the risks of human trafficking, their rights and where to turn for advice and assistance. The Lithuanian authorities should take full account of the UNHCR guidelines on the application of the Convention relating to refugee status to victims of trafficking, and their right to seek asylum, and to GRETA's Guidance Note on the entitlement of victims of human trafficking, and persons at risk of being trafficked, to international protection (paragraph 166);
 6. make further efforts to ensure that all victims of trafficking are identified as such and can benefit from the assistance and protection measures contained in the Convention, in particular by:
 - ensuring that, in practice, the identification of victims of human trafficking, upon which assistance measures depend, is not linked to the prospects of a successful investigation and prosecution;
 - paying increased attention to the identification of victims of trafficking among asylum seekers and migrants, including by recruiting or otherwise engaging a sufficient number of trained staff, including interpreters and cultural mediators, to more effectively interact with migrants and asylum seekers. In this respect, reference is made to GRETA's Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection (paragraph 174);
 7. take additional steps to improve the assistance for victims of trafficking, and in particular:
 - guarantee the availability of appropriate and safe accommodation and assistance for all victims of trafficking, including men;
 - provide access to specialised assistance and accommodation to foreign victims of trafficking, irrespective of their residence status or their willingness to co-operate in the investigation or prosecution;
 - ensure access of victims to health care, irrespective of their residence address (paragraph 182);
 8. make additional efforts to prevent trafficking of children and improve the identification of child victims of trafficking, and in particular:
 - address the problem of unaccompanied foreign children disappearing from institutional care and set up a system for tracking disappeared children, in order to understand the extent of this issue and react adequately;
 - ensure that relevant actors take a proactive approach and increase their outreach work to identify child victims of trafficking, including children trafficked for forced criminality and children recruited and/or exploited online;
 - take measures and ensure that child victims of human trafficking are provided with an accommodation which creates a safe and enabling environment for children, paired with enough adequately trained staff (paragraph 197);
 9. ensure, in compliance with the obligations under Article 13 of the Convention, that all foreigners for whom there are reasonable grounds to believe that they are victims of trafficking are offered a recovery and reflection period without having to apply for it, and are able to fully benefit from all the measures of protection and assistance envisaged in Article 12, paragraphs 1 and 2, of the Convention during this period (paragraph 203).

- B. Recommends that the Lithuanian authorities take measures to implement the other proposals for action listed in Appendix 1 of GRETA's third evaluation report.
- C. Requests the Lithuanian Government to report to the Committee of the Parties on the measures taken to comply with this recommendation by **21 June 2026**.
- D. Invites the Lithuanian Government to continue the dialogue in progress with GRETA and to keep GRETA regularly informed of the measures taken in response to GRETA's conclusions.