

Trafficking in Persons Report 2011

GREECE (Tier 2)

Greece is a transit and destination country for women and children subjected to sex trafficking and for men, women, and children who are in conditions of forced labor. The Greek government and NGOs report female sex trafficking victims originate primarily in Eastern Europe, the Balkans, Nigeria, and Central Asia. One NGO reported teenage males, typically unaccompanied children from Afghanistan, Pakistan, Somalia, and other countries in sub-Saharan Africa, are subjected to prostitution in Greece. Ninety percent of all illegal migrants entering the EU currently enter through Greece, a trend that poses additional challenges to Greek authorities in monitoring severe forms of trafficking. Greek police report a trend in which traffickers used psychological abuse and threats of financial harm instead of physical force as tools of coercion in attempts to evade legal prosecution. Forced labor victims found in Greece originated primarily in Albania, Romania, Bulgaria, Moldova, Afghanistan, Pakistan, India, and Bangladesh, and reportedly were forced to work primarily in the agriculture or construction sectors in debt bondage. Greek police estimated there likely are hundreds of forced labor victims in Greece. NGOs reported children, mainly Roma from Albania, Bulgaria, and Romania, were forced to sell small items, beg, or steal. Unaccompanied minors, many of whom paid large smuggling fees, remained highly vulnerable to human trafficking.

The Government of Greece does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Following its ratification of the 2000 UN TIP Protocol, the Greek government enacted comprehensive victim-centered legislation that includes stronger tools such as: a lengthened reflection period; increased flexibility in victim certification; and improved temporary and long-term residency options for trafficking victims. During the year, the government sustained its progress in prosecuting labor and sex trafficking offenses and disrupting major trafficking networks by using advanced investigative techniques in collaboration with international partners and local entities. Law enforcement agencies responded to trafficking cases in a manner consistent with the vigorous investigation and prosecution of these crimes. The Ministry of Justice did not report any suspended sentences given to convicted trafficking offenders. Nevertheless, the government's *de facto* provision of victim protection remained weak. Greek police arrested 246 trafficking offenders in the last year, but officially certified only 30 victims for victim care during the same time period. In the face of financial restrictions, government funding of victim protection efforts and shelters remained limited. The judiciary continued to suffer from structural and legal inefficiencies that resulted in low conviction rates for most prosecuted offenders. NGOs alleged instances of unethical behavior by defense lawyers, which reportedly further slowed the judicial process and subjected affected victims of trafficking to threats. One high-profile police complicity case has remained unresolved since 2006.

Recommendations for Greece: Take appropriate measures to improve success rates and more expedient resolution of trafficking prosecutions, such as increased specialization; vigorously prosecute trafficking offenders with a view to increasing convictions, including against officials complicit in trafficking; encourage victims to participate in criminal trials by incorporating incentives such as restitution or other benefits into trials and providing enhanced protections for victims who testify; collect and provide data on length of sentences for trafficking convictions; encourage sustainable funding for

anti-trafficking NGOs; ensure victims of trafficking are certified under the government program and offered assistance and deportation relief available under Greek law; ensure access to specialized assistance for child victims and adequate protection for male victims; strengthen the central authority to coordinate and monitor anti-trafficking efforts, giving it a mandate of accountability within the inter-ministerial process; and renew public awareness campaigns targeted toward a Greek audience, including potential clients of the sex trade and consumers of the products made and services provided as a result of forced labor.

Prosecution

The government sustained its progress on trafficking prosecutions this year, although structural delays in Greece's judicial system continued to impair its effectiveness and accountability in trafficking cases. Greek Law 3064/2002 and Presidential Decree 233/2003 prohibit trafficking for both sexual and labor exploitation and prescribe punishments of up to 10 years' imprisonment, fines of \$14,000 to \$70,000, and imprisonment up to life in aggravated cases. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

The police conducted 62 human trafficking investigations in 2010, compared with 66 investigations in 2009. Fifteen of these investigations concerned forced labor, similar in number to the 14 cases of forced labor investigated by authorities in 2009. The police reported that labor trafficking cases remained difficult to investigate because evidence of force or coercion was difficult to uncover and because labor trafficking victims were reluctant to self-identify. In 2010, authorities arrested and charged 246 suspected trafficking offenders.

Greek authorities reported 28 new convictions of trafficking offenders this year, 14 acquittals, and 46 ongoing prosecutions in 2010, compared to 32 convictions, 12 acquittals, and 42 ongoing prosecutions in 2009. Courts affirmed 27 convictions and reversed two convictions on appeal during the reporting period. The Ministry of Justice did not report any suspended sentences in 2010. Sentences for convicted trafficking offenders ranged from one to 15 years' imprisonment. There were reports that some judges did not understand trafficking offenses, which contributed to the slow resolution of trafficking cases and convictions on lesser charges.

According to NGOs, Greek authorities allegedly failed to address instances of unethical behavior by traffickers' lawyers, which in turn reportedly impaired successful resolution of some trafficking cases. NGOs reported that in some instances traffickers' lawyers attempted to buy the testimony of trafficking victims and that victims refused to testify out of fear of retribution. The government reported it discharged, investigated, and prosecuted all law enforcement officers alleged to be complicit in trafficking; these complicity prosecutions and the majority of judicial proceedings were slow to be resolved due to structural delays in the judicial system. For example, the government reported discharging from duty, investigating, and charging two officers allegedly involved in a high-profile case in December and that several trafficking prosecutions of allegedly complicit officers continued in court. However, in one case cited in the 2008 TIP Report in which a trafficking victim was allegedly raped while in police custody in 2006, the three police officers suspected of the crime remained free on bail as their court case remained indefinitely postponed this year.

The police anti-trafficking unit achieved significant successes this year in dismantling complex international trafficking rings involving large numbers of defendants. In 2010, the Greek Anti-Trafficking Police reported cooperating with Italy, Romania, Russia, Albania, and Bulgaria on trafficking cases. The government continued to train front-line law enforcement officers on identifying trafficking victims and investigating trafficking cases.

Protection

The government made significant improvements protecting victims of trafficking this year, particularly through its legislative structure, though it certified few victims of trafficking relative to the number of victims identified. In September 2010, following the Greek government's ratification of the 2000 UN TIP Protocol, the government passed comprehensive victim-centered legislation. Among other provisions, the new law increased the reflection period for trafficking victims from 30 days to three months for adults and five months for children, clarified that victims of trafficking were ineligible for deportation, and made victims eligible for translation services and free legal aid. In January 2011, new asylum legislation stipulated that even if victims of trafficking do not cooperate with police, they are entitled to receive residency permits subject to the prosecutor's victim certification. The Ministry of Interior reported that it granted legal residency permits to 87 trafficking victims – 21 were new permits and 66 were renewals. The National Center for Social Solidarity in the Ministry of Health (EKKA) operated a hotline for victims of abuse, including trafficking victims. In March 2011, the Interior Ministry General Secretariat for Gender Equality launched a multilingual hotline to assist female victims of violence, including trafficking victims.

In part due to austerity measures, government funding to NGOs providing support to trafficking victims decreased by approximately 75 percent during the reporting period. As a result, NGOs reported unstable provision of victim support services, including shelter, legal aid, and hotline operation. In some areas of the country, NGOs operating without financial support from the government provided trafficking victims with shelter services. Nevertheless, the Government of Greece operated a mixed-use shelter to accommodate trafficking victims and victims of domestic abuse in Athens, and helped victims of trafficking find safe shelter in all areas of the country. The government did not detain involuntarily victims of trafficking in these shelters; they could leave unchaperoned and at will. NGOs reported anecdotally, however, that the government unevenly applied existing protection mechanisms, including the reflection period. In 2010, the Greek government officially identified 92 victims of sex and labor trafficking, in contrast to 125 victims of trafficking identified in 2009. Out of the 92 victims identified, only 30 received official certification as victims of trafficking. NGOs reported providing support or shelter to more than 800 victims or potential victims. The Ministry of Health continued to train doctors and nurses in identifying victims of trafficking in persons.

Prevention

The Government of Greece improved its prevention activities during the reporting period. While the government did not initiate new media public awareness campaigns, it continued to distribute informational material on trafficking, including an informational card in multiple languages at border checkpoints. In October, the government hosted an event to raise awareness against human trafficking in commemoration of EU Anti-trafficking Day, at which senior government officials spoke. In March 2011, senior government representatives hosted an awareness raising event featuring a film on

trafficking in persons. The Greek government hosted training courses on combating trafficking for law enforcement officers from Balkan countries. The government operated a mixed-use social services hotline that could receive trafficking calls. It also funded NGO efforts to exchange best practices on combating trafficking in Southeast Europe. The government made progress in national coordination this year; in October 2010, it announced a national action plan to improve the central monitoring and coordination of its anti-trafficking activities. The EKKKA and General Secretariat for Gender Equality hotlines provided information on trafficking prevention. During the reporting period, however, the National Coordination Mechanism headed by the Ministry of Foreign Affairs had the authority only to coordinate activities, but did not have a mandate of accountability. The government did not undertake projects to reduce the demand for commercial sex acts during the reporting period. In June 2010, Greece ratified the 2000 UN TIP Protocol.