

**GRETA**

Group of Experts on Action  
against Trafficking in Human Beings



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# **First General Report on GRETA's activities**

**covering the period from February 2009 to July 2011**

Strasbourg, 1 September 2011

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## Foreword by the President of GRETA

I am pleased to present, on behalf of the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA), the First General Report on our activities. GRETA is a multidisciplinary panel of 15 independent experts tasked with monitoring implementation of the Council of Europe Convention of Action against Trafficking in Human Beings (hereinafter "the Convention"). This report, covering the period from GRETA's first meeting in February 2009 to the end of July 2011, takes stock of two and a half years that have been as crucial as they have been intense, with efforts geared exclusively to action.

A number of major milestones were reached.

Firstly, the Convention has gone from strength to strength as it now has 34 States Parties, which will be evaluated by GRETA in the areas of prevention and combating of trafficking in human beings, protection and rehabilitation of its victims, and co-operation on action to be taken against this major violation of human rights and flagrant assault on human dignity. Further ratifications are awaited, and certain States which are not Council of Europe members are already considering acceding to the Convention, as allowed under this legal instrument.

Secondly, 10 States Parties have already been evaluated, with all the preparatory work and operational activities that this has entailed for GRETA and its Secretariat: adoption of internal texts needed to ensure the smooth running of GRETA, drafting of the evaluation questionnaire and the actual evaluation work itself, involving analysis of the replies to the questionnaire, organisation of visits, drafting of evaluation reports as well as dialogue with each State Party throughout the procedure.

The first three evaluation reports, on Austria, Cyprus and the Slovak Republic, are expected to be published during the month of September 2011 and the other reports will follow at a steady rate. The publication of GRETA's reports will be an occasion for the States concerned, as well as for the other Parties to the Convention, to take note of GRETA's conclusions and pursue their efforts to adjust domestic legislation and public policies to make action against trafficking in human beings and the protection of its victims effective on the European continent and beyond. The reports will also provide a source of information and analysis for all the players involved in the fight against trafficking in human beings.

In addition, given that trafficking in human beings continues to be an issue of grave concern for the Council of Europe and the international community as a whole, this general activity report details the meetings, consultations and high-level conferences organised within regional or global frameworks in which GRETA took part. This participation enabled our group of experts to promote the Convention and explain the truly unique nature of its evaluation system and put forward its philosophy of action against trafficking in human beings. GRETA's involvement in these events also provided an opportunity to improve co-ordination between the different players, which is indispensable to avoid both contradicting interpretations of the standards laid down for the States and duplication of initiatives.

In the same spirit, co-operation arrangements were forged with a number of international and regional organisations, under which, and in accordance with the Convention, those organisations pass on information regarding trafficking in human beings to GRETA, which may further enhance its evaluations and, thereby, boost action against trafficking in human beings. GRETA would like to take the opportunity afforded by the circulation of this report to express its deep gratitude to these partners for the information they have forwarded and to invite others to send in information they think useful for GRETA.

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During these two and a half years, GRETA and the Convention have benefited from the support of the Council of Europe in general and the States Parties to the Convention in particular. Whether they have been ambassadors on the Committee of the Parties, "contact persons" or public officials met within the framework of the evaluations, all have done their utmost for the optimum organisation of effective visits, ensuring that the GRETA evaluation teams could meet the key players in action against trafficking, despite the fairly short notice given, dictated by both the independent nature of GRETA and the tight timetable of this first four-year evaluation round. The Parliamentary Assembly of the Council of Europe, national parliaments and independent public authorities have also demonstrated their support to GRETA and the Convention. In addition, the backing coming from non-governmental organisations and more generally from civil society must be emphasised.

Furthermore, our group of experts appreciates the budgetary efforts made by the Council of Europe and by those State Parties which have made voluntary contributions to the budget of GRETA. At the same time, GRETA very much hopes that these efforts can be stepped up. Indeed, evaluating the States Parties to the Convention on an equal footing and carrying out the evaluations within the timeframe set depend on an adequate budget.

Finally, this period has been marked by a landmark judgment of the European Court of Human Rights (hereinafter "the Court") in the case of *Rantsev v. Cyprus and Russia*, in which the Court ruled that trafficking in human beings fell within the scope of Article 4 of the European Convention for the Protection of Human Rights and Fundamental Freedoms. The Court emphasised that, accordingly, States had a positive obligation to put in place an appropriate legal and administrative framework against trafficking, to take measures to protect victims and to investigate acts of trafficking, including through effective co-operation with other States concerned on criminal matters. With trafficking in human beings now to be combated as a violation of the European Convention on Human Rights, it is certain that ratification of the Council of Europe Anti-Trafficking Convention and the expertise of GRETA will help Council of Europe member States to fight against the grave violation of human rights constituted by trafficking in human beings and comply with the Court's case-law.

This year and the coming years will see the publication of GRETA's evaluation reports, which will provide a clearer overall picture of action against trafficking in human beings in Europe, highlight both obstacles which prevent the efficiency of this action and some solutions and good practices, and above all serve as a guide for the 34 States Parties to the Convention as well as for the other States that will have acceded to the Convention. In the meantime, you may rest assured that GRETA will pursue the mission assigned to it by the Convention and ensure, in keeping with its mandate and the founding values of the Council of Europe, that the standards of prevention and combating of trafficking in human beings, protection of victims and co-operation between the different players involved are fully applied.

Nicolas Le Coz  
President of GRETA

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## Preface

1. Before reporting on the highlights of the activities of the Group of Experts on Action against Trafficking in Human Beings (GRETA) during the first two and a half years of its existence, it is appropriate to set out the main features of the Council of Europe Convention on Action against Trafficking in Human Beings ("the Convention") and its monitoring system mechanism.
2. The Convention was adopted by the Committee of Ministers of the Council of Europe on 3 May 2005 and entered into force on 1 February 2008, after the deposit of the first ten ratifications. It is a legally binding instrument which builds on other international instruments, while at the same time seeking to raise the standards which they lay down and to strengthen the protection afforded by them. As at 30 June 2011, the Convention has been ratified by 34 Council of Europe member States and has been signed by a further nine.
3. The Convention provides for the setting-up of GRETA, a technical body in charge of monitoring the implementation of the Convention by the Parties and of drawing up evaluation reports. On the basis of these reports, the second, political, pillar of the monitoring mechanism set up by the Convention, the Committee of the Parties, may adopt recommendations concerning the measures to be taken to implement GRETA's conclusions.
4. The main added value of the Convention is its human rights perspective and focus on victim protection. The Convention clearly defines trafficking as being first and foremost a violation of human rights and an offence to the dignity and integrity of the human being; greater protection is therefore needed for all of its victims. The Convention also has a comprehensive scope of application, encompassing all forms of trafficking (whether national or transnational, linked or not linked to organised crime) and taking in all persons who are victims of trafficking (women, men or children, whatever the form of their exploitation).
5. As trafficking in human beings is a world-wide phenomenon, one of the express purposes of the Convention is to promote international co-operation. In this context, it is noteworthy that the Convention is not restricted to Council of Europe member States; non-member States and the European Union also have the possibility of becoming Parties.
6. To be effective, and given the nature of the phenomenon, a strategy for combating trafficking in human beings must adopt a co-ordinated and multi-disciplinary approach, incorporating prevention, protection of victims' rights and prosecution of traffickers. The Convention contains various provisions in each of these three areas and places obligations on States to take appropriate measures, in partnership with civil society and in co-operation with other States.
7. The measures provided for by the Convention in the area of prevention include awareness raising and education campaigns; economic and social initiatives to tackle the underlying causes of trafficking; actions aimed at discouraging demand; and putting into place border control measures to prevent and detect trafficking in human beings.
8. The Convention also provides for a series of measures to protect and promote the rights of victims. Victims of trafficking must be identified and recognised as such, in order to avoid law enforcement agencies and public authorities treating them as irregular migrants or criminals. Victims should be granted physical and psychological assistance and support for their reintegration into society. Further, by virtue of the Convention, victims are entitled to a minimum of 30 days to recover and escape from the influence of the traffickers and to take a decision about their possible co-operation with the authorities. A renewable residence permit should be granted if the victims' personal situation so requires and/or if their continued presence is needed in order to co-operate in a criminal investigation. In addition, the Convention establishes the right of victims to receive compensation and provides for measures for their repatriation and return with due regard to their rights, safety and dignity.

9. In the area of substantive and procedural criminal law, the Convention places a series of obligations on Parties aimed at enabling the effective prosecution of traffickers and ensuring that they are punished in a proportionate and dissuasive manner. Particular attention is paid to the issue of victim and witness protection during investigation and court proceedings. The Convention also provides the possibility of not imposing penalties on victims for their involvement in unlawful activities, if they were compelled to do so by their situation.

## **Establishment of the procedural and organisational framework for GRETA's activities**

### **Membership**

10. The Committee of the Parties elected 13 members for the first composition of GRETA at its first meeting in Strasbourg on 5 and 8 December 2008. On 6 December 2010, at its 5th meeting, the Committee of the Parties elected two more members, bringing the total number of GRETA members to the maximum of 15 provided for by the Convention. Following the resignation of Ms Josie Christodoulou on 2 May 2011, a procedure to fill the seat vacated by her was launched. The Committee of the Parties is expected to proceed with the election of a new GRETA member at its next meeting on 26 September 2011. GRETA wishes to sincerely thank Ms Christodoulou for her contribution to its work.

11. GRETA members are independent and impartial experts from a variety of backgrounds. They have been chosen from amongst nationals of the States Parties to the Convention and are known from their competence and professional experience in the areas covered by the Convention. The current composition of GRETA reflects a gender and geographical balance. The term of office of GRETA members is four years, renewable once (see Appendix 2).

12. GRETA's first meeting was held less than three months after the first elections of GRETA members, from 24 to 27 February 2009. At that meeting, GRETA elected, by secret ballot, its first President, Ms Hanne Sophie Greve, for a term of office of two years. Mr Nicolas Le Coz and Ms Gulnara Shahinian were elected respectively as First and Second Vice-President.

13. At its 8th meeting (held from 7 to 10 December 2010), GRETA elected, by secret ballot, Mr Nicolas Le Coz as President, Ms Gulnara Shahinian as First Vice-President and Mr Davor Derencinovic as Second Vice-President, for a term of office of two years starting on 1 January 2011.

### **Internal Rules of Procedure**

14. In accordance with Article 36 (4) of the Convention, at its 1st meeting, GRETA adopted its Internal Rules of Procedure, which are modelled to a considerable extent on the rules of other Council of Europe independent human rights monitoring bodies. The following features of GRETA's Rules of Procedure should be highlighted:

- i) GRETA's work is directed by the President and the Bureau (see Rules 7 and 9), which has the advantage of guaranteeing collegiality in important decision making;
- ii) in line with the letter and spirit of the Convention, the Rules strike a balance between confidentiality and visibility. GRETA meets in camera, unless it decides otherwise. Although GRETA's working documents are confidential, the need for providing information on its work is met by publishing the lists of decisions taken during meetings, as well as the publication of GRETA's meeting reports after a period of one year (see Rule 24);

- iii) provisions have been included in the Rules which are designed to ensure close co-operation with the other pillar of the monitoring mechanism of the Convention through holding periodic meetings between the President of GRETA and the Committee of the Parties (see also paragraphs 41-43).

### **Rules of Procedure for Evaluating Implementation of the Convention**

15. In addition to its Internal Rules of Procedure, GRETA drew up specific rules to guide it in the evaluation of the implementation of the Convention by the Parties. These Rules were adopted at GRETA's 2nd meeting (16-19 June 2009). They provide for the establishment of a constructive and confidence-based dialogue with the Parties with a view to the efficient implementation of the measures provided for by the Convention. The Rules set out the means of evaluation of which GRETA avails itself (see the section entitled "GRETA's working methods").

### **Trafficking Information Management System (TIMS)**

16. The Trafficking Information Management System (TIMS) is a secure web application which was launched in May 2010. It has been set up to provide the monitoring mechanism of the Convention with an efficient information management tool. TIMS allows GRETA and governments to communicate key documents produced during the course of the monitoring procedure, including GRETA reports and the authorities' comments on them, as well as the recommendations of the Committee of the Parties.

17. The primary objectives of TIMS are to:

- support efficient collection of information from governments with minimal administrative overhead to GRETA and its Secretariat;
- ensure that this information is recorded and stored in a structured format, appropriate to current and potential reporting and analysis requirements;
- facilitate the production of documents through the various stages of their lifecycle, from initial draft to published report and archiving;
- ensure that this information is stored reliably and securely;
- facilitate easy access to this information through appropriate search, navigation and reporting mechanisms.

18. GRETA is particularly grateful to the Finnish Government for its voluntary contribution of €100 000, which covered a major part of the initial costs related to the setting-up of TIMS. GRETA also highly appreciates the two voluntary contributions received from the Spanish Government (totalling €20 000), which are being used to further develop and enhance TIMS.

### **Human and financial resources**

19. In order to ensure the effective functioning of the monitoring mechanism of the Convention, adequate resources must be allocated for the work of GRETA. While the rapid increase in the number of Parties to the Convention is a most welcome development, it also has a real impact on the workload of GRETA and its Secretariat.

20. Pursuant to GRETA's decision taken at its 3rd meeting (22-25 September 2009), on 30 October 2009 GRETA's Bureau addressed a letter to the Secretary General of the Council of Europe, emphasising the difficult staff situation and specifying in detail its minimum needs, based on a comparison with the resources allocated to other monitoring mechanisms of the Council of Europe. One administrator was subsequently re-deployed to GRETA's Secretariat in March 2010. It was also decided to further reinforce the Secretariat in 2011 by one A grade official and one B grade staff member, by means of re-deployment.

21. GRETA's Secretariat forms a distinct section of the Council of Europe's Directorate General of Human Rights and Legal Affairs (DG-HL), and is currently made up of seven officials, comprising four A grade staff and three B grade staff (see Appendix 3). There has been no progress towards re-deploying the two above-mentioned officials and the staffing situation continues to be unsatisfactory. Unlike other monitoring secretariats, the Anti-Trafficking Secretariat does not have a dedicated staff member to carry out research and documentation. It should be underlined that the Secretariat has an essential role to play in the preparation and carrying out of evaluations and in the subsequent drawing up of visit reports. Reinforcing the Secretariat without delay is indispensable, in order to enable GRETA to carry out the first evaluation round in accordance with the timetable adopted by GRETA.

22. The financial resources allocated to GRETA's operational activities currently enable it to carry out 10 evaluations per year. Given the growing number of Parties to the Convention, GRETA should increase its annual programme of evaluations to 12. This will inevitably be dependent on GRETA being provided with adequate financial resources. There is also a need for a substantial increase in the translation budget, in order to ensure that GRETA's evaluation reports and other relevant documents are available in the two official Council of Europe languages.

23. The importance of completing GRETA's tasks in line with the high standards set by Council of Europe's other monitoring mechanisms cannot be over-estimated. The initial results of GRETA's work will lay a founding stone for its reputation and credibility. It is therefore essential that adequate human and financial resources be provided to this activity in the future, reflecting its priority nature for the Council of Europe.

24. Throughout the period covered by this General Report, there have been a number of staff changes. Mr Hallvard Gorseth and Ms Louise Everts, both recruited in 2006 to work on the Council of Europe Campaign to Combat Trafficking in Human Beings, went to work in other parts of the Organisation during the last quarter of 2009. Further, Ms Yvette Schiller retired in September 2010. Lastly, the former Executive Secretary, Ms Marta Requena, who played a key role in the Council of Europe's work on action against trafficking in human beings, the negotiation process of the Convention and its entry into force, as well as during the first years of GRETA's work, took up a new post in September 2010. GRETA wishes to warmly thank the previously mentioned staff members and to place on record its recognition of their professionalism and dedication, which were greatly appreciated during the first formative years of GRETA's existence. In the meantime, new staff has joined the Anti-Trafficking Secretariat, including the new Executive Secretary, Ms Petya Nestorova.

## **GRETA's working methods**

25. The task of GRETA is to evaluate the implementation of the Convention by the Parties, following a procedure divided in rounds. At the beginning of each round, GRETA defines autonomously the provisions to be monitored and determines the most appropriate means to carry out the evaluation, being guided by the above-mentioned Rules of Procedure for Evaluating Implementation of the Convention. GRETA has decided that the duration of the first evaluation round shall be four years starting at the beginning of 2010 and finishing at the end of 2013.

26. In carrying out its monitoring work, GRETA has the right to avail itself of a variety of means for collecting information. As a first step, GRETA may send a questionnaire to the authorities of the Party undergoing evaluation. Such a questionnaire was developed by GRETA for the first round of the evaluation of the implementation of the Convention by the Parties and was adopted on 1 February 2010. Furthermore, GRETA may make additional requests for information to the national authorities.

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27. By virtue of the Convention, Parties are obliged to co-operate with GRETA in the provision of the requested information (see Article 38 (2) of the Convention). In order to ensure the smooth running of the evaluation, each Party to the Convention is requested to appoint a contact person to liaise with GRETA. The contact person should be within the government structure and, as far as possible, be responsible for co-ordinating national policies to combat trafficking in human beings, as well as the action of all actors involved in this field. The contact person receives the previously mentioned questionnaire and is responsible for distributing it to the different national bodies concerned, co-ordinating their replies and submitting to GRETA a consolidated version of the official reply to the Questionnaire. The contact person is also expected to co-operate with GRETA in the organisation of the country visit (see paragraph 29) and on other issues relating to the evaluation of the implementation of the Convention.

28. Another important source of information is civil society and, indeed, GRETA maintains contacts with non-governmental organisations (NGOs) active in the field of action against trafficking in human beings. GRETA may decide to address the above-mentioned questionnaire or any other request for information to NGOs, other relevant organisations and members of civil society, which have access to reliable sources of information and are capable of carrying out the necessary verifications of this information. GRETA treats information received from civil society as confidential unless the respondent requests publication.

29. In addition, GRETA may decide to carry out a visit to the country concerned, in order to collect additional information or to evaluate the practical implementation of the adopted measures. Such a visit allows for direct meetings with the relevant actors (governmental and non-governmental) and is also an occasion for GRETA to visit facilities where protection and assistance are provided to victims of trafficking and other related structures. Thus GRETA may request to visit crisis centres or shelters for victims of trafficking managed by public bodies or NGOs, police stations, border posts or hospitals. These visits make it possible, *inter alia* to check on the effectiveness of the measures taken to implement the Convention. Furthermore, GRETA may decide to organise hearings with various actors in the field of action against trafficking in human beings.

30. When carrying out country visits, GRETA may decide to use the assistance of independent national experts or specialists in specific fields.

31. GRETA's evaluation reports are thus the result of information gathered from a variety of sources. They contain an analysis of the situation in each Party regarding action taken to combat trafficking in human beings and suggestions concerning the way in which the country may strengthen the implementation of the Convention and deal with any problems identified. In its assessment, GRETA is not bound by the case law of judicial and quasi-judicial bodies acting in the same field, but may use them as a point of departure or reference. The reports are drawn up in a co-operative spirit and are intended to assist States in their efforts; they can offer support for the changes on which the national authorities have already embarked, and lend legitimacy to the direction of national policy. Because of its multidisciplinary and multinational composition, and thanks to its independent approach, GRETA provides a professional and impartial international voice in this process.

32. As regards the procedure for the preparation of reports, GRETA examines a draft report on each Party in a plenary session. The draft report is sent to the relevant Government for comments, which are taken into account by GRETA when establishing its final report. This final report is adopted by GRETA in another plenary session and transmitted to the Party concerned, which is invited to submit any final comments. The report and conclusions by GRETA, together with eventual comments by the authorities, are made public at the expiry of the time-limit of one month for the Party to make comments, and sent to the Committee of the Parties. This completes the task of GRETA with respect of the Party concerned in the context of the first evaluation round, but is only the first stage in an ongoing dialogue between GRETA and the authorities.

33. At its 7th meeting (14-17 September 2010), GRETA finalised its internal guidelines for the preparation of its evaluation reports, country visits and requests for information addressed to civil society. These guidelines, which are confidential, are intended to be living documents, capable of evolving on the basis of the experience gained by GRETA.

## **Meetings and evaluations during the reporting period**

34. Between February 2009 and June 2011, GRETA held 10 four-day plenary meetings (see Appendix 4).

35. The first evaluation round was initiated by addressing, in February 2010, the above-mentioned questionnaire to the first 10 countries which became Parties to the Convention (see Appendix 5). The Parties were requested to submit their replies by 1 September 2010. All replies to the questionnaire were received in early September 2010.

36. Following the reception of the replies to the questionnaire, GRETA carried out country visits to all 10 countries of the first group of Parties (see Appendices 4 and 5), with a view to supplementing the information provided in the replies to the questionnaire.

37. At its 9th meeting (15-18 March 2011), GRETA examined and adopted three draft evaluation reports (regarding Austria, Cyprus and the Slovak Republic) and submitted them to the national authorities of the Parties concerned for comments. Following the reception of these comments, GRETA drew up final reports and adopted them at its 10th meeting (21-24 June 2011). At the latter meeting, GRETA also adopted four more draft evaluation reports (concerning Albania, Bulgaria, Croatia and Denmark). Following the procedure described in paragraph 32, the evaluation reports concerning the seven previously mentioned countries will be made public before the end of 2011. As regards the evaluation of the remaining three countries from the first group of 10 Parties to the Convention (Georgia, Moldova and Romania), the draft reports should be adopted by GRETA at its 11th meeting (20-23 September 2011).

38. On 25 February 2011, the questionnaire was submitted, via TIMS, to the second group of 10 countries (see Appendix 4), which were requested to submit their replies by 1 September 2011. Following the reception of these replies, GRETA will proceed with the organisation of country visits and the drawing up of evaluation reports.

39. An information meeting for the contact persons appointed by the Parties to the Convention to liaise with GRETA was held in Strasbourg on 31 March 2010. The meeting was an opportunity to present the Convention and its monitoring mechanism, and to provide contact persons with practical guidelines for completing the questionnaire and using TIMS.

40. GRETA members and Secretariat participated in numerous national and international seminars and symposia in order to present the Convention and GRETA's work.

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## **Relations with the Committee of the Parties**

41. Rule 25 of GRETA's Internal Rules of Procedure stipulates that "the President of GRETA shall periodically meet with the Committee of the Parties to inform it about the state of the work of GRETA and progress in preparing its reports and conclusions concerning the measures taken by the parties to implement the provisions of the Convention, as well as any other issue relating to the good functioning of the monitoring mechanism of the Convention". The first exchange of views took place on 15 June 2009 on the occasion of the 2nd meeting of the Committee of the Parties. Such exchanges of views were held at each of the subsequent three meetings of the Committee of the Parties.

42. The main issues presented by the President of GRETA during these meetings included the preparation of the first round of the evaluation of implementation of the Convention by the Parties and the progress of GRETA's work. Furthermore, the meetings were an opportunity to raise administrative and budgetary issues and to communicate GRETA's needs to the Committee.

43. GRETA also took an active part in the thematic debate on "Partnerships among international organisations active in the field of trafficking in human beings: need for co-ordinated action" which was organised by the Committee of the Parties on the occasion of its 4th meeting, held on 13 September 2010.

## **Co-operation with the Parliamentary Assembly of the Council of Europe**

44. GRETA closely follows the work of the Parliamentary Assembly's Committee on Equal Opportunities for Women and Men and its Sub-committee on trafficking in human beings. GRETA's President has been invited on several occasions to participate in exchanges of views with the latter Sub-Committee.

45. The President and the First Vice-President of GRETA participated as speakers in an Inter-Parliamentary Conference entitled "Parliaments united against human trafficking", organised by the Committee on Equal Opportunities for Women and Men in Paris on 3 December 2010. The Conference aimed to strengthen co-operation between international parliamentary assemblies involved in this area and to discuss the contribution which national parliaments could give in the follow-up to the implementation of the Council of Europe Anti-Trafficking Convention. GRETA welcomed the adoption by the participants of the conference of the "Paris Declaration" which expresses full support to the Convention and its monitoring mechanism.

46. GRETA also welcomed the adoption of Parliamentary Assembly Recommendation 1895 (2010) on "Action against trafficking in human beings: promoting the Council of Europe Convention" and the follow-up given by the President of the Assembly, who addressed the presidents of national parliaments of the Council of Europe member States, asking them to speed up the process of signature/ratification of the Convention.

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## **Establishment of working relations with other international organisations, international non-governmental organisations and States Parties**

47. In her opening address to the thematic debate referred to in paragraph 43, Ms Maud de Boer-Buquicchio, Deputy Secretary General of the Council of Europe, called upon all international intergovernmental and non-governmental organisations (NGOs) to aim towards better co-ordination of their activities in order to ensure that all efforts lead to the common ultimate goal: complete and irreversible eradication of trafficking in human beings.

48. Co-operation and partnerships are indispensable prerequisites for successful international action against trafficking in human beings. GRETA is mindful of the need to exchange information and good practices among international organisations concerning their activities, work plans and priorities in the field of combating trafficking in human beings and protecting its victims. At the same time, GRETA is ready to explore areas where joint activities can be undertaken and which can benefit from the input, institutional support and resources of several organisations.

49. Shortly after the commencement of its activities, GRETA established working relations with international organisations and international NGOs active in the area of combating trafficking in human beings. The most important developments in this area are listed below.

### **United Nations**

50. Co-operation between the United Nations (UN) and the Council of Europe in the field of trafficking in human beings has been one of the topics highlighted in the Resolutions of the United Nations General Assembly on Co-operation between the two organisations. In its Resolution adopted on 13 December 2010, the UN General Assembly referred to co-operation with the Council of Europe in the fight against trafficking in persons as one of the most important areas. The Global Plan of Action to Combat Trafficking in Persons adopted by the UN General Assembly affirms the paramount importance of the human rights approach to trafficking in human beings and refers to the Council of Europe Convention on Action against Trafficking in Human Beings as one of the relevant initiatives and mechanisms in this field. Further, the Council of Europe is part of the International Framework for Action to Implement the Palermo Protocol and GRETA was represented at the first meeting of the interim working group set up in relation to this Protocol, which was held in Vienna on 14-15 April 2009.

51. On the occasion of the 64th Session of the UN General Assembly, the Council of Europe and the UN launched, at the UN Headquarters in New York on 13 October 2009, their Joint Study on Trafficking in Organs, Tissues and Cells (OCT) and Trafficking in Human Beings for the Purpose of the Removal of Organs. At the request of the Council of Europe Committee of Ministers, GRETA prepared and adopted an opinion of the recommendation made in this joint study. GRETA noted that among the main conclusions of this Joint Study was the need to distinguish clearly between "trafficking in organs, tissues and cells" and "trafficking in human beings for the purpose of the removal of organs".

52. The Council of Europe continues to be one of the key participants in the work of the Intergovernmental Organisation Contact Group on Trafficking and Migrant Smuggling (IGO Contact Group), established under the co-ordination of the Trafficking Adviser of the United Nations High Commissioner for Human Rights (UNHCHR).

53. GRETA participated in a number of events organised by the UN Office on Drugs and Crime (UNODC). For example, it was represented at the 5th Conference of the Parties to the UN Convention against Transnational Organised Crime and the Palermo Protocol, held in Vienna from 18 to 22 October 2010. Further, the President of GRETA took part in an expert group meeting on international reporting system for trafficking in human being cases, held in Vienna on 21-22 February 2011.

54. GRETA also participated in a consultation of the UN Special Rapporteur on trafficking in persons, especially women and children, on the role of regional and sub-regional mechanisms in international efforts to counter trafficking in persons, held in Dakar on 4-5 October 2010.

## **OSCE**

55. Action against trafficking in human beings is one of the four priority areas of co-operation between the Council of Europe and the OSCE. In the framework of this co-operation, the President and First-Vice President of GRETA met the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Ms Maria Grazia Giammarinaro, in Paris on 22 June 2010. The meeting was also attended by representatives of the Secretariats of the two organisations. As part of this meeting, GRETA and the OSCE exchanged views on their work plans and on ways to enhance complementarity and avoid unnecessary duplication in the field of combating trafficking in human beings. The participants agreed to hold regular informal meetings, with a view to co-ordinating activities in the area of awareness raising, assistance to member States, assessment and monitoring, and to exchange available information on a regular basis.

56. GRETA was represented at the OSCE Alliance against Trafficking in Persons Conferences on 14-15 September 2009, 17-18 June 2010 and 20-21 June 2011. Further, the Secretariat of the Convention participated in the OSCE Alliance Expert Co-ordination Team meetings, held in Vienna on 20 April 2009, 23 March 2010 and 25 March 2011.

57. GRETA has also aimed to develop co-operation with the Office for Democratic Institutions and Human Rights (ODIHR). For example, in March 2011, the President of GRETA took part as a speaker in an international workshop organised by ODIHR in Istanbul for lawyers on access to justice and compensation for trafficked persons.

## **European Union**

58. A number of European Union (EU) policy instruments make linkages between EU action on trafficking in human beings and the Council of Europe Convention. These include the 2009 Stockholm Programme and its 2010 Action Plan, the 2009 Action-Oriented Paper on strengthening the EU external dimension on action against trafficking in human beings, and the European Parliament Resolution on preventing trafficking in human beings adopted on 10 February 2010.

59. Furthermore, the Preamble to the new Directive 2011/36/EU of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims, replacing Council Framework Decision 2002/629/JHA, refers to the Council of Europe Anti-Trafficking Convention and its monitoring mechanism, stating that "co-operation between international organisations with competence with regard to action against trafficking in human beings should be supported in order to avoid duplication of effort".

60. On 24 June 2011, GRETA held an exchange of views with Ms Myria Vassiliadou, EU Anti-Trafficking Co-ordinator on behalf of the European Commission. This was an opportunity to explore means of co-operation in the follow-up to GRETA's reports and to reiterate the importance of avoiding duplication in the field of monitoring.

61. GRETA members and staff of the Anti-Trafficking Secretariat also participated in a number of consultations, round tables and conferences organised by EU agencies, such as the consultation on the new integrated strategy to combat trafficking in human beings organised by the European Commission in Brussels on 16 December 2010 and the periodically organised meetings of National Rapporteurs and equivalent mechanisms.

### **International NGOs**

62. Contacts between GRETA and NGOs active in the field of action against trafficking in human beings multiplied during the reporting period. In particular, on the occasion of its 6th meeting (1-4 June 2010) and in the context of the preparation of the first round of evaluation of the implementation of the Convention, GRETA invited to a hearing Amnesty International, Anti-Slavery International and La Strada International.

63. The Council of Europe granted its institutional support to the COMP.ACT Project ("European Action for Compensation for Trafficked Persons") and the Pan-European Campaign on Compensation for Trafficked Persons, launched by Anti-Slavery International and La Strada International together with partners in 14 countries in Prague on 2 July 2010. This initiative is based on Article 15 of the Council of Europe Anti-Trafficking Convention, which is the first and only international binding provision recognising the right of the victims of trafficking in human beings to be compensated for the damaged suffered, as well as the obligation for States to guarantee this compensation in their internal law.

64. GRETA is committed to continuing the existing co-operation with civil society, in particular with NGOs active in the fight against trafficking in human beings.

### **States Parties**

65. GRETA works on promoting the implementation of the Council of Europe Anti-Trafficking Convention in States Parties and supporting national efforts to combat trafficking in human beings.

66. The First Vice-President of GRETA was invited as a speaker and moderator in a technical workshop organised by International Labour Organisation and the French National Commission on Human Rights in Paris on 26 and 27 October 2009.

67. Further, the President of GRETA participated as a speaker in a meeting on trafficking in human beings organised by the Spanish Ombudsman in Madrid on 10 May 2011.

68. GRETA members and Secretariat have also been involved in the planning and carrying out of technical co-operation activities in the area of combating trafficking in human beings. For example, the Second Vice-President of GRETA took part in two training workshops for Azerbaijani officials responsible for the implementation of the Convention, organised by the Directorate of Co-operation of DG-HL in Baku on 15-16 December 2010 and 23-24 February 2011.

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## Concluding remarks

69. The Council of Europe Convention and its monitoring mechanism provide a considerable contribution to global efforts to prevent and combat trafficking in human beings. Through its evaluation reports, GRETA is committed to strengthening national efforts in combating trafficking in human beings and giving advice to the authorities on legislative and policy developments. The forthcoming publication of GRETA's first evaluation reports will provide an authoritative source of information on different aspects of the fight against trafficking in human beings, including identifying gaps, needs and good practices in the Parties to the Convention. GRETA's reports will have a visible impact in the area of action against trafficking in human beings, not only for the parties directly concerned, but also for all other countries and actors involved.

70. GRETA is pleased that 34 of the 47 Council of Europe member States have already ratified the Convention, and another nine have signed it. GRETA very much hopes that those States which have not yet done so will soon set in motion the ratification procedure. GRETA also urges the remaining four Council of Europe member States to sign and ratify the Convention. It also recalls that non-member States and the European Union also have the possibility of acceding to the Convention. GRETA sees a lot of merit in expanding the area of application of the Convention. The monitoring work carried out by GRETA would gradually extend to an increased number of States, which should prove beneficial to the cause of human rights.

71. GRETA is currently the only independent human rights mechanism monitoring the implementation of a binding international instrument imposing strict legal obligations on countries in the field of action against trafficking in human beings. As such, GRETA, has the potential to take the leading role in monitoring implementation of national anti-trafficking measures and to provide valuable proposals for action which could serve as the basis for the anti-trafficking activities of other international organisations.

72. To enhance the effectiveness of international action against trafficking in human beings, it is necessary to increase co-ordination by international organisations in the different types of activities carried out, especially given the current financial and budgetary constraints in which these organisations operate. This should involve making full use of the particular area of competence and expertise of each organisation, maximising their comparative advantages and resulting in a more efficient use of increasingly limited resources. Unnecessary duplication of monitoring operations might lead to inconsistent or contradictory conclusions with detrimental effects on the monitoring process: "forum shopping" and relinquishment of peer pressure. Furthermore, it may create confusion as to the binding or non-binding nature of the obligations of States in the field of trafficking in human beings, and is likely to generate monitoring fatigue on the part of national authorities. To avoid such adverse effects, there is a need to create partnerships between international organisations involved in action against trafficking in human beings, with a view to achieving greater complementarity and synergies.

## Appendix 1

### Signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197)

Treaty open for signature by the member States, the non-member States which have participated in its elaboration and by the European Union, and for accession by other non-member States

#### Opening for signature

Place: Warsaw  
Date : 16/5/2005

#### Entry into force

Conditions: 10 Ratifications including 8 member States.  
Date : 1/2/2008

**Status as of: 1/7/2011**

Member States of the Council of Europe

States	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
Albania	22/12/2005	6/2/2007	1/2/2008							
Andorra	17/11/2005	23/3/2011	1/7/2011							
Armenia	16/5/2005	14/4/2008	1/8/2008							
Austria	16/5/2005	12/10/2006	1/2/2008							
Azerbaijan	25/2/2010	23/6/2010	1/10/2010					X		
Belgium	17/11/2005	27/4/2009	1/8/2009							
Bosnia and Herzegovina	19/1/2006	11/1/2008	1/5/2008							
Bulgaria	22/11/2006	17/4/2007	1/2/2008							
Croatia	16/5/2005	5/9/2007	1/2/2008							
Cyprus	16/5/2005	24/10/2007	1/2/2008							
Czech Republic										
Denmark	5/9/2006	19/9/2007	1/2/2008		X			X		
Estonia	3/2/2010									
Finland	29/8/2006									
France	22/5/2006	9/1/2008	1/5/2008		X	X				
Georgia	19/10/2005	14/3/2007	1/2/2008			X				
Germany	17/11/2005									
Greece	17/11/2005									
Hungary	10/10/2007									
Iceland	16/5/2005									
Ireland	13/4/2007	13/7/2010	1/11/2010							
Italy	8/6/2005	29/11/2010	1/3/2011							
Latvia	19/5/2006	6/3/2008	1/7/2008		X					
Liechtenstein										
Lithuania	12/2/2008									
Luxembourg	16/5/2005	9/4/2009	1/8/2009							
Malta	16/5/2005	30/1/2008	1/5/2008		X					
Moldova	16/5/2005	19/5/2006	1/2/2008			X				
Monaco										
Montenegro	16/5/2005	30/7/2008	1/11/2008	55						
Netherlands	17/11/2005	22/4/2010	1/8/2010					X		
Norway	16/5/2005	17/1/2008	1/5/2008							
Poland	16/5/2005	17/11/2008	1/3/2009		X	X				

Portugal	16/5/2005	27/2/2008	1/6/2008		X						
Romania	16/5/2005	21/8/2006	1/2/2008								
Russia											
San Marino	19/5/2006	29/11/2010	1/3/2011								
Serbia	16/5/2005	14/4/2009	1/8/2009	55							
Slovakia	19/5/2006	27/3/2007	1/2/2008								
Slovenia	3/4/2006	3/9/2009	1/1/2010		X						
Spain	9/7/2008	2/4/2009	1/8/2009			X					
Sweden	16/5/2005	31/5/2010	1/9/2010		X						
Switzerland	8/9/2008										
The former Yugoslav Republic of Macedonia	17/11/2005	27/5/2009	1/9/2009		X						
Turkey	19/3/2009										
Ukraine	17/11/2005	29/11/2010	1/3/2011								
United Kingdom	23/3/2007	17/12/2008	1/4/2009		X						

#### Non-member States of the Council of Europe

States	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
Canada										
Holy See										
Japan										
Mexico										
United States of America										

#### International Organisations

Organisations	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
European Union										

Total number of signatures not followed by ratifications:	9
Total number of ratifications/accessions:	34

#### Notes:

(55) Date of signature by the state union of Serbia and Montenegro.

a: Accession - s: Signature without reservation as to ratification - su: Succession - r: Signature "ad referendum".

R.: Reservations - D.: Declarations - A.: Authorities - T.: Territorial Application - C.: Communication - O.: Objection.

Source : Treaty Office on <http://conventions.coe.int>

## Appendix 2

### List of GRETA members

(as at 30 June 2011)

<b>Members</b>	<b>Term of office</b>
<b>President:</b> Nicolas Le Coz (French)	31/12/2012
<b>First Vice-President:</b> Gulnara Shahinian (Armenian)	31/12/2012
<b>Second Vice-President:</b> Davor Derencinovic (Croatian)	31/12/2012
Vessela Banova (Bulgarian)	31/12/2012
Louise Calleja (Maltese)	31/12/2012
Vladimir Gilca (Moldovan)	31/12/2012
Hanne Sophie Greve (Norwegian)	31/12/2012
Alexandra Malangone (Slovak)	31/12/2012
Nell Rasmussen (Danish)	31/12/2012
Leonor Maria Da Conceição Cruz Rodrigues (Portuguese)	31/12/2012
Helmut Sax (Austrian)	31/12/2014
Robert Stratoberdha (Albanian)	31/12/2012
Diana-Florentina Tudorache (Romanian)	31/12/2012
Jan van Dijk (Dutch)	31/12/2014

## **Appendix 3**

### **Secretariat of the Council of Europe Anti-Trafficking Convention**

**(as at 30 June 2011)**

Petya Nestorova, Executive Secretary

David Dolidze, Administrator

Claudia Lam, Administrator

Carolina Lasén Diaz, Administrator

Rona Sterricks, Principal Administrative Assistant

Giovanna Montagna, Secretarial Assistant

Bénédicte Stévenin, Secretarial Assistant (until 30 June 2011)

Melissa Charbonnel, Secretarial Assistant (from 20 June 2011)

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## **Appendix 4**

### **List of GRETA's activities**

#### **Meetings held by GRETA in 2009:**

- 24-27 February 2009
- 16-19 June 2009
- 22-25 September 2009
- 8-11 December 2009

#### **Meetings held by GRETA in 2010:**

- 16-19 March 2010
- 1-4 June 2010
- 14-17 September 2010
- 5-9 December 2010

#### **Meetings held by GRETA in 2011:**

- 15-18 March 2011
- 21-24 June 2011

#### **GRETA country visits (in chronological order):**

- Cyprus 11-14 October 2010
- Slovak Republic 9-12 November 2010
- Austria 16-19 November 2010
- Denmark 24-27 January 2010
- Albania 31 January - 3 February 2011
- Croatia 15-18 February 2011
- Bulgaria 21-24 February 2011
- Georgia 11-14 May 2011
- Moldova 10-13 May 2011
- Romania 24-27 May 2011

#### **Information meeting for the "contact persons" appointed by the parties to the Convention to liaise with GRETA**

- 31 March 2010

## Appendix 5

### Timetable of GRETA's 1st Evaluation Round (2010-2013)

<u>1st Group of Parties</u>	<u>2nd Group of Parties</u>	<u>3rd Group of Parties</u>	<u>4th Group of Parties</u>
Moldova	France	Spain	Italy
Romania	Bosnia and Herzegovina	Luxembourg	San Marino
Austria	Norway	Serbia	Ukraine
Albania	Malta	Belgium	Andorra
Georgia	Portugal	“the former Yugoslav Republic of Macedonia”	
Slovak Republic	Latvia	Slovenia	
Bulgaria	Armenia	The Netherlands	
Croatia	Montenegro	Sweden	
Denmark	Poland	Azerbaijan	
Cyprus	United Kingdom	Ireland	
<u>Questionnaire sent</u>	<u>Questionnaire sent</u>	<u>Questionnaire to be sent</u>	<u>Questionnaire to be sent</u>
February 2010	February 2011	February 2012	Second half 2012
<u>Deadline for replying</u>	<u>Deadline for replying</u>	<u>Deadline for replying</u>	<u>Deadline for replying</u>
1 September 2010	1 September 2011	1 September 2012	To be decided

## Appendix 6

### Workflow of the monitoring mechanism of the Council of Europe Anti-Trafficking Convention

