

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

Recommendation CP/Rec(2026)05
on the implementation of the Council of Europe Convention
on Action against Trafficking in Human Beings
by Malta

*adopted at the 38th meeting of the Committee of the Parties
on 3 July 2026*

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 Malta on 30 January 2008;

Having examined the fourth report concerning the implementation of the Convention by Malta, adopted by GRETA at its 55th meeting (17-21 November 2025), as well as the comments of the Maltese Government received on 19 February 2026;

Bearing in mind the focus of the fourth evaluation round of the Convention on vulnerabilities to human trafficking and measures taken to prevent them, detect and support vulnerable victims, and punish the offenders, as well as the additional focus on the use of information and communication technology (ICT);

Considering the conclusions and proposals for action contained in Appendix 2 of GRETA's fourth report on Malta related to the thematic focus of the fourth evaluation round and follow-up topics specific to Malta;

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

- the adoption of the National Anti-Trafficking Strategy (2024-2030), with an accompanying Action Plan, which contain measures addressing previous GRETA recommendations and engage survivors in anti-trafficking activities;
- the improvements to the provision of assistance to victims of trafficking, in particular the opening of a dedicated safe house for trafficking victims and the increase in related state funding;

- the efforts to develop specialisation among police officers, prosecutors and judges to deal with human trafficking cases;
- the amendments to the Criminal Code extending special interviewing conditions to all children under the age of 18 and strengthening the protection of all vulnerable victims of crime;
- the legislative amendments and awareness-raising activities aimed at improving the protection of migrants' rights and preventing their exploitation;

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

1. take additional steps to prevent trafficking for the purpose of labour exploitation, in particular by:
 - reviewing the legislative framework on the employment of migrant workers to prevent abusive contract termination by their employers and provide them with more time to find new employment following the early termination of their employment contract;
 - establishing safe reporting and effective complaint mechanisms for migrant workers;
 - strengthening oversight of private employment agencies, including temporary work agencies and outsourcing agencies;
 - establishing co-operation with countries of origin of migrant workers to explore ways to address the deceptive recruitment practices and debt bondage of employment agencies in countries of origin, and to disseminate accurate information about working in Malta;
 - taking additional measures to protect persons working in fishing boats, including through regular monitoring of their living and working conditions (paragraph 45);
2. strengthen its efforts to prevent asylum seekers and refugees from becoming victims of trafficking in human beings, in particular by:
 - ensuring that when there are reasonable grounds to believe that an asylum seeker is a child, the person concerned is presumed to be a child and is granted special protection measures pending age verification. This includes prompt separation from any unrelated adults and transfer to appropriate accommodation;
 - taking actions for preventing and following up on any disappearances of unaccompanied asylum-seeking children, and ensuring that all such cases are registered promptly and thoroughly investigated (paragraph 59);
3. take additional steps to proactively identify victims of trafficking, and in particular to:
 - ensure that sufficient financial and human resources are made available to labour inspectors to carry out inspections and outreach work with a view to detecting cases of trafficking for the purpose of labour exploitation, paying particular attention to at-risk sectors, such as construction, cleaning, domestic work, care work, fishing, massage parlours and adult entertainment, and developing specific guidelines for each at-risk sector to facilitate the identification of victims of trafficking;
 - screen all asylum seekers and migrants in immigration detention and reception centres for indicators of trafficking in human beings and enable specialised NGOs with experience in identifying and assisting victims of trafficking as well as UNHCR staff to have regular access to facilities for asylum seekers and detained migrants. These NGOs should be able to communicate with asylum seekers and detained migrants in

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

appropriate and confidential conditions in order to proactively identify victims of trafficking;

- take measures to ensure that the implementation of the Memorandum of Understanding with Libya does not result in breach of Malta's obligations under the Convention to identify victims of human trafficking, including, if necessary, by reviewing or suspending the Memorandum;
 - ensure that pre-removal risk assessments prior to all forced removals from Malta fully assess risks of trafficking or re-trafficking on return, in compliance with the obligation of non-refoulement. 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 92);
4. introduce as an aggravating circumstance the offence of human trafficking committed against a child, regardless of the means used (paragraph 112);
 5. ensure that the length of court proceedings in human trafficking cases 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) (paragraph 125);
 6. make efforts to guarantee effective access to compensation for victims of human trafficking, in line with Article 15 (4) of the Convention, including by:
 - ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim, is part of the criminal investigation, with a view to supporting compensation claims in court;
 - enabling victims of trafficking to effectively exercise their right to compensation, by ensuring access to legal assistance and free legal aid;
 - reviewing the legislation to allow the use of confiscated assets to secure compensation to victims of human trafficking;
 - removing the maximum limit of EUR 10 000 of compensation for moral damages;
 - reviewing the eligibility criteria for state compensation (S.L. 9.12) with a view to making it available to all victims of trafficking when the offence was committed in Malta, regardless of their nationality, residence status, conduct, character or way of life, and ensuring that it is not conditional on failure to obtain compensation from the perpetrator. Further, the limit of EUR 23 300 should apply to one victim, and not to a group of victims (paragraph 150);

B. Bearing in mind GRETA's conclusions that some recommendations made repeatedly in preceding evaluation rounds have not been implemented or have been only partially implemented, requests the Maltese authorities to take steps to implement the recommendations in points 4 and 6 as a matter of priority;

C. Recommends that the Maltese authorities take measures to implement the other proposals for action listed in Appendix 2 of GRETA's fourth evaluation report;

D. Requests the Maltese Government to report to the Committee of the Parties on the measures taken to comply with this recommendation by 3 July 2028;

E. Invites the Maltese 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.