

Procedure for evaluating implementation of the Council of Europe Convention on Action against Trafficking in Human Beings



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Aims of the Council of Europe Convention



The Council of Europe Convention is a comprehensive treaty aiming to (3 Ps):

- **P**revent trafficking
- **P**rotect the Human Rights of victims of trafficking
- **P**rosecute the traffickers



Measures provided by the Council of Europe Convention



- ❑ Prevention
- ❑ Measures to protect and promote the rights of victims
- ❑ Criminal law and procedure
- ❑ Co-operation
- ❑ Monitoring mechanism



Monitoring mechanism

- ✗ The existence of a monitoring mechanism is essential in order to evaluate the effectiveness of any international legal instrument
- ✗ The Council of Europe Convention n°197 provided for the setting up of a monitoring mechanism described in Chapter VII (Art. 36-38)



Bodies of the monitoring mechanism



- GRETA: 13 independent experts, elected by the Committee of the Parties and acting in their individual capacity
(leading role in the evaluation procedure)



- Committee of the Parties: political body

Evaluation procedure

All Parties will be subject to the same monitoring procedure:

- described in Article 38 of the Convention
- aimed at monitoring the Parties' implementation of the measures set out in the Convention
- based on dialogue and co-operation with the Parties



Evaluation procedure

- ✗ Divided into rounds
- ✗ GRETA determines the duration of rounds; the first round is 4 years
- ✗ GRETA selects the provisions of the Convention to be monitored at the beginning of each round
- ✗ GRETA determines the means of evaluation: questionnaire, requests for additional information, etc.
- ✗ Parties have a legal obligation to reply to all requests for information from GRETA



Evaluation procedure

- GRETA may request information directly from civil society
- ✗ GRETA may also organise “country visits”. During these visits GRETA will be assisted by
 - ✗ a national “contact person”,
 - and if necessary:
 - ✗ independent national experts and/or
 - ✗ specialists in specific fields.



Evaluation procedure

- ✗ GRETA will prepare a **draft Report** evaluating the implementation of the Convention and make suggestions and proposals to overcome the problems identified
- ✗ The Draft Report will be transmitted to the Party concerned for **comments**
- ✗ GRETA will then adopt its **Final Report and Conclusions**
- ✗ GRETA's Final Report will be **published** along with any final comments from the government concerned



GRETA Report and Conclusions



- ❑ Publication as of adoption
- ❑ Sent to Party concerned
- ❑ Sent to the Committee of the Parties
- ❑ GRETA Report and Conclusions cannot be modified by the Committee of the Parties



Committee of the Parties

- ✗ May adopt Recommendations on the basis of GRETA's Report and Conclusions:
 - ✗ indicating measures to be taken by the Party to implement GRETA's conclusions, and
 - ✗ aiming at promoting co-operation with that Party for the proper implementation of the Convention



THANK YOU!



www.coe.int/trafficking