

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



**Recommendation CP/Rec(2024)07
on the implementation of the Council of Europe Convention
on Action against Trafficking in Human Beings
by Monaco**

*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 Monaco on 30 November 2015;

Recalling Committee of the Parties' Recommendation CP/Rec(2020)02 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Monaco and the report of the Monegasque authorities on measures taken to comply with this recommendation, submitted on 10 June 2022;

Having examined the third report concerning the implementation of the Convention by Monaco, adopted by GRETA at its 50th meeting (18-22 March 2024), as well as the comments of the Monegasque Government received on 14 May 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 Monaco;

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

- the further development of the legislative framework for combating trafficking in human beings, in particular by bringing the definition of trafficking in human beings in domestic law into line with the one in the Convention;
- the adoption of a law for the state compensation of victims of crime which comprises victims of trafficking in human beings;
- the introduction of training on trafficking in human beings and the obligation for professionals likely to be in contact with victims of trafficking to receive regular training on the subject;
- the adoption and dissemination of a detailed list of indicators for identifying victims of trafficking by the Public Safety Department;
- the care arrangements in the state-run centres where any detected adult and child victims of trafficking would be accommodated.

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

1. adopt such legislative or other measures as may be necessary to ensure that all victims of human trafficking, irrespective of their nationality or residence status, receive psychological assistance, in accordance with Article 12(1) of the Convention (paragraph 51);
2. adopt such legislative or other measures as may be necessary to ensure access to the labour market, vocational training and education for all victims of trafficking, in line with Article 12(4) of the Convention (paragraph 56);
3. take further steps to strengthen the criminal justice response to trafficking in human beings, including by:
 - taking the necessary legislative measures to ensure that the offence of trafficking in human beings can be effectively investigated, prosecuted and punished, including by adding the offence to the Criminal Code;
 - ensuring that human trafficking offences for any form of exploitation are promptly and proactively investigated, regardless of whether a complaint is filed by the victim or an organised criminal group exists, and using all available evidence, including evidence gathered through special investigative techniques, suspicious activity reports, documents and digital evidence, rather than relying solely on the testimony of victims or witnesses;
 - ensuring that human trafficking offences are prosecuted as such, rather than as lesser offences, every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions for those convicted (paragraph 86);
4. take steps to guarantee the principle of non-punishment of victims of trafficking in human beings who have committed offences, including administrative offences, to the extent that they have been compelled to do so. This should entail the adoption of specific legal provisions and/or the development of guidance on the non-punishment principle for police officers and prosecutors, and the inclusion of this principle in the training of police officers, prosecutors, judges and lawyers (paragraph 93);
5. adopt such legislative or other measures as may be necessary to ensure that child protection measures in criminal proceedings (in particular mandatory assistance by a lawyer, the presence of a psychologist during hearings, videotaping of interviews) benefit all child victims of trafficking as such, regardless of whether they are victims of related offences (paragraph 129);

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

6. take further steps to prevent and combat trafficking for the purpose of labour exploitation, taking into account Recommendation CM/Rec(2022)21 of the Committee of Ministers of the Council of Europe on preventing and combating trafficking in human beings for the purpose of labour exploitation, and in particular to:
 - strengthen the capacities and resources of the Labour Inspectorate (staff, training, operational tools) so that they can be actively involved in the prevention of trafficking for the purpose of labour exploitation and the detection of possible victims;
 - map the sectors considered to be at risk from labour exploitation and trafficking in human beings and increase the number of unannounced inspections carried out in these sectors. Inspections should involve interpreters whenever necessary to facilitate communication with foreign workers;
 - set up safe reporting mechanisms and effective complaint mechanisms for workers, in particular among migrants, so that victims can report abuse or exploitation without fear of reprisals;
 - build awareness among the general public and, more specifically, among migrant workers, including those seconded to the Principality, of the risks linked to trafficking for the purpose of labour exploitation and the rights of trafficking victims. In particular, such awareness-raising should focus on the risks associated with workers being dependent on their employers (paragraph 149);
7. take further steps to improve the identification of possible victims of trafficking in human beings, whatever the forms of exploitation, and in particular:
 - finalise the adoption of the draft circular on the identification and assistance of THB victims, and to ensure that it provides all professionals likely to come into contact with possible victims of trafficking (including police officers, labour inspectors, social workers, health-care professionals) with a clear procedure and guidance for detecting and identifying victims of trafficking, and referring them for assistance;
 - step up efforts to proactively detect victims of trafficking among persons vulnerable to trafficking, in particular domestic workers, migrant workers and people in an irregular situation (paragraph 161);
8. adopt such legislative or other measures as may be necessary to ensure that all victims of trafficking, regardless of their nationality and residence status, receive assistance in accordance with Article 12 of the Convention (paragraph 169);
9. provide in their internal law for:
 - a recovery and reflection period for victims of trafficking in human beings, in accordance with Article 13 of the Convention;
 - the possibility of issuing a renewable residence permit to trafficking victims in cases where the competent authority considers that their stay is necessary owing to their personal situation or for the purpose of their co-operation with the authorities in connection with an investigation and/or criminal proceedings, in accordance with Article 14 of the Convention (paragraph 176).

B. Recommends that the Monegasque authorities take measures to implement the other proposals for action listed in Appendix 1 of GRETA's third evaluation report.

C. Requests the Monegasque 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 Monegasque 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.