



To NGO-representatives in all states that have ratified the Council of Europe Convention on Action against Trafficking in Human Beings: Albania, Armenia, Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, France, Georgia, Latvia, Malta, Moldova, Norway, Portugal, Romania and Slovakia.

Amsterdam, 23 July 2008

EXPERTS FOR GRETA: JOINT NGO ACTION FOR A STRONG MONITORING MECHANISM

Dear Colleagues,

We are writing to you in light of the recent developments around the Council of Europe Convention on Action against Trafficking in Human Beings and the forthcoming elections of the members of the independent monitoring body established under the Convention, *the Group of Experts on Action against Trafficking in Human Beings* (so-called GRETA).

The Convention

The Council of Europe Convention on Action against Trafficking in Human Beings entered into force on 1 February 2008. Your country is one of the countries that have ratified the Convention.

Anti-Slavery International, La Strada International and Amnesty International support the Council of Europe Convention for it creates a binding human rights instrument to effectively fight trafficking in human beings. It sets out standards to ensure the protection of the human rights of trafficked persons, including a recovery and reflection period for trafficked persons and renewable residence permits to victims of trafficking.

GRETA

Within a year after the coming into force of the Convention, the Group of Experts on Action against Trafficking in Human Beings (GRETA) - an independent mechanism to monitor the implementation of the treaty - will be elected by the States Parties to the Convention.

GRETA will be a technical body with the task of evaluating measures taken and adopting reports and conclusions on each Party's implementation of the Convention. GRETA shall have a minimum of 10 and a maximum of 15 members who are nationals of the States Parties to the Convention. Members will serve in their personal capacity and must be independent and highly qualified experts.

Because your country has already ratified the Convention it can nominate candidates for the elections of experts for GRETA and it is part of the 'Committee of the Parties' that will finally elect the members.

Importance of GRETA

La Strada International, Anti-Slavery International and Amnesty International believe that GRETA can become a very important and influential mechanism in the protection of the rights of trafficked persons and in that capacity, can promote the human rights based approach to combating trafficking in human beings.

Because the Council of Europe is a human rights institution, GRETA should, while monitoring the implementation of the Convention, specifically focus on the human rights dimension of anti trafficking

policies. This means that it would not only report whether specific protection measures are adequately implemented and actually granted to trafficked persons but also on how anti-trafficking policies in general affect the rights of trafficked persons and other concerned groups.

GRETA will adopt its own rules of procedure, determine its focus and means to carry out its duties. Therefore, the election of its members is of utmost importance. GRETA will be as strong as its members.

Election procedures

On 11 June the Council of Europe Committee of Ministers adopted a resolution setting out the rules for the election procedure for GRETA.

The procedure aims at guaranteeing the election of 10 to 15 experts in the fields covered by the Convention who will be independent and impartial in their evaluation of the implementation of the Convention by the States Parties. Moreover, the election procedure aims at guaranteeing multidisciplinary expertise and a gender and geographical balance in GRETA, as well as representation of the main legal systems.

The governments of the states parties to the Convention (Albania, Armenia, Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, France, Georgia, Latvia, Malta, Moldova, Norway, Portugal, Romania and Slovakia) have the right to nominate candidates for GRETA membership. The governments may submit to the Secretary General of the Council of Europe the names and the curricula vitae, using the model set out in the appendix to the Resolution, of at least two candidates. In order to help ensure gender balance among the members of GRETA, this should be at least one man and one woman. Member states are free to nominate more than two candidates. While the resolution does not exclude the nomination of civil servants or individuals who are otherwise employed in the public sector, it stresses that persons holding decision-making positions in government or any other organization or entity that may give rise to a conflict of interest shall not be eligible. Please follow this link for the full [resolution](#).

National selection procedures

The rules adopted by the Committee of Ministers also emphasize that each state party shall ensure that the national selection procedure leading to the nomination of candidates for GRETA is in accordance with published national guidelines or otherwise transparent and designed to lead to the nomination of the most qualified candidates.

States must submit their nominations to the Secretary General of the Council of Europe by 1 October 2008. The Committee of the Parties shall elect the members of GRETA by 1 February 2009 at the latest.

NGO involvement in the national procedures

In order for GRETA to become an effective and independent body that focuses on the (protection of the) rights of trafficked persons and affected groups, we need to work together as national and international NGO's to ensure that the best possible experts are elected to GRETA.

La Strada International, Anti-Slavery International and Amnesty International consider that the role of national NGOs will be crucial to push their government to ensure that national procedures for the identification and selection of independent and suitably qualified candidates will be open and transparent as required under the rules on the election procedure adopted by the Committee of Ministers.

To ensure transparency, openness, inclusiveness and fairness, as well as to encourage applications from a broad range of people who meet the requirements of competence, expertise and independence, the nomination process must be widely publicised.

The call for nominations should clearly set out:

- The role, function and working methods of GRETA.
- The requisite skills, qualifications and competencies required.
- The procedure for application and the format for CVs.
- The closing date for applications.

National working group or selection committee

La Strada International, Anti-Slavery International and Amnesty International consider that states should consult civil society throughout the process of identifying and selecting candidates. Before issuing the advertisement, states should seek comments and input from civil society on the procedure and criteria for nomination and the selection of applicants, and the content and placement of the advertisement of the call for candidates. Those consulted should include professional associations, human rights organizations and other organizations actively working on issues covered by the Convention.

A good way to accomplish the involvement of civil society and competent professionals would be to set up a multidisciplinary working group or a selection committee composed of representatives of the state party, relevant non-governmental organizations, professional associations and other organizations competent in the areas covered by the Convention. Such a selection committee should review and – if necessary – further specify the requirements potential candidates must meet, review applications, solicit further information or conduct interviews with applicants if required, and make final recommendations for the appointment of nominees.

Alternative working group

If states are not willing to establish such an inclusive working group or selection committee, national NGOs should consider setting up alternative working groups to identify and to encourage applications from highly qualified candidates from a range of professional backgrounds. The working group could contribute to obtaining applications of highly qualified candidates by circulating the advertisement as widely as possible to relevant NGOs, academia, professional associations and other organizations and submitting its recommendations for nominations to the government.

International coordination and information-sharing among NGOs

With a view to facilitate joint and coherent action throughout the states parties to the Convention and to support campaigning at the national level, La Strada International, Anti-Slavery International and Amnesty International would be happy to collect information on NGO actions taken at the national level, measures taken by states parties to ensure open and transparent procedures at the national level for the identification and selection of independent and highly qualified candidates and to share these with the NGOs involved. The collected information can provide a basis for identifying good practices and a resource of mutual learning and effective campaigning or joint lobbying.

Should your organization consider getting involved in such campaigning or carry out any activities in this respect, we would be most grateful to receive your feedback. Once we have received a reply from you, we will forward you further documentation and we will be glad to discuss ways in which we can support you in your initiatives.

Do not hesitate to get in touch in case you have questions, require assistance or advice, or if you wish to discuss further specific ideas or campaigning activities.

We look forward to hearing from you and working together.

Best regards,

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