

Crime prevention policy	
EU- priority	Trafficking in Human Beings
Country	GREECE
Years	2016 - 2017

1. Overview of the field

Definition of the crime

Greece has ratified the three fundamental legal instruments against THB:

1. The UN Convention against Transnational Organized Crime and its Protocols – the “Palermo Protocol”: Law 3875/2010 (158/A’/2010)
2. The Transposition of the 2011/36/EU Directive with the Law 4198/2013 (215/A’/2013). The new Law establishes the Office of the National Rapporteur (MFA) and gives an official mandate of accountability to the informal Coordination Mechanism of competent Ministries, International Organisations and accredited NGO’s. This is promoting a better cooperation between the competent authorities and stakeholders, and facilitates the “national ownership” of internationally recognized 'best' practices” for combating THB.
3. The Council of Europe Convention on Action against Trafficking in Human Beings with the Law 4216/2013 (266/A’/2013)

Trafficking in human beings includes three components: an action (“the recruitment, transportation, transfer, harboring or receipt of persons”); the use of certain means (“threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person”) and the purpose of exploitation (“at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”). In the case of children, pursuant to Article 4(c) of the Convention, it is irrelevant whether the means referred to above have been used.

In Greece, THB is criminalised through two separate provisions of the Criminal Code (CC), Article 323A and Article 351, as follows:

Article 323A

“1. A person who, by the use of force, threat of force or other coercive means, or by imposition or abuse of power, or by abduction, recruits, transports, transfers inside or outside the territory of the country, retains, harbours, delivers with or without a benefit a person to another person, or receives a person, with the purpose of removing cells, tissues or organs of a person or exploiting the labour or begging or forced marriage thereof, shall be punished by a maximum penalty of 10 years’ imprisonment and by a fine of ten thousand to fifty thousand euros.

2. The perpetrator shall be punishable according to the penalties stipulated in the previous paragraph if, in order to achieve the same goal, he/she achieves the consent of a person by fraudulent means or deceives this person by exploiting his/her position of vulnerability by making promises, gifts, payments or giving other benefits.

3. A person who knowingly accepts the labour of a person who is under the conditions described in paragraphs 1 and 2 is liable to a penalty of at least six months’ imprisonment.

4. The perpetrator in accordance with the previous paragraphs shall be punished by a penalty of at least 10 years of imprisonment and a fine of fifty thousand to one hundred thousand euros, if the act:
 - (a) is against a minor or a physically or mentally disabled person,
 - (b) is carried out in a repetitive manner,
 - (c) is committed by an official who during the performance of their duty or by abuse of power commits or participates in any manner in the act, or
 - (d) had as a result a particularly grave injury or exposed the life of the victim to great danger.
5. A person who uses any of the means listed in paragraphs 1 and 2 in order to recruit a minor for use in an armed conflict shall be punishable by a penalty of at least 10 years' imprisonment and a fine of fifty thousand to one hundred thousand euros.
6. The perpetrator shall be punished by life imprisonment if the offence resulted in the person's death."

Article 351

1. A person who, by the use of force, threat of force or other coercive means, or by imposition or abuse of power, or by abduction, recruits, transports or transfers within or outside the country's territory, retains, harbours, delivers with or without benefit a person to another person or receives a person from another person with the purpose of sexual exploitation either by himself or by another person, shall be punished by a maximum penalty of 10 years' imprisonment and a fine of ten thousand to fifty thousand euros.
2. The perpetrator shall be punishable according to the penalties stipulated in the previous paragraph, if, in order to achieve the same goal, he/she achieves the consent of the person by fraudulent means or deceives them by exploiting their position of vulnerability by making promises, gifts, payments or giving other benefits.
3. Any person who knowingly performs a sexual act with a person who is under the conditions described in paragraphs 1 and 2 shall be punished by a penalty of at least six months' imprisonment.
4. The perpetrator in accordance with the previous paragraphs shall be punished by a penalty of at least 10 years' imprisonment and a fine of fifty thousand to one hundred thousand euros, provided that the act:
 - (a) is against a minor or is linked to the mental deficiency of the person,
 - (b) was committed by one of the persons referred to in Article 349(2)(c),
 - (c) is linked to the illegal entry, stay or exit of the victim from the country,
 - (d) is carried out in a repetitive manner,
 - (e) is committed by an official who, while on duty or by abuse of power commits or participates in any manner in the act, or
 - (f) had as a result the grave bodily injury of the victim.
5. If any of the acts of the first and second paragraphs had as a result the death of the victim, life sentence shall be imposed.
6. Sexual exploitation in the meaning of the previous paragraphs consists in committing sexual acts for profit or using the body, voice or image of a person for the actual or virtual commission of such acts or for the supply of labour or services for sexual arousal

Assessment of trends and developments

Greece is predominantly a country of destination and transit of victims of trafficking in human beings, but to a certain degree also a country of origin.

THB victims arrive to Greece from other EU Member States (e.g. Eastern Europe and post-Soviet Union countries) and/or third countries (e.g. South-East Asia and Sub-Saharan Africa). Furthermore, there is a significant number of identified victims of Greek citizenship (domestic trafficking).

The dominant form of THB is sexual exploitation, followed by labor and begging exploitation.

A further analysis of the cases shows that **sexual exploitation** takes place:

- by escort services
- at brothels
- street prostitution
- at night clubs (strip show)
- at massage places.
- in rural areas where there is a large concentration of foreign workers, to which the demand for sexual services is in a high level.

Labor exploitation takes place in agricultural areas and **begging exploitation** takes place in large cities and at islands/places with intense tourist traffic during the summer period.

Female victims are trafficked mainly for the purpose of sexual exploitation, while male victims are recruited for labor exploitation. In the case of exploitation of begging, the victims are both men and women.

With regard to **minors victims** of trafficking in human beings, the main purpose was sexual exploitation, followed by begging exploitation.

In all cases, perpetrators were able to recruit victims by exploiting their vulnerability, with false promises to find a job with satisfactory earnings. The fact that the largest proportion of victims came from EU Member States has facilitated their transfer from the country of origin to the country of exploitation.

Recent overview of statistics and research

Victims of THB, for a period of time 2016-2017, based on Type of exploitation, and Nationality

Type of Exploitation /Year/ Nationality	Labor Exploitation		Begging Exploitation		Sexual Exploitation	
	2016	2017	2016	2017	2016	2017
Greek			4		7	4
Albanian					4	2
Afghanistan	1					4
Bulgarian	1			3	3	3
Moldovian					2	8
Nigerian					1	
Hungarian					1	
Ukrainian					2	2
Romanian	7		7		6	9
Russian						3

Victims of THB, for a period of time 2016-2017, based on Gender and Nationality

Year/Gender/ Nationality	2016		2017	
	Male	Female	Male	Female
Albanian		4		2
Afghanistan	1			4
Bulgarian		4	3	3
Greek	3	8		4
Moldovian		2		8
Nigerian		1		
Hungarian		1		
Ukrainian		2		2
Romanian	12	8		9
Russian				3

Perpetrators of THB, for a period of time 2016-2017, based on Type of exploitation, and Nationality

Type of Exploitation /Year/ Nationality	Labor Exploitation		Begging Exploitation		Sexual Exploitation	
	2016	2017	2016	2017	2016	2017
Unidentified	1				6	10
Albanian					6	33
Afghanistan						3
Venezuelian						2
Bulgarian	1			1	5	10
Germanian					1	
Greek	3		5		38	64
Kolombian						5
Cypriot					1	
Moroccan						1
Moldovian					1	4
Bangladesh					1	
Nigerian					4	
Hungarian					2	
Ukrainian					5	2
Pakistani	4					2
Romanian	1		3		10	8
Russian						2
Syrian					1	

Perpetrators of THB, for a period of time 2016-2017, based on Gender and Nationality

Type of Exploitation /Year/ Nationality	2016		2017	
	Male	Female	Male	Female
Albanian	6	--	29	4
Afghanistan	--	--	3	--
Venezuelian	--	--	--	2
Bulgarian	3	3	6	5
Germanian	--	1	--	--
Greek	30	16	52	12
Kolombian	--	--	--	5
Cypriot	1	--	--	--
Moroccan	--	--	1	--
Moldovian	1	--	2	2
Bangladesh	1	--	--	--
Nigerian	2	2	--	--
Hungarian	1	1	--	--
Ukrainian	1	4	--	2
Pakistani	4	--	2	--
Romanian	13	1	4	4
Russian	--	--	--	2
Syrian	1	--	--	--

As it has already been mentioned, the most common form of THB in Greece is sexual exploitation. Sexual exploitation takes place in illegal brothels, in the context of street prostitution or “sex-work appointments” in private space (e.g. hotels, apartments), in nightclubs organizing “strip show” events, and in enterprises offering wellbeing services such as massage. Forced labor cases are more often observed in the agricultural sector, while forced begging takes place in large urban cities as well as in touristic islands during summer.

The modus operandi was nearly identical in most of those cases that presented typical characteristics of a transnational organized crime: a clear distribution and distinction of roles was observed in all phases of the criminal activities, namely, recruitment, transportation and exploitation. In the countries of origin, particular members of the organized group were responsible for recruiting victims. In most cases, recruitment took place by exploiting the vulnerable position and the adverse financial condition of the victim. Traffickers would gain the consent of the victim by promising satisfactory jobs and earnings. Sometimes, the recruiter would travel together with the victim to Greece. Upon arrival, a different person would receive and exploit them victim. The involvement of Greek citizens in such transnational organized criminal groups was also observed.

2. Crime strategy and coordination

Objectives of the crime strategy

Greece continues to work hand in hand with the European Union's Coordinator and our EU partners to enforce the full implementation of the EU Strategy and Directives. Greece endorses a consistent human rights roadmap based on the four 'P' approach (Prevention, Protection, Prosecution, Partnership) as the only effective policy:

- to a more sensitive and inclusive identification and protection regime for the victims
- to tackle criminal networks
- to promote international cooperation
- to implement a comprehensive, multi-agency framework for state and civil society stakeholders
- to reduce demand and promote prevention through targeted awareness raising campaigns.

Role of prevention in the crime strategy on state/regional/local level

Greece systematically works towards creating a solid preventive, protective and prosecutorial framework, necessary for confronting and eliminating human trafficking. Enhanced efforts have been made to respond to the problem, including:

- legislative reforms,
- inter-agency coordination in Identification of victims and Prosecution,
- inter-agency coordination in victim Protection
- allocation of funding to the prevention and combating of THB, and
- implementation of awareness raising campaigns.

Implementation of the policy (which level is responsible for the implementation and how is the implementation coordinated?)

The Office of the National Rapporteur on Trafficking in Human Beings was established under Article 6 of Law 4198/2013 transposing Directive 2011/36/EU. It is subordinated to the Central Service of the Ministry of Foreign Affairs and is headed by the National Rapporteur on Trafficking in Human Beings, who is an official of this Ministry. ***The Office is designated as the national co-ordinating body*** in the fight against THB and is tasked with the coordination of the activities of the competent authorities and civil society actors as regards prevention of THB, protection of victims of trafficking and prosecution of the perpetrators, as well as representing Greece at relevant international fora.

Through systematic advocacy and key collaborations with competent Authorities and civil society organizations, the Office has contributed to the inclusion of prevention and combat of THB in the political agenda of most Ministries.

Stakeholders (working groups, specialised agencies, partners, etc)

1. **Hellenic Police**

There are two specialised Anti-Trafficking Units, in Attica and Thessaloniki, within the

Organised Crime and Human Trafficking Sub-directorates of the Police Security Directorate. In addition, 12 anti-trafficking divisions have been set up in regional General Police Divisions across the country.

The Greek authorities have indicated that combating human trafficking is a priority in the Criminal Policy Programme 2015-2019 of the Hellenic Police. The Department of Public Safety of the Headquarters of the Hellenic Police monitors the evolution of THB at strategic level and may provide instructions, guidance and targeted training.

2. Public Prosecutor's Office

The Public Prosecutor's Office plays a key role in the Greek anti-trafficking system because it is the only authority that can formally identify a person as a victim of trafficking, either as part of criminal proceedings when victims agree to assist in the investigation/prosecution or through a separate identification procedure when victims do not want to or cannot cooperate in the investigation.

3. Labour Inspectorate

4. National Centre for Social Solidarity (EKKA)

The National Centre for Social Solidarity (EKKA) is an agency which comes under the Ministry of Labour, Social Insurance and Social Solidarity. EKKA co-ordinates the provision of social support services to persons, families and groups of the population in crisis situations or in need of emergency social aid, including victims of trafficking. EKKA runs two shelters for women and girls victims of violence, which can accommodate victims of trafficking, and two emergency shelters as well as the telephone helpline for emergency social aid (197). EKKA also co-ordinates the provision of accommodation to unaccompanied children.

By Government Decision 30840 of 29 June 2016, EKKA was designated to be the managing agency of the National Referral Mechanism for victims of trafficking.

5. Permanent Consultation Forum, NGOs, other members of civil society and international organisations.

A Permanent Consultation Forum has been created as a framework for exchange between the Office of the National Rapporteur and representatives of 11 NGOs specialised in the field of combatting THB.

Participation in European/ international networks, working groups, etc.

Training of professionals on first-level identification is an intrinsic part of Greece's anti-trafficking policy. The Office of the National Rapporteur steps up efforts to facilitate capacity-building activities through a strategic partnership with the State Institute of Training (National Center of Public Administration & Local Government) for the implementation of annual anti-trafficking seminars. Cooperation with leading international organizations, namely the UNODC, resulted in a number of specialized trainings for law enforcement and front-line professionals.

Hellenic Police recognizes the importance of continuously and updated trainings, as a corner stone in all efforts to combat THB.

Taking that into consideration, staff of Hellenic Police took part, inter alia, has participated:

- a) (95 police officers as trainees and 03 as trainers) in trainings organized by the Institute of Child Health (in Orestiada, Lesvos, Chios, Athens and Thessaloniki) on the identification and protection of minors victims of trafficking,
- b) (44 police officers as trainees) in trainings organized by the NGO A21 (Larissa, Chios) on sensitization/identification and protection of victims of THB,
- c) (01 officer) in an event organized by the European Union Agency for Fundamental Rights-FRA on forced labour,
- d) (1 police officer as trainer) in trainings organized by FRONTEX on human trafficking which addressed border guards,
- e) (140 officers) in training carried out through videoconference on “managing cases of THB” which was organized by the Hellenic Police Headquarters,
- f) in a conference organized by the Department of Public Security, Hellenic Police Headquarters on THB aiming to optimize the identification, the investigation of recruitment cases for the purpose of exploitation (also participated the Office of the National Rapporteur, EKKA, Police Officer from the Romanian police, and an Expert from Russian Embassy),
- g) (1 police officer) in an international conference on links between THB and forced marriages (carried out in Riga, Latvia),
- h) (01 police officer as trainer) in trainings organized by FRONTEX together with IOM, UNHCR and EASO on Train the trainers in THB-related issues (Montenegro, 4-6/10 & 6-8/12 2016),
- i) (01 police officer as trainer) in internal training organized by IOM for newly appointed staff, among others.

3. Good practices

Overview of recent good practices, prevention programs, etc.

The development of the National Referral Mechanism

The most important development on identification, protection and assistance for victims of THB is the construction of the National Referral Mechanism (Ministerial Decision 30840/20.9.2016). After the Ministerial Decision for the development of the NRM, competent public authorities from Athens and Thessaloniki, 17 NGOs and two international organizations were invited to discuss and decide, in small working groups, on Standard Operating Procedures for the NRM, the questionnaires to be filled in by the professionals, victims' consent forms, etc. EKKA, as administrator, coordinated all working groups and led the process.

The establishment of the NRM will promote the first-level identification of victims of THB and will coordinate the provision of services allowing for a tailor-made assistance plan for each victim of THB. The NRM subscribes to a more inclusive identification regime that brings-in additional professionals and stakeholders into the screening and identification of victims of THB.

Join Special Operations

Common actions of the Greek Labor Inspectorate (SEPE) along with Greek Police aimed at combating trafficking in human beings for labor exploitation, organized by Europol and implemented by MS, under the EMPACT priority of eliminating THB for labour exploitation (through Joint Action Days), could be considered as a good practice, focusing in increasing interoperability of relevant authorities in combating THB.

Awareness Raising Campaigns and demand reduction

Greece has embarked on large-scale campaigns to reduce 'Demand' for services or products extracted from THB victims. In this context, as a good practice of effective collaboration between the State and the Private Sector to prevent and combat THB is the public awareness Campaign "BREAK THE CHAIN" – a product of a large partnership coordinated by the Office of the National Rapporteur and constituted by multiple stakeholders; most of them from the Private Sector. The Campaign "BREAK THE CHAIN" is an on-going awareness-raising platform that brings in the private and the cultural sector into a strategic partnership with the anti-trafficking community in Greece. Part of the Campaign is the "Break the Chain Festival", an international two-day multidisciplinary festival against Human Trafficking, aimed at addressing the general public that is not familiar with the phenomenon of human trafficking, through a trans-media concept of events that combine culture and art with awareness raising and social activism. In 2017, the 3rd Break the Chain Festival was organized on the 2nd of December, focusing on forced labor. All three festivals (2015, 2016, 2017) attracted large audiences as well as strong publicity from mass and social media.