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Trafficking in Persons Report 2017 - Country Narratives - Greece

GREECE: Tier 2

The Government of Greece does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Greece remained on Tier 2. Despite Greece's economic crisis and the influx of refugees and migrants to the country, which placed a significant strain on government resources, the government demonstrated increasing efforts by operationalizing a national referral mechanism and organizing working groups to establish roles and responsibilities for relevant actors. The Office of the National Rapporteur on Human Trafficking continued to coordinate government wide anti-trafficking efforts, including the annual anti-trafficking awareness festival, attended by more than 6,000 people. The Anti-Trafficking Unit (ATU) continued proactive victim identification efforts and maintained excellent cooperation with NGOs. However, the government did not meet the minimum standards in several key areas. The government decreased investigations, prosecutions, and convictions. The government conducted inadequate or hasty screening procedures and vulnerability assessments at migrant entry points and camps. No victims to date have received compensation or received restitution from their traffickers. Court proceedings took years, hindering cooperation from victims and key witnesses.

RECOMMENDATIONS FOR GREECE

Vigorously investigate, prosecute, and convict traffickers, including officials complicit in trafficking; increase efforts to identify trafficking victims among vulnerable populations and refer them to specialized services; provide advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions; establish formal procedures for the national referral mechanism, including formalizing NGO and international organization services into the mechanism; train first responders on victim identification and the national referral mechanism; strengthen specialized services including shelter and psycho-social support for adult male and child victims; employ witness protection provisions already incorporated into law to further encourage victims' participation in investigations and prosecutions; allocate adequate funds towards a compensation fund and inform victims of their right to compensation; and draft a national action plan for combating trafficking.

PROSECUTION

The government decreased law enforcement efforts. Law 3064/2002 and Presidential Decree 233/2003 prohibit both sex trafficking and forced labor and prescribe punishments of up to 10 years imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Police investigated 25 cases involving 97 suspected traffickers, compared to 32 cases in 2015. Of these, 18 were sex trafficking cases and seven forced labor cases (26 sex trafficking cases and six forced labor cases in 2015). The government prosecuted 32 defendants (117 in 2015), 25 of these for sex trafficking and seven for forced labor (97 for sex trafficking and 20 for forced labor in 2015). The government convicted nine traffickers (34 in 2015). Sentences ranged from 10 to 15 years imprisonment plus fines from €10,000 (\$10,540) to €100,000 (\$105,370). The courts issued suspended sentences in 19 cases. Observers reported court proceedings could take years, hindering cooperation from victims and key witnesses. Observers reported lawyers went on strike from January 2016 to June 2016, which halted or slowed all court proceedings. Severe budgetary constraints stemming from Greece's seven-year financial crisis continue to impact police efforts.

The Hellenic Police Unit maintained an ATU within the organized crime division composed of two units in Athens and Thessaloniki that investigated trafficking and 12 smaller units across municipalities investigating trafficking and also organized crime related offenses. ATU officers continued to use advanced investigative techniques and regularly inspected brothels, bars, and massage parlors. NGOs continued to report excellent cooperation with the ATU. The government trained front-line officers, including border police and coast guard, on trafficking issues and the ATU provided regular seminars and presentations at the police academy on trafficking; however, observers reported non-specialized law enforcement and government officials lacked an understanding of how emotional control or psychological coercion can be used to gain consent from a victim. The government prosecuted two police officers involved in an organized criminal group that sexually exploited women. One was charged with membership in an organized criminal group, sexual exploitation, and "breach of faith and abuse of power," and the other with "breach of faith and abuse of power" and customs law violation. The government extradited three suspected traffickers to Switzerland and prepared extradition for two individuals to Mexico and Albania. In March 2017, the European Court of Human Rights ruled that Greece failed to protect 23 Bangladeshi laborers on a strawberry farm near the town of Manolada in a forced labor case in 2013. The court found Greece to be in violation of article 4 § 2 of the European Convention on Human Rights and ordered Greece to pay out more than half a million euro for neglecting their exploitation.

PROTECTION

The government slightly increased victim protection efforts. Police identified 46 trafficking victims, compared to 57 in 2015; 26 were subjected to sex trafficking, including five children, and 20 to forced labor, including 11 children (34 to sexual exploitation, including four children, and 23 to forced labor in 2015). Eleven victims were Greek and 35 were foreign citizens. The government was unable to determine how much funding was spent exclusively on victim protection, and NGOs expressed concerns regarding government funding shortfalls caused by Greece's seven-year economic crisis and fiscal measures imposed as part of its international bailout.

First responders followed standard operating procedures for identifying victims. Observers reported NGOs and the ATU conducted the majority of proactive victim identification efforts. The government, separately and in cooperation with international organizations and NGOs trained law enforcement, immigration officers, social service workers, labor inspectors, and health workers on identifying trafficking victims, including potential victims among refugees and migrants; however, observers reported inadequate or hasty screenings procedures and vulnerability assessments at migrant entry points and camps. NGOs reported a lack of proactive identification efforts among vulnerable unaccompanied children. For example, observers reported unaccompanied children, particularly from Afghanistan, engaged in survival sex in Athens and were extremely vulnerable to trafficking. Public prosecutors officially certify victims, which entitles them to a residency and work permit; potential victims without this recognition had access to equal support and assistance. Public prosecutors officially certified four victims.

The government operationalized a national referral mechanism and organized working groups to establish roles and responsibilities among law enforcement, government agencies, and NGOs. The government, in cooperation with NGOs, provided shelter, psychological support, medical care, legal aid, and reintegration support. Despite excellent cooperation with the ATU, NGOs reported law enforcement generally demonstrated reluctance to refer victims to NGO-run support services due to a lack of formalized referral procedures incorporating NGOs. Observers reported a lack of specialized shelters for trafficking victims; only one NGO-run shelter provided shelter specifically for female trafficking victims. The government provided shelter and general support services to trafficking victims through two agencies: (1) the General Secretariat for Gender Equality operated 19 shelters and 40 counseling centers for female victims of violence and (2) the National Social Solidarity Center operated two long-term shelters, one of which had an emergency section, an emergency shelter, and two social support centers for vulnerable populations in need of assistance. Observers reported victims in rural areas had little access to support services and were often accommodated in police stations, hospital wards, or received no assistance. Male victims could be accommodated in an NGO-run shelter for sexually exploited men or short-term government shelters for asylum-seekers or homeless persons. Child victims were sheltered in government-run shelters, NGO shelters, and facilities for unaccompanied minors, but were not housed in specialized facilities for trafficking victims. The government signed a cooperation agreement with three NGOs to house, protect, and assist vulnerable women and children, including trafficking victims, and allocated three buildings to use as shelters. The government trained police on preventing child trafficking and protecting unaccompanied minors. The government did not detain, jail, incarcerate, fine, or otherwise penalize trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

The government provided victims with a reflection period so they could determine if they wanted to cooperate in investigations. The government did not provide funding for travel and other expenses to attend court hearings; however, NGOs provided some victims with legal support and funding for travel expenses. The law also provides for the presence of mental health professionals when victims are testifying and the use of audiovisual technology for remote testimony, but many courts lacked the capabilities to deploy these resources and many judges continued to require victims to appear in court. The law provides for witness protection to victims during trial; however, observers reported no trafficking victims have received full witness protection privileges to date, while authorities stated no victims requested such protection. Observers reported traffickers may have paid bribes to repatriated trafficking victims to preclude them from testifying. Official victim status provided foreign victims one-year, renewable residence and work permits. Victims who did not apply for

official recognition could receive a residence and work permit by applying for asylum on humanitarian grounds; the government issued 23 residence permits to female trafficking victims in 2016. Observers reported the process to receive residence permits took time but the government granted victims a temporary document that prevented deportation or detainment. The law entitles victims to file civil suits against traffickers for compensation; however, no victims to date have received compensation or received restitution from their traffickers. The government reported trafficking victims have never applied for compensation.

PREVENTION

The government maintained efforts to prevent trafficking. The government had no national action plan exclusively for anti-trafficking efforts. The Office of the National Rapporteur on Human Trafficking (ONRHT) continued to coordinate government wide anti-trafficking efforts despite lacking sufficient resources. The government monitored anti-trafficking efforts and provided assessments to foreign governments, NGOs, and international organizations; however, the government did not make assessments publicly available. The government reinstated the parliamentary sub-committee on trafficking issues and held the first meeting in June. The development of a national database for trafficking statistics remained pending during the reporting period. The government organized and funded its second national two-day anti-trafficking awareness festival, attended by more than 6,000 people. ONRHT reported, after the festival, that the hotline and police received an increase in calls reporting trafficking offenses, including clients of prostitution reporting possible trafficking victims within brothels. The government organized a series of annual anti-trafficking seminars for civil servants. The government provided airtime for free public service announcements by NGOs and government agencies on trafficking issues. The government continued efforts to reduce the demand for commercial sex and forced labor. The government provided anti-trafficking guidance for its diplomatic personnel and manuals on identifying trafficking victims to facilitate granting visas.

TRAFFICKING PROFILE

As reported over the past five years, Greece is a destination, transit, and, to a very limited extent, source country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. Some women and children from Eastern and Southern Europe, South Asia, Nigeria, and China, are subjected to sex trafficking in unlicensed brothels, on the street, in strip clubs, massage salons, and hotels. Victims of forced labor in Greece are primarily children and men from Eastern Europe, South Asia, and Africa. Migrant workers from Bangladesh, Pakistan, and Afghanistan are susceptible to debt bondage, reportedly in agriculture. Some labor trafficking victims enter Greece through Turkey along irregular migration routes from the Middle East and South Asia. Economically marginalized Romani children from Albania, Bulgaria, and Romania are forced to sell goods on the street, beg, or commit petty theft in Greece. The increase in unaccompanied child migrants in Greece has increased the number of children susceptible to exploitation. Some public officials have been investigated for suspected involvement in human trafficking.

During the reporting period, Greece continued to experience a wave of migration from the Middle East, Africa, and Asia, consisting of a mix of asylum-seekers, potential refugees, economic migrants, and populations vulnerable to trafficking, among others. One international organization estimated Greece received more than 170,000 migrants and asylum-seekers in 2016; some of these

individuals, such as unaccompanied children and single women, are highly vulnerable to trafficking. Unaccompanied children, primarily from Afghanistan, engage in survival sex and are vulnerable to trafficking. Recruiters target migrants in refugee camps from their own countries. Most migrants and asylum-seekers are believed to rely on smugglers at some point during their journey and in some instances are forced into exploitation upon arrival in Greece.