

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



**Recommendation CP/Rec(2024)10  
on the implementation of the Council of Europe Convention  
on Action against Trafficking in Human Beings  
by the Czech Republic**

*adopted at the 35th meeting of the Committee of the Parties  
on 29 November 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 the Czech Republic on 29 March 2017;

Recalling Committee of the Parties' Recommendation CP/Rec(2020)01 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Czech Republic and the report of the Czech authorities on measures taken to comply with this recommendation, submitted on 22 August 2022;

Having examined the second round evaluation report concerning the implementation of the Convention by the Czech Republic, adopted by GRETA at its 51st meeting (1-5 July 2024), as well as the comments of the Czech Government on GRETA's report, submitted on 25 September 2024;

1. Welcomes the progress made since the first round of evaluation in the following areas:
  - the adoption of the Sixth National Strategy on Combating Trafficking in Human Beings for the period 2020-2025;
  - the inclusion of the State Labour Inspection Office in the Intergovernmental Co-ordination Group for Combating Trafficking in Human Beings, which comprises relevant governmental and non-governmental stakeholders and monitors the implementation of the Strategy;
  - the efforts made to raise awareness of the risks of trafficking in human beings, including amongst persons fleeing Ukraine following Russia's full-scale aggression;

- the measures taken to prevent human trafficking for the purpose of labour exploitation, through the adoption of legislative amendments and the provision of information to foreign workers;
- the efforts made to expand the categories of professionals who are provided with training on human trafficking;
- the adoption of a list of indicators of human trafficking and its distribution to relevant professionals, and the dissemination of guidance on dealing with children who are possible victims of trafficking;
- the extension of the possibility for victims to remain in the Programme for Support and Protection of Victims of Trafficking after the termination of criminal proceedings when civil proceedings have been initiated;

2. Recommends that the Czech authorities take measures to address the following issues for immediate action identified in GRETA's report:

- develop and maintain a comprehensive and coherent data collection system on trafficking in human beings, by compiling reliable data on the number of presumed, identified and assisted victims, as well as on measures taken to protect and promote the rights of victims. Data regarding victims should be collected from all main actors and allow disaggregation concerning sex, age, type of exploitation, country of origin and/or exploitation. This should be accompanied by all the necessary measures to respect the right to protection of personal data, including when NGOs working with victims of trafficking are asked to provide to the national database;
- intensify efforts to prevent human trafficking for the purpose of labour exploitation, taking into account GRETA's Guidance Note on combating trafficking for labour exploitation and the Council of Europe Committee of Ministers Recommendation CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation. This should include steps to:
  - strengthen the supervision of temporary work and recruitment agencies, including disguised agencies;
  - keep under review the legislative framework for any loopholes that may undermine the prevention of labour trafficking (e.g., involvement of "disguised employment agencies"; abuse in the subcontracting chain; requalification of labour trafficking under other offences) and address any gaps identified (paragraph 79);
- take additional measures to prevent child trafficking, and in particular to:
  - reduce the risks of trafficking for the purpose of sexual exploitation of children, including for the production of sexual abuse material, as well as child trafficking facilitated by information and communication technology (ICT), notably by developing awareness-raising campaigns and other measures and addressing the root causes of such phenomenon;
  - ensure that all unaccompanied and separated children are registered and that all unaccompanied children are placed under the child protection system and provided with effective care;
  - take steps to prevent the disappearances of unaccompanied foreign children placed in institutional care, by providing suitable safe accommodation and adequately trained professionals;
- take additional measures to improve the detection and identification of victims of trafficking, in particular by:
  - putting in place a formalised victim identification procedure which defines the roles and responsibilities of all relevant stakeholders, promotes a multi-agency approach by involving specialised NGOs, labour inspectors, social workers, child protection specialists and health-care

- staff, and includes indicators and guidance for identifying victims of different forms of exploitation;
- disconnecting the identification of victims of human trafficking from the initiation of criminal proceedings for human trafficking and ensuring that all victims of trafficking detected in the Czech Republic, including foreign nationals trafficked outside of the country, can be identified as victims of trafficking. Victims of trafficking should be identified as such, and their credibility not called into question, even if they do not state the facts of their trafficking upon their first contact with the authorities;
  - reconsidering the application of the Dublin Procedure to presumed victims of trafficking;
  - strengthening the proactive identification of victims of trafficking for different forms of exploitation, including sexual exploitation, labour exploitation and exploitation of criminal activities, as well as amongst asylum seekers and persons placed in administrative detention pending removal from the Czech territory;
  - establishing safe reporting and effective complaint mechanisms for workers, to ensure that victims of abuses or exploitative situations can refer their case without fear of repercussions;
  - putting in place practical co-operation and data sharing agreements between labour inspectors and law enforcement in order to ensure that personal information of workers, whether collected in the course of labour inspections, joint inspections, reporting or complaints mechanisms, is not used for immigration enforcement purposes, but to tackle the perpetrators of trafficking offences;
  - strengthening the training and guidance on the identification of victims of trafficking provided to relevant professionals (in particular staff working in asylum and immigration detention centres, staff examining asylum requests, as well as labour inspectors), in co-operation with civil society and lawyers;
- ensure that all victims of trafficking under the jurisdiction of the Czech Republic, including asylum seekers and persons trafficked abroad but detected in the Czech Republic, benefit from assistance measures in accordance with Article 12, paragraph 1, of the Convention;
  - take further steps to improve the identification of, and assistance to, child victims of trafficking, in particular by:
    - establishing a clear procedure (National Referral Mechanism) for the identification of child victims of trafficking which takes into account the special circumstances and needs of child victims, involves child specialists and ensures that the best interests of the child are the primary consideration in all proceedings relating to child victims of trafficking and children at risk. This procedure should ensure that all child victims of trafficking detected in the Czech Republic are identified as such, rather than as victims of other criminal offences;
    - collecting disaggregated data on presumed and identified child victims of trafficking;
    - strengthening the identification of victims of trafficking in human beings amongst unaccompanied foreign children and children in institutional care, by taking a proactive approach and increasing outreach work, including online;
    - providing specialised assistance to child victims of trafficking which takes into account their specific circumstances and the best interests of the child;
  - ensure that the recovery and reflection period is applied to all presumed foreign victims of trafficking, regardless of the age of the victim, the country of exploitation or of whether they agree to be included in the Programme for Support and Protection of Victims of Human Trafficking, including those to whom the Dublin Regulation is applicable;
  - take further steps to guarantee access to compensation and legal remedies for victims of trafficking, in particular by:

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- ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim or loss sustained by the victim, is part of the criminal investigation with a view to supporting compensation claims in court;
  - ensuring that victims of trafficking can effectively receive compensation from the offenders, as part of the criminal proceedings and within a reasonable time;
  - reviewing the eligibility criteria for financial assistance from the State to ensure that it is effectively accessible for all victims of trafficking, whether they were trafficked to, from or within the Czech Republic, and regardless of their nationality and residence status;
- take measures to ensure compliance with the provision on the non-punishment of victims of human trafficking for their involvement in unlawful activities, to the extent that they were compelled to do so, pursuant to Article 26 of the Convention. Such measures should include the adoption of a specific legal provision and/or the development of guidance for law enforcement officials and prosecutors on the scope of the non-punishment provision, including with regard to criminal offences;
  - take measures to strengthen the criminal justice response to human trafficking, including by:
    - ensuring that human trafficking offences are investigated and prosecuted as such every time the circumstances of a case allow this, rather than being requalified as lesser offences, notably when the case falls under the jurisdiction of regional police directorates, and lead to effective, proportionate and dissuasive sanctions for those convicted;
    - reviewing gaps in the investigation, prosecution and conviction of cases of trafficking for the purpose of labour exploitation, and taking the necessary measures to address them, including legislative measures if necessary;
    - ensuring that the length of legal proceedings in cases of trafficking of human beings is reasonable, in line with the case-law of the European Court of Human Rights (related to Article 6, paragraph 1 of the ECHR) and the standards set by the European Commission for the Efficiency of Justice (CEPEJ).
3. Requests the Government of the Czech Republic to report to the Committee of the Parties on the measures taken to comply with this recommendation by **29 November 2025**.
4. Invites the Government of the Czech Republic to continue the dialogue in progress with GRETA and to keep GRETA regularly informed of the measures taken in response to GRETA's conclusions.