

# 13th GENERAL REPORT

GRETA  
Group of Experts on Action  
against Human Trafficking



covering the period from  
1 January to 31 December 2023



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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## INTRODUCTION BY THE PRESIDENT OF GRETA



*Helga Gayer, President of GRETA*

I am pleased to introduce the 13th General Report on the activities of the Group of Experts on Action against Trafficking in Human Beings (GRETA), covering the period from 1 January to 31 December 2023.

The report provides an overview of our activities during a year of intensive work and multiple achievements. Ensuring that the protection of the human rights of trafficking victims remains at the centre of states' efforts to combat human trafficking is crucial to all aspects of GRETA's work. This has been reflected in the focus of the third evaluation round of the Council of Europe Convention on Action against Trafficking in Human Beings on victims' access to justice and effective remedies.

By the end of 2023, GRETA completed the third evaluation round of the Convention in respect of 35 of the 48 States Parties to the Convention and launched a new evaluation round. GRETA has decided to avail itself of this General Report to analyse trends emerging from the third-round country reports and draw attention to gaps in the implementation of the Convention, as well as promising practices.

Let me highlight some of the main conclusions from the stocktaking of the third evaluation round of the Convention.

Access to legal assistance and free legal aid is essential for facilitating and guaranteeing access to justice, however, in practice, it is not available for some categories of victims of human trafficking nor for all relevant proceedings. Further, there is a lack of lawyers who are trained and specialised to represent victims of trafficking.

In many countries, trafficking victims face barriers in obtaining effective access to the labour market, which makes them vulnerable to new exploitation. The challenges are related, for example, to the residence status of the victims and their lack of a bank account to which salaries can be paid.

Furthermore, obtaining compensation from the perpetrators in the context of criminal or civil proceedings is challenging. Compensation awarded by courts is rarely paid to victims because the perpetrators' assets have not been identified and frozen at an early stage. Moreover, state compensation schemes are rarely applied in practice to victims of trafficking due to restrictive criteria and lack of free legal aid to claim state compensation.

On the positive side, several State Parties have implemented legislative changes and/or issued specific guidelines related to the non-punishment provision. However, gaps in identifying victims of trafficking continue to hamper the application of the non-punishment principle.

The low number of prosecutions and convictions for human trafficking is a concern raised in many GRETA reports. Over-reliance on victims' testimonies and the quick return of victims to their countries of origin impacts the authorities' ability to prosecute and convict traffickers. A recurring challenge is that human trafficking cases are requalified as other offences which carry lighter penalties and deprive trafficking victims of access to certain rights. Amongst the reasons for the unsatisfactory criminal justice response to human trafficking, GRETA has highlighted the lack of training and specialisation of prosecutors and judges, as well as limited resources and staff turnover of specialised law enforcement units.

When it comes to the protection of trafficking victims, GRETA has highlighted as problems the multiple interviews and hearings of victims and direct confrontations between victims and defendants. There are also gaps in terms of the number and use of specialised rooms for interviewing child victims and witnesses.

At the same time, this General Report highlights examples of measures taken by States Parties to improve their legislation, policy and practice in the light of GRETA's recommendations. Many Parties have amended their legislation to comply with the provisions of the Convention following a report by GRETA. Furthermore, the monitoring work of GRETA has triggered changes to the procedures for identifying victims of trafficking and the setting up of specialised shelters for such victims. GRETA's specific focus on trafficking for the purpose of labour exploitation during the second evaluation round of the Convention has resulted in more awareness about this growing threat, better training and improved protection of victims.

The year 2023 was also marked by the launch of the fourth evaluation round of the Convention by GRETA, with a thematic focus on vulnerabilities to human trafficking and measures taken by States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. This includes a focus on the use of information and communication technology, which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.

Moreover, this year's General Report contains a section on preventing and detecting trafficking in human beings amongst persons displaced following Russia's aggression against Ukraine, based on information collected during GRETA's country visits. The number of confirmed cases of human trafficking of Ukrainian refugees remains low, which may be a sign of success of the early preventive measures taken to protect Ukrainian refugees and mitigate the risks of trafficking. At the same time, the identification of victims of trafficking in human beings is challenging because victims may be reluctant to lodge complaints as they are often dependent on their traffickers and exploiters for work or housing, and the use of new technologies to facilitate trafficking makes it even more difficult to

detect victims. Unaccompanied and separated children, including children evacuated from residential care facilities, are particularly vulnerable. GRETA will continue to monitor the situation and collect relevant information.

GRETA has continued requesting permission from the European Court of Human Rights to submit written comments in relation to cases which concern human trafficking. In its judgment in the case of *Krachunova v. Bulgaria*, delivered on 28 November 2023, the Court concluded that Article 4 of the European Convention on Human Rights lays down a positive obligation to enable victims of human trafficking to claim compensation from their traffickers in respect of lost earnings. The Court referred to the third-party intervention made by GRETA in this case.

In 2023, GRETA has also continued to strengthen synergies with other Council of Europe bodies and institutions, including the Congress of Local and Regional Authorities, the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), and the Special Representative of the Secretary General on Migration and Refugees.

Furthermore, GRETA has continued forging links with other international organisations active in combating human trafficking, in particular the Organization for Security and Co-operation in Europe (OSCE) and its Special Representative and Co-ordinator for Combating Trafficking in Human Beings, the European Union (EU) and, more specifically, the EU Anti-Trafficking Co-ordinator and Frontex, the Council of Baltic Sea States (CBSS), and the United Nations (UN) system, in particular the UN Special Rapporteur on Trafficking in Persons, especially women and children, the United Nations Office on Drugs and Crime (UNODC), the High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), and the International Labour Organization (ILO).

I would like to express the gratitude of our panel of experts to the Committee of the Parties to the Convention and its Chair for their valuable support. I would also like to pay tribute to the former and current members of GRETA for their commitment and contribution to the collective effort to strengthen the implementation of the Convention's provisions. Finally, I would like to acknowledge the significant efforts made by the Secretariat to ensure that GRETA's programme of activities is carried out successfully.

Multiple crises, armed conflicts, climate and humanitarian emergencies and the related growing migration flows increase vulnerabilities to human trafficking and diversify trafficking risks. At the same time, governments are faced with new, sometimes competing priorities, which result in less human and financial resources being allocated to the fight against human trafficking. A clear political commitment is needed to sustain and strengthen efforts to combat human trafficking, following a human-rights based approach.

**Helga Gayer**  
President of GRETA

# 2023 SNAPSHOT

**15** INDEPENDENT  
EXPERTS



GRETA is the only independent panel of experts monitoring the implementation of binding international legal provisions on combating trafficking in human beings

**12** EVALUATION VISITS



Austria, Cyprus, Czechia, Finland, Germany, Hungary, Italy, Monaco, Aruba (the Netherlands), San Marino, Switzerland and Türkiye

**11** FINAL REPORTS

adopted and published by GRETA



Azerbaijan, Estonia, Greece, Iceland, the Netherlands, North Macedonia, Poland, Serbia, Slovenia, Spain and Sweden

**IMPACT**



GRETA's monitoring contributes to changes in legislation, policy and practice

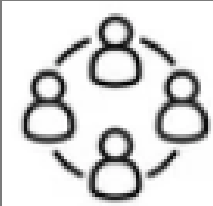
**7** ROUNDTABLES

on the follow-up to GRETA's evaluation reports



Bulgaria, Denmark, Georgia, Malta, Montenegro, Romania and United Kingdom

**COOPERATION  
ACTIVITIES**



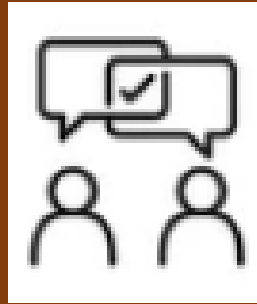
Bosnia and Herzegovina, Malta, North Macedonia, Serbia, Kosovo\* and South Programme

## ECtHR CASE-LAW



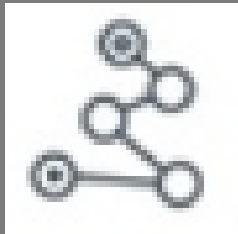
*Krachunova v. Bulgaria*: the European Court of Human Rights (ECtHR) affirms the right of victims of sex trafficking to seek compensation from their traffickers in respect of lost earnings

## REGULAR EXCHANGES



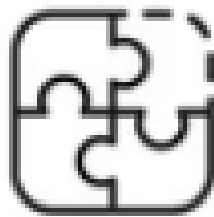
ECHR, Parliamentary Assembly, Congress of Local and Regional Authorities, GREVIO, MONEYVAL, SGSG on Migration and Refugees

## NETWORKS



National anti-trafficking coordinators, specialised lawyers and specialised NGOs

## STRENGTHENED PARTNERSHIPS



EU, OSCE, United Nations bodies, ICAT, CBSS

## NEW WEBSITE

[www.coe.int/trafficking](http://www.coe.int/trafficking)



Restructured around three key axes: the Anti-Trafficking Convention, monitoring of its implementation, and cooperation activities

## MEDIA OUTREACH



Press releases, interviews, press articles, broadcasts and social media





*GRETA third evaluation visit to Italy, 13-17 February 2023*

## **I. ACTIVITIES DURING THE PERIOD FROM 1 JANUARY TO 31 DECEMBER 2023**

### **1. Introduction**

1. GRETA is set up pursuant to Article 36 of the Council of Europe Convention on Action against Trafficking in Human Beings (“the Convention”) to monitor the implementation of the Convention by the Parties. GRETA is composed of 15 members, who sit in their individual capacity and are independent and impartial in the exercise of their functions. GRETA started functioning in February 2009, following the entry into force of the Convention on 1 February 2008, and the first election of GRETA members by the Committee of the Parties to the Convention in December 2008. GRETA is currently the only independent panel of experts monitoring the implementation of binding international legal provisions on combating trafficking in human beings.

2. As concerns its working methods, GRETA evaluates the implementation of the Convention by the Parties following a procedure divided into rounds. 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 sends a questionnaire to the authorities of the Party undergoing evaluation. The questionnaire is also sent to non-governmental organisations (NGOs) active in the field of action against trafficking in human beings. After receiving the authorities’ reply to its questionnaire, GRETA organises a visit to the country concerned in order to hold meetings with relevant governmental and non-governmental actors, collect additional information and evaluate the practical implementation of adopted measures.

3. Following the country visit, GRETA draws up a draft evaluation report containing an analysis of the implementation of the Convention and conclusions concerning the action which the Party needs to take to deal with any problems identified. The draft report is discussed in a plenary meeting and, following its approval by GRETA, is sent to the national authorities for comments. Following the receipt and consideration of these comments, GRETA draws up a final report, which is discussed and adopted in another plenary session, and subsequently transmitted to the Party concerned, as well as the Committee of the Parties to the Convention. GRETA's final report is made public together with any final comments by the Party concerned. The Committee of the Parties to the Convention considers GRETA's reports and, on the basis of those reports, adopts recommendations to the governments of the Parties concerned (for a workflow of the monitoring mechanism of the Convention, see Appendix 10).

4. On the basis of GRETA's reports and recommendations, the Council of Europe assists member states to strengthen the implementation of the Convention through projects funded from the organisation's ordinary budget or external sources.



*47th GRETA meeting, Strasbourg, France, 27-31 March 2023*

## **2. GRETA meetings**

5. During the reporting period, GRETA held three five-day plenary meetings in Strasbourg. During these meetings, GRETA considered 11 draft country reports and adopted a total of 13 final country reports: 12 as part of the third round of evaluation of the implementation of the Convention (concerning Andorra, Azerbaijan, Hungary, Iceland, Italy, Lithuania, the Netherlands, Poland, Serbia, Slovenia, Spain and Sweden), and one as part of the second evaluation round (concerning Estonia).

6. Further, at its plenary meetings, GRETA considered reports submitted by the authorities of Albania, Bulgaria, Croatia, Czechia, Denmark, Georgia, the Republic of Moldova, Montenegro and Romania on measures taken to comply with the Committee of the Parties' recommendations, and agreed on issues which should be followed up in the context of the on-going dialogue with the authorities. Subsequently, GRETA examined additional

information provided by the authorities of Albania, Bulgaria, Georgia, the Republic of Moldova, Montenegro and Romania in reply to requests made after the receipt of these countries' reports on measures taken to comply with the Committee of the Parties' recommendations.

7. In addition, at its 47th meeting (27-31 March 2023), GRETA discussed the implications of the Illegal Migration Bill on United Kingdom's obligations under the Council of Europe Anti-trafficking Convention. The Bill includes provisions disqualifying victims of human trafficking who arrive in the United Kingdom in breach of immigration control from access to the National Referral Mechanism on the grounds of being a threat to public order.<sup>1</sup> GRETA decided to issue a statement, which was published on 29 March 2023.<sup>2</sup> In the statement, GRETA stressed that the new legislation would run contrary to core obligations under the Convention and constitute a significant step backwards in the fight against human trafficking and modern slavery in the United Kingdom, making it harder to identify victims, prosecute traffickers and combat human trafficking. Furthermore, in April 2023, GRETA submitted written evidence concerning the Illegal Migration Bill to the Joint Committee on Human Rights of the UK Parliament.

8. At its 49th plenary meeting, GRETA adopted internal guidelines for the conduct of monitoring visits. The purpose of these guidelines is to provide a framework of reference for GRETA members in the discharge of their duties before, during and after country visits.

9. Moreover, at its 49th meeting, GRETA discussed recurrent gaps in the application of the recovery and reflection period, which is provided for under Article 13 of the Convention. GRETA decided to set up an ad hoc working group to prepare a draft guidance note on the recovery and reflection period. The group is expected to present the draft for adoption by GRETA at its 52nd meeting in July 2024.

10. GRETA's plenary meetings were also an occasion to hold exchanges with representatives of other international organisations on issues of relevance to GRETA's mandate. Thus, at its 48th meeting (26-30 June 2023), GRETA held an exchange of views with Ms Diane Schmitt, EU Anti-Trafficking Co-ordinator (see paragraph 202). Further, at its 49th meeting (13-17 November 2023), GRETA held an exchange of views with Ms Anita Danka, Advance-level Fundamental Rights Monitor, Head of the Legal Team of the Fundamental Rights Office of Frontex, and several other representatives of that office (see paragraph 204).

11. During the reporting period, GRETA received a number of communications from victims of trafficking, lawyers and civil society organisations concerning issues covered by the Convention, which were discussed at GRETA's plenary meetings. The Convention does not provide for an individual complaints procedure, but according to the Rules of procedure for evaluating implementation of the Convention (Rule 10), the Executive Secretary brings to the attention of GRETA any relevant communication addressed to it. In some cases, GRETA decided to send letters to the relevant authorities, inquiring about legislative, institutional or policy developments.

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<sup>1</sup> The Bill was passed and became an Act in July 2023.

<sup>2</sup> ["UK's Illegal Migration Bill should be reviewed to ensure it complies with the anti-trafficking convention", says Council of Europe Expert Group on Trafficking - Action against Trafficking in Human Beings \(coe.int\)](#)



### 3. Launch of the fourth evaluation round of the Convention

12. GRETA evaluates the implementation of the Convention following a procedure divided into rounds, selecting for each round the specific provisions of the Convention on which the evaluation procedure is based. The third evaluation round, launched in November 2018, focused on trafficking victims' access to justice and effective remedies. The progress of this round was delayed by the COVID-19 pandemic, but nevertheless GRETA managed to complete the third-round evaluation of 35 State Parties to the Convention by the end of 2023. Initially, GRETA's aim was that each evaluation round would last four years. However, with the growing number of Parties to the Convention, the length of the rounds has increased to five years.

13. In the first half of 2023, GRETA worked on the preparation of the questionnaire for the fourth evaluation round of the Convention. The questionnaire was approved at GRETA's 48th meeting.<sup>3</sup> GRETA decided that the fourth evaluation round of the Convention will focus on **vulnerabilities to human trafficking** and measures taken by States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. This includes a focus on the use of information and communication technology (ICT), which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.

14. A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. The concept of "vulnerability" appears in Articles 4 (definitions), 5 (prevention of trafficking in human beings) and 12 (assistance to victims) of the Convention. According to paragraph 83 of the Explanatory report to the Convention, "by abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability

<sup>3</sup> [4th Round questionnaire](#)

may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim's administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce."

15. In addition to the thematic focus on vulnerabilities to human trafficking, GRETA decided that each State Party will receive country-specific follow-up questions related to recommendations not implemented or partially implemented after the third evaluation round.

16. The chronology of evaluations under the fourth evaluation round will follow, as closely as possible, that of the preceding evaluation rounds (see Appendix 8). In July 2023, GRETA sent the questionnaire for the fourth round of evaluation of the Convention to Austria, Cyprus and the Slovak Republic, requesting them to provide a reply within four months. Following the receipt of the replies, GRETA carried out the first two visits under the fourth evaluation round, to Austria and Cyprus, in early December 2023.



*GRETA third evaluation visit to Hungary, 27 February - 3 March 2023*

#### **4. Country visits and evaluations**

17. In 2023, GRETA carried out a total of 12 country evaluation visits. Seven of these visits (to Finland, Germany, Hungary, Italy, Monaco, San Marino and Switzerland) formed part of the third evaluation round of the Convention. Two visits were carried out under the second evaluation round of the Convention (to Czechia and Türkiye). Further, GRETA carried out a combined first and second round visit to Aruba (autonomous state within the Kingdom of the Netherlands). At the end of the year, GRETA carried out the first two visits under the newly launched fourth evaluation round (to Austria and Cyprus).

18. GRETA periodically revised its visit timetable, introducing a greater flexibility in the composition of visiting delegations and adaptability to changes of dates of visits. GRETA decided to postpone its third visit to Liechtenstein from 2023 to early 2024, following the request of the national authorities. The first visit to Israel, which was planned to take place in December 2023, had to be postponed due to the Israel-Hamas war. In order to keep up the number of evaluations per year, GRETA replaced the postponed visits with the fourth-round visits to Austria and Cyprus. The third evaluation visit to Ukraine has continued being postponed due to the ongoing Russia-Ukraine war.

19. GRETA's country visits were an occasion to hold meetings with relevant actors, collect additional information, clarify the responses to the questionnaire, and assess the practical implementation of adopted measures. Thus, meetings were held with national anti-trafficking co-ordinators, national rapporteurs on human trafficking, officials from relevant ministries and governmental agencies, law enforcement officers, prosecutors, judges, labour inspectors, social workers, child protection officials, local authorities' representatives, and other relevant professionals. Further, in most countries visited, GRETA met Members of Parliament, representatives of Ombudsman institutions and/or other independent human rights institutions. Civil society organisations, trade unions, lawyers, employers' associations, researchers and investigative journalists were also consulted during the visits.



*GRETA fourth evaluation visit to Austria, 11-14 December 2023*



*GRETA fourth evaluation visit to Cyprus, 4-7 December 2023*

20. The country visits were an opportunity for GRETA to visit facilities where protection and assistance are provided to victims of trafficking, often run by NGOs, to exchange views with their staff and to speak to any victims willing to meet GRETA on a confidential basis. Specialised shelters and safe houses for victims of trafficking were visited in Cyprus, Czechia, Germany, Hungary, Italy, Switzerland and Türkiye. Further, in Finland, Monaco and San

Marino, GRETA visited shelters for victims of domestic violence which can accommodate female victims of human trafficking.

21. GRETA has continued to pay particular attention to the situation of child victims of trafficking and unaccompanied or separated children, who are vulnerable to trafficking. By way of example, in Czechia, a visit was paid to the centre for unaccompanied or separated foreign children in Prague. In Finland, GRETA visited an accommodation centre for unaccompanied children in Helsinki. In Hungary, GRETA's delegation visited a children's house (based on the Barnahus model). In Türkiye, a visit was paid to Pursaklar Child Support Centre in Ankara.

22. GRETA also visited centres for asylum seekers and detention facilities for irregular migrants, where victims of trafficking may be placed. In Austria, GRETA visited the federal reception centre for asylum seekers in Ossiach, Carinthia, and in Cyprus, the reception centre for asylum seekers in Pournara. In Finland, GRETA visited a reception centre for asylum seekers in Turku, and in Germany, a community housing centre for refugees in Berlin. In Switzerland, visits were paid to the federal centre for asylum seekers in Altstätten and an accommodation centre for unaccompanied children and asylum seekers in Trimmis (canton of Grisons). In Czechia, a visit was paid to the detention centre for irregular migrants in Balková, and in Türkiye, to the Removal Centre for Irregular Migrants in Gaziantep.

23. Further, during the visit to Italy, GRETA witnessed the living conditions of undocumented agricultural workers in the informal settlement of Borgo Mezzanone (Puglia).



## IN 2023, GRETA'S COUNTRY VISITS WERE AN OCCASION TO MEET RELEVANT ACTORS



## AND TO VISIT

<p><b>Facilities where assistance is provided to victims of trafficking</b></p> <ul style="list-style-type: none"> <li>&gt; Specialised shelters and safe houses for victims of trafficking (Cyprus, Czechia, Germany, Hungary, Italy, Switzerland and Türkiye)</li> <li>&gt; Shelters for victims of domestic violence which can accommodate female victims of human trafficking (Finland, Monaco and San Marino)</li> </ul> <p><b>With a particular attention to child victims of trafficking and unaccompanied children</b></p> <ul style="list-style-type: none"> <li>&gt; Centre for unaccompanied or separated foreign children in Prague (Czechia)</li> <li>&gt; Accommodation centre for unaccompanied children in Helsinki (Finland)</li> <li>&gt; Children's house based on the Barnahus model (Hungary)</li> <li>&gt; Pursaklar Child Support Centre in Ankara (Türkiye)</li> </ul>	<p><b>Centres for asylum seekers</b></p> <ul style="list-style-type: none"> <li>&gt; Federal reception centre for asylum seekers in Ossiach, Carinthia (Austria)</li> <li>&gt; Reception centre for asylum seekers in Pournara (Cyprus)</li> <li>&gt; Reception centre for asylum seekers in Turku (Finland)</li> <li>&gt; Community housing centre for refugees in Berlin (Germany)</li> <li>&gt; Federal centre for asylum seekers in Altstätten and accommodation centre for unaccompanied children and asylum seekers in Trimmis, canton of Grisons (Switzerland)</li> </ul> <p><b>Detention facilities for irregular migrants</b></p> <ul style="list-style-type: none"> <li>&gt; Detention centre for irregular migrants in Balková (Czechia)</li> <li>&gt; Removal Centre for Irregular Migrants in Gaziantep (Türkiye)</li> </ul> <p><b>Migrant agricultural workers site</b></p> <ul style="list-style-type: none"> <li>&gt; Informal settlement of Borgo Mezzanone, Puglia (Italy)</li> </ul>
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*GRETA's Bureau members: From left to right: Antoaneta Vassileva, First Vice-President, Helga Gayer, President, and Sergey Ghazinyan, Second Vice-President*

## II. GRETA MEMBERSHIP AND BUREAU

24. In 2023, the composition of GRETA was partially renewed, following the elections of seven GRETA members by the Committee of the Parties to the Convention on 25 November 2022. As a result of these elections, three GRETA members were re-elected for a second term of office, and four new members were elected. The mandates of these seven members will run from 1 January 2023 until 31 December 2026. An induction meeting for the new GRETA members took place on 24 March 2023.

25. At the 47th meeting (27-31 March 2023), GRETA elected its new Bureau for the next two-year period. Ms Helga Gayer was re-elected as GRETA's President, Ms Antoaneta Vassileva was re-elected as First Vice-President, and Mr Sergey Ghazinyan was elected as Second Vice-President. During the year, the Bureau held periodic online meetings concerning the organisation of GRETA's work.

26. The composition of GRETA and its Bureau during the reporting period is set out in Appendix 3.



### III. SIGNATURES AND RATIFICATIONS OF THE CONVENTION

27. No new ratifications of the Convention took place during the reporting period. The total number of Parties to the Convention remains at 48 (see Appendix 1).

28. All Council of Europe member States have ratified the Convention. GRETA recalls that the Convention is open to non-member States and hopes that more states which are not members of the Council of Europe will express interest in, and accede to, the Convention.

29. Through their participation in various events, GRETA members and Secretariat have continued promoting the Convention's standards (see Appendix 9). In 2023, presentations on the Convention were made to representatives of Kyrgyzstan, Morocco and Tajikistan. The Convention also serves as the basis for co-operation projects in Morocco and Tunisia.<sup>4</sup>



## IV. VISIBILITY AND IMPACT OF THE MONITORING PROCESS

### 1. Publicity of GRETA's reports

30. In accordance with Article 38, paragraph 6, of the Convention, the final reports and conclusions of GRETA are made public, together with any final comments by the Party concerned. In 2023, 11 GRETA country evaluation reports were made public, of which nine under the third evaluation round of the Convention (concerning Azerbaijan, Iceland, the Netherlands, North Macedonia, Poland, Serbia, Slovenia, Spain and Sweden) and two under the second evaluation round (concerning Greece and Estonia). Four more reports (concerning Andorra, Hungary, Italy and Lithuania) were adopted at GRETA's 49th meeting in November 2023, but were published in early 2024.<sup>5</sup>

31. A press release is issued whenever a GRETA report is published. In addition, interviews are given by GRETA members and the Secretariat to journalists, serving as a basis for press articles and broadcasts. According to the sample processed by the Council of Europe Media Monitoring and Analysis Unit, the reports issued by GRETA generated substantial media coverage throughout the year.

32. GRETA's report on **Azerbaijan** was widely taken up, in June 2023, by the *Turan* and *News.am* press agencies which focused on the efforts that remain to be made in the fight against human trafficking, in particular victims' access to legal assistance and existing compensation mechanisms, as well as the promotion of victims' social and economic integration. The articles also referred to GRETA's conclusions that there are gaps in the identification of victims, particularly with regard to irregular migrants and asylum seekers.

<sup>5</sup> There is a time lag between the adoption and the publication of GRETA reports, due to the fact that GRETA awaits the receipt of the national authorities' final comments before publishing a country evaluation report.

33. GRETA's report on **Spain**, published on 12 June 2023, aroused considerable interest with 34 articles and videos published in the Spanish media (newspapers, news agencies, TV and online media), as well as in regional media (*EFE, Europa Press, Agencia Lusa, El Pais, El Mundo, El Diario, CadenaSer, TeleMadrid, Negocios, El Nacional, El Debate, Diario Siglo XXI, ABC.es, Noticias ao Minuto, El Confidential Digital, Canarias7, Alfa y Omega, InfoMigrants, Infobae, La Voz de Galicia, El Faro de Melilla, Ceuta TV, Huelva Costa, El Periodico de Canarias, Herald, The Huffington Post, Andalucia Informacion, Diario de Avisos, Dirario de Sevilla, The Objective, Diario de Huelva*). Several media outlets highlighted the context of political and economic tensions concerning the question of immigration and agricultural policy in the Huelva region and pointed out the situation of migrants in informal settlements and the lack of labour inspection in these areas. Other articles referred to GRETA's findings concerning serious shortcomings in the legal assistance to migrants arriving in the Canary Islands, Ceuta and Melilla, as well as the fact that child trafficking in these regions is underestimated. Many media outlets referred to the recommendations made by GRETA to guarantee effective access to compensation for victims, increase proactive investigations into trafficking for the purpose of labour exploitation, and strengthen the identification of victims, particularly amongst children.

34. The reports on Serbia and Slovenia, also published in June 2023, received coverage in the national press. The report on **Serbia** was covered by *Beta, Danas* and *N1-Info* media, which highlighted positive developments, such as the improvement of the legislative framework and the creation of the position of a national anti-trafficking rapporteur. The articles referred to GRETA's recommendations to improve the identification of victims, strengthen victims' access to legal aid and compensation, improve the criminal justice response to human trafficking, and step up the fight against trafficking for the purpose of labour exploitation. The report on **Slovenia** was covered by the daily *Dnevnik.si* and the agencies *BNE IntelliNews* and *Slovenian Press Agency (STA)* which underlined GRETA's recommendations to strengthen the identification of victims of trafficking for the purpose of labour exploitation and amongst asylum seekers, and to improve victims' access to compensation.

35. In October, GRETA's recommendations on **Sweden** were the subject of an article published in *Göteborgs-Posten*, which put GRETA's report into perspective with the case of a restaurant recognised guilty of human exploitation by the Swedish courts the week before the report was published. The article highlighted GRETA's concern about the low number of prosecutions and convictions in human trafficking cases in Sweden.

36. The report on **Iceland** was covered by an article in the *Iceland Review*, a 15-minute audio broadcast on the website of *Visir*, an online media outlet which also published three articles, and articles in *DV, RÚV* and the *MBL* information site. The articles highlighted the progress Iceland has made in combating human trafficking in several areas and referred to GRETA's conclusions that the authorities should improve the identification of victims, intensify investigations and protections, and ensure that victims are not forcibly returned to countries where they are at risk of being re-trafficked.

37. In November, GRETA's report on the **Netherlands** was taken up by several Dutch media outlets (*DUTCHNEWS.NL*, *Reformatorisch Dagblad*, *The Dutch Times* and *Algemeen Dagblad*). The media *NU.NL* (Dutch online newspaper) published an article on the main recommendations of GRETA, while discussing the position of the Dutch National Rapporteur on human trafficking and sexual violence against children.

38. GRETA's anti-trafficking social media accounts on X (@CoE\_Trafficking) and LinkedIn (Action against Trafficking in Human Beings) attracted a growing number of followers, reactions and shares. Both platforms have proved to be useful methods for exchange, highlighting not only GRETA's and the Council of Europe anti-trafficking activities in general, but also for bringing partners' activities to the attention of social media followers. On **X (formerly Twitter)**, the number of subscribers is almost 2,500. Posts relating to GRETA reports published in 2023 generated an increase in subscriber/viewer engagement and impressions (number of times users saw a tweet), which totalled 53,642. GRETA's 12th general report attracted the highest number of impressions (6,469), followed by the report on Spain (5,585) and GRETA's statement on the occasion of the European Anti-Trafficking Day (5,151). On **LinkedIn**, the number of subscribers is 1,424, the total number of impressions for the year 2023 was 41,953, and the total number of reactions, comments and republications was 2,000.

39. In November 2023, the updated and restructured Council of Europe **website** on action against trafficking in human beings was launched. It is structured around three key axes: promoting common standards based on the Council of Europe's Anti-Trafficking Convention, evaluating their implementation through monitoring, and developing co-operation activities to assist the putting into practice of GRETA's monitoring findings and the Committee of the Parties' recommendations. The new website clearly presents the stages of the monitoring procedure and, for each country, an infographic indicating the progress of the ongoing evaluation round. New features include pages on co-operation activities and thematic pages, as well as a presentation of documents and activities of other Council of Europe entities relating to the fight against trafficking in human beings. The website constitutes the entry point into the Council of Europe's action in the fight against trafficking in human beings.



## 2. Practical impact of GRETA's monitoring work

40. Based on GRETA's reports published in the course of 2023, the following section provides examples of measures taken by State Parties to improve their legislation, policy and practice in the light of GRETA's previous recommendations.

### Azerbaijan

- ✓ In its second report, GRETA considered that the Azerbaijani authorities should provide adequate funding to the Assistance Centre for Victims of THB, as well as to specialised NGO running shelters and providing services to victims. Subsequently, the financial resources of the Assistance Centre for victims of human trafficking allocated by the Ministry of the Interior were increased from AZN 84,700 (i.e. about EUR 49,000) in 2019, to AZN 122,126 (i.e. about EUR 71,000) in 2021.
- ✓ In its second report, GRETA urged the Azerbaijani authorities to improve the identification and referral to assistance of child victims of trafficking, including by setting up a specific identification mechanism which takes into account the special circumstances and needs of child victims and is accompanied by standard operation procedures. Standard Activity Procedures (SAP) for the application of the Rules on the National Referral Mechanism on Victims of THB were adopted at the end of 2018. The SAPs contain separate chapters for children describing the procedure to be followed from the moment of the detection of a child who may be victim of trafficking until the initiation of the preliminary criminal investigation. According to the SAPs, special protection measures should be applied to children. The Government adopted a strategy (2020–2030) and an action plan (2020-2025) for improving child protection, which include measures aimed to prevent child labour and establish a monitoring mechanism for detecting vulnerable children. Further, measures were taken to improve the registration of children at birth.



- ✓ In June 2019, provisions were introduced to the Migration Code allowing foreign citizens and stateless persons who are victims of THB to be granted a temporary residence permit based on a document provided by the criminal prosecution authorities, regardless of whether they co-operate with the law enforcement authorities, and to work without the obligation to obtain a work permit. This is linked to a recommendation made in GRETA's second report to ensure that a recovery and reflection period is systematically proposed and effectively granted to all presumed foreign victims of THB.

## **Estonia**

- ✓ In its first report, GRETA urged the Estonian authorities to strengthen action to combat THB for the purpose of labour exploitation by reviewing the legislative framework, improving the identification of, and assistance to, victims of THB for the purpose of labour exploitation, and involving civil society, trade unions, labour inspectorates and the private sector. To prevent illegal employment, changes were made to the Aliens Act, Income Tax Act and Taxation Act in 2020, providing that the lawfulness of the employment of a foreigner is the responsibility of the company in Estonia that benefits from the foreigner's work. Further, in 2019, amendments were made to Labour Market Services and Benefits Act, which regulates private recruitment and temporary work agencies. In June 2020, amendments were made to the Working Conditions of Employees Posted to Estonia Act. The Labour Inspectorate provides migrant and Estonian workers with free legal services regarding work-related problems, such as unpaid salaries, and runs a phone line and website providing information on workers' rights. In 2021, the Labour Inspectorate created a new portal (available in Estonian, English and Russian) with information on labour trafficking. In 2022, materials were added in Ukrainian.
- ✓ In its first report, GRETA urged the Estonian authorities to provide regular training on issues related to THB to all professionals who may come into contact with victims of THB. In 2019 and 2021, joint training sessions were held for the police, prosecutors, labour inspectors, tax and customs inspectors, and victim support providers. Training on the topic of human trafficking is part of the basic and in-service training of police officers.
- ✓ In its first report, GRETA urged the Estonian authorities to strengthen their efforts to ensure that THB offences for the purposes of different types of exploitation are proactively investigated and prosecuted. Several actions have been undertaken to investigate THB crimes committed online. The National Police is deploying an IT tool to screen internet-based advertisements for sexual services in order to identify possible crimes of pimping or THB for sexual exploitation. The National Police has also established cooperation with all main service providers in Estonia for the removal of illegal online content. Action against THB is included in the Criminal Policy Guidelines until 2030, which focus on the prevention, deterrence and repression of THB, and envisage a periodic review and, if necessary, an update of the criminal policy.

Prevention of THB is also part of the Internal Security Development Plan 2020-2030, which refers to the aim of increasing the identification of victims of human trafficking.

### Greece

- ✓ The Greek legislative framework relevant to combating THB has undergone a number of developments since GRETA's first evaluation, reflecting some of the recommendations by GRETA. Amendments to the Criminal Code (CC), in force since 1 July 2019, repealed Article 351 (which criminalised THB for the purpose of sexual exploitation), incorporated sexual exploitation in Article 323A ("trafficking in human beings"), and expanded the list of forms of exploitation contained in the latter article. Additional changes were introduced by Law 4855/2021 with regard to the punishment prescribed for different forms of THB.
- ✓ In May 2019, following a period of seven years without an anti-trafficking action, the Office of the National Rapporteur issued the National Action Plan for Preventing and Combating Trafficking in Human Beings and the Protection and Rehabilitation of Victims for 2019-2023. The adoption of this plan corresponds to a recommendation made in GRETA's first report.
- ✓ In its first report, GRETA urged the Greek authorities to adopt measures to facilitate and guarantee access to compensation for victims of trafficking. Changes concerning the conditions under which victims of THB can seek and obtain state compensation were made through Law 4689/2020. Furthermore, in 2019 a provision was added to Law 4478/2017 stipulating that, in accordance with the CCP, assets seized during the criminal procedure which are "judged to be assigned to the victim" are immediately returned to him/her.
- ✓ In its first report, GRETA urged the Greek authorities to introduce a procedure for the proactive identification of child victims of trafficking, paying particular attention to unaccompanied children, and to improve the assistance to child victims of trafficking, including through the assignment of legal guardians. The formal launch of the NRM in 2019, with specific guidelines in the case of child victims, has facilitated the identification and referral to assistance of presumed victims of THB. The NRM statistics show that the number of identified child victims has increased over the years (15 in 2017, 12 in 2018, 49 in 2019, 74 in 2020, and 35 in 2021). Law No. 4554/2018 provided the regulatory framework for the guardianship of unaccompanied children. The Special Secretariat for the Protection of Unaccompanied Minors was established under the Ministry of Migration and Asylum in February 2020. It has developed a five-year Strategy for the Protection of Unaccompanied Children.

### Iceland

- ✓ In reply to GRETA's recommendation, Article 227.a of the General Penal Code (GPC), criminalising THB, was amended to include additional forms of exploitation, in particular forced marriage, slavery, servitude, forced service, begging and criminal activities.

- ✓ The third National Action Plan for Combating THB was adopted in March 2019, following a consultation with NGOs and trade unions, and taking into account the recommendations made in GRETA's second report. Following the adoption of the Action Plan, a new Steering Group was set up by the Ministry of Justice to advise the government on policy in the area of combating human trafficking as well as to support, monitor and evaluate the implementation of the plan. It is composed of representatives of public agencies, NGOs and other persons with expertise in the area of combating THB.
- ✓ In 2021, the National Commissioner of the Icelandic Police set up a police advisory group on human trafficking, in co-operation with the Ministry of Justice. The group's role is to provide advice to all Icelandic police departments on the identification and investigation of suspected THB cases, disseminate information to police department staff, collect statistics and exercise oversight of the human trafficking situation in the country.

### **Netherlands**

- ✓ In its second report, GRETA invited the Dutch authorities to criminalise the use of services of a victim of THB, with the knowledge that the person is a victim of THB. In January 2022, Section 273g was added to the Criminal Code, criminalising the use of sexual services from a person with the knowledge or reasonable suspicion that he/she is a victim of THB.
- ✓ Following GRETA's second evaluation, the Public Prosecution Service updated and/or adopted three policy documents relating to combatting THB: the Guideline for Criminal Procedure in Human Trafficking, stipulating sentencing guidelines; the Directive on THB, spelling out the Prosecution Service's tasks and priorities in the fight against THB; and the Directive on dismissal and grounds of dismissal, incorporating the non-punishment principle.
- ✓ In its second evaluation report, GRETA urged the Dutch authorities to ensure that all possible foreign victims of trafficking, including EU citizens, are consistently provided with a recovery and reflection period. In reply to GRETA's recommendation, section B8/3.1 of the Aliens Circular was amended in October 2018, codifying the possibility for EU citizens to obtain a recovery and reflection period.

### **North Macedonia**

- ✓ As recommended in GRETA's second report, the recovery and reflection period provided for in Article 13 of the Convention was specifically defined in the 2018 Law on Foreigners. Further, the new law provided for a renewable residence permit for victims of trafficking, based on their personal situation.
- ✓ In its second report, GRETA urged the authorities to take additional measures to ensure compliance with the principle of non-punishment of victims of THB, by adopting

a specific legal provision and/or developing guidance for police officers and prosecutors. On 31 December 2018, the Criminal Code of North Macedonia was amended and a specific provision on the non-punishment of victims of human trafficking for illegal acts they were compelled to commit while being trafficked was incorporated in its Article 418a (trafficking in adults) and Article 418d (trafficking in children).

- ✓ In its first and second reports, GRETA urged the authorities to set up a state compensation scheme accessible to victims of THB, regardless of their nationality and immigration status. The Law on the Payment of Monetary Compensation to Victims of Violent Crimes was adopted in November 2022, introducing state compensation for victims of human trafficking.
- ✓ Following up on GRETA's recommendation to establish an independent National Rapporteur or designate another mechanism as an independent organisational entity with a view to ensuring effective monitoring of the anti-trafficking activities of state institutions, the authorities designated in December 2019 the Office of the Ombudsman as National Rapporteur on Combating Trafficking in Human Beings.

## **Poland**

- ✓ In its second report, GRETA recommended that the Polish authorities take further measures to prevent and combat human trafficking for the purpose of labour exploitation, and in particular review and assess the system of "statements of intention to employ", and provide the National Labour Inspectorate with necessary resources and further training. Following amendments to the Law on the Promotion of Employment and Labour Market Institutions and certain other acts, the "statement of intention to employ," which enabled nationals of several countries to get work visas for Poland, was replaced by a "declaration on entrusting work to a foreigner", and the validity of the work visa was increased from six to 24 months. A Handbook on "Forced Labour: How to Recognise and Counteract It" was published in October 2020 with a view to helping employers reduce risks and counter consequences of forced labour in their operations. Further, "Guidelines for labour inspectors on the methodology of carrying out inspection activities in cases of suspected trafficking in human beings, in particular forced labour" were issued in 2021. Two-day training on THB is organised annually by the Labour Inspectorate Training Centre.
- ✓ In its second report, GRETA considered that additional steps should be taken to provide assistance to victims, and to ensure that sufficient funding is made available when the assistance is delegated to NGOs or local authorities. In 2023 the budget of the National Consulting and Intervention Centre for Victims of Trafficking (KCIK) was increased by almost 40% to PLN 1,500,000 (about 320,000 euros).
- ✓ In its second report, GRETA urged the Polish authorities to ensure that all foreign victims of trafficking, including EU/EEA nationals, are consistently offered a recovery and reflection period. The Law of 20 December 2020 amending the Law of 14 July 2005 on Entering the Territory of Poland extended the possibility to issue a certificate of a

presumed victim of trafficking to European Economic Area (EEA) and Swiss nationals. Further, the Law of 24 November 2017 amending the Law on Foreigners introduced the possibility to grant a temporary residence permit to child victims of THB regardless of their co-operation with the authorities.

### Serbia

- ✓ Following GRETA's second evaluation, the position of National Rapporteur on Trafficking in Human Beings was established in Serbia, pursuant to the new Law on the Ombudsman adopted in November 2021, according to which the function of National Rapporteur shall be fulfilled by the Ombudsman (Protector of Citizens).
- ✓ Pursuant to the new Law on Foreigners, adopted in March 2018 and amended in April 2019, victims of trafficking can be granted a temporary residence permit for humanitarian reasons, regardless of whether or not they co-operate with investigative authorities. Moreover, the law provides for a recovery and reflection period of 90 days for presumed victims of trafficking.

### Slovenia

- ✓ The increase in the staff dedicated to national coordination of action against THB was one of the key recommendations made in GRETA's second report. In November 2018 the Anti-Trafficking Service was established within the Ministry of the Interior to support the National Anti-Trafficking Co-ordinator and ensure inter-ministerial cooperation and coordination of activities in the field of preventing and combatting THB. As of June 2022, it had a staff of four (up from one in 2019).
- ✓ Article 113 of the Slovenian CC, which criminalises THB, was amended on 27 January 2023 to explicitly include begging and practices similar to slavery as forms of exploitation, and to add a sixth paragraph specifically on THB committed by officials or civil servants in the performance of their official duties.
- ✓ In its second evaluation report, GRETA urged the Slovenian authorities to review the legislation in order to ensure that all foreigners for whom there are reasonable grounds to believe that they are victims of THB, including EU citizens, are provided with a recovery and reflection period. GRETA also invited the Slovenian authorities to grant temporary residence permits to victims of THB on the basis of their personal situation. In October 2017, Article 50 of the Aliens Act was amended to remove the condition that a trafficking victim's testimony is considered important by the authority conducting the criminal case in order to obtain a temporary residence permit. Further, in March 2021, the possibility for victims of THB to be issued a temporary residence permit owing to their personal situation was added to the existing grounds for a residence permit for the purpose of participation in the criminal proceedings.
- ✓ In its second report, GRETA considered that the authorities should guarantee access to public health care to all victims of THB. In July 2021 the Inter-ministerial Working

Group for Combating Trafficking in Human Beings adopted a decision according to which the Ministry of Health, on the proposal of the National Anti-Trafficking Co-ordinator, can issue victims of THB with a certificate stating that they are entitled to non-urgent medical care (medication) at the discretion of a doctor.

### **Spain**

- ✓ In its second evaluation report, GRETA urged Spain to adopt a comprehensive National Action Plan on THB, addressing all forms and victims of trafficking. On 22 January 2022, the Spanish Government published the National Action Plan against trafficking in and exploitation of human beings (2021-2023), which was prepared in consultation with relevant stakeholders, including NGOs.
- ✓ In its second report, GRETA urged the Spanish authorities to improve the identification of victims of THB by ensuring that formal identification of victims does not depend on the presence of sufficient evidence for the initiation of criminal proceedings, and strengthening multi-agency involvement in the identification of victims of trafficking by formally recognising the role of specialised NGOs in the decision-making process. A procedure for the “administrative accreditation” of victims of trafficking was introduced pursuant to the Royal Decree-Law 6/2022 of 29 March 2022 on urgent measures for dealing with the economic and social consequences of the war against Ukraine. It enables territorial public administrations and specialised NGOs to identify victims of trafficking in order to give them access to social assistance measures. The objective of this new procedure is to improve the early identification of victims of trafficking, irrespective of the action of law enforcement authorities, and even before exploitation has effectively occurred. It is not limited to victims of trafficking identified in relation to the war against Ukraine. However, it only concerns victims of trafficking for the purpose of sexual exploitation.
- ✓ With a view to ensuring compliance with the non-punishment provision, the Guidance on judicial proceedings regarding trafficking in human beings, published in 2018 by the National Council of the Judiciary, expressly refers to Article 26 of the Council of Europe Anti-Trafficking Convention and indicates that in order to assess the applicability of the non-punishment provision, the facts committed by victims should be investigated and prosecuted in the same proceedings as the offence of THB. When it is not possible to have a joint prosecution, the proceeding concerning the victim’s criminal liability should be suspended. In case of a final conviction of the victim prior to the end of the proceedings concerning the traffickers, the victim can ask for a review of the process.

### **Sweden**

- ✓ In the years following GRETA’s second evaluation, the Swedish authorities placed increased emphasis on the prevention and combating of trafficking for the purpose of labour exploitation, with a focus on inter-agency co-operation. In 2018, the Gender Equality Agency, the Work Environment Authority and seven other government agencies were mandated by the Swedish Government to develop methods to jointly

address THB for the purpose of labour exploitation, including the preparation of two public information campaigns. In February 2022, these nine agencies were tasked with formalising their co-operation by establishing regional centres against labour criminality (AKC) in the seven regions of Sweden.

- ✓ In its second evaluation report, GRETA urged the Swedish authorities to pay increased attention to the identification of victims of trafficking among asylum seekers, migrants and persons placed in detention centres. The Gender Equality Agency issued a revised NRM Manual in 2019 providing a list of indicators for the identification of victims of THB. Since 2019, Government's Ordinance (2019:502) for the Swedish Migration Agency (SMA), which decides on applications for international protection and grants residence permits, provides that the SMA shall contribute to the work against THB and similar crimes. The SMA has developed internal procedures to be followed by case officers in case of suspected THB, as well as information guidelines on THB for appointed guardians of unaccompanied children. Further, the SMA has provided training on THB to its employees, including staff of migration centres and SMA regional co-ordinators.



*Roundtable meeting on the follow-up to GRETA's third evaluation report on Bulgaria, 30 January 2023*

### 3. Activities related to the implementation of GRETA's recommendations

41. On the basis of GRETA's reports, the Council of Europe assists member States to strengthen the implementation of the Convention by organising targeted **cooperation activities**. With a view to promoting better understanding of the Convention's provisions and GRETA's recommendations, stimulating dialogue between relevant stakeholders and identifying areas where the Council of Europe can support national anti-trafficking efforts, **roundtable meetings** were organised in **Bulgaria** (30 January), **Romania** (3 March), **Denmark** (9 March), **Montenegro** (4 April), **Georgia** (25 April), **Malta** (10 October) and the **United Kingdom** (12 October).

42. Further, a seminar on preventing and combating trafficking in human beings for the purpose of labour exploitation was organised on 13 June 2023 in Warsaw, **Poland**. In the light of the new Committee of Ministers Recommendation CM/Rec(2022)21 on preventing and combating human trafficking for the purpose of labour exploitation,<sup>6</sup> participants discussed measures in the field of prevention, identification and protection of victims, criminal justice response, partnerships and the role of businesses. They also exchanged on the preparation of a checklist for examining compliance with the recommendation. The seminar also provided an opportunity to present the conclusions of GRETA's latest report on Poland, published on 9 June 2023, which highlights that trafficking for the purpose of labour has emerged as the main form of exploitation of the victims identified by the Border Guard and the National Prosecutor's Office. The seminar was attended by representatives of governmental institutions, civil society organisations, the private sector, academia, international organisations and diplomatic missions.

43. A regional roundtable on strengthening the role of the private sector, particularly financial institutions, in preventing and combating human trafficking, took place on 7-8 September 2023 in Sarajevo, **Bosnia and Herzegovina**. It was organised jointly by GRETA's

<sup>6</sup> [Recommendation CM/Rec\(2022\)21 on preventing and combating human trafficking for the purpose of labour exploitation](#)



Secretariat and the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings. The event brought together some 50 representatives of financial intelligence units, law enforcement agencies, prosecutor's officers, anti-trafficking co-ordination bodies, financial and other private sector institutions, financial regulators, trade unions and academia from Bosnia and Herzegovina, Montenegro, North Macedonia and Serbia. The roundtable aimed at raising awareness of the role of financial institutions in combating human trafficking and promoting cross-sectoral co-operation frameworks. Promising practices were presented by speakers from Belgium, Canada, Cyprus, Latvia, the Netherlands, Europol, Western Union, Bank Santander, and Finance Against Slavery and Trafficking (FAST).



*Roundtable meeting on the follow-up to GRETA's third evaluation report on Malta, 10 October 2023*

44. The fourth meeting of the **network of lawyers and NGOs specialised in providing legal assistance to victims of human trafficking** took place in Strasbourg on 26-27 October 2023. The aim of this network is to strengthen the implementation of the provisions of the Convention through the exchange of experience, legal strategies, good practices and information on relevant case-law. On the first day, the meeting opened with a session on combating trafficking for the purpose of labour exploitation, including a presentation of the Committee of Ministers Recommendation CM/Rec(2022)21 and case-law from several countries, highlighting difficulties in ensuring the rights of victims and the prosecution of legal entities. Participants also heard about developments in the case-law of the European Court of Human Rights related to human trafficking. The day concluded with a session on the application of the non-punishment provision to victims of human trafficking. The second day started with a session on the linkages between trafficking in human beings and ICT, including a presentation of GRETA's report on this issue and reflections on how technology may be used to prevent trafficking and assist victims. A further session on victims' access to compensation focused on the cross-border execution of civil decisions regarding damages and difficulties related to the compensation of victims of trafficking for the purpose of labour exploitation. Finally, participants divided into three working groups to discuss issues related to the

protection of victims and witnesses of human trafficking, the role of lawyers and NGOs in victim identification, and combating trafficking for the purpose of labour exploitation.



*Fourth meeting of the network of lawyers and NGOs specialised in providing legal assistance to victims of human trafficking, Strasbourg, France, 26-27 October 2023*

45. In 2023, co-operation projects linked to GRETA's recommendations were implemented in Bosnia and Herzegovina, Malta, North Macedonia and Serbia. The aim of these projects is to support the implementation of country-specific recommendations contained in GRETA's reports, thereby strengthening national capacities to prevent and combat trafficking in human beings (see Appendix 6 for a list of activities).

46. In **Bosnia and Herzegovina**, the project contributed to the development of the country's new Anti-trafficking Strategy (2024-2027) and the improvement of the protection of victims of trafficking through the establishment of a network of free legal aid providers. Furthermore, the project promoted the participation of former victims of human trafficking in awareness-raising activities and policy-making. The project improved the capacity of labour inspectors and law enforcement officers to detect and investigate trafficking for the purpose of labour exploitation. Training was also provided to prosecutors, judges and lawyers on the rights of victims of trafficking in court proceedings. A memorandum of understanding on co-operation between non-governmental and governmental free legal aid providers was opened for signature.

47. In **Malta**, the Joint Project on "Supporting Malta in the design and implementation of a new National Anti-Trafficking Strategy", implemented by the Council of Europe and DG REFORM of the European Commission, has involved a series of workshops, training sessions and working group roundtable meetings to prepare a draft National Anti-Trafficking Strategy with an accompanying Action Plan. At the end of 2023 the draft strategy was submitted to the Maltese Anti-Human Trafficking Inter-Ministerial Committee (IMC). This process resulted from an analysis of the needs and gaps according to GRETA's recommendations from the

second and third evaluation round reports on Malta as well as extensive consultations with relevant ministries, agencies, civil society organisations and victims of human trafficking.

48. In **North Macedonia**, the project strengthened the mechanisms and procedures for access to legal assistance and compensation by supporting networking and capacity-building of legal professionals. The HELP e-learning course on human trafficking was followed by 58 legal professionals, 28 out of whom were licenced to represent child trafficking victims in court proceedings. The capacity-building activities included a training of trainers on combating trafficking for the purpose of labour exploitation and three training sessions for health-care professionals on trafficking in human beings. Further, an expert round table on technology-facilitated human trafficking took place. The project also supported the co-signature of a Memorandum of Understanding on trafficking for the purpose of labour exploitation by the police and the State Labour Inspectorate, as well as the preparation of the operational plan of the National Commission on the fight against trafficking in human beings.

49. In **Serbia**, the project contributed to the development of the new national anti-trafficking planning document for the period 2024-2029, which took into account GRETA's recommendations. Further, it strengthened the capacities of the National Anti-trafficking Co-ordination Office and the National Rapporteur's Office on monitoring and reporting on trafficking in human beings. Moreover, 46 newly employed labour inspectors increased their knowledge on indicators of trafficking for labour exploitation and co-operation with the police. The project also supported the participation of former victims in policy-making.



*Meeting of National Anti-Trafficking Co-ordinators and Rapporteurs, Strasbourg, 6-7 June 2023*

## VIII. MEETING OF NATIONAL ANTI-TRAFFICKING CO-ORDINATORS AND RAPPORTEURS

50. On 6-7 June 2023, the Council of Europe and the OSCE organised jointly, for the sixth consecutive year, a meeting of National Anti-Trafficking Co-ordinators and Rapporteurs. The meeting was held at the premises of the Council of Europe in Strasbourg and online, and was attended by more than 130 participants from 60 countries (Council of Europe member States and OSCE participating States and Partners for Co-operation). GRETA was represented by its President and First Vice-President.

51. The meeting focused on understanding and addressing trafficking in human beings for the purpose of forced criminality, strengthening the mandates and roles of the National Anti-Trafficking Co-ordinators and Rapporteurs or equivalent mechanisms, better identifying and assisting victims of transnational trafficking, and enhancing the proactive use of financial investigations.

52. During the first session, panellists from eight different countries shared data, cases, approaches and challenges in addressing trafficking in human beings for the purpose of forced criminality. This form of trafficking has been on the rise in many countries. Speakers stressed the need for additional training and guidance for the police and prosecution on how to deal with such cases, the development of protocols and indicators for identifying this form of trafficking, and applying consistently the non-punishment principle.

53. To discuss ways to enhance anti-trafficking leadership structures, participants were divided into three working groups which reflected on a set of questions related to the mandates and roles of National Anti-Trafficking Co-ordinators and Rapporteurs, and their added value to the national anti-trafficking architecture. Discussions focused on the complementarity between the two functions, how to avoid duplication between them, and the independence of the National Rapporteur's function. As a result of the working group sessions, several different models emerged: 1) countries which have separate functions of National Anti-Trafficking Co-ordinators and Rapporteurs; 2) countries where these functions are performed by the same government ministry/agency; 3) countries which have neither function. Participants agreed that National Anti-Trafficking Co-ordinators should preferably be placed in a high-level position in government to better leverage, direct, and harmonise the different instruments of anti-trafficking efforts and maximise their impact. A growing number of countries have appointed independent human rights bodies as National Anti-Trafficking Rapporteurs (e.g. the National Consultative Commission on Human Rights in France, the Institute for Human Rights in Germany, the Ombudsman's Office in North Macedonia). Participants noted that a structural separation between the Co-ordinator's and the Rapporteur's functions is important in order to have an objective evaluation of the implementation of anti-trafficking policy and activities, identify shortcomings, and make recommendations to the government. The advantages of having an independent National Rapporteur, who can critically monitor the efforts and effectiveness of all state institutions, including National Co-ordinators, were highlighted. It was stressed that in order to have an independent National Rapporteur, its mandate should be instituted by law, and it should be adequately resourced, which requires political will.

54. During the session on identifying and assisting victims of transnational trafficking, a presentation was made by the EU Anti-Trafficking Co-ordinator, Diane Schmitt, who stressed that EU Member States must work together to ensure that victims get protection when they are returned under the Dublin Regulation to the first country where they claimed asylum. The recently published OSCE paper "Putting Victims First: The 'Social Path' to Identification and Assistance"<sup>7</sup> was presented. It offers a discussion on why and how to adopt a 'social path' approach to identifying and assisting human trafficking victims irrespective of their willingness to participate in criminal proceedings. In this context, it was noted that GRETA has consistently recommended to States Parties to the Convention to adopt legislative or other measures to ensure that assistance to victims is not made conditional on their willingness to act as a witness or otherwise co-operate with the competent authorities in the investigations and criminal proceedings. Further, representatives from three different countries shared good practices and challenges in identifying and assisting victims of transnational trafficking.

55. The final session highlighted the importance of financial investigations for successfully investigating and prosecuting human trafficking offences, as well as the value of public-private partnerships to this end. According to OSCE research, 36 OSCE participating States have red flag indicators related to human trafficking or forced labour in Suspicious Transaction Reports (STRs), and 10 have launched investigations on the basis of such reports. Further, GRETA's President indicated that at the end of the second evaluation round of the Convention, 26 out of 41 State Parties to the Council of Europe Anti-trafficking Convention

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<sup>7</sup> <https://www.osce.org/cthb/538452>

had presented concrete information regarding financial investigations in trafficking cases. Speakers from three countries presented examples of the authorities working with the private sector to promote proactive disclosures of financial intelligence, which has resulted in the opening of investigations for human trafficking.



## IX. PREVENTION AND DETECTION OF CASES OF HUMAN TRAFFICKING AMONGST PERSONS DISPLACED BY THE WAR AGAINST UKRAINE

56. In its 12th General Report, covering the calendar year 2022, GRETA dedicated a special section to preventing and detecting trafficking in human beings following Russia's aggression against Ukraine. It provided details on GRETA's Guidance Note on addressing the risks of trafficking in human beings related to the war against Ukraine and the ensuing humanitarian crisis, issued on May 2022.<sup>8</sup> The aim of the Guidance Note was to provide practical advice to help States Parties ensure that public agencies, NGOs, the private sector and the general public are aware of the risks of trafficking in human beings for different forms of exploitation in their dealings with people fleeing the war, and on how to provide support in order to minimise these risks.

57. GRETA's third round evaluation of Ukraine, which was supposed to take place in 2022, has been postponed due to the ongoing war. The last GRETA report on Ukraine, which was published in November 2018, stressed the vulnerability to human trafficking of the millions of internally displaced persons (IDPs) who were forced to flee their homes following the illegal annexation of the Autonomous Republic of Crimea and the City of Sevastopol in 2014 and the armed conflict in Donetsk and Luhansk regions.<sup>9</sup> As noted in the statement issued by GRETA on 17 March 2022,<sup>10</sup> the difficulties faced by the IDPs were aggravated by the military attack by the Russian Federation. The Ukrainian authorities' reply to GRETA's third round questionnaire was received on 28 April 2023, but GRETA was not able to visit Ukraine in 2023.

<sup>8</sup> [Guidance Note on addressing the risks of trafficking in human beings related to the war against Ukraine and the ensuing humanitarian crisis](#)

<sup>9</sup> [GRETA's third round evaluation report on Ukraine](#), paragraphs 16, 52, 78 and 89.

<sup>10</sup> [States must act urgently to protect refugees fleeing Ukraine from human trafficking - Action against Trafficking in Human Beings \(coe.int\)](#)

GRETA plans to carry out its third evaluation visit to Ukraine in 2024. This will provide an opportunity to evaluate in depth the consequences of the war on the fight against trafficking in human beings in Ukraine, including the issue of the forcible transfers and deportations of children of Ukraine.

58. During its country visits to other States Parties, GRETA has continued collecting information on steps taken to prevent and limit the risks of trafficking of Ukrainian refugees, any gaps related to the protection of Ukrainian refugees which may create risks of human trafficking, as well as any detected cases. In several countries, GRETA visited reception centres for asylum seekers accommodating Ukrainian refugees. Relevant information contained in GRETA's reports adopted in 2023 is reproduced below.

59. In **Estonia**, measures were taken to raise awareness among Ukrainian refugees, through the dissemination of leaflets with information on the risks of human trafficking and the organisation of information seminars at refugee centres and online sessions. During the evaluation visit, the GRETA delegation visited the reception centre for refugees in Pärnu, where different information materials were available for people fleeing the war against Ukraine. The Estonian Unemployment Fund organised information days for employers in order to offer workplaces for Ukrainian refugees. The Labour Inspectorate created a new portal with information on labour trafficking to which materials were added in Ukrainian. Furthermore, the Labour Inspectorate started employing Ukrainian staff (lawyers and a communications specialist). During joint inspections carried out by Labour Inspectorate, the Tax and Customs Board, the Police and Border Guard Board, priority was given to examining the working conditions of Ukrainian refugees. According to information provided by UNHCR, less than 100 unaccompanied children had been registered in Estonia. The authorities informed GRETA that particular attention was being paid to the appointment of guardians to these children.

60. In **Hungary**, GRETA was informed that there was no proper reception system for Ukrainian refugees, including a large number of unaccompanied children. This made it difficult to identify possible victims of trafficking among persons fleeing the war against Ukraine. Concerns were expressed with regard to unaccompanied children from Ukraine who were left unsupervised and exposed to contact with strangers. Unaccompanied foreign children have the same access to education as Hungarian children. However, according to a recent report, almost all Transcarpathian Romani refugee children who fled the war against Ukraine were not enrolled in school/preschool, due to a complex administrative process and the requirement to provide a permanent address which they do not have. Further, GRETA was informed that although some of the persons fleeing the war have Hungarian citizenship (as members of the Hungarian minority in Ukraine) and despite the fact that Ukrainian refugees in the EU have been granted temporary protection which entails the right to work, many are employed in poorly paid jobs without benefits and sick leave and are usually not aware of their labour rights.

61. In **Iceland**, soon after the outbreak of the war against Ukraine, the Ministry of Justice gave online training on human trafficking to about 200 persons responsible for helping Ukrainian refugees. Displaced persons from Ukraine are entitled to temporary collective protection in Iceland. They receive a residence permit for humanitarian reasons for one year,



renewable for up to three years, which enables them to benefit from health and social services, and can have access to the labour market if they find a prospective employer willing to apply for a work permit for them. There is a dedicated website with information about rules of entry and accommodation of displaced persons from Ukraine.

62. In **Italy**, the Department of Equal Opportunities of the Presidency of the Council of Ministers and the national Anti-Trafficking Helpline have set up a specific project addressed at Ukrainian nationals at risk of human trafficking. As of 30 June 2022, there 4,512 unaccompanied children from Ukraine. The Supervisory Authority for Children and Adolescents (AGIA) set up a working group to look into the immediate registration and appointment of guardians to unaccompanied children from Ukraine. In May 2022, Italy was involved in a hackathon targeting criminal networks grooming Ukrainian refugees for sexual and labour exploitation via websites and social media platforms. So far, no evidence of cases of human trafficking of Ukrainian citizens has been collected and the project is focusing on prevention.

63. The **Lithuanian** authorities have opened two criminal investigations under Article 147(1) of the Criminal Code (CC) into the sexual exploitation of two Ukrainian women. One case was completed, and one Lithuanian and two Ukrainian citizens were indicted in 2023. The other case was dismissed for lack of evidence. In addition, the Lithuanian authorities also opened a criminal investigation under Article 157(2) of the CC into a possible case of illegal adoption of children from an orphanage in Ukraine via Lithuania to the United States. The investigation was ongoing at the time of adoption of GRETA's final report in November 2023.

64. In **the Netherlands**, the Government set up a specific Directorate General Ukraine within the Ministry of Justice and Security to deal with policy coordination, support and planning of the reception of displaced persons from Ukraine. GRETA was informed that 51 presumed Ukrainian victims of human trafficking (two for sexual exploitation and 49 for labour exploitation) were registered in 2022. The authorities indicated that three investigations had been launched into possible cases of human trafficking (two cases by police and one case by the Netherlands Labour Authority), but no evidence of human trafficking was found during these investigations. GRETA was informed of the case of some 40 Ukrainian workers who had arrived after the outbreak of the war against Ukraine through recruitment agencies to work in agriculture. They were reportedly not paid and did not have a registration number. According to the Dutch authorities, employers need to register Ukrainian workers at the Employee Insurance Agency at least two days before the first day of work and Ukrainian refugees cannot be self-employed (unless they have a work permit) because of the risk of exploitation.

65. Following the outbreak of the war against Ukraine on 24 February 2022, **Poland** became the main country of arrival of Ukrainian refugees. A series of measures were taken to alert persons fleeing the war against Ukraine, as well as the general public, on how to avoid human trafficking, through posters and leaflets at border crossing points, reception centres, train stations and city halls, as well as through online information. Alerts via SMS were sent to all people crossing the border from Ukraine with information on potential threat of human trafficking and possibilities of assistance. The Law of 12 March 2022 on the Assistance to the Ukrainian Citizens in Connection with the Armed Conflict provided for, *inter alia*, a temporary

increase in the sanctions for committing human trafficking. As of 31 May 2022, over 13,000 judicial decisions granting a temporary guardian to unaccompanied children from Ukraine had been issued. In addition, a register of unaccompanied or separated children from Ukraine<sup>11</sup> was set up. However, no data was available on the number of unaccompanied children who had entered Poland from Ukraine. A helpline for children and young persons from Ukraine, operated by psychologists, was opened in June 2022 in co-operation with the NGO Empowering Children Foundation. According to information provided by the Polish authorities, five investigations were initiated by the Police into alleged cases of human trafficking targeting Ukrainian refugees, but only one case was confirmed after investigation. It concerned two 17-year-old Ukrainian girls who were forced to provide sexual services. The proceedings were ongoing at the time of the adoption of GRETA's report on Poland in March 2023.

66. GRETA noted in its report on Poland that, except for spouses or children of Ukrainians, the Law on Assistance to Citizens of Ukraine does not apply to third-country nationals. They can apply for temporary protection under the EU Directive but those residing illegally in Ukraine before the war cannot be granted temporary protection, as well as those legally residing in Ukraine if they are able to return to their country of origin in safe and durable conditions. GRETA was concerned that many of them would prefer to stay in Poland illegally, which makes them more vulnerable to exploitative situation and even trafficking in human beings. There were reports that people from Roma communities fleeing Ukraine faced difficulties in accessing accommodation, transport and other forms of support. Considering that people of Roma communities are already vulnerable to trafficking in human beings, GRETA is concerned that the lack of protection offered to them will increase these risks even more. GRETA was informed that IOM signed a project implementation agreement with the Central Roma Council in Poland focusing on the provision of direct assistance and cultural mediation to Roma refugees from Ukraine.

67. In **Serbia**, GRETA was informed that no victims of human trafficking had been identified among persons fleeing Ukraine as this group mostly consisted of families which travelled to Serbia in their own vehicles and many stayed with friends and family members in the country or only passed through Serbia *en route* to other countries. Persons fleeing Ukraine can receive temporary protection, which entitles them to work in Serbia. GRETA visited a reception centre for persons fleeing the war against Ukraine near Vranje. Leaflets on human trafficking and information concerning organisations providing free legal assistance, psychological support and other types of assistance were displayed on a notice board in Ukrainian and Russian.

68. In **Slovenia**, more than 26,000 arrivals from Ukraine were registered by 1 June 2022. Some 70% of them continued their journey to other countries. According to NGOs and international organisations met during GRETA's visit to Slovenia, Ukrainian refugees are at heightened risk of human trafficking, especially because in the past Ukraine was the main country of origin of foreign women subjected to sexual exploitation in Slovenia. However, no presumed victims had been detected.

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<sup>11</sup> <https://www.gov.pl.translate.google.com/web/handel-ludzmi/rejestr-ukrainskich-dzieci-bez-opieki? x tr sl=pl& x tr tl=en& x tr hl=fr& x tr pto=wapp>

69. In **Spain**, legislation adopted in March 2022 on urgent measures for dealing with the economic and social consequences of the war against Ukraine enabled the local authorities and specialised NGOs to grant the status of victim of trafficking to detected victims of sexual exploitation. In the first weeks of the conflict, an NGO detected a man pretending to be the uncle of two Ukrainian girls (aged 15 and 16) who was apparently travelling to Malaga with the girls in order to subject them to prostitution. The man was detained, and the girls were placed under the care of the child protection system in Madrid. In their comments on the draft GRETA report, the Spanish authorities indicated that the girls did not confirm that they were victims of trafficking in their statements, the competent court ordered the temporary suspension of the proceedings in March 2022 and the girls were reunited with their families.

70. In **Sweden**, following the outbreak of Russia's war against Ukraine, a smaller task force was formed within the National Task Force against Prostitution and Human Trafficking, which is led by the Gender Equality Agency (GEA), to address problems and risks faced by persons fleeing Ukraine. In April 2022, the government mandated the Swedish Migration Agency (SMA) to provide all Ukrainian applicants for temporary protection with an introduction to Swedish society, including information on human trafficking, employment regulations, and laws on prostitution. The GEA has also produced a number of posters and leaflets aimed at persons fleeing the war against Ukraine (in Ukrainian, Russian, Swedish and English), warning them of the risks related to trafficking in human beings, which have been distributed to the police and the SMA. The Swedish authorities acknowledge the vulnerability to trafficking of persons fleeing the war against Ukraine, although no actual cases of human trafficking have been identified so far. There were around 40 cases of suspected THB, primarily related to the employment of Ukrainian nationals in Sweden in the cleaning industry and farms, but no victims were formally identified.

71. The number of confirmed cases of human trafficking of Ukrainian refugees since the onset of Russia's war against Ukraine remains low, which may be a sign of success of the early preventive measures taken to protect Ukrainian refugees and mitigate the risks of trafficking. At the same time, the identification of victims of trafficking in human beings is challenging because victims may be reluctant to lodge complaints as they are often dependent on their traffickers and exploiters for work or housing, and the use of new technologies to facilitate trafficking makes it even more difficult to detect victims. The social and economic vulnerabilities of the millions of people affected by the war are likely to increase as time goes on. Unaccompanied and separated children arriving in the member States of the Council of Europe, including children evacuated from residential care facilities, are particularly vulnerable. Once these children have entered the Schengen zone, there is no requirement to re-register when moving between countries of the Schengen area, with some evidence of countries losing "track" of unaccompanied and separated children in the process, resulting in fears being voiced that some of these children may have fallen prey to trafficking. GRETA will continue to monitor the situation and collect relevant information.



## X. TAKING STOCK OF THE THIRD EVALUATION ROUND OF THE CONVENTION

### 1. Introduction

72. The third round of evaluation of the Convention was launched by GRETA in November 2018. For this evaluation round, GRETA decided to focus on trafficking victims' access to justice and effective remedies, which is essential for victims' rehabilitation and reinstatement of rights and reflects a victim-centred and human-rights based approach to the fight against trafficking in human beings (THB). Despite the delay caused by the COVID-19 pandemic, GRETA managed to complete the third-round evaluation of 35 State Parties to the Convention by the end of 2023.<sup>12</sup> Six more State Parties have received third-round evaluation visits by GRETA, but the final GRETA reports will be adopted and published in 2024.<sup>13</sup> The third-round evaluation of Ukraine is expected to take place in 2024. The remaining six Parties to the Convention<sup>14</sup> will undergo the third evaluation round at a later stage.

73. GRETA has decided to avail itself of this General Report to analyse trends emerging from the 35 published third-round country reports and highlight gaps in the implementation of the Convention, as well as promising practices. This section features an analysis of the articles of the Convention that were addressed under the third evaluation round. Accordingly, it does not systematically address all articles of the Convention.

<sup>12</sup> Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, France, Georgia, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Serbia, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom.

<sup>13</sup> Finland, Germany, Liechtenstein, Monaco, San Marino, Switzerland.

<sup>14</sup> Belarus, Czechia, Estonia, Greece, Israel, Türkiye.

74. GRETA has adopted the use of three different verbs in its recommendations – “urge”, “consider” and “invite” – which correspond to different levels of urgency of the recommendation for bringing the party’s legislation and/or practice into compliance with the Convention. GRETA uses “urge” when it assesses that the national legislation or policies are not in compliance with the Convention, or when it finds that despite the existence of legal provisions and other measures, the implementation of a key obligation under the Convention is lacking. In other situations, GRETA “considers” that it is necessary to make further improvements in order to fully comply with an obligation of the Convention. By “inviting” a country to pursue its efforts in a given area, GRETA acknowledges that the authorities are already on the right track and encourages them to continue existing action or to take additional measures. References to the country reports in the text and the footnotes refer to GRETA’s third evaluation round reports.

75. The table in Appendix 11 provides an overview of the implementation of the provisions of the Convention assessed as part of the third evaluation round, with an indication of the “urges” made in GRETA’s reports. The purpose of this table is not to compare the individual performance of countries or rank them, but rather to highlight the areas where compliance with the obligation of the Convention requires improvement across countries.

## 2. Right to information (Articles 12 and 15)

76. GRETA’s monitoring of the Convention has revealed that in general, more information is needed for victims of trafficking, including children, regarding their legal rights and obligations, the benefits and services available and how to access them, and the implications of being recognised as a victim of trafficking. Law enforcement officers do not always explain to presumed victims of THB their rights, in particular to a recovery and reflection period and to seek compensation, limiting themselves to the provision of general information about the rights of victims in criminal proceedings in a formalistic way.

77. One frequent challenge is that the **provision of information on rights is incomplete and/or delayed** until presumed victims of THB are referred to a specialised NGO. In Belgium, for instance, GRETA stressed that information must be provided to presumed victims of THB from their first contact with the competent authorities, regardless of whether they decide to approach a specialised reception centre.<sup>15</sup> Furthermore, GRETA has stressed that information to victims of trafficking on their rights, including the right to a recovery and reflection period should be provided in a proactive manner, as soon as they come into contact with a competent authority.<sup>16</sup> GRETA has also noted that access to information on rights must not in any way depend on the victim’s capacity or willingness to act as a witness or otherwise cooperate in investigations and prosecutions.<sup>17</sup> GRETA has stressed that the willingness of victims of THB to cooperate in the investigation of THB offences depends on the manner in which they are treated at the moment they enter into contact with law enforcement authorities, as well as their access to information and protection.<sup>18</sup>

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<sup>15</sup> Belgium, para 45.

<sup>16</sup> Malta, para 45; Luxembourg, para 35.

<sup>17</sup> Latvia, para 40.

<sup>18</sup> Bulgaria, para 50.

78. A common challenge observed by GRETA is that information is **not provided in a manner that takes into account the situation of victims of trafficking** and is **not always comprehensible** to victims of THB. Information may be provided in a formalistic way<sup>19</sup> or the form explaining the rights of victims of crime is not available in foreign languages.<sup>20</sup> GRETA has recommended to a number of States Parties to ensure that the provision of information takes into account the victim's age, maturity, intellectual and emotional capacity, literacy and any mental, physical, or other disability which may affect the ability to understand. The information should cover the right to a recovery and reflection period, the services and assistance measures available, state compensation procedure and other relevant civil and administrative remedies and procedures.<sup>21</sup>

79. Further, noting that victims who are traumatised may have difficulties in adequately understanding and analysing the information before taking a decision, GRETA has stressed that information on rights should be provided repeatedly by different professionals, including psychologists, social workers and lawyers, while ensuring that the provision of information is structured and consistent throughout the victims' pathway of engaging with different agencies and organisations.<sup>22</sup>

80. Moreover, in a number of States Parties GRETA has observed **problems related to the availability of qualified and independent interpreters**. By way of example, in Austria, interpreters have reportedly intervened/intimidated presumed victims or have interpreted what the victims said in a way that made it difficult to detect their trafficking situation.<sup>23</sup> In Ireland, because of the absence of an accreditation system for private translation companies the quality of interpreters varied a lot, and interpreters working with victims of THB were reportedly not culturally and socially sensitised.<sup>24</sup> In Bosnia and Herzegovina, there were no certified interpreters for the Romani language.<sup>25</sup> GRETA has recommended that the authorities ensure access to qualified and independent interpreters for victims of THB, and that the costs of interpretation are covered by the authorities. GRETA has also stressed that interpreters should be sensitised to the issue of THB and adequately prepared to deal with presumed victims of trafficking. Furthermore, considering the risk of retaliation for THB victims, having a list of certified interpreters is essential for ensuring not only the quality of the service but also the safety of victims.<sup>26</sup>

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<sup>19</sup> See, for instance, Bulgaria, para 45; Spain, para 49.

<sup>20</sup> See, for instance, France, para 39; Spain, para 48.

<sup>21</sup> See, for example, Iceland, para 43; Italy, para 49.

<sup>22</sup> Bulgaria, para 45; Latvia, para 40.

<sup>23</sup> Austria, para 46.

<sup>24</sup> Ireland, para 44; Portugal, para 48.

<sup>25</sup> Bosnia and Herzegovina, para 40.

<sup>26</sup> Portugal, para 48.

### Promising practices

In **Belgium**, a leaflet for victims of trafficking in human beings is available in 28 languages. It is written in an accessible language and is intended to help presumed victims of trafficking to recognise themselves as victims and approach a specialised reception centre.

In **Portugal**, a document available in Portuguese and English entitled “Status of particularly vulnerable victims” has been issued for victims of domestic violence, victims of THB and victims of terrorism. The document is issued once potential victims are detected in view of informing them about their rights. The information contained in it is very comprehensive and indicates not only what rights are guaranteed, but also how to access them in practice, including the rights to legal assistance, compensation, protection measures, translation and interpretation.

### 3. Legal assistance and free legal aid (Article 15)

81. Access to legal assistance and free legal aid is essential for facilitating and guaranteeing access to justice for victims of human trafficking, and therefore the third evaluation round looked in considerable detail at the relevant procedures and practices. GRETA’s findings from this round indicate that there is considerable room for improvement. GRETA has **urged 19 out of the 35 States Parties** which have so far been evaluated under the third round of the Convention to improve access to legal assistance and free legal aid for victims of THB.

82. A challenge repeatedly observed in GRETA evaluation reports concerns the **timeliness of granting access to legal assistance and free legal aid**. It is usually not provided to victims of THB during the initial interview with law enforcement agencies, even though the outcome of this interview may have major legal consequences, and is available from the moment of formal identification as a victim of THB.<sup>27</sup> In the United Kingdom, for example, presumed victims are entitled to legal aid when they enter the NRM process, regardless of their immigration status, if they meet the financial eligibility criteria; however, legal aid is neither available for pre-NRM advice, nor during the identification process, to help possible victims in preparing evidence to demonstrate their status.<sup>28</sup> GRETA has stressed the importance of a lawyer being appointed as soon as there are reasonable grounds for believing that a person is a victim of trafficking, before the person makes an official statement and/or decides whether to co-operate with the authorities.<sup>29</sup> Early access to legal assistance is also important to enable victims to take civil actions for compensation and redress.<sup>30</sup>

83. Furthermore, in several State Parties, **access to legal assistance and legal aid is not available for some categories of victims of human trafficking**. For example, in Portugal and France, GRETA has expressed concern in relation to difficulties for undocumented migrants to have access to legal aid due to long waiting times for obtaining residence.<sup>31</sup> In Italy, GRETA observed that free legal aid was provided to victims irrespective of their residence status in

<sup>27</sup> See, for instance, Armenia, para 47; Montenegro, para 48.

<sup>28</sup> UK, para 87.

<sup>29</sup> See, for instance, Albania, para 54; Austria, para 61; Bulgaria, para 69; Cyprus, para 46; Denmark, para 50, Italy, para 59; Poland, para 63.

<sup>30</sup> 8th General report on GRETA’s activities, para 167.

<sup>31</sup> France, paras 54-55; Portugal, paras 55 and 64.

criminal proceedings, but not in civil and administrative proceedings, which can be problematic for third-country victims of trafficking who often wait for several months before being granted a residence permit.<sup>32</sup> GRETA has urged the Romanian authorities to review the relevant legislation so that it specifically mentions victims of THB among the categories of victims entitled to legal assistance and free legal aid as in practice courts do not always grant free legal aid to victims of THB who have been subjected to forms of exploitation other than sexual.<sup>33</sup> Further, in some States Parties, GRETA observed gaps in access to legal assistance and legal aid for presumed victims THB placed in detention prior to deportation.<sup>34</sup>

84. GRETA has also observed that in some State Parties, **legal aid for trafficked persons does not cover all relevant proceedings**. For instance, in Ireland, GRETA urged the authorities to ensure that trafficking victims are appointed a specialised lawyer to represent them in judicial and administrative proceedings, including to claim compensation, as the service provided by the Irish Legal Aid Board to presumed victims of trafficking is limited to legal advice and information and does not extend to legal representation in criminal or civil proceedings.<sup>35</sup> In the UK, free legal aid is not available for victims of trafficking seeking state compensation before the Criminal Injuries Compensation Authority (CICA) in England and Wales.<sup>36</sup>

85. In several State Parties, trafficking victims' **access to legal aid is subject to means testing**. In the report on the United Kingdom, GRETA observed that this may raise issues under Article 15 of the Convention when it systematically prevents victims from accessing legal aid as many victims are not eligible for legal aid due to difficulties in providing evidence for the means test.<sup>37</sup> In Belgium, GRETA noted that the threshold for legal aid is below the minimum wage and automatically excludes all victims who work or find employment during the proceedings, which might take several years. This criterion is a big deterrent for victims, who often give up their right of access to justice when forced to choose between it and the right to work and become independent.<sup>38</sup> In Italy, foreign victims of THB are obliged to prove not only the income received in Italy, but also in their countries of origin, which is often extremely difficult and sometimes impossible.<sup>39</sup> Consequently, GRETA has recommended that the national authorities ensure that access to free legal aid for victims of THB does not depend on proof of lack of financial means to pay for a lawyer.

86. A recurrent challenge noted in GRETA reports relates to **lengthy and bureaucratic procedures for accessing legal aid**. For instance, GRETA observed in Portugal that the procedure to be declared eligible for legal aid by the Social Security Institute may take up to several months. Additionally, the procedure prevents foreign victims of THB from submitting an application in case a residence permit and a social security number are lacking.<sup>40</sup> In Belgium, the application for free legal aid has to be resubmitted for each stage of the

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<sup>32</sup> Italy, para 54.

<sup>33</sup> Romania, paras 46 and 56.

<sup>34</sup> Austria, paras 58-61; Malta, paras 55-56.

<sup>35</sup> Ireland, paras 57 and 49.

<sup>36</sup> UK, para 89

<sup>37</sup> UK, para 83.

<sup>38</sup> Belgium, para 52.

<sup>39</sup> Italy, para 53.

<sup>40</sup> Portugal, paras 56-58.



proceedings.<sup>41</sup> GRETA also observed that in Croatia and the UK the procedures for access to free legal aid are lengthy, complicated and bureaucratic.<sup>42</sup>

87. Another challenge observed by GRETA relates to the **lack of adequate funding** for legal assistance and free legal aid. A common problem is the **low rate of remuneration** paid to lawyers as part of State-funded legal aid programmes, which is disproportionate to the amount of work that is to be performed or certain costs attached such as travel costs are not covered.<sup>43</sup> This could lead to having not very experienced lawyers representing victims of THB and lawyers changing during the proceedings.<sup>44</sup> In the UK, immigration cases with a trafficking element are considered financially unviable by many legal aid providers due their length and the lack of clarity around whether the work will be funded, leading to many providers being deterred from undertaking these cases.<sup>45</sup> In the Netherlands, the lump sum paid to legal aid lawyers is not commensurate with the work carried out, nor does it cover the time spent travelling to meet clients, and this has reportedly resulted in fewer lawyers being available to represent victims of THB.<sup>46</sup> As a result, in some countries, victims are largely dependent on NGOs for the provision of specialised legal aid, whereas NGOs are dependent on projects or donors to fund legal assistance or lawyers who are willing to work pro bono.<sup>47</sup> GRETA has recommended to ensure that the costs of free legal aid and legal assistance provided to victims of trafficking by NGOs and lawyers hired by them are reimbursed from the State budget.<sup>48</sup>

88. Linked to the issue of funding is the **lack of specialised lawyers to provide legal assistance and represent** victims of THB.<sup>49</sup> GRETA has recommended to a number of States Parties to take steps to provide training to lawyers and to raise awareness among Bar Associations on the need to encourage training and specialisation of lawyers and on the importance of providing victims with a specialised lawyer.<sup>50</sup>

### Promising practices

In **Austria**, victims of THB are entitled to legal assistance (*juristische Prozessbegleitung*) in criminal proceedings, insofar as this is necessary to preserve the rights of the victim. Legal assistance for the proceedings includes legal advice and representation by a lawyer. It is provided free of charge, independent of the victim's financial situation. For the purpose of ensuring the provision of legal assistance for the proceedings, the Federal Minister for Justice enters into agreements with specialised victim support organisations. If a victim of THB is referred to a specialised NGO, the right to legal assistance exists before and during criminal proceedings, irrespective of the victim's immigration status or type of exploitation. The specialised victim support organisations assess the case and commission specially trained lawyers to provide victims with legal assistance. Legal assistance is provided free-of-charge as

<sup>41</sup> Belgium, para 52.

<sup>42</sup> Croatia, para 53, UK, para 84.

<sup>43</sup> See, for instance, Denmark, para 46, Portugal, para 59.

<sup>44</sup> Romania, para 49, Italy, para 56.

<sup>45</sup> UK, para 85.

<sup>46</sup> Netherlands, para 48.

<sup>47</sup> Malta, paras 53-54, Moldova, para 51, Bulgaria, para 66, Serbia, para 57.

<sup>48</sup> See, for instance, Serbia, para 58; Poland, 63.

<sup>49</sup> Portugal, para 59; Albania, para 52; Moldova, para 51; Malta, para 53.

<sup>50</sup> See, for example, Belgium, para 60; Portugal, para 66; UK, para 93; Sweden, para 49.

soon as the victim decides to make a report to the police. The costs are initially borne by the victim support organisations and are refunded by the Federal Ministry for Constitution, Reforms, Deregulation and Justice.

In **the Republic of Moldova**, pursuant to amendments to the Law on State-guaranteed Legal Aid victims and presumed victims of human trafficking are entitled to free legal aid regardless of the level of their income. Similarly, in **Albania**, pursuant to Law No. 1112017 "On Granting State-Guaranteed Legal Aid", which entered into force on 1 June 2018, victims of trafficking are entitled to free legal aid regardless of their income. In **Lithuania**, pursuant to Article 12(2) of the Law on State Guaranteed Legal Aid, victims of THB are entitled to legal representation during criminal, civil and administrative proceedings regardless of their means or level of income.

In **the Netherlands**, victims of all crimes, including THB, are entitled to a legal representative. Free legal aid is available irrespective of the victims' nationality, immigration status or level of income. Lawyers are issued a certificate entitling them to represent victims in different proceedings, including applications for residence permit and compensation claims. Additionally, victims of THB can also get free legal assistance from Victim Support the Netherlands or contact a government funded "Legal Advice Counter". Several anti-trafficking NGOs offer advice to victims of THB about the legal process and can refer them to a specialised lawyer.<sup>51</sup>

#### 4. Psychological assistance (Article 12)

89. While access to psychological assistance forms part of the package of assistance measures to which victims of trafficking are entitled by law, in most State Parties there are lacunae when it comes to the practical implementation of these measures.

90. A concern mentioned in several GRETA reports is that psychological assistance can only be provided on a **short-term basis**.<sup>52</sup> Furthermore, the issue of **long waiting times** for obtaining psychological assistance has been highlighted in several reports.<sup>53</sup> In the Netherlands, for example, there are long waiting lists for psychologists in the general health-care system and victims of THB are not given a priority. It is necessary to have social insurance in order to access general psychological care, which is not always the case for victims of THB.<sup>54</sup>

91. Other gaps relate to the **lack of human and financial resources**. For instance, it is difficult to employ psychologists who are experienced and motivated to work with victims of trafficking due to the low salaries<sup>55</sup> or there is a shortage of psychological support services.<sup>56</sup> Not all NGOs specialised in assisting victims of trafficking have the resources to provide psychological support in-house by recruiting psychologists.<sup>57</sup>

<sup>51</sup> Netherlands, para 48-49.

<sup>52</sup> See, for instance, Romania, para 59; Moldova, para 58.

<sup>53</sup> See, for instance, UK, para 99; Norway, para 56.

<sup>54</sup> Netherlands, para 57.

<sup>55</sup> See, for instance, Bulgaria, para 74; Moldova, para 58.

<sup>56</sup> Ireland, para 59.

<sup>57</sup> France, para 67.

92. Moreover, access to psychological assistance for foreign victims of THB is hampered by the **absence of interpreters**.<sup>58</sup>

93. GRETA has recommended that the national authorities guarantee timely access of victims of trafficking to psychological assistance and ensure that it is provided for as long as their individual situation requires, in order to help them overcome their trauma and achieve a sustained recovery and social inclusion.<sup>59</sup> Appropriate funding should be allocated to NGOs when the provision of assistance to victims is delegated to them, including for engaging interpreters where necessary.<sup>60</sup>

### Promising practices

In **Albania**, the National Reception Centre for Victims of Trafficking and the three NGO-run shelters provide psychological assistance and psycho-social assistance. Psychologists are part of the multidisciplinary teams in the Reception Centre and the shelters. A psychological needs assessment is performed on the basis of which the multidisciplinary team drafts an assistance plan. The services include psycho-emotional relief, awareness of personal aspects, emotional management, help in changing behaviour, orientation and awareness in making effective decisions. Victims are offered individual and group therapy, and may take the form of cognitive-behavioural therapy or art therapy.

In **Portugal**, victims of THB have the right to free access to the National Healthcare System and the right to obtain psychological assistance. The support starts during the recovery and reflection period and continues beyond it, for as long as it is needed. Psychological support is provided to victims at the five existing shelters and the two long-term assistance centres. The shelters visited by GRETA, run by NGOs, employed psychologists who continued to provide support after the victims had left the shelters.

In **Spain**, psychological assistance is provided to victims accommodated in shelters run by specialised NGOs, as well as after the victims leave the shelters and are hosted in flats provided by these NGOs. Victims met by GRETA confirmed that they had received or were still receiving psychological assistance and noted the crucial importance of this support for their recovery. However, access to psychological support is often limited to female victims of THB for the purpose of sexual exploitation.

## 5. Access to work, vocational training and education (Article 12)

94. In many countries, trafficking victims face **barriers in obtaining effective access** to the labour market, due to factors such as the trauma of having been exploited, insufficient command of the local language, insufficient education or professional skills, limited job opportunities, prejudices of potential employers, social stigmatisation, as well as practical barriers such as childcare and transportation.<sup>61</sup>

<sup>58</sup> Poland, para 68.

<sup>59</sup> See, for instance, Netherlands, para 59; Norway, para 58.

<sup>60</sup> Poland, para 69.

<sup>61</sup> See, for example, Austria, para 68; Netherlands, para 62.

95. GRETA has observed recurrent **challenges related to the residence status of victims of THB**. For example, in Austria, victims of THB are issued residence permits for up to one year, which can be renewed if the victim has found a job, but securing employment is difficult because the residence permit is not valid long enough to make employers interested in employing a victim of trafficking. Victims who do not speak German are under pressure to find a job, without having time to follow language classes which would increase their chances of finding employment.<sup>62</sup> Similarly, in Belgium, access to the labour market is severely hampered by the difficulty of obtaining a residence permit.<sup>63</sup>

96. In Poland, foreign victims who hold a certificate of a presumed victim of trafficking do not have the right to work on the basis of such a certificate. Thus, during the three-month validity of the certificate, foreign victims cannot work in Poland unless they find a job and apply for a work permit, which is in practice impossible in such a short period of time. Although the Convention does not oblige State parties to guarantee the right to work during the recovery and reflection period, GRETA has stressed that allowing victims who wish to work during this period can be beneficial to regain personal, economic and social autonomy, especially if, as in Poland, they do not receive an allowance once identified as presumed victims.

97. In Italy, victims with very young children cannot access kindergarten free of charge without a residence permit and their participation in vocational training or job search activities is not possible unless the kindergarten is paid for by an NGO.<sup>64</sup>

98. Further challenges are created by the **complexity of employment procedures of third-country nationals**. Potential employers therefore are rather reluctant to recruit and/or employ victims of trafficking who are third-country nationals.<sup>65</sup>

99. **Lack of a bank account** to which salaries can be paid and lack of insurance are also limiting the work possibilities for victims of THB and makes them vulnerable to new exploitation.<sup>66</sup>

100. Specialised NGOs assist victims of THB to follow vocational training and language courses and support them in applying for jobs, however, this assistance is sometimes limited due to the **lack of sufficient resources**.<sup>67</sup>

101. GRETA has recommended that the national authorities ensure effective access to the labour market for victims of THB and their economic and social inclusion through the provision of vocational training and job placement, raising awareness amongst different employers, and the promotion of micro-businesses, social enterprises and public-private partnerships, including through state supported employment programmes, with a view to creating appropriate work opportunities for victims of trafficking.<sup>68</sup>

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<sup>62</sup> Austria, paras 68 and 254.

<sup>63</sup> Belgium, para 69.

<sup>64</sup> Italy, para 71.

<sup>65</sup> See, for instance, Luxembourg, para 51; Cyprus, para 50; Malta, para 68.

<sup>66</sup> See, for instance, Norway, para 60; Italy, para 71.

<sup>67</sup> See, for instance, Poland, para 74.

<sup>68</sup> See, for instance, Poland, para 75; Sweden, para 58.

### Promising practices

In **Portugal**, in 2019, the State Secretary for Citizenship and Gender Equality allocated 44,665 euros to support the social inclusion of victims of THB. NGOs running shelters and the multi-disciplinary teams support victims in accessing the labour market, attending school, vocational training and other educational services. The GRETA delegation visited the two centres providing long-term assistance and met victims who were employed or were attending professional training.

In the **Republic of Moldova**, victims of trafficking can benefit from the services and employment measures provided for by Law No. 105/2018 on promotion of employment and unemployment insurance, including vocational training, on-the-job training, internship, subsidised employment, consultancy, assistance and support in entrepreneurial activity. Two employment facilitation programmes for unemployed persons have been launched by the Ministry of Health, Labour and Social Protection and the National Agency for Employment, with the assistance of ILO. The programmes provide for subsidising of jobs for socially vulnerable people. Companies which employ unemployed people from vulnerable groups (including victims of THB) benefit from monthly subsidies amounting to 30% of the average monthly salary for the previous year, within six months, for each unemployed employee.

In **Romania**, NGO-run shelters have entered into partnerships with institutions for providing general education and vocational training as well as with hotels and an electronic factory, which provide jobs to victims of trafficking in human beings.

## 6. Compensation (Article 15)

102. The third evaluation round of the Convention has demonstrated that ensuring effective access to compensation for victims of trafficking is a major challenge in State Parties to the Convention. While the legal framework concerning compensation is mostly in place, effective access remains rare in practice. There are some States Parties in which GRETA observed at the time of the evaluation that no victim of THB had been compensated.<sup>69</sup> In general, data on victim compensation is often lacking because it is not collected as part of criminal court statistics. GRETA has **urged 31 out of the 35 States Parties** which have so far been evaluated under the third round of the Convention to guarantee effective access to compensation for victims of THB.

103. Effective access to compensation depends on a number of factors, starting with **access to clear information** on how to seek compensation. Even if the information provided to victims of THB refers to the right to compensation, GRETA has pointed out that effective access to information on how to seek compensation is not guaranteed by the mere existence of information on a website and in brochures. Victims may not be able to complete the forms correctly and may not be able to provide additional documentation without expert advice and assistance.<sup>70</sup>

<sup>69</sup> See, for instance, Malta, para 75; Montenegro, para 75; Croatia, para 81; Ireland, para 86.

<sup>70</sup> Latvia, para 72.

104. GRETA has also stressed the need to **provide guidance and training** to police officers, prosecutors, judges and lawyers on the topic of victim compensation, encouraging them to use all the possibilities the law offers to uphold compensation claims by victims of human trafficking.<sup>71</sup>

105. **Obtaining compensation from the perpetrators in the context of criminal proceedings is challenging** on many accounts. Although the legislation allows victims of trafficking to be considered as an injured party or civil plaintiff in criminal proceedings, practice shows that victims claim compensation only when they are represented by a specialised lawyer and/or supported by an NGO.<sup>72</sup> Victims are reluctant to claim compensation due to the length of the legal proceedings and the track-record of failed compensation claims. Adjudicating compensation claims may not be considered by judges as the primary task of the criminal court, or it may cause a delay of the proceedings,<sup>73</sup> and therefore victims are referred to civil proceedings.<sup>74</sup> GRETA has therefore recommended that State Parties consider adopting a procedure through which victims are entitled to obtain a **decision on compensation by the offender as part of the criminal trial**, within a reasonable time, and to make compensation awarded in criminal proceedings payable by the State in advance, the State taking the responsibility to recover the amount from the offender.<sup>75</sup>

106. **Civil claims for compensation are often lengthy and complex**, and are rarely resorted to by victims of THB due to having to bear the burden of proof and face the offenders again.<sup>76</sup> Victims of THB do not take civil cases against perpetrators for a variety of reasons, including the lack of legal aid, the cost involved and the length of time that civil proceedings take.<sup>77</sup> The costs in these cases is a significant barrier, and it can be difficult for victims to recover the full amount of their loss.<sup>78</sup> Civil proceedings can take years and if the victim loses the case, he/she might have to pay the cost of the entire procedure.<sup>79</sup> In some countries, an acquittal in criminal proceedings does not allow for claiming compensation in civil proceedings.<sup>80</sup>

107. Compensation awarded by courts is rarely paid to victims in practice because the **perpetrators' assets have not been identified and frozen at an early stage**, which is related to shortcomings in financial investigations.<sup>81</sup> In some countries, seized and confiscated criminal assets are transferred to the state treasury and the law does not provide for the possibility of using them directly to compensate victims of trafficking,<sup>82</sup> or it is not clear to what extent the legal provision allowing the victim to be awarded with compensation stemming from confiscated assets are applied in practice.<sup>83</sup> GRETA has recommended ensuring that the collection of evidence about the harm the victim has suffered, including the

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<sup>71</sup> See, for example, Italy, par 92; Sweden, para 74; Spain, para 100.

<sup>72</sup> Armenia, para 87; Bulgaria, para 110.

<sup>73</sup> Montenegro, para 69; Armenia, para 87.

<sup>74</sup> Slovakia, para 71; Bosnia and Herzegovina, para 71.

<sup>75</sup> See, for example, Romania, para 88; France, para 97; Bulgaria, para 112; Montenegro, para 77; Armenia, para 83; Austria, para 98.

<sup>76</sup> Slovakia, para 71.

<sup>77</sup> See, for instance, Ireland, para 76; Armenia, para 90; Albania, para 68.

<sup>78</sup> UK, para 117.

<sup>79</sup> Bulgaria, para 92.

<sup>80</sup> Cyprus, para 59 and 65.

<sup>81</sup> Romania, para 76.

<sup>82</sup> Malta, para 76; Poland, para 108.

<sup>83</sup> See, for instance, Portugal, para 81; Bulgaria, para 94; Bosnia and Herzegovina, para 73; Denmark, para 63.

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.<sup>84</sup> GRETA has also urged State Parties to enhance the application of the legislation on freezing and forfeiture of offenders' assets or to review their legislation to allow the use of confiscated assets to secure compensation.<sup>85</sup>

108. A further challenge concerns the **enforcement of compensation awarded by courts**. Victims may not receive assistance from the state for the enforcement in practice,<sup>86</sup> access to legal support for enforcing awards may be restricted,<sup>87</sup> or victims have to cover costs related to the enforcement of court decisions related to compensation.<sup>88</sup>

109. Further, the **number of cross-border compensation awards is low**, pointing to the lack of cooperation between State Parties. GRETA has recommended making full use of the legislation on the freezing and forfeiture of assets, as well as international co-operation, to secure compensation for victims of human trafficking.<sup>89</sup>

110. Even though victims of THB can in principle apply for state compensation in most States Parties, **state compensation schemes are rarely applied in practice to victims of trafficking**. In some Parties, state compensation is contingent on failure to obtain compensation from the perpetrator and is only possible after a final decision in criminal and civil proceedings.<sup>90</sup> This delays the possibility to claim and obtain state compensation until the end of the proceedings. Furthermore, **access to legal aid to claim state compensation** is not available in many State Parties.<sup>91</sup> GRETA has recommended to ensure that state compensation is not made conditional on the failure to obtain compensation from the perpetrator,<sup>92</sup> and that victims of THB have effective access to free legal assistance by a lawyer in the proceedings for state compensation.<sup>93</sup> Another challenge relates to **the excessive length of the procedure for obtaining state compensation**.<sup>94</sup>

111. Further obstacles observed relate to the **restrictive criteria for state compensation**, preventing victims of trafficking from having access to it.<sup>95</sup> The types of damages covered by state compensation vary depending on the country. Not all State Parties compensate both material and non-material damages. In some cases, state compensation excludes third-country nationals or victims whose stay in the country is irregular.<sup>96</sup> Further, there are differences as to what constitutes a "violent act" eligible for state compensation. For example, in the United Kingdom, human trafficking is not recognised *per se* as a crime of violence, and victims must prove that they have a physical injury or a diagnosable psychiatric

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<sup>84</sup> See, for example, Bulgaria, para 111, Serbia, para 87, Sweden, para 74.

<sup>85</sup> Malta, para 83; Georgia, para 64.

<sup>86</sup> Bulgaria, para 97; Romania, para 78.

<sup>87</sup> Austria, para 95.

<sup>88</sup> Albania, para 70.

<sup>89</sup> See, for example, Italy, para 92; Spain, para 99.

<sup>90</sup> Romania, para 83-84; Bulgaria, para 103; Slovenia, para 69; Malta, para 82.

<sup>91</sup> UK, para 126; France, para 87.

<sup>92</sup> Malta, para 83.

<sup>93</sup> Sweden, para 74.

<sup>94</sup> Portugal, para 87.

<sup>95</sup> Azerbaijan, para 67.

<sup>96</sup> Croatia, para 81; Poland, para 92.

injury in order to receive an award. Meeting the required standard of proof, especially for psychological injuries, without the assistance of a lawyer is difficult and severely limits victims' access to compensation.<sup>97</sup> In Bulgaria, GRETA noted that the requirements to be met for a victim of trafficking to be eligible for state compensation are so high that only one victim had received state compensation.<sup>98</sup> GRETA has urged States Parties to review the eligibility criteria for state compensation to make state compensation available to all victims of trafficking, regardless of their nationality and residence status.<sup>99</sup>

112. Another challenge is related to the **insufficient funding** available for state compensation<sup>100</sup> and the **low amounts of state compensation paid to victims of THB**. For instance, in Italy, victims of trafficking can receive compensation from the Fund for anti-trafficking measures, which is limited to 1,500 euros per victim. Given the restrictive access conditions, few victims of trafficking have ever made a request to the Fund, and none has received it. GRETA asked the Italian authorities to make the state compensation scheme effectively accessible to victims of trafficking and to review the maximum amount of 1,500 euros of compensation paid by the state in order to ensure that it corresponds to the actual harm suffered by victims.<sup>101</sup> In Georgia, victims of THB can receive a one-off payment of 1,000 GEL (€314) by the State Fund for Victims of THB. GRETA has recommended reviewing the procedure for awarding one-off compensation by the State Fund with a view to ensuring that it is not conditional on failure to obtain compensation from the perpetrator through criminal and civil proceedings, ensuring that in practice it does not depend on the victims' cooperation in the law enforcement authorities, as well as increasing its amount with a view to meeting the reintegration needs of victims.<sup>102</sup> In the United Kingdom, when state compensation is paid, this is usually after years of waiting and it is frequently considered by victims to be insultingly low, not taking into account the psychological injuries from trafficking.<sup>103</sup>

113. Victims often leave the country where they were exploited at the end of the criminal proceedings. Even if victims of human trafficking who return to their countries of origin can in theory pursue compensation claims in the country where the exploitation took place, in practice, this rarely happens. For example, in Denmark, GRETA noted that most third-country victims of THB are not able to pursue a state compensation claim because they are obliged to return to their countries of origin.<sup>104</sup>

114. Moreover, in several State Parties,<sup>105</sup> there is still **no legislation on state compensation** of victims of trafficking.

115. In the third report on **Bulgaria**, GRETA noted that it was not possible for victims of THB to claim compensation for the often considerable amounts of money they were forced to earn

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<sup>97</sup> UK, para 123 and 126-127; Portugal, para 86.

<sup>98</sup> Bulgaria, para 110.

<sup>99</sup> See, for instance, Croatia, para 82; Poland, para 96; Spain, para 99.

<sup>100</sup> Azerbaijan, para 67.

<sup>101</sup> Italy, para 91.

<sup>102</sup> Georgia, paras 60 and 64.

<sup>103</sup> UK, para 126.

<sup>104</sup> Denmark, para 72.

<sup>105</sup> Albania, Andorra, Bosnia and Herzegovina, Cyprus, Monaco, Montenegro, Serbia.



from prostitution and hand over to the traffickers. Such claims were treated by Bulgarian courts as inadmissible or ill-founded, with the argument that the victim had no legal ground to claim compensation since prostitution was considered to bring “immoral earnings”, which were criminalised under Article 329, paragraph 1, of the Bulgarian CC.<sup>106</sup> In a judgment issued on 27 September 2022, the Constitutional Court of Bulgaria found that Article 329, paragraph 1, of the CC as a whole was unconstitutional. In its judgment in the case of *Krachunova v. Bulgaria* (application no. 18269/18), delivered on 28 November 2023, the European Court of Human Rights found that Bulgaria was in breach of Article 4 of the European Convention on Human Rights, noting that States had a positive obligation to enable victims of trafficking to claim compensation for lost earnings from traffickers.<sup>107</sup> The Court’s decision refers to the third party intervention made by GRETA in this case, according to which to deny victims of sexual exploitation compensation from their traffickers for loss of earnings - because prostitution is considered illegal, immoral or undesirable - would run contrary to the object and purpose of the international instruments created to provide effective protection to victims of all forms of human trafficking, in particular Article 15 of the Council of Europe Convention against Trafficking in Human Beings.

### Promising practices

In **the Netherlands**, the Prosecutor’s Office supports the victim as much as possible in obtaining compensation from the perpetrator during the criminal proceedings. Compensation is usually dealt with as part of the criminal proceedings because victims of THB are represented by a lawyer who claims compensation on their behalf. Compensation covers material and non-material (moral) damages. Material damages include loss of wages in cases of labour exploitation or loss of earnings resulting from exploitation in prostitution. A State body, the Central Judicial Collection Agency, pays the compensation to the victim if the perpetrator has not done so within eight months of a final conviction and then tries to recover the money from the perpetrator. Victims of violent intentional crimes committed on Dutch territory, irrespective of their nationality or legal status in the Netherlands, may also seek compensation from the state through the Violent Offences Compensation Fund. Since July 2019, victims of any type of human trafficking, including for the purpose of labour exploitation, can apply for state compensation. Applicants do not need to be officially recognised as victims of trafficking and can apply regardless of the existence and outcome of criminal or civil proceedings.

In **Norway**, under the new Compensation for Victims of Violent Crimes Act, compensation claims must as a rule be dealt with during the criminal proceedings. The Act provides for an automatic compensation of the victim by the Compensation Authority in the amount ordered by the criminal court when the defendant does not do so within two weeks of the verdict. The Compensation Authority will then seek to recover the amount from the perpetrator.

In **Sweden**, victims of THB can seek compensation for material and non-material damages from the perpetrators and the state. The compensation includes medical expenses, loss of income, physical and mental suffering and violation of personal integrity. The prosecutor may file a compensation claim against the perpetrator in criminal proceedings or, if the prosecutor does not file such a claim, the injured party’s counsel can lodge a claim on behalf of the victim. To secure the future payment of damages the court may apply interim measures freezing the

<sup>106</sup> Bulgaria, para 90.

<sup>107</sup> [KRACHUNOVA v. BULGARIA \(coe.int\)](#)

assets of the alleged perpetrator until the judgment enters into force. Seized assets are not confiscated by the state if there is a reason to assume that an obligation to pay damages for the injured party will be imposed as a result of the court proceedings. Compensation claims against the perpetrator may be disjoined from criminal proceedings or can be lodged with the court as an independent civil claim (including a claim for unpaid wages and social contributions under labour law). During the examination of the claim the victim may receive free legal assistance. The final judgment awarding compensation is sent by the court to the Swedish Enforcement Authority, which is responsible for investigating the financial situation of the perpetrator and obtaining the sum of the compensation award for its subsequent transfer to the victim.

In **Belgium**, during the investigation, a prosecutor can seize assets to the presumed amount of the damage suffered by the victim and request for these assets to be confiscated and awarded to the victim. There are numerous examples of confiscations in THB cases.

## 7. Investigations, prosecutions, sanctions and measures (Articles 22, 23 and 27)

116. The low number of prosecutions and convictions for human trafficking is a concern raised in many GRETA reports. Lack of resources, specialisation and prioritisation of THB cases result in low prosecution and conviction rates. Over-reliance on victims' testimonies and the quick return of victims to their countries of origin is another factor which impacts the authorities' ability to prosecute and convict traffickers. GRETA has stressed that failure to convict traffickers and the absence of effective sentences engenders a culture of impunity and undermines efforts to support victims to testify. GRETA has **urged 28 out of the 35 States Parties** which have so far been evaluated under the third round of the Convention to strengthen the criminal justice response to THB by allocating adequate human and financial resources to the police and the prosecution in order to be able to conduct proactive and effective investigations in trafficking cases, making use of special investigation techniques in order to gather material, documentary, financial and digital evidence, so that there is less reliance on testimony by victims or witnesses, and ensuring that prosecutions lead to effective, proportionate and dissuasive sanctions for those convicted.

117. GRETA has observed that too much **emphasis is put on the victim's testimony** during criminal proceedings; if proceedings are built solely upon the victim's testimony, this puts an exorbitant amount of pressure upon the victim, who is often vulnerable and possibly traumatised.<sup>108</sup> GRETA observed in the report on Bulgaria that when trafficking victims do not co-operate in the investigation or refuse to testify against the perpetrators, the cases are dropped.<sup>109</sup> Many victims recruited through the "loverboy" method do not consider themselves as victims and do not cooperate in the investigation.<sup>110</sup> GRETA has recommended ensuring that human trafficking offences are proactively and promptly investigated, regardless of whether a complaint about the reported crime has been submitted or not, making use of special investigation techniques in order to gather material, documental,

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<sup>108</sup> Bulgaria, para 134.

<sup>109</sup> Bulgaria, para 125.

<sup>110</sup> Romania, para 106.

financial and digital evidence and not having to rely exclusively on testimony by victims or witnesses.<sup>111</sup>

118. While the use of special investigative techniques to gather evidence in THB cases is legally possible and applied in practice across State Parties, there are growing challenges in the investigation of **trafficking cases committed or facilitated online**, due to the anonymity of criminal networks operating online and the use of encryption. The fact that THB is increasingly committed with the use of information and communication technologies requires the use of advanced tools, such as web crawlers and decoy profiles, but the legal framework for these tools is not clear. In the report on the Netherlands, GRETA has recommended developing the legal framework to enable the use of technological developments to gather material, documental, financial and digital evidence.<sup>112</sup>

119. Most State Parties report routinely conducting **financial investigations** in cases of THB and using legislation to freeze, seize and confiscate assets derived from THB, however, there is often lack of data on the number of cases in which assets were confiscated from perpetrators of THB. The lack of timely seizure of defendants' assets makes the payment of damages ordered by courts very rare.

120. A recurring challenge is that **THB cases are requalified as other offences** which carry lighter penalties, such as pimping, procurement, facilitation of irregular migration (migrant smuggling) or labour law violations, either due to a lack of evidence or to the fact that the alternative offences are easier to prove.<sup>113</sup> While reclassification may happen in the absence of sufficient evidence, in many cases the opening of an investigation or the filing of charges on the basis of less serious offences, with a lower threshold of proof, is intended to facilitate the investigation and the prosecution.<sup>114</sup> The legal classification of a case of THB as another offence can have negative consequences for the victims as they are not entitled to the same rights, such as to a recovery and reflection period, residence permits and assistance.<sup>115</sup> A further consequence is that the requalification of THB cases impedes access to compensation from the perpetrator.<sup>116</sup>

121. The number of **prosecutions and convictions for THB for the purpose of labour exploitation remains low** in many State Parties.<sup>117</sup> GRETA has observed that the absence of a definition of "labour exploitation" results in restrictive and varying interpretations by courts of the level of coercion or the degree of exploitation necessary for an unlawful act to be considered as THB.<sup>118</sup> There are particular difficulties of adjudicating cases of THB for labour exploitation when no violence or restriction of freedom of movement was used by the perpetrators. In Sweden, one of the reasons for the low number of prosecutions for THB for the purpose of labour exploitation is the fact that courts appear to require the prosecution to

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<sup>111</sup> See, for instance, Poland, para 123; Romania para 108.

<sup>112</sup> Netherlands, para 96.

<sup>113</sup> Belgium, para 110; Bosnia and Herzegovina, para 94; Portugal, para 82; Italy, para 113; Romania, para 106; Sweden, para 89

<sup>114</sup> Italy, para 114.

<sup>115</sup> Belgium para 110.

<sup>116</sup> Bosnia and Herzegovina, para 94; Norway, para 87; Portugal, para 82.

<sup>117</sup> Austria, para 129; Cyprus, para 87; Ireland, para 107.

<sup>118</sup> Netherlands, paras 86-87.

prove coercion in order to establish intent to exploit the victim.<sup>119</sup> In the Netherlands, the number of investigations, prosecutions and convictions for THB the purpose of labour exploitation has decreased since 2015 as a result of the more restrictive interpretation of the THB provision in the Dutch Criminal Code by the Netherlands Supreme Court, according to which the intention to exploit must be proven for an act to constitute THB.<sup>120</sup> In Poland, prosecutors and judges apply an unduly narrow definition of forced labour and failure to collect supporting evidence during labour inspections contributes to the lack of successful prosecutions.<sup>121</sup> GRETA has pointed out that the concept of ‘abuse of a position of vulnerability’ is part of the international definition of THB and that investigators, prosecutors and judges should be trained to recognise all means apart from the use of force, including the subtle forms of coercion which characterise THB offences.<sup>122</sup>

122. Moreover, GRETA has observed that in some countries, **forced begging and forced marriage are seen as social problems** affecting the Roma community, and the prosecution rarely treats them as human trafficking.<sup>123</sup>

123. Amongst the reasons for the unsatisfactory criminal justice response to THB, GRETA has noted the **lack of training and specialisation of prosecutors and judges** in order to recognise THB, which in some countries is a relatively new offence. GRETA noted that prosecutors and judges may apply a narrow definition of human trafficking, linking it to the existence of a transnational element, the involvement of a criminal organisation, and the absence of the victim’s consent.<sup>124</sup> GRETA also observed that judges issue light sentences and inappropriately dismiss victims’ testimony as unreliable due to a lack of understanding of the impact of psychological trauma on victims’ ability to consistently relate the circumstances of their exploitation.<sup>125</sup> In Sweden, whether a prosecutor specialised in THB will be involved in a case depends on the initial qualification of the offence, and cases qualified as “human exploitation”, which might have elements of THB, may be assigned to regional prosecutors who have not received training in THB.<sup>126</sup> GRETA has recommended sensitising prosecutors and judges to the seriousness of THB, the severe impact of exploitation on the victims and the need to respect their human rights, and encouraging the development of specialisation amongst prosecutors and judges to deal with THB cases.

124. There are also challenges in ensuring **effective, proportionate and dissuasive sanctions** for offences including trafficking in human beings.<sup>127</sup> In the context of Slovakia, for example, GRETA observed that the large majority of sentences for THB were suspended, and that mitigating circumstances were taken into account regularly by judges, whereas aggravating circumstances appeared not to be taken sufficiently into account.<sup>128</sup> In the Netherlands, GRETA noted the relatively low number of sentences of over two years’

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<sup>119</sup> Sweden, para 87.

<sup>120</sup> Netherlands, para 84.

<sup>121</sup> Poland, para 114.

<sup>122</sup> Portugal, para 99.

<sup>123</sup> Montenegro, paras 92 and 188; Bosnia and Herzegovina, paras 94 and 204; Bulgaria, para 254.

<sup>124</sup> Italy, para 113.

<sup>125</sup> Croatia, para 96.

<sup>126</sup> Sweden, para 89.

<sup>127</sup> Romania, para 101; Bosnia and Herzegovina, para 95; Cyprus, para 87.

<sup>128</sup> Slovakia, para 105.

imprisonment and very few effective custodial sentences for THB for labour exploitation.<sup>129</sup> In Bulgaria, because the lower threshold of the penalty for THB is two years, judges can give suspended sentences and this happens frequently.<sup>130</sup>

125. **Plea-bargaining procedures** are applied in some State Parties in cases of THB, which results in lenient or suspended sentences.<sup>131</sup> GRETA has recommended to ensure that plea bargaining is used only exceptionally in human trafficking cases, subject to appropriate safeguards, where the reduction of a sentence is clearly outweighed by the advantages offered by the plea agreement (these advantages being indicated in the judicial decision approving the agreement) and the agreement is not in any way detrimental to the rights of the victims, including their access to compensation.<sup>132</sup>

126. The **excessive length of criminal proceedings** in THB cases is a challenge in most countries.<sup>133</sup> The length of criminal proceedings has a negative impact on victims of trafficking who might be exposed to repeated confrontation with perpetrators and re-victimisation, as well as on the outcome of prosecution.<sup>134</sup> GRETA has recommended ensuring that the length of court proceedings in cases of trafficking of human beings is reasonable, in line with the case-law of the European Court of Human Rights (Article 6, paragraph 1 of the ECHR) and the standards set by the European Commission for the Efficiency of Justice (CEPEJ).<sup>135</sup>

127. In most State Parties, there is no data available with regard to the number of **convictions of legal entities for THB**. Examples of the application of legislation on corporate liability in THB cases were provided in the reports on Austria, Belgium, Portugal, Latvia, France and Romania.<sup>136</sup> GRETA noted in the report on the Netherlands, criminal proceedings against legal entities are usually discontinued because they have no assets or have already been liquidated.<sup>137</sup>

### Promising practices

In order to strengthen the investigation and prosecution of THB in **Montenegro**, the Supreme State Prosecutor and the Director of the Police Directorate formed an Operational Team for Combating Trafficking in Human Beings at the end of 2018. GRETA has welcomed the setting up of this team, which resulted in an increase in the number of prosecutions and convictions for THB.

In **Portugal**, the General Prosecutor's Office Directive No. 1/2021 provides detailed guidance for investigating THB cases. The number of prosecutions and convictions for THB has increased. Prosecutors and judges are obliged to update their qualifications through continuous training provided by the Centre of Legal Studies, and at least one training course is dedicated to trafficking in human beings every year.

<sup>129</sup> Netherlands, para 83.

<sup>130</sup> Bulgaria, para 121.

<sup>131</sup> See, for instance, Bosnia and Herzegovina, para 87; Bulgaria, para 122; Georgia, para 71, Romania, paras 95 and 98.

<sup>132</sup> See, for instance, Bosnia and Herzegovina, para 100.

<sup>133</sup> Romania, para 102; Moldova, para 105; Cyprus, para 88; Bulgaria, para 129.

<sup>134</sup> Malta, para 104.

<sup>135</sup> See, for instance, Bulgaria, para 135; Italy, para 117.

<sup>136</sup> Austria, para 182; Belgium, para 99; Portugal, para 143, Latvia, paras 83-84; France, para 107; Romania, para 160.

<sup>137</sup> Netherlands, para 87.

## 8. Non-punishment provision (Article 26)

128. In the period between the second and the third evaluation by GRETA, several State Parties have implemented legislative changes and/or issued specific guidelines related to the non-punishment provision. For example, in **Andorra**, as recommended in GRETA's second report, specific provisions on the non-punishment of victims of trafficking for their involvement in unlawful activities, to the extent that they have been compelled to do so, were added to the Criminal Code in 2022.<sup>138</sup> In **Belgium**, a specific non-punishment provision was introduced into the Criminal Code in 2019.<sup>139</sup> Similarly, in **Bosnia and Herzegovina**, a specific non-punishment provision was introduced in all criminal codes of the country.<sup>140</sup> The Criminal Code of **North Macedonia** was amended and a specific provision on the non-punishment of victims of human trafficking for illegal acts they were compelled to commit while being trafficked was incorporated in its Article 418a (trafficking in adults) and Article 418d (trafficking in children).<sup>141</sup> In **Latvia**, the scope of the non-punishment provision was extended so that it covers also administrative offences as was recommended by GRETA during the second evaluation round.<sup>142</sup> As a result, **18 out of the 35 States Parties** which have been evaluated under the third round of the Convention by the end of 2023 have a **specific non-punishment provision** in their national legislation. In **Montenegro**, guidelines on the non-punishment provision were adopted in 2017,<sup>143</sup> and in **Austria**, guidelines were issued in the form of an internal decree, as well as a circular on the implementation of the non-punishment provision in the context of administrative law.<sup>144</sup>

129. However, GRETA has **urged 12 out of the 35 States Parties** which have so far been evaluated under the third round of the Convention to ensure compliance with Article 26 of the Convention by adopting a specific legal provision on the non-punishment of victims of trafficking for their involvement in unlawful activities, to the extent that they were compelled to do so, and/or issuing guidance to law enforcement officers, prosecutors and judges on the application of the non-punishment provision enshrined in the Convention.<sup>145</sup>

130. A persistent challenge in a number of State Parties is the **absence of a specific provision on the non-punishment of victims of THB**. GRETA notes that victims of THB cannot rely on exceptions based on general criminal law provisions (for example duress, necessity) because these concepts are often narrower in scope than the non-punishment principle enshrined in the Convention and/or shift the burden of proof to the victim of trafficking. In the report on Italy, GRETA noted that the possibility to apply the general criminal law provision on state of necessity cannot be considered as an appropriate response because it is narrower in scope than the non-punishment principle enshrined in the Convention and, in practice, prosecutors leave it to courts to decide whether or not the conditions of state of necessity are met, thus exposing victims to prosecution and pre-trial detention, and shifting

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<sup>138</sup> Andorra, para 91.

<sup>139</sup> Belgium, para 115

<sup>140</sup> Bosnia and Herzegovina, para 103.

<sup>141</sup> North Macedonia, para 107.

<sup>142</sup> Latvia, para 97.

<sup>143</sup> Montenegro, para 99.

<sup>144</sup> Austria, para 134.

<sup>145</sup> See, for instance, France, para 135; Italy, para 128.

the burden of proof to the victim.<sup>146</sup> Further, the absence of a specific provision on the non-punishment of victims of trafficking entails a risk of differential treatment, depending on the prosecutor in charge of the case.<sup>147</sup> Consequently, to ensure compliance with the non-punishment provision, GRETA has recommended to States Parties to adopt a specific legal provision on the non-punishment of victims of trafficking for their involvement in unlawful activities, to the extent that they were compelled to do so, and/or to develop detailed, updated guidance for police officers and prosecutors on the aims and scope of the non-punishment provision.

131. In several State Parties which have specific legal provisions on the non-punishment of victims of THB, GRETA has noted that there are challenges due to the **limited scope of the provision**. In Slovakia, for instance, the provision is limited to criminal law and does not cover administrative and immigration-related offences. Furthermore, it does not foresee the possibility of withdrawing prosecution and punishment for serious offences.<sup>148</sup>

132. In the UK, the burden of proof is on the prosecution to prove that an individual is not a victim of modern slavery, once the defence is raised by that individual. However, if the prosecution fails to prove that the defendant cannot be considered as a victim of trafficking, the burden of proof in respect of the other elements of the statutory defence falls on the defendant. The defendant has to prove that he/she was compelled to commit the offence, the compulsion was a direct consequence of him/her being or having been a victim of slavery or relevant exploitation; a reasonable person in the same situation and having his/her relevant characteristics would have no realistic alternative to doing the act which constitutes the offence. GRETA expressed its concern that such an allocation of the burden of proof could make it particularly difficult to apply the non-punishment provision in practice, and urged the authorities to ensure that the allocation of the burden of proof does not substantially hinder the application of the non-punishment provision.<sup>149</sup>

133. **Gaps in identifying victims of trafficking** lead to non-application of the non-punishment principle. In Belgium, for instance, GRETA noted that children forced to commit offences are rarely identified as victims of trafficking.<sup>150</sup> Similarly, in France, child victims of trafficking for the purposes of forced criminality are arrested and brought to court.<sup>151</sup> In Romania, women trafficked for the purpose of forced prostitution are not identified as such and are fined.<sup>152</sup> In the UK, officers in charge of criminal law and immigration enforcement frequently fail to identify trafficking victims and that in many cases, the status of victim of trafficking is acknowledged only during the sentencing phase.<sup>153</sup> In this context, GRETA has stressed that prompt identification of presumed victims of THB is a precondition for correctly applying the non-punishment principle,<sup>154</sup> as found by the European Court of Human Rights in the case *V.C.L. and A.N. v. United Kingdom*.<sup>155</sup> GRETA has recommended to State Parties to

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<sup>146</sup> Italy, para 127.

<sup>147</sup> Croatia, para 103.

<sup>148</sup> Slovakia, paras 117-118 and 121.

<sup>149</sup> UK, paras 167 and 177.

<sup>150</sup> Belgium, para 119.

<sup>151</sup> France, para 132 and 135.

<sup>152</sup> Romania, para 113.

<sup>153</sup> UK, paras 170-171 and 177.

<sup>154</sup> Spain, para 125.

<sup>155</sup> [V.C.L. AND A.N. v. THE UNITED KINGDOM \(coe.int\)](#).

improve the identification of victims, in particular among irregular migrants, and to ensure that while the identification procedure is ongoing, potential victims of trafficking are not punished for immigration-related offences.<sup>156</sup>

134. In Denmark, for example, GRETA was informed that, even when information that victims were compelled to commit unlawful acts as a result of being trafficked comes to light during trial, no efforts are made by the police or prosecution to look for evidence that they were trafficked. GRETA therefore urged the authorities to enhance efforts to identify victims of THB earlier in the process, and in any event before such victims have already been convicted of offences they were compelled to commit.<sup>157</sup>

135. To ensure effective implementation of the non-punishment provision, GRETA has recommended the **development of guidance and training** for law enforcement officers, prosecutors and judges on the scope and application of the non-punishment provision.<sup>158</sup>

## 9. Protection of victims and witnesses (Articles 28 and 30)

136. In several States Parties, **direct confrontations** between victims and defendants take place during trials in THB cases.<sup>159</sup> In a trial in Ireland, GRETA noted that in victims were cross-examined by three different barristers, all with three different cross-examination styles.<sup>160</sup> Victims face insensitive, re-traumatising questions being asked by the lawyer of the accused persons during trials in Latvia.<sup>161</sup> GRETA is concerned by the retraumatising effect of cross-examination of vulnerable victims and has stressed the need to protect them from secondary victimisation and further trauma during court proceedings. GRETA has recommended that the authorities ensure that the direct confrontation of victims and defendants in THB cases is avoided, to the extent possible, making use of audio-visual equipment and other appropriate methods.

137. The issue of **multiple interviews and hearings of victims** has been raised in several States Parties.<sup>162</sup> As pointed out in the report on France, victims are interviewed repeatedly by different authorities at different stages of a case starting with the lodging of the complaint.<sup>163</sup> GRETA has urged the authorities of several States Parties to take additional steps to avoid repeated and lengthy questioning of victims of THB.<sup>164</sup>

138. A further issue is **the absence of separate waiting areas** at the courts for victims and perpetrators and no standardised procedures are in place to avoid contacts at court.<sup>165</sup>

139. Outside the court room, there are also challenges in preventing the **intimidation of victims by perpetrators**. In the report on Romania, GRETA noted that victims of THB are often

<sup>156</sup> 4th General Report on GRETA's activities, page 54.

<sup>157</sup> Denmark, para 107 and 109.

<sup>158</sup> Latvia, para 100; Romania, para 115; Bulgaria, para 140; Armenia, para 103; Italy, para 128.

<sup>159</sup> See, for instance, Denmark, para 113; France, para 145; Belgium, para 130; Ireland, para 133.

<sup>160</sup> Ireland, para 133.

<sup>161</sup> Latvia, para 110.

<sup>162</sup> Moldova, para 123; Croatia, para 113; Slovakia, para 128.

<sup>163</sup> See, for instance, France, para 143.

<sup>164</sup> See, for instance, Croatia, para 114.

<sup>165</sup> Malta, para 114.



intimidated by defendants through various means prior to the court proceedings as the use of other protection measures is limited or completely absent.<sup>166</sup>

140. In the report on Serbia, GRETA noted that **personal information of the victims is leaked to the media** and published by them. This not only violates the privacy and possibly the security of victims of THB, but it may also dissuade them from participating in the criminal proceedings against traffickers. Problems with failing to protect the identity of victims of THB were also observed in North Macedonia. GRETA urged the national authorities to ensure the protection of the private life and identity of victims of trafficking, in line with Article 11 of the Convention, through the issuance of appropriate instructions to all relevant professionals. Further, GRETA asked the authorities to take measures to encourage the media to protect the identity and private life of victims of THB through self-regulation or regulatory/co-regulatory measures.<sup>167</sup>

141. GRETA has **urged 12 out of the 35 States Parties** which have so far been evaluated under the third round of the Convention to take measures to protect victims' privacy and ensure their safety.

### Promising practices

In **Cyprus**, protection measures have been put in place for family members of victims as most of the identified victims are foreigners who have families living abroad. In one example, the wife and two children of a Pakistani victim who had filed a complaint against his traffickers in Cyprus were threatened in Pakistan. The safe arrival of the family in Cyprus was ensured through diplomatic channels and the co-operation of all relevant authorities.

In **Portugal**, victims of THB are considered to be particularly vulnerable victims in criminal proceedings and are entitled to make statements for future reference (i.e. give witness statements at the pre-trial stage which can be used in the trial), to be heard by video conference and to be interviewed by a police officer of the same sex. The General Prosecutor's Office has issued a directive which emphasises the importance of the statement for future reference as a tool for protecting victims and avoiding re-victimisation, and specifies that, when particularly vulnerable victims are involved, the interrogation of the defendant and the victims should be carried out by a prosecutor.

To avoid secondary victimisation, in **Italy**, victims of trafficking are included in the list of victims who can be interrogated through the "special evidence pre-trial hearing" (*incidente probatorio*). It allows to obtain the victim's testimony during the investigation or the pre-trial phase, in the presence of the defendant's lawyer, and prevents the victim from having to testify again during the trial. The victim's testimony can be obtained through the use of audio-visual means and the victim does not have to be present in court. The "special evidence pre-trial hearing" is reportedly often used in trafficking cases, but lawyers or NGOs representing victims of THB usually have to ask the responsible prosecutors to apply it.

<sup>166</sup> Romania, para 124.

<sup>167</sup> Serbia, paras 128 and 130-131; North Macedonia, paras 115-116.

## 10. Child-sensitive procedures for obtaining access to justice and remedies (Articles 11, 28 and 30)

142. During the third evaluation round, GRETA paid particular attention to child-sensitive procedures for obtaining access to justice and remedies.

143. GRETA has observed that in several State Parties, the **special protection measures do not apply to all children up to the age of 18**. In Malta, for instance, the application of special interviewing conditions in the case of children between 16 and 18 years of age is at the discretion of the relevant authority.<sup>168</sup> Similarly, in Moldova, the application of special interviewing conditions is at the discretion of the judge for children between 14 and 18 years of age.<sup>169</sup> In Poland, GRETA urged the authorities to provide for the application of protection measures to all child victims of trafficking, including children aged 15 or older, in particular the principle of a single hearing, the obligation to record the interview and the absence of cross-examination (direct confrontation) with the accused.<sup>170</sup> While witnesses in Bulgaria under 14 years of age are questioned in the presence of an education professional or a psychologist and, when necessary, in the presence of a parent or guardian, witnesses between 14 and 18 years of age are questioned in this manner only if the competent authority considers it necessary. In that case GRETA considered that the authorities should ensure that all children are interviewed by adequately trained investigators, prosecutors and judges in the presence of trained child psychologists.<sup>171</sup>

144. There are also gaps in terms of the **number and use of specialised rooms for interviewing child victims and witnesses**. In respect of several Parties, GRETA noted that there were either only a few specially adapted interviewing rooms for child victims of crime<sup>172</sup> or that the rooms available were only scarcely used in practice.<sup>173</sup> In Romania, rooms for interviewing children were not used as they had not yet been fully equipped at the time of the evaluation.<sup>174</sup>

145. In the case of Cyprus, GRETA has urged the authorities to avoid as far as possible the **cross-examination of child victims of THB**. Even when children have been interviewed first at the Children's House, the defendant's lawyer had the right to cross-examine the child in court during the trial. Furthermore, GRETA was informed that there had been instances where children were cross-examined for several days by defendants' lawyers who were not specialised in interviewing children and who challenged the credibility of the child.<sup>175</sup> In respect of Bulgaria, GRETA was concerned that child witnesses may be questioned repeatedly in the course of the criminal proceedings.<sup>176</sup> Similar concerns were raised in the report on North Macedonia, where GRETA was informed of cases in which children had to testify

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<sup>168</sup> Malta, paras 136 and 140.

<sup>169</sup> Moldova, para 150.

<sup>170</sup> Poland, para 180.

<sup>171</sup> Bulgaria, paras 174 and 179.

<sup>172</sup> Slovakia, paras 162-163; France, para 168.

<sup>173</sup> See, for instance, Romania, para 153; Armenia, para 133; France, para 168; North Macedonia, para 135.

<sup>174</sup> Romania, para 153.

<sup>175</sup> Cyprus, paras 131-132.

<sup>176</sup> Bulgaria, para 174.

repeatedly in court, sometimes in the presence of the defendant.<sup>177</sup> GRETA has urged the authorities to ensure that child-sensitive procedures are followed when investigating, prosecuting and adjudicating cases of THB, in line with the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice.<sup>178</sup> This should include measures to ensure that all professionals who work with children, including lawyers, prosecutors and judges, receive the necessary interdisciplinary training on the rights and specific needs of children, as well as that child victims of trafficking are interviewed in child-friendly interview rooms and are not cross-examined in the presence of the defendant.<sup>179</sup>

146. A specific challenge pointed out in relation to Belgium concerns **parents who had trafficked their children and may retain their parental rights even in the event of a criminal conviction**. These children end up not having a legal guardian and are legally represented by their parents who trafficked them. GRETA considered that the authorities should further strengthen the dialogue between the criminal courts and the juvenile courts in order to guarantee that children are adequately protected against trafficker-parents.<sup>180</sup>

147. **Protecting the child's identity** plays an important role in protecting victims from potential retaliation or intimidation. In some countries, GRETA was informed that the names of victims of THB, including children, were often published by the media.<sup>181</sup> GRETA has urged the authorities to abandon the practice of making the names and addresses of victims of trafficking publicly available on judicial websites.<sup>182</sup>

### Promising practices

In **Norway**, interviews with presumed victims of child trafficking have to be conducted by a police prosecutor who is specially trained in working with children. These interviews take place in the children's houses (Barnehus) set up across Norway.

In **Luxembourg**, interviews with children are video-recorded as a rule unless, because of an objection from the child or their statutory representative, the prosecutor or investigating judge decides that recording is not necessary. These recordings are used as evidence and are viewed during the trial hearing, making it unnecessary for the child to be present at this hearing.

In the **Netherlands**, according to the Prosecutor's Office Directive on Domestic Violence and Child Abuse, which also applies in cases of THB, child victims are interviewed only once in criminal proceedings whenever possible, and an audio-visual recording is made of this interview. The defence and the investigative judge can watch via a link and put additional questions where necessary.

Some Parties have a system in place that allows for the appointment of a specially trained person that guides and assists a child victim of crime throughout the court proceedings. In **Malta**, this has been introduced since 2018. A further example is the ad hoc administrator in **France** that appoints a lawyer for the child, prepares the child for every step in the

<sup>177</sup> North Macedonia, para 135.

<sup>178</sup> [Guidelines of the Committee of Ministers of the Council of Europe on child friendly justice](#) (Adopted by the Committee of Ministers on 17 November 2010 at the 1098th meeting of the Ministers' Deputies).

<sup>179</sup> North Macedonia, para 136.

<sup>180</sup> Belgium, paras 152 and 156.

<sup>181</sup> Bosnia and Herzegovina, para 111; Croatia, para 140.

<sup>182</sup> Romania, para 123.

proceedings and informs the child about the progress. The testimony of child victims of THB should be video-recorded.

## 11. Gender-sensitive criminal, civil, labour and administrative proceedings

148. During the third evaluation round, GRETA paid particular attention to gender-sensitive procedures for obtaining access to justice and remedies. GRETA has noted that in the case of trafficking in human beings, gender stereotypes, prejudices, cultural barriers, fear and shame impact women's access to justice, and these barriers may persist during investigations and trials. This is particularly true for some groups of women, such as victims of gender-based violence, migrant, refugee and asylum-seeking women, ethnic minority women and women with disabilities. On the socio-economic level the obstacles include lack of awareness of one's legal rights and legal procedures or of how to access legal aid, which can stem from gender differences in educational levels, and access to information. A further obstacle may be the lack of financial resources, including the means to pay for legal representation, legal fees, judicial taxes, transportation to courts or child care.<sup>183</sup> Such obstacles, and remedies to them, are listed in a Council of Europe training manual for judges and prosecutors on ensuring women's access to justice, as well as in the publication "Women's Access to Justice: Guide for Legal Professionals".<sup>184</sup>

149. In the report on Albania, GRETA noted with concern the lack of appropriate legislation or measures for the protection of women and girls belonging to disadvantaged and marginalised groups, who are at heightened risk of THB. GRETA considered that the authorities should promote a gender-responsive approach to access to justice for victims of THB, including through gender mainstreaming and training, and adopt a gender-sensitive approach to the system for the identification of victims of THB, including through allowing for the provision of interpreters and interviewers of the same sex as the presumed victim.<sup>185</sup>

150. GRETA noted in the context of Poland that there is no training or guidance on conducting gender-sensitive interviews in a manner that allow trafficked women and girls to disclose sensitive and traumatic experiences.<sup>186</sup> GRETA has invited the Polish authorities to provide specific training to law enforcement officers, prosecutors and judges on how to conduct gender-sensitive interviews.

151. In Italy, GRETA noted that there had been several cases of **woman separated from their children by judicial decision** on the grounds that they cannot take care of them because of being victims of trafficking. In 2021, the European Court of Human Rights found Italy in violation of Article 8 of the ECHR for such a practice, because the Italian courts had decided to interrupt all contact between the applicant and her children despite less radical solutions being available and despite the recommendations of an expert report, failing to take into account the applicant's particularly vulnerable situation as a victim of trafficking.<sup>187</sup> However, GRETA was informed that the practice of separating women victims and their children

<sup>183</sup> Council of Europe training manual for judges and prosecutors on ensuring women's access to justice, page 13 available at <https://rm.coe.int/training-manual-women-access-to-justice/16808d78c5>

<sup>184</sup> Available at: <https://rm.coe.int/factsheet-womens-access-to-justice/16808ff44e>

<sup>185</sup> Albania, para 125.

<sup>186</sup> Poland, para 172.

<sup>187</sup> *Al v. Italy*, No. 70896/17, ECHR, judgment of 01/04/2021.

continues in some regions of Italy. GRETA is concerned that this practice not only affects victims' right to assistance, but also undermines their right to access justice to protect their family life and may prevent victims from denouncing their trafficking experience for fear of being separated from their children. GRETA urged the Italian authorities to take measures to ensure that women victims of trafficking with children can effectively access justice for the protection of their right to family life, in accordance with the case-law of the European Court of Human Rights (Article 8 of the ECHR).

### Promising practices

In **North Macedonia**, according to the SOPs for Treatment of Victims of THB, victims should be informed of their right to be interviewed by a police officer of the same sex. Further, the sex of the victim should be taken into consideration in the selection of an interpreters. Gender-sensitive indicators for labour inspectors were developed with the support of the Council of Europe.

In **Spain**, the gender dimension is incorporated in Spanish legislation, policies and action against trafficking in human beings. Specialised lawyers on gender equality exist within the different local Bar Associations who provide legal aid to victims of gender-based and sexual violence, including victims of THB for the purpose of sexual exploitation.

## 12. Specialised authorities and co-ordinating bodies (Article 29)

152. In several Parties, GRETA has observed challenges related to **limited resources** and **frequent staff turnover** of specialised units within the police and the Prosecutor's Office. In Romania, the Department for Combating Organised Crime operated with limited staff which led to investigators handling multiple cases simultaneously and struggling to build strong cases for prosecutors. Consequently, GRETA urged the Romanian authorities to ensure that there is a sufficient number of specialised, trained and well-resourced investigators and prosecutors to deal with THB cases throughout the country.<sup>188</sup> In Cyprus, GRETA noted that although the staff of the Police Office for Combating Trafficking in Human Beings had been increased, it was still understaffed in relation to its mandate and responsibilities, which limited the possibility to conduct proactive investigations.<sup>189</sup> In France, GRETA was made aware of the lack of human and financial resources within specialised investigation services for tackling trafficking networks effectively.<sup>190</sup>

153. **The impact of the reorganisation of criminal justice authorities** has been discussed in several reports as this may result in loss of expertise and specialisation.<sup>191</sup> In Albania, GRETA expressed concern that the prosecution of THB offences which are not committed by a structured criminal group or criminal organisation is entrusted to First Instance Prosecutor's Offices with general jurisdiction which lack training and specialisation to deal with THB cases, rather than to the Special Prosecution Office against Corruption and Organised Crime established in the framework of the judicial reform.<sup>192</sup>

<sup>188</sup> Romania, paras 128 and 136.

<sup>189</sup> Cyprus, para 108.

<sup>190</sup> France, para 148.

<sup>191</sup> Latvia, para 114; Portugal, paras 122 and 125.

<sup>192</sup> Albania, para 101.

154. A gap in the implementation of Article 29(1) of the Convention is the **lack of specialisation and training of prosecutors and judges to deal with THB cases.**<sup>193</sup> GRETA has stressed the importance of training of all relevant professional groups which should take place regularly. Trainings should **be embedded in the regular training curricula of different professional groups**, including law enforcement officials, prosecutors, judges, lawyers, labour inspectors, social workers, child welfare staff, health-care staff, and diplomatic and consular staff.<sup>194</sup>

### Promising practices

In **the Netherlands**, within each of the 10 regional police directorates, there is an Aliens Police, Identification and Trafficking Department (AVIM) tasked with identifying victims of THB and investigating THB offences. All AVIM officers working in the THB teams must undergo a training on THB lasting 20 weeks at the Police Academy and pass an exam. Further, there are approximately 20 specialised prosecutors working on THB cases in the 10 regional branches of the Prosecutor's Office, at the four Courts of Appeal and at the national level. In some district courts (e.g. in The Hague and Amsterdam), as well as in appeal courts, THB cases are allocated to chambers which have judges with experience in THB cases. Prosecutors and judges regularly participate in training on THB organised at the Training and Study Centre for the Judiciary.

In **Belgium**, a network of expertise of THB and migrant smuggling has been set up within the Board of General Prosecutors. The monitoring of case-law and other relevant information by specialised prosecutors is ensured by the coordinator of the network. Specialised prosecutors are present in every district and meetings are organised regularly with law enforcement agencies in accordance with criminal policy circular COL 1/2025, which recognised action against THB as a priority.

In **Hungary**, a network of prosecutors specialised in trafficking in human beings, comprising one prosecutor from each of the 19 county and capital chief prosecution offices, including the Chief Prosecution Office of Investigation as well as the five regional appellate chief prosecution offices, became operational on 1 January 2023. The THB unit of the National Bureau of Investigation, which investigates THB cases with an international element, became an independent unit as of 1 January 2021. Moreover, in 2019, anti-trafficking senior supervisor officers were appointed in all county/capital police headquarters, in order to increase the detection of THB and related crimes and ensure the protection of the rights of victims. There are 40 anti-trafficking senior supervisor officers throughout the country, two in each county.

Since 2020, there is a network of specialised prosecutors and investigators in **Bosnia and Herzegovina** including 21 prosecutors and 27 investigators, which allows for exchange of information.

In **Norway**, all 12 police districts in Norway have a specialised THB unit within the organised crime department.

<sup>193</sup> See, for instance, Norway, para 117; Denmark, para 126; Malta, para 125; Montenegro, paras 116 and 120.

<sup>194</sup> See, for instance, Georgia, para 101.

### 13. International co-operation (Article 32)

155. Because human trafficking is often a transnational crime, effective international co-operation is essential for fulfilling the obligations with regard to the right to justice and effective remedies. This includes co-operation in tracing and seizing criminal assets, and in returning confiscated proceeds for the purpose of compensation.

156. GRETA seeks information about the setting up of **Joint Investigation Teams (JIT)** in human trafficking cases. Romania is the country with the highest number of agreements on JITs for investigating THB, having 35 ongoing JITs in 2019 with most of the JITs concluded with the UK.<sup>195</sup> As of December 2019, England and Wales were participating in 24 live JITs on THB with seven EU member states, and there were several more JIT in which Scotland and Northern Ireland were involved.<sup>196</sup> In the report on Latvia, reference was made to a JIT set up by the Latvian State Police and Derbyshire Constabulary (United Kingdom) leading to the arrest of six members of an organised criminal group and 14 victims of labour exploitation identified in 2018.<sup>197</sup>

157. Furthermore, GRETA is informed about **mutual legal assistance** requests made in the Parties.<sup>198</sup> In France, it has been observed that French courts are issuing more and more European arrest warrants for trafficking.<sup>199</sup> In the report on Italy, GRETA noted that 15 rogatory commissions with non-EU countries were implemented between January 2019 and July 2023, involving Türkiye, the United Kingdom and Georgia. However, there remain difficulties when it comes to mutual legal assistance with some non-EU countries, as well as in cases of human trafficking facilitated by ICTs.<sup>200</sup>

158. In some States Parties, GRETA is informed about **cross-border co-operation of labour inspections** conducting joint inspections. In a case of trafficking for the purpose on labour exploitation involving two construction companies, the Mines and Labour Inspectorate of Luxembourg (ITM) carried out inspections at the workplace of the employees' homes in France, together with French labour inspectors. ITM regularly carries out joint inspections with the German and Belgian inspection authorities, sometimes through the intermediation or under the supervision of the European Labour Authority (ELA).<sup>201</sup> In 2018, the Czech Republic Labour Inspectorate made a request to the Belgian authorities concerning the exploitation of Czech workers employed by a company in the automotive sector in Brussels. This report made it possible to discover a network of subcontractors, mostly from eastern Europe and the Balkans, which were providing manpower to the company at which workers were being exploited. This led to 17 or 18 prosecutions.<sup>202</sup> The Bulgarian Labour Inspectorate has conducted joint initiatives with French authorities in the framework of the agreement for co-operation between Bulgaria and France in the fight against undeclared work and

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<sup>195</sup> Romania, para 140.

<sup>196</sup> UK, para 204.

<sup>197</sup> Latvia, para 123.

<sup>198</sup> See, for instance, Austria, para 162; Ireland, para 147; Bosnia and Herzegovina, para 128.

<sup>199</sup> France, para 156.

<sup>200</sup> Italy, paras 111 and 150.

<sup>201</sup> Luxembourg, para 120.

<sup>202</sup> Belgium, para 147.

compliance with social legislation in cases of transnational movement of workers and services.<sup>203</sup>

159. GRETA has been informed about **police officers posted to another country** working specifically on trafficking cases. The Norwegian authorities have posted a police officer from Norway to serve as a liaison officer in Manila, with the aim of uncovering and preventing cases of child sexual abuse.<sup>204</sup> Officers from Romania and Poland are seconded to work in policing in the London Met Police Unit dealing with human trafficking.<sup>205</sup>

160. In several reports, **challenges in cross-border cooperation related to financial investigations and access to compensation** are discussed. GRETA was informed by Austrian civil society that the execution of compensation does not work transnationally, referring to a case where victims returned to Bulgaria.<sup>206</sup> The Latvian authorities informed GRETA about a co-operation with the UK including a financial investigation and an analysis of the bank accounts and money transfers of the members of organised criminal group and the victims that helped to detect the criminal assets. Nevertheless, the victims who returned to Latvia did not apply for compensation and, as far as the Latvian authorities are aware, no victims have received compensation from the perpetrators or the UK.<sup>207</sup>

161. GRETA has recommended to States Parties to continue their efforts in the area of international co-operation, including by setting up JITs, cooperating in the conduct of financial investigations<sup>208</sup> and the enforcing of compensation orders,<sup>209</sup> as well as in the context of returning victims to countries of origin.<sup>210</sup>

#### **14. Role of businesses**

162. GRETA has decided to pay attention during the third evaluation round to the role of businesses in the fight against THB, even if there are no specific provisions in the Convention about the role of businesses in combating human trafficking. In accordance with the UN 'Protect, Respect and Remedy' Framework and the United Nations Guiding Principles on Business and Human Rights, the private sector should play a role in enabling access to, as well as providing, remedies to trafficked persons.<sup>211</sup> The role of businesses includes steps to ensure that their supply chains are free of trafficked labour, as well as the adoption and implementation of measures to facilitate victims' access to remedies for any harm that occurs. Further, businesses have the potential to help trafficked persons regain economic autonomy.<sup>212</sup> States should therefore ensure that business enterprises implicated in human trafficking are held responsible and take steps to reduce barriers that could lead to a denial of access to remedies.

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<sup>203</sup> Bulgaria, para 165.

<sup>204</sup> Norway, para 128.

<sup>205</sup> UK, para 205.

<sup>206</sup> Austria, para 166.

<sup>207</sup> Latvia, para 123.

<sup>208</sup> See, for instance, France, para 159; Austria, para 167.

<sup>209</sup> Austria, para 167.

<sup>210</sup> Denmark, para 137; Austria, para 166.

<sup>211</sup> United Nations Guiding Principles on Business and Human Rights, implementing the UN 'Protect, Respect and Remedy' Framework, Doc. A/HRC/17/31 (2011).

<sup>212</sup> UNODC, ICAT Issue Paper, Providing Effective Remedies for Victims of Trafficking in Persons, 2016, pp. 8-9.



163. GRETA's reports discuss measures taken by States Parties to ensure that businesses act with human rights due diligence and thereby prevent trafficking in human beings. This involves the adoption of National Action Plans on Business and Human Rights, corporate social responsibility policies, public procurement policies, and legislation on reporting duties and mandatory due diligence.

164. Many of the States Parties have adopted **National Plans on Business and Human Rights** which aim to ensure respect for human rights throughout the supply chains and increase cooperation between public bodies, companies and civil society. By way of example, Poland's National Plan for the Implementation of the United Nations Guiding Principles on Business and Human Rights 2021-2024 contains several measures of relevance for the fight against THB are envisaged, including tools for entrepreneurs for minimising forced labour in legal entities, amendments on the provision of hotel services regarding the prevention of sexual exploitation of children in hotels, as well as developing the co-operation with the Unit for Combatting THB of the Ministry of the Interior.<sup>213</sup> Under Sweden's National Action Plan for Business and Human Rights adopted 2015, companies are expected to produce guidelines for employees on how to report unacceptable working conditions and to establish a procedure for compensation of employees for the harm suffered.<sup>214</sup> In December 2021, Italy adopted its second National Action Plan on Business and Human Rights, which contains dedicated sections on human trafficking and irregular work in the agriculture.<sup>215</sup>

165. Concerning **business due diligence legislation**, in France, the Law of 27 March 2017 on due diligence by parent companies and head contractors requires companies employing at least 5,000 employees in France or at least 10,000 employees in France and abroad to prepare, publish, comply with and evaluate a due diligence plan to identify risks and obviate serious violations of human rights and fundamental freedoms, as well as harm to the environment and individuals' health and safety, across the company's sphere of influence, covering subsidiaries as well as subcontractors. If a company fails to comply with this obligation, it will incur liability and be required to compensate for the damage that could have been avoided by fulfilment of this obligation.<sup>216</sup>

166. Another example is provided from the United Kingdom, where Section 54 of the Modern Slavery Act contains a requirement on businesses with a turnover of £36 million or more per year that provide products or services in the UK to publish an annual statement explaining what steps, if any, they have taken to tackle trafficking and slavery in supply chains. A Government's statutory guidance was published in 2017, which includes guidance for companies about responding to an incident of modern slavery, and provides further details on carrying out human rights due diligence, in line with the UN Guiding Principles on Business and Human Rights. In 2019, the UK Government launched resources (Modern Slavery Assessment Tool and a Procurement Policy Note and guidance) to support public sector organisations identify and mitigate modern slavery risk in their supply chains. Further, the UK

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<sup>213</sup> Poland, para 182.

<sup>214</sup> Sweden, para 128.

<sup>215</sup> Italy, para 169,

<sup>216</sup> France, para 173.

Government published a modern slavery statement, setting out the steps taken to identify and prevent modern slavery in central Government supply chains.<sup>217</sup>

167. Further, in June 2021, Norway adopted the Transparency Act, pursuant to which companies are obliged to publish findings of due diligence on their website and to respond to enquiries from consumers, organisations and other interested parties.<sup>218</sup>

168. In the context of Luxembourg, GRETA noted that an approach based solely on voluntary measures taken by businesses is not enough on its own to prevent and eradicate trafficking within businesses and their supply chains. GRETA stressed the importance of due diligence procedures that are binding, effective and monitored in order to reduce the risk of human rights violations, including THB, by businesses, and invited the authorities to adopt a due diligence procedure for businesses as soon as possible.<sup>219</sup>

169. GRETA's reports provide examples of **states providing guidance and tools for businesses** on how to lower the risks of being involved, directly or indirectly in trafficking. By way of example, in Denmark, the Centre against Trafficking in Human Beings has developed a tool called "Managing the risk of Hidden Forced Labour – A guide for Companies and Employers", which includes checklists of measures companies can take to reduce the risk of forced labour in their supply chains.<sup>220</sup> In Poland, a Handbook on "Forced Labour: How to Recognise and Counteract It" was prepared by the Team for Sustainable Development and Corporate Social Responsibility, which was set up by Ministry of Funds and Regional Policy and includes representatives of relevant public administrations, employers' organisations, trade unions and NGOs. The handbook is addressed to companies, institutions and organisations employing individuals directly or indirectly (subcontractors). It provides guidance to help employers reduce risks and counter consequences of forced labour in their operations, and includes practical tools (such as indicators, internal policy proposals, preliminary risk assessment questionnaires, checklists, and templates of contractual clauses).<sup>221</sup>

170. Several States Parties have implemented initiatives in the area of **public procurement** including for instance the exclusion of a company from public procurement procedures for a certain period of time if the company or members of the management were convicted for THB.<sup>222</sup>

171. GRETA has recommended to the authorities to States Parties to continue and strengthen their engagement with the private sector, in line with the UN Guiding Principles on Business and Human Rights as well as Council of Europe Committee of Ministers Recommendations CM/Rec(2016)3 on human rights and business and CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour

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<sup>217</sup> UK, paras 227-231.

<sup>218</sup> Norway, para 138.

<sup>219</sup> Luxembourg, para 135.

<sup>220</sup> Denmark, para 147.

<sup>221</sup> Poland, para 184.

<sup>222</sup> See, for instance, Malta, para 143; Ireland, para 163; Belgium, para 159; Moldova, para 154.

exploitation,<sup>223</sup> with a view to raising awareness of the important role and responsibility of businesses in supporting the rehabilitation and recovery of victims of trafficking, and providing access to effective remedies.

## 15. Measures to prevent and detect corruption

172. Human trafficking and corruption are closely related criminal activities. GRETA has decided to pay attention during the third evaluation round to measures taken by States Parties to prevent and detect corruption which may be related to trafficking in human beings. While there is no article in the Convention specifically dealing with corruption, other Council of Europe legal instruments are also relevant to combating human trafficking, in particular those designed to combat corruption, money laundering and cybercrime. The Council of Europe body with the main role to play in the fight against corruption is the Group of States against Corruption (GRECO). In its third-round reports, GRETA has referred to GRECO's findings and recommendations which are relevant in addressing structural shortcomings in preventing corruption, including potentially in a THB context.

173. GRETA asks States Parties to provide information on any cases identified of corruption related to THB. In several Parties, GRETA has been informed that there have been no relevant cases until now.<sup>224</sup> In Albania, the authorities did not detect cases of public officials being involved in trafficking, however, GRETA was about situations where corruption might take place, for instance when a victim's report to the police is not registered due to connections between the police officers and traffickers.<sup>225</sup> Further, the report on Romania raises an example of possible impacts of corruption on the investigation and prosecution of cases of THB. A consequence of the tendency of THB offences for the purpose of sexual exploitation to be qualified as pimping in Romania, is that the use of services of victims of pimping is not criminalised, and public officials who have used such services are not prosecuted. It has been suggested by civil society interlocutors that the qualification of the offence as pimping could be a consequence of corruption and/or inappropriate trading in influence in connection with blackmail.<sup>226</sup>

174. At the same time, GRETA has been informed about relevant cases in some States Parties.<sup>227</sup> In Cyprus, for example, a case of trafficking in human beings for the purpose of labour and sexual exploitation involving three police officers was investigated in 2018.<sup>228</sup> In Bulgaria, the authorities indicated that in 2016, pre-trial proceedings were instituted against two employees of the Ministry of Interior for extortion of persons dealing with prostitution, pimping, and trafficking for prostitution purposes.<sup>229</sup>

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<sup>223</sup> [Recommendation CM/Rec\(2016\)3](#) of the Committee of Ministers to member States on human rights and business, adopted by the Committee of Ministers on 2 March 2016 at the 1249th meeting of the Ministers' Deputies.

[Recommendation CM/Rec\(2022\)3](#) of the Committee of Ministers to member States on preventing and combating trafficking in human beings for the purpose of labour exploitation and [Explanatory Memorandum](#), adopted on 27 September 2022.

<sup>224</sup> See, for instance, Austria, para 185; Montenegro, para 145; Portugal para 147; Croatia, para 149.

<sup>225</sup> Albania, para 139.

<sup>226</sup> Romania, para 169.

<sup>227</sup> See, for instance, Bosnia and Herzegovina, para 150; Latvia, para 149; Moldova, paras 103 and 157.

<sup>228</sup> Cyprus, para 140.

<sup>229</sup> Bulgaria, para 188.

175. GRETA has stressed in its recommendations that **measures against corruption in a THB context need to be embedded in the overall policies against corruption.**<sup>230</sup> For example, GRETA has recommended to include measures against corruption in a THB context in Bulgaria's National Strategy for Combating Corruption.<sup>231</sup>

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<sup>230</sup> See, for instance, Cyprus, para 140; Italy, para 178; Slovakia, para 179.

<sup>231</sup> Bulgaria, paras 187 and 190. See also Albania, para 140; France, para 179; Georgia, para 127.



*33rd Meeting of the Committee of the Parties, Strasbourg, France, 15 December 2023*

## **XI. RELATIONS WITH THE COMMITTEE OF THE PARTIES**

176. GRETA and the Committee of the Parties represent the two pillars of the monitoring system set up by the Convention. According to Article 38, paragraph 7, of the Convention, the Committee of the Parties may adopt, on the basis of GRETA's reports and conclusions, recommendations addressed to the Parties concerning the measures to be taken to implement GRETA's conclusions, if necessary, setting a date for submitting information on their implementation, and aiming at promoting co-operation with the Party concerned for the proper implementation of the Convention. The purpose of this provision of the Convention is to strengthen the implementation of GRETA's conclusions.

177. The Committee of the Parties has continued to hold regular exchanges with the President of GRETA. Such exchanges are an opportunity to present GRETA's on-going work, highlight the main findings from country evaluations, and clarify the content of certain substantive obligations under the Convention.

178. At its 32nd meeting (16 June 2023), the Committee of the Parties considered eight GRETA reports and adopted recommendations addressed to the governments of Azerbaijan, North Macedonia, Poland, Serbia, Slovenia and Spain (third evaluation round), as well as Estonia and Greece (second evaluation round). At its 33rd meeting (15 December 2023), the Committee of the Parties considered GRETA's reports on Iceland, the Netherlands and Sweden (third evaluation round) and adopted recommendations on the basis of these reports to the governments of the countries concerned.



*Exchange of views between the Current Affairs Committee of the Congress of Local and Regional Authorities and the President of GRETA, Strasbourg, France, 28 June 2023*

## **XII. CO-OPERATION WITH OTHER COUNCIL OF EUROPE BODIES**

### **1. European Court of Human Rights**

179. GRETA's monitoring of the implementation of the Convention contributes to preventing violations of the European Convention on Human Rights, including Article 4 which prohibits slavery and forced labour and includes within its scope trafficking in human beings. A growing corpus of judgments of the European Court of Human Rights related to different articles of the European Convention on Human Rights refer to GRETA's reports.

180. In January 2023, GRETA made a third-party submission to the European Court of Human Rights in the case *T.V. v. Spain* (application No. 22512/21) pursuant to Rule 44 § 3 of the Rules of Court.

181. Further, at its 47th meeting, GRETA decided to seek permission from the Court to make a third-party submission in the case of *I.C. v Republic of Moldova* (application No. 36436/22). Following the acceptance by the Court of GRETA's request, on 28 June 2023 GRETA made a written submission to the Court in this case.

182. In its judgment in the case of *Krachunova v. Bulgaria* (application no. 18269/18), delivered on 28 November 2023, the Court found that Article 4 of the European Convention on Human Rights lays down a positive obligation to enable victims of human trafficking to claim compensation from their traffickers in respect of lost earnings.<sup>232</sup> The case concerned the attempts of a female victim of human trafficking to obtain compensation for the earnings from sex work that her trafficker had taken from her. The Bulgarian courts had refused compensation, stating she had been engaged in prostitution and returning the earnings from that would be contrary to “good morals”. In its decision, the Court referred to the third-party intervention made by GRETA in this case in September 2021, according to which to deny victims of sexual exploitation compensation from their traffickers for loss of earnings - because prostitution is considered illegal, immoral or undesirable - would run contrary to the object and purpose of the international instruments created to provide effective protection to victims of all forms of human trafficking, in particular Article 15 of the Council of Europe Anti-Trafficking Convention. The Court stressed that the possibility for victims to seek compensation in respect of earnings withheld by the traffickers could redress the full extent of the harm suffered by them. It would also give them the financial means to rebuild their lives and would go some way towards ensuring the traffickers are not able to enjoy the fruits of their offences, thus reducing the incentives to commit trafficking. Moreover, the Court asserted that compensation must be considered an essential part of the integrated State response to human trafficking under Article 4 of the European Convention on Human Rights.

## 2. Other Council of Europe bodies

183. On 24 May 2023, an exchange of views took place between the Group of Experts on Action against Violence against Women and Domestic Violence (**GREVIO**) and GRETA’s President, in the context of GREVIO’s 30th meeting in Strasbourg. The two independent monitoring bodies have held several exchanges over the years as they have a number of substantive and procedural issues in common. GRETA’s President emphasised the cross-fertilisation between the work of GRETA and GREVIO and shared GRETA’s experience accrued from three rounds of evaluations. In the ensuing discussion, the added value of thematic evaluation rounds was discussed between the two monitoring bodies, as were ways of ensuring the implementation of recommendations. In this context, the GRETA President underlined the importance of following up on the reports made through roundtables, high-level meetings or other ways of engaging with State Parties.

184. Further, an exchange of views between the Current Affairs Committee of the **Congress of Local and Regional Authorities** and the President of GRETA took place on 28 June 2023 in Strasbourg. In her presentation, GRETA’s President stressed that as the first point of contact for potential victims of trafficking, and as service providers for vulnerable people such as refugees, migrants, socially disadvantaged people or children at risk, local and regional authorities have a key role to play. She noted that in addition to meetings at central level, GRETA meets with associations of municipalities/regions and local and regional authorities in order to assess action against trafficking as closely as possible to the realities on the ground. The Congress Current Affairs Committee agreed to further explore the topic with a view of possibly launching a new activity on the role of local and regional authorities in combatting

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<sup>232</sup> [KRACHUNOVA v. BULGARIA \(coe.int\)](https://www.coe.int/krachunova-v-bulgaria)

human trafficking. Following the exchange, GRETA's Secretariat held several meetings with the Congress' Secretariat, and prepared an analysis of GRETA's reports concerning the role of local and regional authorities in combating trafficking.

185. GRETA has maintained contacts with the **Parliamentary Assembly of the Council of Europe** on matters of common interest, in particular with the Sub-Committee on Migrant Smuggling and Trafficking in Human Beings of the Committee on Migration, Refugees and Displaced Persons (MIG) and the Committee on Equality and Non-Discrimination. GRETA's Secretariat was consulted on the preparation by the MIG Committee of a report and a draft resolution regarding the precarious and irregular work situations of migrant seasonal workers and domestic migrant workers, which were presented to the PACE Standing Committee for the adoption of the resolution in March 2024.<sup>233</sup> The Committee on Equality and Non-Discrimination of PACE has started thematic work on the reintegration of persons trapped in prostitution and human trafficking survivors.

186. Closer synergies were developed with the Committee of experts on the evaluation of anti-money laundering measures and the financing of terrorism (**MONEYVAL**) in common risk areas, in particular on financial investigations and THB. This resulted in the drafting of a proposal on a human trafficking typologies project which was presented and discussed at MONEYVAL's plenary meeting on 15 December 2023.

187. Further, Mr Mesut Bedirhanoglu from GRETA's Secretariat participated in the Octopus Conference, held on 13-15 December 2023 in Bucharest, Romania, which comprised a workshop on synergies between the **Budapest Convention on Cybercrime** and other Council of Europe conventions, including the Anti-Trafficking Convention. This edition of the Octopus Conference has a focus on securing and sharing electronic evidence.

188. GRETA and its Secretariat have also maintained contacts with the **Special Representative of the Secretary General (SRSG) for Migration and Refugees**, Ms Leyla Kayacik, in the context of her activities and in particular the preparation of her country visits and reports. Further, the SRSG participated in the seminar on preventing and combating trafficking for labour exploitation that was held in Warsaw on 13 June 2023 where she presented the report on her fact-finding mission to Poland in June 2022.

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<sup>233</sup> <https://pace.coe.int/en/files/33184>





### **XIII. CO-OPERATION WITH OTHER INTERGOVERNMENTAL ORGANISATIONS**

189. Co-operation, strong partnerships and co-ordinated action are the keys to the success of anti-trafficking action. GRETA has continued developing links and forging partnerships with international organisations active in the area of combating trafficking in human beings. The country evaluation visits were an opportunity to meet representatives of international organisations present in the respective countries (Council of Baltic Sea States, ICMPD, ILO, IOM, OSCE, UNHCR, UNICEF, UN Women). Further, members of GRETA and the Secretariat participated in events organised by other international organisations, at which they presented the Convention and GRETA’s work (see Appendix 9).

#### **1. United Nations**

190. GRETA was represented at a number of events organised by UN institutions during the reporting period. A member of GRETA, Ms Ia Dadunashvili, participated in a regional workshop organised by UNODC on 15-16 March 2023 in Tbilisi entitled “Towards more effective response to trafficking in persons, in particular in women and girls for the purpose of sexual exploitation, through cross-border criminal justice cooperation mechanisms – experience of Southern Caucasus and Central Asia”. The Executive Secretary of the Convention spoke at the UNODC regional expert group meeting on “Strengthening identification and protection of trafficked persons, especially for the purpose of forced criminality, in South Eastern Europe”, held on 18-19 January 2023 (online).

191. Further, the Executive Secretary of the Convention made presentations at two roundtables co-organised by UNHCR and the SRSG for Migration and Refugees. The first one, entitled “Strengthening the protection of persons in a vulnerable situation, in particular women and children fleeing the war against Ukraine”, was organised for the Czech authorities

on 26 January 2023. The second one, on “Protection of asylum seekers and refugees with special needs,” took place in Madrid, Spain and online on 2 March 2023. Another member of GRETA’s Secretariat, Ms Parvine Ghadami, spoke at a roundtable on “Preventing, combating and responding to trafficking in human beings in the context of asylum and migration,” co-organised by UNHCR, the Council of Europe, the Slovenian Ministry of the Interior and the NGO Society Ključ, on 7 December 2023 in Ljubljana, Slovenia.

192. In addition, representatives of GRETA and its Secretariat participated in events organised by IOM. Ms Antoaneta Vassileva took part in a conference on “Effective strategies to combat human trafficking for the purpose of sexual exploitation” on 17 May 2023 in Bucharest, Romania. Further, Ms Parvine Ghadami spoke at the international exchange on access to justice for victims of trafficking for labour exploitation on 4-5 October 2023 in Barcelona, Spain.

193. GRETA’s Secretariat has continued contributing to the efforts of the regional anti-trafficking task force set up in May 2022 to ensure that anti-trafficking efforts are part of the protection response during the war against Ukraine. This body brings together UN agencies, international and non-governmental organisations.

## **2. Inter-Agency Co-ordination Group against Trafficking in Persons (ICAT)**

194. The Council of Europe is a partner of the Inter-Agency Co-ordination Group against Trafficking in Persons (ICAT). GRETA’s Secretariat continues to be involved in ICAT Working Group meetings, and has contributed to the preparation of issue briefs, ensuring that the Convention’s standards and GRETA’s work are duly reflected. The Executive Secretary also participated in the 5th ICAT Principals meeting on 8 November 2023, held online.

## **3. OSCE/ODIHR**

195. Action against trafficking in human beings has been one of the four priority areas of co-operation between the Council of Europe and the OSCE. Pursuant to the agreement reached at a meeting held in June 2010 in Paris, co-operation between the Council of Europe and OSCE in the field of action against trafficking in human beings focuses on (i) awareness raising and advocacy, (ii) capacity building and assistance to governmental and non-governmental actors, and (iii) conducting assessments and monitoring and providing recommendations. The OSCE has observer status with the Committee of the Parties to the Council of Europe Anti-Trafficking Convention.

196. Members of GRETA and its Secretariat regularly participate in conferences and other events organised by the OSCE. By way of example, the Executive Secretary of the Convention served as a moderator at the OSCE 23rd Conference of the Alliance against Trafficking in Persons “It’s about people: national leadership to end human trafficking” held on 18-19 April 2023 in Vienna, Austria and via teleconference. Further, during the same conference, GRETA and the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings co-organised a side event entitled “Putting Victims First: the ‘Social Path’ to Identification and Assistance”.

197. Building on positive outcomes of the multi-year partnership, GRETA and the OSCE continued to co-organise annual meetings of National Anti-Trafficking Co-ordinators and Rapporteurs or equivalent mechanisms while rotating the hosting role (see paragraphs 50-55).

198. Further, on 31 January 2023, GRETA and the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings held joint high-level meetings in Sofia with the Deputy Prime Minister and deputy ministers of a number of ministries which are members of the National Commission to Combat Trafficking in Human Beings, members of the Bulgarian Parliament and the Ombudsman of Bulgaria, in order to encourage political attention and action to implement urgently needed measures.

199. Another example of aligned efforts is the organisation of a joint roundtable on strengthening the role of the private sector, particularly financial institutions, in detecting and addressing human trafficking, in Sarajevo on 7-8 September 2023 (see paragraph 43).

200. During country evaluation visits, GRETA delegations meet representatives of local offices of the OSCE (where they have Field Operations and anti-trafficking Focal Points) and benefit from their presence on the ground to complete the collection of information necessary for monitoring the implementation of the Convention.

201. Besides a bilateral format, co-operation between GRETA and the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings continues to develop in the framework of the OSCE Alliance Expert Co-ordination Team (AECT). The Executive Secretary of the Convention regularly participated in the AECT meetings.

#### **4. European Union**

202. As noted in paragraph 10, at its 48th meeting, GRETA held an exchange of views with Ms Diane Schmitt, EU Anti-Trafficking Coordinator, and discussed how to further strengthen synergies in the fight against human trafficking. Ms Schmitt updated GRETA on the process of revision of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, as well as on the EU strategies to respond to the growing impact of information and communication technologies (ICT) on human trafficking. Further, Ms Schmitt underlined the importance of GRETA's work for her mandate. The ensuing discussion focused on the impact of ICT on human trafficking, challenges in relation to formalising and harmonising national referral mechanisms, identifying and protecting victims of human trafficking among migrants and asylum seekers, and the implications of the war against Ukraine for human trafficking.

203. The Executive Secretary of the Convention took part in the meeting of the EU Network of National Rapporteurs and Equivalent Mechanisms on trafficking in human beings on 25-26 April 2023 in Brussels, Belgium. The meeting was co-organised by the EU Anti-Trafficking Co-ordinator and the Swedish Presidency of the Council of the EU. It focused on addressing the international dimension of human trafficking.

204. As noted in paragraph 10, at its 49th meeting, GRETA also had an exchange of views with Ms Anita Danka, Advance-level Fundamental Rights Monitor, Head of the Legal Team of the Fundamental Rights Office of Frontex, and several other representatives of that Office. Ms Danka made a presentation on the mandate, structure and priorities of the Office, including the different complaint mechanisms used to raise human rights concerns with Member States. The ensuing discussion focused on the challenges in relation to identifying and protecting victims of human trafficking among migrants and asylum seekers, including unaccompanied children and the role of the Frontex Fundamental Rights Office in forced return operations.

## **5. Council of Baltic Sea States (CBSS)**

205. The Executive Secretary of the Convention spoke at the European Forum against Human Trafficking for Forced Labour and Labour Exploitation, organised by the CBSS and the Swedish Gender Equality Agency on 7-8 December in Stockholm, Sweden.



#### **XIV. CO-OPERATION WITH CIVIL SOCIETY**

206. The Convention provides for co-operation and building strategic partnerships with civil society, which can help governments fulfil their obligations under the Convention (Article 35). In its country reports, GRETA has emphasised the need to adopt an inclusive approach and develop formal and systematic consultation between governmental and non-governmental actors involved in anti-trafficking action. Civil society, including trade unions, should be involved in the development and implementation of anti-trafficking measures and their evaluation. Further, GRETA has called for the involvement of specialised NGOs in a multi-agency effort to identify and protect victims of trafficking.

207. During the reporting period, international and national NGOs continued to provide information to GRETA in the context of the preparation of country evaluation visits and reports. Furthermore, NGOs provided feedback to GRETA on the follow-up given to its reports. GRETA is grateful for the contributions made by NGOs to its monitoring work and is committed to continuing the existing co-operation with civil society.

208. Members of GRETA and the Secretariat participated in a number of events organised by civil society organisations (see Appendix 9). By way of example, GRETA's Secretariat participated in a public hearing on the revision of the EU Anti-Trafficking Directive organised by the European Economic and Social Committee on 16 February 2023 (online).

## APPENDIX 1 – CHART OF SIGNATURES AND RATIFICATIONS OF THE COUNCIL OF EUROPE CONVENTION ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS

Status as of 31/12/2023

<b>Title</b>	<b>Council of Europe Convention on Action against Trafficking in Human Beings</b>
<b>Reference</b>	CETS No.197
<b>Opening of the treaty</b>	Warsaw, 16/05/2005 - 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
<b>Entry into Force</b>	01/02/2008 - 10 Ratifications, including 8 member 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					T.		
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							O.
Czech Republic	2/5/2016	29/3/2017	1/7/2017		R.					
Denmark	5/9/2006	19/9/2007	1/2/2008		R.			T.		
Estonia	3/2/2010	5/2/2015	1/6/2015		R.					
Finland	29/8/2006	30/5/2012	1/9/2012		R.					
France	22/5/2006	9/1/2008	1/5/2008		R.	D.				
Georgia	19/10/2005	14/03/2007	1/2/2008			D.				
Germany	17/11/2005	19/12/2012	1/4/2013		R.					
Greece	17/11/2005	11/4/2014	1/8/2014							
Hungary	10/10/2007	4/4/2013	1/8/2013							
Iceland	16/5/2005	23/2/2012	1/6/2012							
Ireland	13/4/2007	13/7/2010	1/11/2010							

	Signature	Ratification	Entry Into Force	Notes	R.	D.	A.	T.	C.	O.
Italy	8/6/2005	29/11/2010	1/3/2011							
Latvia	19/05/2006	6/3/2008	1/7/2008		R.					
Liechtenstein	30/11/2015	27/1/2016	1/5/2016							
Lithuania	12/2/2008	26/7/2012	1/11/2012							
Luxembourg	16/5/2005	9/4/2009	1/8/2009							
Malta	16/5/2005	30/1/2008	1/5/2008		R.					
Republic of Moldova	16/5/2005	19/5/2006	1/2/2008			D.				
Monaco	30/11/2015	30/11/2015	1/3/2016		R.					
Montenegro	16/5/2005	30/7/2008	1/11/2008	55						
Netherlands	17/11/2005	22/4/2010	1/8/2010					T.		
North Macedonia	17/11/2005	27/05/2009	1/9/2009			D.				
Norway	16/5/2005	17/1/2008	1/5/2008							
Poland	16/5/2005	17/11/2008	1/3/2009		R.	D.				
Portugal	16/5/2005	27/2/2008	1/6/2008		R.					
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		R.					
Spain	9/7/2008	2/4/2009	1/8/2009			D.				
Sweden	16/5/2005	31/5/2010	1/9/2010		R.					
Switzerland	8/9/2008	17/12/2012	1/4/2013		R.					
Türkiye	19/3/2009	2/5/2016	1/9/2016			D.				
Ukraine	17/11/2005	29/11/2010	1/3/2011			D.				
United Kingdom	23/3/2007	17/12/2008	1/4/2009		R.					
	Signature	Ratification	Entry Into Force	Notes	R.	D.	A.	T.	C.	O.
Belarus		26/11/2013 a	1/3/2014							
Canada										
Holy See										
Israel		28/05/2021 a	01/09/2021							
Japan										
Mexico										
United States of America										
	Signature	Ratification	Entry Into Force	Notes	R.	D.	A.	T.	C.	O.
European Union										

**Total number of signatures not followed by ratifications: 0**

**Total number of ratifications/accessions: 48**

#### 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 – GRETA'S FIELD OF OPERATIONS

### States bound by the Convention

Albania	Georgia	Netherlands
Andorra	Germany	North Macedonia
Armenia	Greece	Norway
Austria	Hungary	Poland
Azerbaijan	Iceland	Portugal
Belarus	Ireland	Romania
Belgium	Italy	San Marino
Bosnia and Herzegovina	Israel	Serbia
Bulgaria	Latvia	Slovak Republic
Croatia	Liechtenstein	Slovenia
Cyprus	Lithuania	Spain
Czech Republic	Luxembourg	Sweden
Denmark	Malta	Switzerland
Estonia	Republic of Moldova	Türkiye
Finland	Monaco	Ukraine
France	Montenegro	United Kingdom





## APPENDIX 3 – LIST OF GRETA MEMBERS



<b>President:</b> Ms Helga Gayer (German)	31/12/2024
<b>First Vice-President:</b> Ms Antoaneta Vassileva (Bulgarian)	31/12/2026
<b>Second Vice-President:</b> Mr Sergey Ghazinyan (Armenian)	31/12/2024
Mr Thomas Ahlstrand (Swedish)	31/12/2024
Ms Tatiana Catana (Moldovan)	31/12/2026
Ms Ia Dadunashvili (Georgian)	31/12/2026
Mr Aurelijus Gutauskas (Lithuanian)	31/12/2024
Ms Biljana Lubarovska (Macedonian)	31/12/2026
Mr Luka Maderić (Croatian)	31/12/2026
Ms Svala Isfeld Olafsdottir (Icelandic)	31/12/2026
Ms Rita Penedo (Portuguese)	31/12/2026
Ms Conny Rijken (Dutch)	31/12/2024
Mr Peter Van Hauwermeiren (Belgian)	31/12/2024
Mr Georgios Vanikiotis (Greek)	31/12/2024
Ms Dorothea Winkler (Swiss)	31/12/2024

## APPENDIX 4 – SECRETARIAT OF THE COUNCIL OF EUROPE CONVENTION ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS (AS AT 31 DECEMBER 2023)



Ms Petya Nestorova, Executive Secretary of the Convention  
Ms Teresa Armengol de la Hoz<sup>i</sup>  
Mr Mesut Bedirhanoglu, Administrator  
Ms Parvine Ghadami, Administrator  
Mr Roemer Lemaitre, Administrator  
Mr Yuriy Paltsev, Administrator (follow-up to GRETA's recommendations)  
Ms Asja Žujo, Administrator  
Ms Saida Theophile, Principal Administrative Assistant  
Ms Jackie Renaudin-Siddall, Administrative Assistant  
Ms Silvia Pedrini, Administrative Assistant  
Ms Ivana Noveljic, Administrative Assistant<sup>ii</sup>  
Co-operation and capacity-building unit  
Ms Lilia Kolombet, Head of Unit<sup>iii</sup>  
Ms Stephanie Burel, Project Manager  
Ms Severina Spassova, Senior Project Officer  
Ms Monica Petrovici-Ronecker, Project Officer  
Ms Nadia Marino, Administrative Assistant

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<sup>i</sup> Employed as from 1 February 2023.

<sup>ii</sup> Employed as from 1 September 2023.

<sup>iii</sup> Employed until 1 September 2023.

## APPENDIX 5 - LIST OF GRETA'S ACTIVITIES DURING THE PERIOD 1 JANUARY TO 31 DECEMBER 2023

### GRETA meetings

- 47th meeting (27-31 March 2023)
- 48th meeting (26-30 June 2023)
- 49th meeting (13-17 November 2023)

### GRETA's evaluation visits (in chronological order)

- |  |                              |
|--|------------------------------|
| – Italy (3rd evaluation round)                       | 13-17 February 2023          |
| – Hungary (3rd evaluation round)                     | 27 February - 3 March 2023   |
| – Germany (3rd evaluation round)                     | 8-12 May 2023                |
| – Finland (3rd evaluation round)                     | 22-26 May 2023               |
| – Monaco (3rd evaluation round)                      | 5-7 July 2023                |
| – Switzerland (3rd evaluation round)                 | 28 August - 1 September 2023 |
| – Türkiye (2nd evaluation round)                     | 18-22 September 2023         |
| – Aruba (the Netherlands) (1st/2nd evaluation round) | 24-27 October 2023           |
| – Czechia (2nd evaluation round)                     | 30 October - 3 November 2023 |
| – Cyprus (4th evaluation round)                      | 11-14 December 2023          |
| – Austria (4th evaluation round)                     | 4-8 December 2023            |
| – San Marino (3rd evaluation round)                  | 18-20 December 2023          |

### GRETA country evaluation reports (in order of publication)

- |  |                 |
|--|-----------------|
| – Greece (2nd evaluation round)          | 23 March 2023   |
| – North Macedonia (3rd evaluation round) | 24 March 2023   |
| – Azerbaijan (3rd evaluation round)      | 6 June 2023     |
| – Estonia (2nd evaluation round)         | 7 June 2023     |
| – Poland (3rd evaluation round)          | 9 June 2023     |
| – Spain (3rd evaluation round)           | 12 June 2023    |
| – Slovenia (3rd evaluation round)        | 15 June 2023    |
| – Serbia (3rd evaluation round)          | 16 June 2023    |
| – Sweden (3rd evaluation round)          | 19 October 2023 |
| – Iceland (3rd evaluation round)         | 26 October 2023 |
| – Netherlands (3rd evaluation round)     | 9 November 2023 |

## **APPENDIX 6 - LIST OF ACTIVITIES ORGANISED TO SUPPORT THE IMPLEMENTATION OF GRETA'S RECOMMENDATIONS DURING THE PERIOD 1 JANUARY TO 31 DECEMBER 2023**

*Sofia, 30-31 January 2023*

Round-table meeting on the follow-up to GRETA's third evaluation report on Bulgaria and high-level meetings with the Bulgarian authorities

*Bucharest, 3 March 2023*

Round-table meeting on the follow-up to GRETA's third evaluation report on Romania

*Copenhagen, 9 March 2023*

Round-table meeting on the follow-up to GRETA's third evaluation report on Denmark

*Podgorica, 4 April 2023*

Round-table meeting on the follow-up to GRETA's third evaluation report on Montenegro

*Tbilisi, 25 April 2023*

Round-table meeting on the follow-up to GRETA's third evaluation report on Georgia

*Strasbourg, 6-7 June 2023*

Meeting of National Anti-Trafficking Co-ordinators and Rapporteurs or Equivalent Mechanisms, co-organised by the Council of Europe Anti-Trafficking Division and the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings

*Warsaw, 13 June 2023*

Seminar on preventing and combating trafficking in human beings for the purpose of labour exploitation

*Sarajevo, 11 September 2023*

Round-table on strengthening the role of the private sector and financial institutions in combatting trafficking in human beings, co-organised by the Council of Europe Anti-Trafficking Division and the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings

*Valetta, 10 October 2023*

Round-table meeting on the follow-up to GRETA's third evaluation report on Malta

*London, 12 October 2023*

Round-table meeting on the follow-up to GRETA's third evaluation report on United Kingdom

*Strasbourg, 26-27 October 2023*

4th meeting of the Council of Europe network of specialised lawyers and NGOs providing legal assistance to victims of human trafficking

***Activities organised under the joint EU-Council of Europe Programme Horizontal Facility III for the Western Balkans and Türkiye***

*Bosnia and Herzegovina*

- Training session on access to justice and effective remedies for victims of human trafficking, 2 June 2023, Neum
- Round table on "Enhancing the participation of victims and survivors of human trafficking in anti-trafficking action in Bosnia and Herzegovina", 19 June 2023, Sarajevo
- Support to the Inter-institutional Working Group for the development of a draft law on the establishment of a state compensation fund for victims of human trafficking, 5 July, 27 September and 16 November 2023, Sarajevo
- Training session on victims' rights for legal aid providers, 20-21 July 2023, Konjic
- Workshop on trafficking in human beings for the purpose of labour exploitation for law enforcement officers and labour inspectors, 25-26 July 2023, Konjic
- Peer exchange on preventing and investigating child trafficking for forced begging between professionals from Bosnia and Herzegovina and North Macedonia, 6 September 2023, Sarajevo
- Training session on trafficking in human beings as a form of gender-based violence, 17-19 October 2023, Neum
- Consultations on the role of non-governmental organisations in action against human trafficking, 23 November 2023, Sarajevo

*North Macedonia*

- Peer-to-peer exchange for education professionals from North Macedonia and Kosovo\*, 16 March 2023, Skopje
- Public event on the signing of the Memorandum of Understanding between the Ministry of the Interior and the State Labour Inspectorate, 16 April 2023, Skopje
- Three training sessions on trafficking in human beings for health care professionals, 31 May - 1 June 2023, Skopje, 3 October 2023, Kocani, and 5 October 2023, Kumanovo
- Two focus groups on technology-facilitated trafficking in human beings, 5 and 21 June 2023, Skopje
- Training-of-trainers on trafficking for the purpose of labour exploitation, 3-6 July 2023, Skopje
- Focus groups on the shelter for victims of trafficking, 25 September 2023, Skopje
- Round table on technology-facilitated human trafficking, 31 October 2023, Skopje
- Study visit to shelters for victims of trafficking in Brussels and Antwerp, 20-22 November 2023
- Workshop for the network of lawyers and NGOs providing legal aid to victims of trafficking, 29 November 2023, Skopje
- Meetings of the working group for the preparation of the Action Plan of the National Commission on the Fight against Trafficking in Human Beings and Illegal Migration, 1 October 2023, Skopje

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\* All references to Kosovo, whether the territory, institutions or population, in this text shall be understood in full compliance with United Nation's Security Council Resolution 1244 and without prejudice to the status of Kosovo.

- Three training sessions on human trafficking for primary school children, 29 November 2023, Skopje, 1 December 2023, Tetovo, and 6 December 2023, Kocani
- Focus groups on child trafficking for forced marriage, labour exploitation and begging, 20 December 2023, Skopje

#### *Serbia*

- Two training workshops for labour inspectors on detecting and combating trafficking for the purpose of labour exploitation, 30 Oct – 1 Nov 2023 in Vrnjaca Banja, 10-12 May 2023 in Vrdnik
- Working meetings with the Centre for Human Trafficking Victims Protection to improve its findings and opinions, 30 March 2023 and 16 October 2023, Belgrade
- Workshops on monitoring and reporting on trafficking in human beings in Serbia, 5 July 2023 and 6 December 2023, Belgrade.

#### ***Joint Project on “Supporting Malta in the design and implementation of a new National Anti-Trafficking Strategy”, implemented by the Council of Europe and DG REFORM of the European Commission***

- First meeting of the Advisory Group, 30 January 2023
- Online consultation with the Human Trafficking Monitoring Committee, 2 February 2023
- Fact-finding mission and training on investigation and prosecution, 27 February – 1 March 2023
- Presentation of the project inception phase and exchange of views with the Anti-Trafficking Inter-ministerial Committee, 3 March 2023
- Workshop to discuss and approve the SWOT analysis and the draft report on the legislative and institutional framework, 10 May 2023
- Workshop to discuss and approve the methodology for the research with victims and survivors of trafficking in human beings, 17 May 2023
- Second meeting of the Advisory Group, 1 June 2023
- Five round-tables to discuss and approve the assessment and gap reports and a roundtable with NGOs, 12-15 June 2023
- Third meeting of the Advisory Group, 4 October 2023
- Online workshop to discuss and approve the draft assessment and gap report on partnerships, 13 October 2023
- Meetings of the four Working Groups on the drafting of the Anti-Trafficking Strategy, 13-16 November 2023 and 6-16 December 2023

## APPENDIX 7 – UPDATED TIMETABLE OF GRETA’S 3RD EVALUATION ROUND

Updated provisional timetable of GRETA’s 3rd Evaluation Round					
Parties	Questionnaire to be sent	Deadline for replies	Evaluation visits	Draft GRETA reports	Final GRETA reports
Austria Cyprus Slovak Republic	November 2018	March 2019	May-June 2019	36th meeting November 2019	written procedure March 2020
Albania Croatia Republic of Moldova	February 2019	June 2019	September - December 2019	37th meeting July 2020	38th meeting October 2020
Georgia Bulgaria Denmark					39th meeting November 2020
Montenegro Romania	June 2019	October 2019	January - March 2020	38th meeting October 2020	40th meeting March 2021
Malta United Kingdom Latvia	September 2019	January 2020	September – December 2020	40th meeting March 2021	41st meeting July 2021
France	March 2020	September 2020	January – March 2021	41st meeting July 2021	42nd meeting November 2021
Portugal	September 2019	January 2020	April – June 2021	42nd meeting November 2021	43rd meeting March 2022
Armenia	July 2019	November 2019	September – December 2021		
Bosnia and Herzegovina Norway	March 2020	September 2020			
Belgium Ireland Luxembourg	October 2020	February 2021		43rd meeting March 2022	44th meeting July 2022
North Macedonia	June 2021	October 2021	January – March 2022	44th meeting July 2022	45th meeting September 2022
Slovenia			April – June 2022	45th meeting September 2022	47th meeting March 2023
Serbia Spain				46th meeting November 2022	
Poland			October 2020	February 2021	
Azerbaijan Netherlands	September/October 2021	January 2022	September – December 2022	47th meeting March 2023	48th meeting July 2023
Sweden	December 2021	April 2022		48th meeting July 2023	49th meeting November 2023
Iceland Andorra Lithuania Italy Hungary	April/May 2022	September 2022		January – March 2023	
Finland Germany	May/June 2022	October 2022	April – June 2023	49th meeting November 2023	50th meeting March 2024
Monaco Switzerland	November 2022	March 2023			

San Marino	June 2022	October 2022	September-December 2023	50th meeting March 2024	51st meeting July 2024
Liechtenstein	December 2022	April 2023	January – March 2024	51st meeting July 2024	52nd meeting November 2024
Ukraine	September 2021	January 2022	April – June 2024	52nd meeting November 2024	53rd meeting March 2025

Note: Belarus, the Czech Republic, Estonia, Greece, Israel, Türkiye, and other new parties to the Convention will undergo the third evaluation round approximately four years after the second evaluation, unless otherwise decided by GRETA ([Rules 2 and 3 of the Evaluation Procedure](#)).



## APPENDIX 8 – PROVISIONAL TIMETABLE OF GRETA’S 4TH EVALUATION ROUND

Provisional timetable of GRETA's 4th evaluation round					
Parties	Questionnaire to be sent	Deadline for replies	Evaluation visits	Draft GRETA report	Final GRETA report
Austria	July 2023	November 2023	December 2023	51st meeting, July 2024	52nd meeting, Nov 2024
Cyprus			February 2024		
Slovak Republic					
Albania	October 2023	February 2024	April-June 2024	52nd meeting, Nov 2024	53rd meeting, March 2025
Croatia					
Republic of Moldova					
Georgia	March 2024	July 2024	Sept-Dec 2024	53rd meeting, March 2025	54th meeting, July 2025
Bulgaria					
Denmark					
Montenegro					
Romania					
Malta	April 2024	September 2024	Jan-March 2025	54th meeting, July 2025	55th meeting, Nov 2025
United Kingdom					
Latvia					
France	June 2024	October 2024	April-June 2025	55th meeting, Nov 2025	56th meeting, March 2026
Portugal					
Armenia					
Bosnia and Herzegovina					
Norway					
Belgium	February 2025	June 2025	Sept-Dec 2025	56th meeting, March 2026	57th meeting, July 2026
Ireland					
Luxembourg					
North Macedonia					
Slovenia	July 2025	November 2025	Jan-March 2026	57th meeting, July 2026	58th meeting, Nov 2026
Serbia					
Spain					
Poland					
Azerbaijan					
Sweden	April-June 2026	58th meeting, Nov 2026	59th meeting, March 2027	60th meeting, July 2027	
Netherlands					
Iceland					
Andorra	January 2026	May 2026	Sept-Dec 2026	60th meeting, July 2027	61st meeting, Nov 2027
Lithuania					
Italy					
Hungary					
Monaco					
Finland	June 2026	October 2026	Jan-March 2027	61st meeting, Nov 2027	62nd meeting, March 2028
Germany					
San Marino					
Switzerland	January 2027	May 2027	June-Sept 2027	62nd meeting, March 2028	63rd meeting, July 2028
Liechtenstein			Oct-Dec 2027		
Ukraine	June 2027	October 2027	Oct-Dec 2027	62nd meeting, March 2028	63rd meeting, July 2028

Note: Belarus, the Czech Republic, Estonia, Greece, Israel, Türkiye, and other new parties to the Convention will undergo the fourth evaluation round approximately four years after the third evaluation, unless otherwise decided by GRETA (Rules 2 and 3 of the Evaluation Procedure).

## APPENDIX 9 – PARTICIPATION OF GRETA MEMBERS AND SECRETARIAT IN RELEVANT EVENTS AND MEETINGS

*Strasbourg, 17 January 2023*

Annual meeting of the chairs of Council of Europe monitoring and advisory bodies with the Secretary General of the Council of Europe

*Online, 18-19 January 2023*

Regional expert group meeting on “Strengthening identification and protection of trafficked persons, especially for the purpose of forced criminality, in South Eastern Europe”, organised by UNODC

*Online, 26 January 2023*

Round-table on “Strengthening the protection of persons in a vulnerable situation, in particular women and children fleeing the war in Ukraine”, co-organised by UNHCR and the Special Representative of the Secretary General (SRSG) for Migration and Refugees for the Czech authorities

*Strasbourg, 2 February 2023*

Presentation of GRETA’s Guidance Note on addressing the risks of trafficking in human beings related to the war in Ukraine at the 36th meeting of the Lanzarote Committee

*Online, 16 February 2023*

Public hearing on the revision of the EU Anti-Trafficking Directive, organised by the European Economic and Social Committee (EEDC)

*Vilnius, 28 February – 1 March 2023*

Conference “Uniting Forces against Human Trafficking”, organised by the Santa Marta Group

*Madrid and online, 2 March 2023*

Round-table on “Protection of asylum seekers and refugees with special needs,” co-organised by UNHCR and the SRSG for Migration and Refugees

*Strasbourg, 3 March 2023*

Presentation of GRETA’s procedure regarding urgent requests for information at the 4th meeting of the Committee of Experts on the Protection of Lawyers (CJ-AV)

*Paris, 8 March 2023*

Study visit of Moroccan professionals organised by the SAVE Project

*Athens and online, 14 March 2023*

“Counter-Trafficking in the Context of Forced Migration: Evaluating Policies and Seeking Collaborative Solutions in Greece and Bulgaria”, regional activity co-organised by the Active Citizens Fund Operations from Greece and Bulgaria

*Tbilisi, 15-16 March 2023*

Regional workshop on entitled “Towards more effective response to trafficking in persons, in particular in women and girls for the purpose of sexual exploitation, through cross-border criminal justice cooperation mechanisms – experience of Southern Caucasus and Central Asia”, organised by UNODC

*Berlin, 31 March 2023*

Conference “Fighting Trafficking in Human Beings, Protecting Victims”, organised by the German Institute for Human Rights

*Vienna, 18-19 April 2023*

OSCE 23rd High-Level Alliance Conference against Trafficking in Persons and side-event co-organised by the Council of Europe on the occasion of the launch of the OSCE paper “Putting Victims First: The ‘Social Path’ to Identification and Assistance”

*Vienna, 20 April 2023*

OSCE Alliance Expert Co-ordination Team Meeting

*Brussels, 25-26 April 2023*

Meeting of the EU Network of National Rapporteurs and Equivalent Mechanisms on trafficking in human beings

*Rabat and online, 27 April 2023*

Technical workshop to discuss the possibility of Morocco’s accession to the Council of Europe Anti-Trafficking Convention

*Bucharest, 17 May 2023*

Effective Strategies to Combat Human Trafficking for the Purpose of Sexual Exploitation Conference, co-hosted by the Embassy of Sweden in Romania, the International Organization for Migration and eLiberare Association

*Strasbourg, 24 May 2023*

Exchange between the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) and the President of GRETA, during the 30th plenary meeting of GREVIO

*Strasbourg, 31 May 2023*

Presentation of the Anti-Trafficking Convention to an official delegation from Kyrgyzstan

*Dublin, 13 September 2023*

Conference to launch the Second Evaluation Report of the Irish National Rapporteur on Human Trafficking, organised by the Irish Human Rights and Equality Commission

*Strasbourg, 20 September 2023*

Presentation of the Anti-Trafficking Convention to an official delegation from Tajikistan

*Jaén, 24-29 September 2023*

Regional simulation training on human trafficking for MENA countries, co-organised by the Council of Europe regional office in Tunis, the Council of Europe North-South Centre, and Spain

*Barcelona, 4-5 October 2023*

IOM international exchange on access to justice for victims of trafficking for labour exploitation

*Strasbourg, 18 October 2023*

European Anti-Trafficking Day awareness-raising event for students at the Law Faculty of the University of Strasbourg

*Vienna, 19 October 2023*

Conference “Boundaries and Frontiers in Human Trafficking”, organised by the Austrian Task Force on Combatting Human Trafficking on the occasion of the European Anti-Trafficking Day

*Vienna, 3 November 2023*

37th Council of Europe - OSCE Co-ordination Group meeting

*Online, 8 November 2023*

5th annual ICAT Principals meeting, organised by the United Nations Office on Drugs and Crime (UNODC)

*Online, 30 November 2023*

Webinar “Human trafficking: an evolving phenomenon in the international, European and national dimensions”, organised by Unità per la Costituzione, Italy

*Stockholm, 7-8 December 2023*

European Forum against Human Trafficking for Forced Labour and Labour Exploitation, organised by the Council of the Baltic Sea States and the Swedish Gender Equality Agency

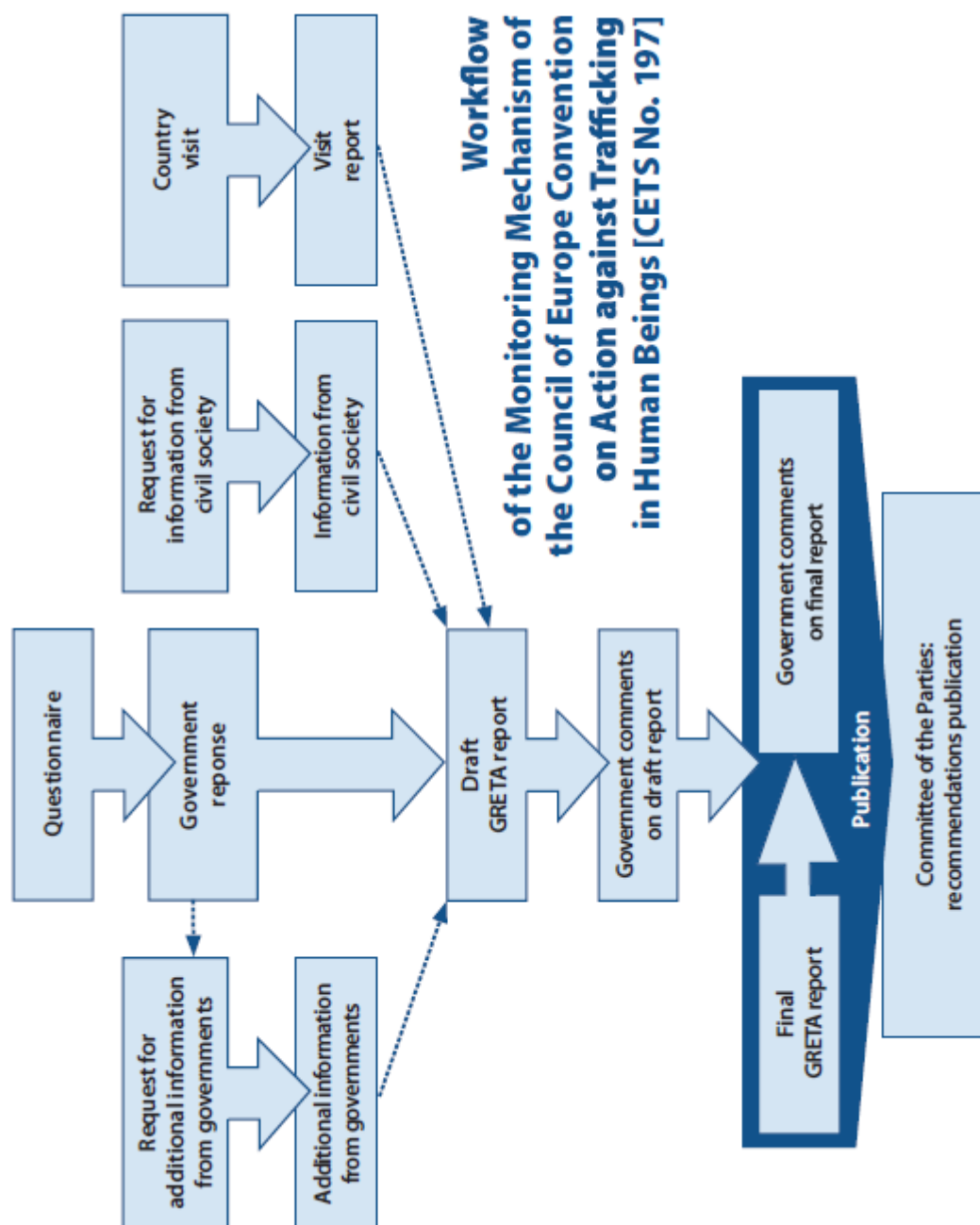
*Ljubljana, 7 December 2023*

International exchange on “Preventing, combating and responding to trafficking in human beings in the context of asylum and migration,” co-organised by UNHCR, the Council of Europe, the Slovenian Ministry of the Interior and the NGO Society Ključ

*Bucharest, 13 December 2023*

Octopus Conference, organised by the Council of Europe Cybercrime Programme Office

## APPENDIX 10 - WORKFLOW OF THE MONITORING MECHANISM OF THE COUNCIL OF EUROPE ANTI-TRAFFICKING CONVENTION







**The Council of Europe Convention on Action against Trafficking in Human Beings**, in force since 2008, provides a comprehensive framework for combating trafficking in human beings from a human-rights based and victim-centred perspective. To date, the Convention has been ratified by all 46 member states of the Council of Europe, as well as by the non-member states Belarus and Israel.

**The Group of Experts on Action against Trafficking in Human Beings (GRETA)** is responsible for evaluating the implementation of the Convention by the States Parties. Its recommendations help to trigger legislative changes, raise awareness of the various forms of human trafficking and better protect the rights of trafficked persons.

**GRETA's 13th General Report** presents an overview of its activities from 1 January to 31 December 2023, including meetings, evaluation visits, country reports, round tables, and relations with other Council of Europe bodies, international organisations and non-governmental organisations. The report also includes a thematic chapter devoted to the **stocktaking of the third evaluation round on the Anti-Trafficking Convention, which focused on trafficking victims' access to justice and effective remedies.**

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

