

**Council of Europe Convention on Action against Trafficking in Human Beings:
National Coordinating Bodies and National Rapporteurs**

**Address by Ms Marta REQUENA, Executive Secretary of the Council of Europe
Convention on Action against Trafficking in Human Beings**

"Trafficking in human beings constitutes a violation of human rights and is an offence to the dignity and the integrity of the human being. To fight this modern form of slavery, the Council of Europe adopted (2005) a comprehensive treaty aimed at preventing trafficking, protecting the human rights of its victims and prosecuting the traffickers: **The Council of Europe Convention on Action against Trafficking in Human Beings [CETS No. 197]** entered into force on 1 February 2008. At present the Convention has been ratified by 20 Council of Europe member States and has also been signed, but not yet ratified by 21 other member states. The Convention is not restricted to Council of Europe member states; non-members states and the European Community also have the possibility of becoming Party to the Convention. This new Convention, the first European treaty in this field, is a comprehensive treaty focussing mainly on the protection of victims of trafficking and the safeguard of their rights. It also aims to prevent trafficking and to prosecute traffickers. In addition, the Convention provides for the setting up of an effective and independent monitoring mechanism capable of controlling the implementation of the obligations contained in the Convention.

The entry into force of the Convention triggers the setting up of its **monitoring mechanism** which, in accordance with the Convention, must be in place one year after its entry into force. The monitoring mechanism consists of two pillars: the *Group of Experts on Action against Trafficking in Human Beings (GRETA)*, a technical body, composed of independent and highly qualified experts, and the *Committee of the Parties*, a more political body, composed of the representatives in the Committee of Ministers of the Parties to the Convention and of representatives of Parties non-members of the Council of Europe.

GRETA is responsible for monitoring implementation of the Convention by the Parties. GRETA will regularly publish reports evaluating the measures taken by the Parties and those Parties which do not fully respect the measures contained in the Convention will be required to step up their action.

The Committee of the Parties may also, on the basis of GRETA's report and conclusions, make recommendations to a Party concerning the measures to be taken to follow up GRETA's conclusions.

The election procedure of the members of GRETA is laid down in Committee of Ministers' Resolution (2008)7. At its first meeting on 5 and 8 December 2008, the Committee of the Parties elected 13 members for the first composition of GRETA for a term of office of four years starting on 1 January 2009. GRETA will hold its first meeting on 24-27 February 2009.

The Council of Europe Convention contains in its **Article 29** a specific provision concerning two different national entities:

-National coordinating bodies (Art 29-2 "Each Party shall adopt such measures as may be necessary to ensure co-ordination of the policies and actions of their

governments' departments and other public agencies against trafficking in human beings, where appropriate, through setting up co-ordinating bodies".)

-National Rapporteurs (Art 29-4 "Each Party shall consider appointing National Rapporteurs or other mechanisms for monitoring the anti-trafficking activities of State institutions and the implementation of national legislation requirements")

The explanatory report of the Council of Europe Convention indicates that to be effective, action against trafficking in human beings must be coordinated. Article 29(2) stresses the need to coordinate policy and action of public agencies responsible for combating trafficking in human beings. Such coordination may be performed by specially established coordination bodies.

Paragraph 4 of the Convention provides that Parties shall consider appointing National Rapporteurs or other mechanisms for monitoring the anti-trafficking activities of State institutions and the implementation of national legislation requirements. The institution of a National Rapporteur has been established in the Netherlands, where it is an independent institution, with its own personnel, whose mission is to ensure the monitoring of anti-trafficking activities. It has the power to investigate and make recommendations to persons and institutions concerned and submits an annual report to the Parliament containing its findings and recommendations.

In the text and spirit of the Council of Europe Convention it is clear that these two national entities or institutions have different roles, competences and composition. "