

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

**Recommendation CP/Rec(2019)09
on the implementation of the Council of Europe Convention
on Action against Trafficking in Human Beings
by Lithuania**

*adopted at the 25th meeting of the Committee of the Parties
on 18 October 2019*

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(2015)4 of 15 June 2015 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 June 2017;

Having examined the second report concerning the implementation of the Convention by Lithuania adopted by GRETA at its 34th meeting (18-22 March 2019), as well as the comments of the Lithuanian Government received on 3 June 2019;

1. Welcomes the progress made by Lithuania since the first round of evaluation in the following areas:

- the further development of the institutional framework for combating trafficking in human beings (THB), including the expanded composition of the Commission for Co-ordination of the Fight against Human Trafficking, the increased number of local anti-trafficking commissions, and the strengthened role of municipalities in the fight against trafficking;
- the efforts to provide training on human trafficking to relevant professionals and to expand the categories of staff targeted, following a multi-agency approach;
- the steps taken to raise public awareness of human trafficking for different forms of exploitation, paying particular attention to children and persons in situation of social exclusion;

- the setting-up of a formalised National Referral Mechanism, which promotes a multi-disciplinary approach to the identification of victims of trafficking;
- the increase in public funding provided for the assistance of victims of trafficking and the extension of the duration of contracts awarded to NGOs for victim assistance;
- the increase in the number of compensations awarded to victims of trafficking;
- the significant number of investigations, prosecutions and convictions in human trafficking cases, and the application of the provisions establishing criminal liability of legal persons for trafficking offences;

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

- strengthen their efforts to prevent trafficking for the purpose of labour exploitation, in particular by:
 - further sensitising the general public and relevant officials, in particular labour inspectors, staff of the labour exchange offices, police officers, prosecutors and judges, about THB for the purpose of labour exploitation and the rights of victims;
 - increasing the human resources and strengthening the mandate of labour inspectors to detect possible victims of THB and refer them for identification and assistance;
 - strengthening the monitoring of private recruitment agencies and reviewing the legislative framework for any gaps that may limit protection or preventive measures;
 - developing measures to prevent the recruitment of victims of THB for labour exploitation via the Internet;
- strengthen their efforts to prevent trafficking in children, in particular by:
 - preventing unaccompanied foreign children from going missing from State care and Lithuanian children from absconding from institutions including by better training and supervision of staff working at institutions for such children;
 - systematically carrying out police investigations into disappearances of children and strengthening the follow up and alert systems on reports of missing children;
 - sensitising and training professionals working with children on the risks of trafficking and effective prevention measures;
- improve the assistance for victims of trafficking, and in particular:
 - guarantee the availability of appropriate and safe accommodation and assistance for all victims of THB, including men;
 - provide access to specialised assistance and accommodation to foreign victims of THB;
 - provide adequate advance financing to cover all the expenses incurred by specialised NGOs in the course of identifying and assisting victims of THB, including for legal assistance, counselling and information;
 - ensure access of victims to health care, irrespective of their residence address;
- enhance their efforts to identify victims of THB among unaccompanied or separated children in Lithuania and ensure their referral to assistance;
- review the procedure for granting a recovery and reflection period to the effect that persons in respect of whom there are reasonable grounds to believe that they are victims

of human trafficking are offered such a period without having to apply for it, as provided for in Article 13 of the Convention, and ensure that all possible foreign victims of trafficking, including EU and EEA citizens, are effectively provided such a period, with all the measures of protection and assistance envisaged in Article 12, paragraphs 1 and 2, of the Convention;

- make the State compensation scheme effectively accessible to all victims of trafficking, regardless of their nationality and residence status.

3. Requests the Government of Lithuania to report to the Committee of the Parties on the measures taken to improve the implementation of the Convention in the above-mentioned areas by **18 October 2020**.

4. Recommends that the Government of Lithuania take measures to implement the further conclusions of GRETA's second evaluation report.

5. Invites the Government of Lithuania to continue the dialogue in progress with GRETA and to keep GRETA regularly informed of the measures taken in response to GRETA's conclusions.