

Committee of the Parties  
to the Council of Europe Convention  
on Action against Trafficking in Human Beings



CP(2020)02

**Report submitted by the authorities of Greece  
on measures taken to comply with  
Committee of the Parties Recommendation  
CP(2018)3 on the implementation  
of the Council of Europe Convention  
on Action against Trafficking in Human Beings**

**First evaluation round**

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**HELLENIC REPUBLIC**  
**MINISTRY OF FOREIGN AFFAIRS**  
**Office of the National Rapporteur**  
**on Trafficking in Human Beings**

Athens, 27 February 2020

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**Ms. Petya Nestorova**  
**Executive Secretary of the Council of Europe**  
**Convention on Action against Trafficking in**  
**Human Beings**

**Subject : Recommendation of the Committee of the Parties on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Greece.**

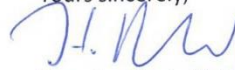
Dear Ms Nestorova,

Thank you very much for your letter dated 15 February 2018 on the follow up to recommendation CP(2018)3 of the Committee of the Parties on the implementation of the Convention by Greece.

It is my pleasure to submit herewith information on the measures taken by Greece to implement the proposals of GRETA listed in Appendix I of the report on the implementation of the Convention by Greece.

I look forward to continuing the dialogue and co-operation with GRETA with a view to pursuing the objectives of the Convention

Yours sincerely,

  
Heracles Moskoff, PhD  
National Rapporteur on THB



CP(2018)33

## Addendum

# List of GRETA's proposals concerning the implementation of the Convention by Greece

### Core concepts and definitions

**1. GRETA considers that the Greek authorities should ensure that THB for the purpose of exploitation of criminal activities is adequately covered in law and in practice.**

*The new article 323 A of the new Penal Code (Law 4619/2019, into force since July 1st, 2019) adds to the existing typology of trafficking and criminalizes the committing of criminal activities as a new form of exploitation.*

*Law enforcement authorities and welfare service providers are aware of this recent development, which is taken into consideration in the detection of cases of human trafficking.*

**2. In order to be fully consistent with the definition of THB in the Convention, GRETA urges the Greek authorities to:**

**- explicitly include servitude among the forms of exploitation resulting from human trafficking;**

**- ensure that the criminalization of trafficking in children fully reflects the provisions of Article 4 of the Convention.**

*The new Penal Code introduced the provision of article 323A, entitled "THB", which consolidates articles 323A and 351 of the previously existing PC, namely articles which standardize the offences of THB and sex trafficking. According to the explanatory memorandum of the new PC, the purpose of that consolidation is to make 'clear that the common value in jeopardy is personal freedom'.*

*The new provision of article 323A of the PC extends criminal liability in respect of acts which are consolidated and, therefore, also the scope of protection of the provision in relation to the preceding status, as follows:*

*First, the definition of 'exploitation' is extended to include - in addition to the forms listed in article 323A of the pre-existing PC - the subjection of the victim to servitude or servitude-like practices, the subjection of the victim to slavery or slavery-like practices, and the commission of criminal acts by it. It is clarified that the purpose of coercing the victim into marriage was already in 2018, a component of the special substance of the offence of THB, in accordance with the relevant provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, which was ratified by Law 4531/2018.*

*With regard, therefore, to points 1 and 2a of the Recommendations, it is clear that the objective of 'exploiting the criminal activities' of the victim and 'subjecting it to servitude' are included in the concept of 'exploitation' in article 323A par. (5) of the PC.*

*Second, the establishment of the offence of THB against a minor is separated from the use of force, threat of violence or other forms of coercion, the use of deceptive means or the exploitation of his or her vulnerable position, that is to say, the means of offence commission of paragraphs 1 and 2. In other words, recruitment, abduction, transportation, illegal withholding, harbouring, delivery or receipt of a minor for the purpose of exploitation shall constitute the act referred to in*

article 323A PC, even in cases where the offender does not use the means laid down in paragraphs 1 and 2 of the provision. In addition, article 323A par. (7) of the PC criminalises the coercion of minors into begging with a view to exploiting their revenue without the establishment of the act requiring the use of the means referred to in paragraphs 1 and 2.

With regard, therefore, to point 2b of the Recommendations, the provision of article 323A par. (4) of the PC is fully consistent with article 4 of the Council of Europe Convention on Action against Trafficking in Human Beings, which requires the dissociation of establishing the elements of THB from the use of the coercive and deceptive means of paragraphs 1 and 2 of the provision. Third, there is an increase in the sentence - up to at least three (3) years in prison and a fine - for those who receive services of trafficking victims, while the recruitment of trafficking victims, sexual intercourse with them and the receipt of revenue generated by their exploitation are classified as criminal offences punishable with the above sentence without the use of the coercive and deceptive means referred to in paragraphs 1 and 2 being compulsory.

**3. GRETA considers that stating explicitly the irrelevance of the consent of a victim of trafficking to the intended exploitation, when any of the means are used, could improve the implementation of the anti-trafficking provisions.**

*The establishment of the specific nature of the offence of THB is disconnected from the victim's "consent" to his/her intended "exploitation" so that the act of trafficking is committed even where the victim has given his/her consent without it [implied consent] being a product of deception. In particular, the perpetrator of THB is the one who, without the use of coercive or deceptive means, gains the consent of the victim, taking advantage of the "vulnerable position" in which he or she is found.*

*This means of committing THB - exploiting the "vulnerable position" - was the subject of an explanation by the Supreme Court, which, in plenary sitting, by its decision 2/2019, considered that the vulnerable position exploited by the perpetrator means the state of need, weakness or danger that a person has encountered due to the economic, personal, social, etc. problems he or she is facing and because of which the situation has no other real and acceptable choice but to succumb and accept exploitation.*

*Furthermore, it was accepted that a person is in a vulnerable position within the meaning of that provision when s/he is in a condition of self-protection of important legal goods, such as his/her life, physical integrity or freedom, so that s/he may have no other real and acceptable solution and choice from being overpowered and subjected to abuse. Every behaviour of the perpetrator, which affects the victim's will to the extent that the victim himself/herself consents to deliver himself/herself, that is, to surrender his/her freedom to the perpetrator's sphere of influence, is considered as "overpowering".*

*The above interpretation of the terms of the provision of article 323A PC fully complies with the requirements of the Council of Europe Convention on Action against THB, article 4, which provides that the consent of a victim of THB for intentional exploitation "The consent of a victim of "trafficking in human beings" to the intended exploitation shall be irrelevant where any of the means set forth in subparagraph (a) have been used; ". In fact, the relevant Greek legislation, as interpreted above by the Supreme Court, disconnects the trafficking of human beings from the consent of the victim to the intended exploitation.*

## Comprehensive approach and co-ordination

### **4. GRETA considers that in order to effectively carry out the full range of tasks entrusted to it, further investment should be made in human and financial resources of the Office of the National Rapporteur.**

*The Foreign Ministry and the Office of the National Rapporteur (ONR) are fully aware that the more human and financial resources are allocated to the ONR, the better results would be achieved. Having said that, the ONR benefits from the employment of three high-skilled officials of the Ministry and from the very close working relation with the personnel of the NRM. Furthermore, the ONR benefits from its contact points in competent Ministries. Another alternative support to the ONR human resources was the secondment to the Office of one expert from a University institution.*

*As far as the investment in financial resources is concerned, there has always been a positive response from the Ministry and other public and private stakeholders towards proposed actions of the ONR.*

*Last but not least, a significant proportion of the budget allocated to the National Action Plan concerns actions to be undertaken by the ONR (mainly awareness-raising campaigns, trainings of competent stakeholders etc.) and funding for such actions is currently being submitted to NSRF.*

### **5. GRETA considers that the Greek authorities should examine the possibility of designating as a National Rapporteur a separate organizational entity or another independent mechanism for monitoring the anti-trafficking activities of State institutions.**

*The Office of the National Rapporteur enjoys a considerable degree of independence as it reports directly to the Minister of Foreign Affairs. An additional guarantee of independence derives from the ONR membership in monitoring mechanisms that evaluate compliance of State institutions with human rights issues. More specifically, the National Rapporteur is a member of the National Commission for Human Rights and the National Council Against Racism and Intolerance.*

*Furthermore, the Office of the National Rapporteur was established in compliance with the transposition of the European Directive 2011/36, which adopts an integrated, holistic, and human rights approach to the fight against trafficking in human beings without stipulating additional requirements, such as complete independency from State institutions.*

*The Article 19 of the EU Directive goes: "Member States shall take the necessary measures to establish national rapporteurs or equivalent mechanisms. The tasks of such mechanisms shall include the carrying out of assessments of trends in trafficking in human beings, the measuring of results of anti-trafficking actions, including the gathering of statistics in close cooperation with relevant civil society organizations active in this field, and reporting".*

*Another positive feature of the organizational model of the ONR is related to its strategic partnership with international organizations in which Greece has legal and political commitments as a party to their anti-trafficking conventions.*

*In comparison to other national institutional arrangements that usually entail a law enforcement bias, the extroverted outlook of the ONR (as a Foreign Ministry Office) promotes international cooperation to realize the 4 Ps paradigm, while special emphasis is given to a victim-centered and human rights approach.*

*Another positive element that enhances the independence of the ONR is that its legal mandate explicitly states that civil society organizations are a strategic partner of the Office 's deliverables. This is also substantiated by the fact that leading NGOs are requesting partnership and MOUs with the ONR. Therefore, the ONR acts as an honest broker between the international community,*

*State agencies and civil society and facilitates the national ownership of Greece's legal and political commitments in areas as diverse as trafficking, policy-making initiatives, information and awareness-raising campaigns, research and education programs, front-line professionals training, and last but not least, promoting due diligence in private sector supply chains and public procurements.*

*Last but not least, the new National Action Plan (NAP) foresees the creation of a commission of independent experts that will evaluate the overall work and deliverables of the NAP.*

**6. GRETA urges the Greek authorities to adopt as a matter of priority a new national action plan and/or strategy against THB, in which priorities, objectives, concrete activities and stakeholders responsible for their implementation are clearly defined and budgetary resources allocated, accompanied by a mechanism for monitoring its implementation. With a view to ensuring that the national action to combat THB is comprehensive, the national action plan or strategy should:**

**–strengthen action to combat THB for the purpose of labour exploitation by reviewing the legislative framework, improving the identification of, and assistance to, victims of THB for the purpose of labour exploitation, and involving civil society, trade unions, labour inspectorates and the private sector;**

**–address all victims of trafficking for all forms of exploitation, including exploitative sham marriages, illegal adoption, forced criminality, and the removal of organs, tissues and cells, while taking into account the gender-dimension of trafficking and the particular vulnerability of children;**

**–prioritize the identification of victims of trafficking amongst asylum seekers and irregular migrants;**

**–include action against THB as a priority issue in the programs and projects proposed for financing through EU Structural Funds.**

*The Office of the National Rapporteur completed, in 2019, the drafting of the National Action Plan for the years 2019-2023. The objectives of the NAP are: the prosecution of perpetrators, the coordination and effective cooperation between national stakeholders and between national and international ones, the victim-centered, gender-sensitive and age-specific approach and the promotion of academic research.*

*The National Action Plan covers a wide range of policy-making projects that include inter alia measures to reduce vulnerabilities, trainings for more front-line professionals, targeted awareness-raising campaigns, assistance to and reintegration of victims, gender-informed policies, promotion of cooperation between national and international actors and enhanced action against organized crime.*

*The actions envisaged by the NAP are distinguished between those requiring only administrative action or adoption of legislation and those requiring funding (e.g. information campaigns and training programs for partners). Funding is covered either by the regular budget of the public authority responsible for the action or by NSRF programs.*

*The fight against THB is, also, a key priority in the “Program of Anti-Crime Policy 2015-2019” of the Greek Police that sets specific targets pursued by specific actions, such as focus on investigations concerning cases of THB in the form of transnational organized crime, implementation of planned and coordinated police operations at local and regional level, development of contacts with other State stakeholders and NGOs etc.*

*In order to optimize its capacity to identify cases of THB for labour exploitation the Greek Police has drawn up and implemented (in the last three years) a specific operational action plan,*

*focusing on the setting up of mixed investigation teams made up of police officers and labour inspectors.*

*In order to optimize the flow of information between the Heads of Reception and Identification Centres (RIC) and the Police Services, officers of the Greek Police were appointed as liaison officers, acting as contact points with the Heads of the RICs for Refugees and Migrants. These liaison officers were given special training, among others, on THB in migration flows.*

**7. GRETA considers that better use should be made of the Permanent Co-ordination Mechanism and the Permanent Consultation Forum with civil society with a view to strengthening co-operation in the development and implementation of anti-trafficking policy, including the evaluation of anti-trafficking efforts. The convening of regular meetings of these structures should continue and thematic working groups could be set up to address specific aspects of THB, for example labour exploitation, involving additional experts and agencies, such as trade unions or employers' associations.**

*The Permanent Co-ordination Mechanism and the Permanent Consultation Forum with civil society were not a legal obligation of the ONR and were two among several more initiatives that are constantly revised to address new trends and needs.*

*The aforementioned initiatives have been effectively integrated in other more important deliverables of the ONR, such as a) the permanent working groups of the NRM between NGOs and State agencies b) the extensive partnership between NGOs and State agencies in EC-funded projects that are supported by ONR and c) the monthly regular meetings of the anti-trafficking stakeholders with competent parliamentary committees. More specifically, the ONR, in cooperation with the sub-committee on THB, organizes monthly parliamentary sessions with the committees on human rights, justice, public order & public administration, external affairs and education & cultural affairs.*

## **Training of relevant professionals**

**8. GRETA considers that the Greek authorities should step up their efforts to provide regular training on issues related to THB for different forms of exploitation to all professionals who may come into contact with victims of THB, in particular law enforcement officials, prosecutors, judges, labour inspectors, social workers, staff of reception centres for asylum seekers and migrants, lawyers, health-care staff and staff working with children. Training programmes should be designed with a view to improving the knowledge and skills of relevant professionals to enable them to identify victims of trafficking, to assist and protect them, to facilitate compensation for victims and to secure convictions of traffickers.**

*The following trainings have been carried out:*

### **Office of the National Rapporteur:**

*Greece has intensified its efforts to facilitate capacity-building activities. State agencies in cooperation with international organizations and civil society have carried out a considerable number of specialized trainings for law enforcement and front-line professionals (including asylum services personnel, First Reception and Identification Centers Personnel, Labor Inspectors, etc.). State agencies have also supported training initiatives of the private sector.*

*An indicative list of trainings-workshops-educational meetings held from June 2017 to December 2019, is given below:*

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- A Conference titled “Putting Chowdury into practice: Challenges and opportunities in relation to the execution of the judgment by the ECHR in Chowdury and others vs Greece” was held in the Ministry of Foreign Affairs. The Conference was jointly organized by the Office of National Rapporteur on THB, the Office of the General Prosecutor of the Supreme Court and the Human Rights General Secretariat, Ministry of Justice, under the auspices of the Secretary General of the Council of Europe. The Executive Secretary of GRETA also attended the Conference aimed at informing participating Prosecutors of the general measures to be adopted for the implementation of the ECtHR judgement and enhanced awareness and operational readiness of prosecutorial, judicial, law enforcement, labour inspection and social welfare bodies in addressing challenges related to human trafficking for labour exploitation.
  - The Office of National Rapporteur has started an ambitious project with the Council of Europe and the Greek Ministry of Education regarding the training of teachers on the Reference Framework of Competences for Democratic Culture of the CoE, a training which will be expanded to include topics related to THB (including sexual & reproductive health education). The first training took place in January 2020.
  - The Office of the National Rapporteur on THB (O.N.R.) together with the ‘Global Center for women and justice, Vanguard University’, and NGOs ‘Bridges’ and ‘Salvation Army’ co-organized a workshop titled “Working together Against Trafficking in Human Beings”.
    - The O.N.R. in collaboration with the U.K. Embassy in Athens, organized a two-day conference on combating THB and protection of its victims, with the participation of competent Greek and UK authorities.
    - The Ministry of Migration Policy organized an educational program on THB, addressing employees of the Reception and Identification Centers (RICs)
    - Staff of RICs attended a workshop on the identification of minors victims of THB, organized by EU Agencies FRA and EASO
    - The Hellenic Ministry of Justice, Human Rights and Transparency in cooperation with ONR and IOM-Greece organized a stakeholders’ meeting to which judges, law enforcement, prosecutors and civil society actors were invited. The purpose of the meeting was to assess new trends, to review the support and services available to victims of human trafficking, including referral to the national pathway and to propose the way forward.
    - A workshop organized by the ONR in cooperation with OSCE was held in the Ministry of Foreign Affairs. First line responders participated in this workshop entitled “Towards OSCE-wide guidelines for the identification of victims of trafficking among migrants and refugees at the reception phase: Greece perspective”. The workshop sought to identify effective referral modalities for presumed victims of trafficking in human beings among new arrivals as well as define conditions and resources for these referrals to be successful.
    - The Ministry of Maritime Affairs organized a workshop on the identification of presumed victims of THB among mixed migration flows.
    - A targeted workshop focused on improving detection and appropriate referral of potential victims of trafficking in human beings in mixed migration flows was organized by COM (Office EU ATC, SRSS, HOME C4) bringing together national authorities (O.N.R, Reception & Identification Service, GAS, Hellenic Coast Guard, KEELPNO-EODY, Hellenic Police, National Center for Social Solidarity) and together relevant EU Agencies (Frontex, Europol, FRA, EASO) and contact points.
    - Employees of the Municipality of Athens, working with asylum seekers and refugees received capacity building trainings, including on detecting THB victims.
    - Intercultural nursing care seminar in Thessaloniki, ‘Papageorgiou’ Hospital. Trafficking in Human Beings as a public health issue was part of the training in the context of PHILOS project training sessions on refugee crisis.



- Educational workshop, including introduction to THB, for employees of the Migrants Integration Center in Peloponese Prefecture.
- The O.N.R. coorganised a workshop on the protection of unaccompanied minors in RIC of Chios island.
- Panteion Panepistimio, Athens, organized a workshop on THB forms, their impact on victims and on the role of the Office of National Rapporteur on THB
- Diplomatic staff of foreign missions in Greece attended a workshop aiming at raising awareness on THB focusing on victims' repatriation process. The workshop took place in Athens and it was co-organised by IOM, the Office of the National Rapporteur and the Human Rights General Secretariat, Ministry of Justice.
- A training seminar on THB for labour exploitation, addressed to Labour Inspectors, was co-organized by the Hellenic Labour Inspectorate and the Office of the National Rapporteur on THB.
- Post-graduate students enrolled in public health studies, including doctors, nurses, mid-wives, psychologists and social workers attended a capacity building seminar on "Identification of victims of human trafficking by health professionals", conducted by IOM.
- KEELPNO-EODY (National Public Health Organisation) organized a Training project on vulnerability, SGBV and human trafficking that took place in Athens, Thessaloniki and the RICs. 113 health workers from the hospitals the PHILOS personnel, NGOs and RIS personnel took have been trained.
- G.A.S. employees have attended trainings detecting and refer presumed victims of THB to the NRM. Trainings on interviewing vulnerable asylum seekers including victims of THB with the support of EASO, have also taken place
- General Secretariat of Gender Equality in cooperation with the National Center of Public Administration & Local Government (State Institute of Training) organized a four day training program on violence against women -including human trafficking- for all counselors who work in the Counseling Centers, the Shelters and the SOS telephone helpline.
- A two-day regional conference on preventing trafficking in human beings through government procurement practices and measures, took place in Athens. The conference, organized by the OSCE, in partnership with the City of Athens, the Office of the National Rapporteur on Trafficking in Human Beings, the Athens Partnership and Bloomberg Associates, brought together over 200 participants from 15 countries. Procurement and anti-trafficking experts, representatives of the city, regional and national governments, members of international Organisations and civil society discussed how governments can help prevent human trafficking and labour exploitation in their supply chains. A new pilot program to develop policies and implement practices aimed at ensuring that the City of Athens does not purchase goods produced or contract services provided by victims of human trafficking, was announced during the conference.
- O.N.R. in collaboration with NGO A21 have organized two educational meeting on detecting and assisting victims of THB, addressing priests and congregation of the Holy Metropolis in Volos (Central Greece)
- A one-day conference on the topic of "Human Rights in the Return of Trafficked Persons", launching the OSCE/ODIHR Guiding Principles on Human Rights in the Return of Trafficked Persons (Return Guide) in Greek, took place, in Athens. The conference was organized by the OSCE/ODIHR in coordination with the International Organization of Migration (IOM) in Greece and with the support of the Office of the National Rapporteur on Trafficking in Human Beings, Hellenic Ministry of Foreign Affairs. The process of return of survivors of THB to the countries of origin, lessons learned, promising practices and challenges faced, Greece's efforts to combat trafficking in human beings, in particular by protecting victims of trafficking on their return to their country, as well as the Greek regulatory framework for the guardianship of unaccompanied minors were among the topics discussed.

-The ONR in cooperation with the Centre for European Constitutional Law – (CECL) organized a local conference on the prevention and combating of trafficking in human beings in supply chains of the public and private sector.

-As an initiative of the Athens Airport Police, Athens Airport and Aegean Airlines with the support of O.N.R., a training program on preventing and combating THB took place in Athens International Airport, during which staff of the airport was informed on ways to detect and refer victims of THB.

-Greek Petroleum Company has organized a workshop on the impact a company could have on human rights, including rights of victims of THB.

- **National Center for Social Solidarity (EKKA)/National Referral Mechanism (N.R.M.):** Along with informative regular meetings with N.R.M. focal points all over Greece (presenting NRM tools and SOPs), N.R.M. team delivers 3-day interagency trainings on a monthly basis, to first-line professionals. More specifically, EKKA has organized (funded by NORCAP) 3-day seminars in the Aegean Islands of Samos, Kos, Leros, Lesbos, in Rhodos and in Orestiada, a city close to the Northern borders. The average of participants was more than 25 in each seminar, working on the field, in the public sector (e.g. police, coast guard, labour inspectorates, Municipalities and Hospitals' social services, Asylum Service, First Reception and Identification Service etc.) as well as at civil society actors (social workers, social scientists, lawyers etc.). The seminars covered topics such as THB definition, forms of exploitation, communication with the victim, cultural awareness, internal legal framework (rights, recognition, criminal procedures etc.), NRM tools and SOPs. The aim is to build professionals' capacity in identification and response, as well as to harmonize the interpretation of relevant terms, in order to ensure the homogeneity of the data received by NRM through the referral forms submission.

### **Ministry of Justice:**

A. The Administrative Board of the Judicial Training Academy incorporated into the curriculum of the year 2019 for Civil and Criminal Justice as well as the Public Prosecutors' Training Programme Twelve (12) and Twenty-four (24) two-hour courses, respectively, on Special Criminal Law, which emphasises also on THB crimes.

B. In the framework of theoretical and practical training, the trainees of Civil-Criminal Justice, Administrative Justice and Prosecutors attended the following workshops: 1. "Protection of minorities, persons with disabilities and minors, and issues on migrants", 2. "Immigrants - refugees - aliens".

C. In collaboration with the Greek Council for Refugees, for the year 2018, trainees from all three directions attended the workshop on "Administrative Detention of Aliens - Asylum Procedure".

D. In the context of theoretical training, trainee Prosecutors are taught, inter alia, the subject "Duties of the Public Prosecutor for Minors", with a particular emphasis on the rights of the child.

E. As part of its training, the School held a seminar on "Migrants - Refugees. Addressing the Recent Problem by the European Union and the Greek State".

F. In 2018, in the context of the Judicial Training Academy's co-operation with European education bodies, and in particular with the Council of Europe's "HELP" programme, administrative judges participated in a three-month training seminar on "Asylum and the ECHR", through e-learning. Also, for 2019, a training seminar on "Asylum" was organised with the European Judicial Training Network (EJTN). In addition, the Supreme Court's Public Prosecutor's Office, realising the need for continuing education of prosecutors, established on 08.02.2018 a section on "International Relations and Lifelong Learning" and prosecutors participated in the following training seminars on tackling THB from 2018 onwards:

1) Online Course Nr. 05/2019 on "Investigation of THB as a Cyber-enabled Crime" (March 25-April 12, 2019) CEPOL.

- 2) "Training on the Identification and Protection of Victims of THB and Protection against Sexual Exploitation", Lesbos, 21-22 March 2019, UNHCR.
- 3) Training Seminar on "Combating THB", Larisa. 11 prosecutors and 15 judges participated, 19 March 2019, A 21 (International Non-Profit Organisation) under the auspices of the Supreme Court's Office of Public Prosecutor and the Office of the National Rapporteur on Trafficking in Human Beings.
- 4) Regional Conference on Combating THB in Supply Chains through Government Practices and Measures, Municipality of Athens, 30-31 January 2019, OSCE and the Office of the National Rapporteur on Trafficking in Human Beings.
- 5) THB Training Program "Fourth OSCE Simulation-Based Training in English Language on Combating THB along Migration Routes", Vicenza, 10-14 December 2018, OSCE.
- 6) First Session of all Prosecutors of the Mediterranean in the Fifteen Partner Countries, Aix-en-Provence, 4 December 2018, Prosecutor of Appeal of Aix-en-Provence (Southern France).
- 7) Workshop: "New Facts and Challenges Related to the Implementation of the Judgment of the European Court of Human Rights" *Chowdury and Others v Greece - Putting Chowdury into practice*", 30 November 2018, Public Prosecutor's Office, Office of the National Rapporteur on Trafficking in Human Beings at the Ministry of Foreign Affairs, General Secretariat for Human Rights of the Ministry of Justice, Transparency and Human Rights (MJTHR) under the auspices of the Secretary General of the Council of Europe.
- 8) Online Training Seminar: "Identifying and Investigating Criminal Activities in the field of THB", September 17 - October 12, 2018, CEPOL.
- 9) Regional Workshop: "Towards OSCE-wide guidelines for the identification of victims of trafficking among migrants and refugees at the reception phase: Greece perspective", "Sofianopoulos" Hall, Ministry of Foreign Affairs, Athens, June 20, 2018, Office of the National Rapporteur on Trafficking in Human Beings of the Ministry of Foreign Affairs, General Secretariat for Human Rights of the MJTHR and the OSCE.
- 10) International Attorneys General Summit at Wilton Park, United Kingdom on tackling THB and Modern Slavery, 21 - 23 February 2018, Public Prosecutor's Office of England and Wales.
- 11) Workshop on THB and Modern Slavery, November 29, 2017, British Embassy in Athens.

#### **Supreme Court Prosecutor's Office:**

To update and improve the training of the country's prosecutors in matters of identification of a THB victim, the Public Prosecutor's Office of the Supreme Court dispatched to all prosecutors a general directive (order ref. no. 7215/09.10.2019), with the comments of the National Rapporteur on Trafficking in Human Beings on specific issues arising in the handling of cases of THB by prosecutors and police investigators

#### **Greek Police:**

Officers of the Hellenic Police have participated in educational trainings including webinars regarding internet as enabler of human trafficking and in online courses on cyber-investigation for detection and identification of criminal activities on internet in the area of human trafficking.

The Political and Physical Leadership of the Greek Police attaches particular importance to the continuous, up-to-date training of police and, in particular, frontline personnel, in dealing with human trafficking cases. Some illustrative educational activities regarding participation of 'front line' officers on trainings on THB follow:

- Participation of a Greek Police Officer, as an expert/trainer, in Frontex meetings - training sessions on the training of trainers in the fight against THB, on recruitment and THB for exploitation

- *Participation of a Greek Police officer at the workshop of the General Secretariat for Gender Equality - Ministry of the Interior, on legislation and the drafting of a national strategy to combat prostitution in Greece (Athens, 27.04.2018).*
- *Participation of Greek Police Officers in a seminar on "Modern Slavery and THB" (London, 05-09.03.2018).*
- *Participation of a Greek Police officer as a rapporteur in a training seminar entitled "VIEWS OF GENDER VIOLENCE: THE PHENOMENON OF TRAFFICKING IN WOMEN AND INTERNATIONAL TRAFFICKING" at the National Centre for Public Administration and Local Government.*
- *Annual "report - assessment on THB in the country for the year 2017", approval by the leadership of HP and implementation of video conferencing training, which took place on Saturday, 10 November 2018, to ten (10) Officers from each GE.R.P.D<sup>1</sup>. and the Attica General Police Directorate/Thessaloniki General Police Directorate, whose duties involve handling alleged THB cases.*
- *Participation of Greek Police Officers in CEPOL Seminar on "Child Trafficking", which took place from 19 to 22.11.2018, in Budapest, Hungary.*
- *Participation of fifteen (15) Greek Police Officers in a training seminar on THB, Organized by the non-governmental Organization "A21", under the auspices of the Public Prosecutor of the Supreme Court and the Office of the National Rapporteur on the fight against THB (Larisa, 19.03.2019).*
- *Involvement of Greek Police officials in training sessions of the National Referral Mechanism (NRM) on THB and the National Referral Mechanism.*
- *Participation of a Greek Police Officer in a training seminar on "THB and illicit trafficking of migrants" at the International Training Centre for the Prevention and Combating of Organized Crime in Caserta, Italy, 06-17.05.2019.*
- *Participation of Greek Police Officers in a European Regional Expert Meeting on THB (Belgrade, Serbia, 28-29.05.2019).*
- *Participation of a Greek Police Officer as an expert/trainer in a THB training, within the NATO framework, which took place between 14 to 18.04.2019 in Kuwait.*
- *Participation of a Greek Police Officer as an expert/trainer in a THB training, from 24 to 28.06.2019 in Georgia.*
- *Participation of ten (10) Greek Police Officers in training / seminars (Pyrgos, Kalamata, Orestiada, Rhodes, Leros) on the National Referral Mechanism for Victims of THB.*
- *Organization - implementation of a training seminar to 36 Police Officers appointed as liaison officers in RICs and refugee camps.*
- *Organization - training of police security personnel at Greek diplomatic authorities abroad.*
- *Participation of a Greek Police Officer as an expert/trainer, through the United Nations Office on Drugs and Crime (UNODC), in a THB training (Kathmandu, Nepal, 18-20 December 2019).*
- *Participation of Greek Police Officers (as experts/trainers and trainees) in THB training, Organized by KEMEA<sup>2</sup> and CEPOL, in Crete on 05-08 November 2019.*
- *Participation of a Greek Police Officer in the training program of the National Centre for Public Administration and Local Government/Training Institute entitled: "Aspects of Gender-Based Violence: The phenomenon of trafficking in women and transnational trafficking, which took place from 01.04.2019 to 05.04.2019 in Thessaloniki.*
- *Participation of 30 officials from the Athens Airport Police Directorate in a briefing on identification of THB victims (Spata, 29.11.2019).*
- *Participation of four (4) Greek Police officials in the program "Improving security at EU external borders and enhancing cooperation with Turkey to address migratory pressure - Priority", Action 4.4.5 - Joint training on issues related to migrant smuggling and THB (Ankara-Turkey, 09-11.04.2019).*

<sup>1</sup> General Regional Police Directorate

<sup>2</sup> Centre for Security Studies

- Participation of one (1) Officer of the Directorate for Combating Organized Crime and THB of the Attica Security Directorate in a CEPOL Seminar on: "THB - Labour Exploitation", 17-20.09.2019 in Stockholm Sweden.
- Organization - implementation of training on the annual Report on THB in the Country for 2018, to 140 probationary Lieutenants of the Greek Police Officers' School.
- Finally, it is important to note that THB is included in the curriculum and taught to students at the Police Academy.

### **SEPE (Labour Inspectorate):**

#### **EDUCATION OF RELEVANT PROFESSIONALS AND MULTIDISCIPLINARY APPROACH TO THE IDENTIFICATION OF VICTIMS**

1. Five-day seminar on "Combating Human Trafficking along Migration Routes", 10-14 December 2018, Vicenza, Italy.

This seminar is a multi-agency approach to the identification of victims. First-line professionals from all stakeholders involved in THB were involved: Labour inspectors, Social Workers, Psychologists, Police, Border Guards, Social Care Services, Public Prosecutors. The aim of the five-day training is, through simulated inspections in companies, train the law enforcement authorities (SEPE<sup>3</sup>, POLICE) to effectively cooperate with each other, to exchange information and findings throughout the investigation, to refer potential victims to specialized professionals, and finally, together, to draft a common report to the Public Prosecutor. The role and importance of cooperation among the Labour Inspectorate/Police and Prosecutor has been particularly highlighted; also, the importance of labour inspectors 'possibility to refer potential victims to specialized NGOs and care and asylum services.

The seminar was organized by the OSCE in cooperation with the Italian Police ('Carabinieri'). An official of the central service of the Labour Inspectorate participated in the seminar.

2. Five-day seminar "Combating Human Trafficking along Migration Routes", 16-20 September 2019 in Vicenza, Italy.

The coordinators of the seminar "Combating Human Trafficking along Migration Routes" mentioned above, assess the participants in the seminar. Should the latter be deemed sufficiently qualified, they shall be invited by the OSCE in subsequent years to assume the role of an assistant trainer. The SEPE official who participated in the seminar was invited by the OSCE as an assistant trainer for 2019. His admission into the educational material and objectives of the seminar, as well as the attendance and participation in informative discussions with those responsible, reinforced the links of SEPE with recognized Organizations such as the OSCE and the Italian Carabinieri, deepening the understanding of the civil servant in multi-agency cooperation.

3. Workshop on "Fighting THB", 7 December 2018, Athens.

The meeting was addressed to SEPE officials. The aim was to comprehend the complex phenomenon of THB at the directorial level and introduction thereof into possible indications of labour exploitation. The co-operation of SEPE with the Police, as well as the importance of collecting and identifying evidence at all levels of control, was particularly emphasized.

Presenters included one (1) ILO Expert on Forced Labour, one (1) UN Expert on THB, the SEPE Special Secretary, SEPE inspectors and Police Officers, as well as the National Rapporteur on Trafficking in Human Beings.

The workshop was organized by the Ministry of Labour, Social Security and Social Solidarity in cooperation with the Office of the National Rapporteur on Trafficking in Human Beings.

### **Ministry of Education:**

The promotion of the values and skills that democratic culture entails are among the priorities of the Hellenic Ministry of Education and these include trafficking. Throughout all its curricula an effort is made so that students obtain an in depth understanding of the values that human rights

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<sup>3</sup> Labour Inspectorate

and democratic institutions incorporate and develop the necessary competences to participate in modern democratic processes as active citizens.

After the very successful conference "Democracy in Action" which was held in Athens in June 2019 as part of the campaign "Free to Speak Safe to Learn, Democratic Schools for All", the Ministry of Education has happily agreed to support the initiative of the National Rapporteur Of Greece on Trafficking Mr. Moscoff and the non – profit organization New Wrinkle concerning the programme which seeks to promote the principles and guidelines of the Reference Framework of Competences for Democratic Culture of the Council of Europe, thus the advancement of human rights and democratic culture. It will engage approximately 150 teachers of Secondary Education in a two-day seminar including lectures and workshops on human rights and their relation with democratic values within the school.

Apart from this very promising program, the European Center Wergeland under the auspices of the Ministry of Education and in cooperation with the Institute of Educational Policy launched the project "Integration of refugee children in Greek schools". Thanks to this project, 150 schools in total until 2020 will receive a training with a view to creating safe and inclusive schools and classrooms where refugees are welcome into a learning environment which aims to provide quality education to all.

### **Greek Asylum Service (GAS):**

The Greek Asylum Service has launched specific seminars on vulnerability in 2017, financed by AMIF. Trainings have been held on the islands and Attica region in cooperation with EKKA. At these trainings employees working at the Asylum Service get informed about the ways of communication, the current legislation and the proper, full completion of the relevant form.

### **Hellenic Coast Guard (HCG):**

The Directorate of Education plans and implements, on an annual basis, training programs for the personnel of the Hellenic Coast Guard. These programs are organized either by the HCG or their agencies in Greece and abroad. With a view to meeting existing educational needs, participation in these trainings aim at increasing operational readiness of HCG and at improving its response to modern requirements/ challenges.

With a view to upholding human rights and to continuously improving its staff training level, trainers of this Agency conduct seminars on Trafficking in Human Beings and on Protection of human rights with the participation of its officers serving in port authorities and managing the mixed-migration flows and cross-border crime.

1. The participation of Coast Guard staff in domestic training of our Agency as well as in training organized by other Agencies, in Greece or abroad, is planned and implemented on an annual basis by the Education Directorate, in the light of the budget available, with a view to meeting existing educational needs designed to increase the operational readiness of the Hellenic Coast Guard and to improve its response to current demands and challenges.

2. With a view to defending human rights and constantly improving the level of training of our staff, our Agency:

a. has trainers in matters relating to "Combating THB" and "Protection of Fundamental Human Rights" and carries out internal training with the participation of HCG officials serving in port authorities, who manage migration flows and cross-border crime.

b. throughout the year, cooperates with bodies such as the UNHCR, the Smile of the Child in implementing educational programs.

3. In parallel, the curriculum of the higher education schools in our Agency includes the teaching of subjects referred to above.

In addition, it is noted that a member of our Service participated in the CEPOL training on "PROTECTION OF THB VICTIMS" (CEPOL), in the ICBSS CONFERENCE on "Enhancing Anti-Trafficking Response in the Black Sea Region", in the workshop of protection agencies for refugee

children (UNHCR), as well in the training on "OSCE Simulation - based Training on Combating Human Trafficking along the Mediterranean Migration Routes (OSCE)"

**Ministry of Employment:**

- Directorate of Child and Family Protection

It is noted that according to the provisions of the law 4554/2018 on Guardianship, issues such as introductory training of the professional guardians or training and support of professionals working in accommodation centers for unaccompanied minors is foreseen.

Training covers also issues of trafficking. In addition according to the Ministerial Decision "Registry for the Unaccompanied Minors" there is a provision for the interfacing with the National Referral Mechanism for the Protection of victims of trafficking in human beings aiming at the protection and the specified services provided to children being or assumed victims of trafficking. General Secretariat for Family Policy and Gender Equality: A four day training program on violence against women -including trafficking-is provided to all counselors who work in the Counseling Centers, the Shelters and the SOS telephone helpline. The trainings are organized by the GSFPGE and the National Centre of Public Administration & Local Government (State Institute of Training).

**Reception and Identification Service**

The trainings attended by the Reception and Identification Service are the following:

1. 'Prevention of sexual and gender based violence against migrants and empowerment of victims', by IOM

13.01.20 Thessaloniki - 10 people trained (Diavata & Alexandria)

27.01.20 Chios - 13 people

01.12.19 Samos - 12 people

18 & 19.12.19 Lesvos - 6 people

2. 'Enhancing the capacity of frontline professionals to identify and reference SGBV Survivors', by Unicef & NGO Diotima:

2 days Training, 16 people trained in total

Thessaloniki - 3, Athens -4, Ioannina -1, Kavala -1

Samos -10 people

Planned for the immediate future in Fylakio, -10 people

3. Training on 'Human Trafficking and the Referral Mechanism', by EKKA - February 3 days

Thessaloniki -4 people

EKKA in 2019, in all the RICs

4. Training of 15 people in total (employees - focal HT points in the RICs).

## Data collection and research

9. For the purpose of preparing, monitoring and evaluating anti-trafficking policies, GRETA considers that the Greek authorities should develop and maintain a comprehensive and coherent statistical system on trafficking in human beings by compiling reliable statistical data on measures to protect and promote the rights of victims, as well as on the investigation, prosecution and adjudication of human trafficking cases. Statistics regarding victims should be collected from all main actors and allow disaggregation concerning sex, age, type of exploitation, country of origin and/or destination. This should be accompanied by all the necessary measures to respect the right of data subjects to personal data protection, including when NGOs working with victims of trafficking are asked to provide information for the national database.

*Greek authorities have been compiling statistical data, as follows:*

**- Supreme's Court Prosecutor's Office:**

*In 2019, the Prosecutor of the Supreme Court issued an order to all Prosecutor's Offices obliging them to submit periodically (every 4 months) statistics on the acts of THB victims identification.*

**- National Referral Mechanism/National Center of Social Solidarity (EKKA):**

*The NRM has been receiving referral forms since January 1st, 2019. All forms are anonymized and provide analytical data in the form template, regarding demographic details at the current time as well as at the time of the recruitment, the material facts of trafficking (date, actions and location), data on the perpetrators and on the protection services provided to the victim (directly or through signposting), as well as on the process of recognition with or without cooperation with the police and of claiming compensation. Each form bears a unique code (codification through specific instructions) and receives a registration number (in case the adult victim has given his/her consent and the referral form contains data on at least one action/ one means – if the victim is an adult – and the purpose of exploitation), which follows the victim as long as s/he receives services from any actor. In that way, double-counting is prevented. In parallel, NRM team monitors the management of each case (in case the adult victim has given her/his consent), ensuring the timely provision of appropriate services to the victims.*

**- Ministry of Migration and Asylum**

*The Asylum Service obtains data of the number of THB victims through an online platform.*

*The First Reception and Identification Service collects data on presumed victims of trafficking in mixed migration flows.*

*The Department of Residence Permits collects data on issued or renewed residence permits to third country nationals THB-victims.*

**- General Secretariat for Family Policy and Gender Equality:**

*The collection of statistical data is difficult in the field of gender based violence, the main cause being that women victims most of the times don't report the incidents, out of shame or self-neglect. Apart from the Hellenic Police that collects data on registered cases, the General Secretariat for Family Policy and Gender Equality (GSFPGE), records the cases of women victims who use the*



services of the Counseling Centers and Shelters and the telephone calls to the emergency line SOS 15900. These data are organized into a database and can be subject to analysis.

Furthermore, the Monitoring Mechanism of the GSFPGE (Observatory) is planning to collect data on this issue in close cooperation with the Hellenic Statistic Authority.

The GSFPGE also cooperates with the National Referral Mechanism for the identification and referral to assistance of women victims of trafficking.

**- Ministry of Justice:**

The Ministry of Justice collects statistics on THB from the competent Prosecutors' Offices of First Instance/Appeal Courts and the Courts of Justice of the country, every six months. These statistics relate to semiannual tables, which record the course of criminal proceedings up to the stage of conviction in the second instance following an appeal against the conviction of first instance.

*Data Collection according to Victims' Rights Directive (2012/29/EU)*

The Hellenic Ministry of Justice has already communicated to the European Commission relevant statistical data (for year 2016) related to the application of national procedures on victims of crime, including the number and type of the reported crimes and, as far as such data are known and are available, the number and gender of the victims. Relevant statistical data include data recorded by the judicial authorities and by law enforcement agencies and, as far as possible, administrative data compiled by public and non-governmental victim support or restorative justice services and other organisations working with victims of crime. Judicial data in some cases include information about reported crime, the number of cases that are investigated and persons prosecuted and sentenced. Service-based administrative data include data on how victims are using services provided by government agencies and public and private support organisations, such as the number of victims that request, receive or do not receive support or restorative justice.

*Data Collection according to Victims' Compensation Rights Law 3811/2009*

The Ministry of Justice keeps records with detailed statistics on cases it has handled since 2006, including prosecutions, first and second instance convictions, acquaintances etc. Information is kept in all cases including gender, age, nationality (when mentioned) disaggregated data and other characteristics of the victims.

**- Greek Police:**

The Greek Police keeps statistics concerning THB, disaggregated according to cases per form of exploitation, perpetrators (sex, nationality and form of exploitation) and victims (sex, age, nationality and form of exploitation), as well as statistical data concerning cases of users of THB services.

These data are further analysed and the conclusions taken are used appropriately (through targeted training), with the aim of optimizing the management of relevant cases.

**10. GRETA considers that the Greek authorities should continue to conduct and support research on THB as an important source of information for the evaluation of current programs and for planning future policy measures. More research is needed into the extent and characteristics of trafficking for the purpose of labour exploitation and child trafficking, the extent and modus operandi of internal trafficking, trafficking involving migrants and refugees, as well as the misuse of the Internet for the commission of THB, including through social networks.**

*The Greek National Rapporteur has been collaborating with the Rights Lab of the University of Nottingham on the use of technology in combating THB. It is important to underline that in this area of scientific research, where quantitative models and case studies are lacking massively, opportunities for research are starting to flourish and will be flourishing even more in the future. An example of the technologies that the Rights Lab is developing in collaboration with Greece is that of "Satellite data and remote sensing methods", which aims to observe, with the use of remote sensing methods, the living conditions of migrant workers in the field of agriculture. The Office of*

*the Greek National Rapporteur and the Rights Lab Data team and are committed to make a difference using a number of innovative “new technologies” methods that will be applied in real cases around Greece.*

## **International co-operation**

**11. GRETA considers that the Greek authorities should continue to develop international co-operation in the field of action against THB, including by exploring further possibilities for co-operation with governmental and non-governmental actors in countries of origin and transit, with a view to successfully prosecuting traffickers, providing assistance to victims of trafficking and preventing THB.**

*The Office of the National Rapporteur continues to develop close partnerships with anti-trafficking mechanisms of neighboring countries and in 2019 it undertook the following actions:*

*- July 2019, Ohrid, Northern Macedonia: Visit of a Greek delegation (Labor Inspectorate, Police, Public Prosecutor, National Center for Social Solidarity - EKKA) headed by the National Rapporteur. Talks with counterparts on exchange of know-how and best practices on combating trafficking in human beings and exploring possibilities to deepen cooperation between the two countries.*

*- July 2019, Tirana: Meeting of the National Rapporteur with his Albanian counterpart in the framework of the program "Albania and Greece, supporting an effective transnational referral mechanism for children and potential victims of trafficking" of the Terre des Hommes organization. The meeting explored the possibility of updating an existing agreement between the two countries on the protection of minor victims of trafficking in human beings.*

*- November 2019, Athens: Following the meeting in Tirana, a meeting was organized in Athens, attended by Greek and Albanian representatives of the National Center for Social Solidarity, the Interior Ministry of Albania and the Ministry of Health and Social Welfare of Albania. In the meeting were discussed ways to deepen cooperation between the two countries in combating human trafficking and in the protection of minor victims.*

*- Under the Greek Presidency of the Council of Europe, the ONR in collaboration with four competent Ministries and three international organizations (OSCE, CoE and UNODC) is planning a simulation based training exercise for competent Southeast European authorities dedicated to the identification, assistance and referral of potential THB-victims among unaccompanied minors and the prosecution of perpetrators.*

*The Greek Police, also, treats THB as a transnational, multifactorial criminal phenomenon, which requires international cooperation.*

*In this context and whenever deemed necessary, bilateral meetings with neighboring countries (Albania, Bulgaria) are held at the border crossing points of the neighboring Regional Police Authorities, on a regular or extraordinary basis. In particular, these meetings aim to exchange information, develop coordinated - targeted actions and strengthen mutual trust.*

*In addition, bilateral and multilateral cooperation is also being developed under the auspices of European Agencies (SELEC, EUROPOL, EUROJUST) with the objective of enhancing cooperation, coordinating actions and contributing to cases under investigation. These meetings improve and broaden cooperation, maximize the exchange of relevant information and optimize efforts to tackle THB.*

*In the light of the above, the Greek Police accepts and responds, through the official channels of Interpol, Europol, SELEC and Liaison Officers, to a sufficient number of requests for information regarding cases of THB under investigation.*

*In addition, the Greek Police contributes to the 'PHOENIX' Analysis Project (previously called Focal Point) for THB, of Europol's Analysis Project for Serious and Organized Crime.*

*Also, our country participated in Joint Action Days to tackle trafficking for labour exploitation, under the EMPACT THB priority.*

## Measures to raise awareness

**12. GRETA considers that awareness-raising measures should aim to cover the whole country and focus on the needs identified through research and evaluation of the impact of previous awareness-raising projects.**

*Raising general awareness to sensitize society and to reduce ‘demand’ for services or products extracted from trafficking victims is key to the Greek national policy against THB. This concerns primarily synergies with civil society actors and the cultural sector, partnerships with the private sector and local government for THB-free supply chains and zero tolerance consumer ethic, as well as promoting Human Rights Education in schools. More specifically:*

*- In October 2019, Greece participated in the first EU-wide campaign on prevention of THB developed by the European Crime Prevention Network. The Office of National Rapporteur ensured and coordinated the participation of several public agencies and NGOs. The campaign, which included publishing posters and videos - informing on the national hotlines available for reporting cases of THB victims - on social media and internet pages, was launched on the occasion of EU Anti-trafficking Day.*

*- A good practice of effective collaboration between the State and the private/cultural sector to prevent Trafficking in Human Beings is the public awareness campaign “Break the chain”, coordinated by the Office of the National Rapporteur (ONR) and with the participation of multiple stakeholders, most of whom from the private/cultural sector. The campaign, an awareness-raising platform, brings 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”, taking place in Athens. In 2017, the Festival focused on trafficking for labour exploitation. In 2018, the drama ‘Women made out from earth’, that revealed stories of HIV positive women victims of human trafficking and prostitution, was presented (under the auspices of the General Secretariat for Gender Equality, Ministry of Interior), followed by a panel discussion composed of experts on Human Trafficking. In 2019, ‘Break the Chain’ and the Ministry of Infrastructure, Transport and Networks organized an awareness-raising campaign which consisted of anti- THB awareness-raising messages appearing on Athens Metro screens and public buses for a month. The action was co-funded by the Break the Chain Campaign and the Greek government.*

*- Moreover, in 2018, the ‘Raise your Voice’ Festival, focused on the prevention of labour exploitation. Thousands of people participated in the two-days festival and enjoyed a mixture of science, culture and social entrepreneurship. A large number of stakeholders, both from public and private agencies, from national and international NGOs, as well as artists joined forces in this event, in which many migrant and refugee communities participated.*

*- The O.N.R. has launched an initiative, alongside with the Greek Church, against Trafficking in Human Beings. Several awareness-raising events have already taken place, aiming at informing the clerics and the congregation about the crime of TIP. The project focuses on reducing the demand for services or products supplied by victims of THB and on expanding the existing N.R.M. network for the identification of presumed THB victims.*

*- The parliamentary sub-Committee on fighting trafficking and exploitation of human beings convenes regular meetings that are broadcasted on national TV, thus giving audience the opportunity to get informed about the phenomenon. Some of the issues presented and discussed*

*in these meetings with the participation of representatives of national agencies, NGOs and international organizations were: national legislation on fighting THB and support to the victims, nexus between THB and illegal migrants' employment in the agricultural sector, measures taken for the protection of trafficked victims, the National Action Plan against THB, challenges in the judicial system, trafficking of minors, engaging private sector (e.g. airport community) in the fight of this crime.*

*- Major media was given to the initiative of the Municipality of Athens to launch a pilot project for the protection of its supply chain from services provided by victims of THB. Newspapers and social media posts referred extensively to this important step for slave-free supply chains, raising awareness on this particular form of THB.*

*- The General Secretariat for Family Policy and Gender Equality (GSFPGE) implemented from April 2018 until June 2019 a national public awareness campaign, which included seminars, informational material, TV and radio spots, publicity on public transport and an updated webpage ([www.womensos.gr](http://www.womensos.gr)). This was the second public awareness campaign that has taken place since 2013. Its goal was to raise awareness on all forms of violence against women, including trafficking and promote the specialized network of structures, the SOS Helpline, the Counseling Centers and the Shelters. The campaign was co-financed by the Greek Government and the European Union.*

*GSFPGE establishes partnerships with other relevant stakeholders in order to raise awareness and combat gender stereotypes and gender social roles.*

*GSFPGE in cooperation with the Ministry of Education and a leading maternity hospital in Athens, organizes seminars in schools to provide fundamental human rights and sexual and reproductive health education. In 2018, seminars were implemented in 21 schools and were attended by 2.538 students.*

*- After the very successful conference "Democracy in Action" which was held in Athens in June 2019 as part of the campaign "Free to Speak Safe to Learn, Democratic Schools for All", the Ministry of Education participates, alongside with the ONR and the CoE, in a project which seeks to promote the principles and guidelines of the Reference Framework of Competences for Democratic Culture of the Council of Europe. The first phase of the project involved a training of 130 teachers of the secondary education in a two-day seminar (January 2020) including lectures and workshops on human rights and their relation with democratic values within the school. The training will pass to include topics related to THB.*

*The Ministry has, also, decided to dedicate one day every year, either the 10<sup>th</sup> of December – Human Rights' Day- or the 18<sup>th</sup> of October – European Day Against Trafficking- , on informing the school community on the importance of these issues and spread the word about the existence of the National Rapporteur's Office and the material available which will hopefully be translated into Greek very shortly.'*

*- The National Independent Public Procurement Authority participated in a Conference of the Center for European Constitutional Law aimed at preventing and combating trafficking in human beings in the public and private supply chains (18.10.2019). The presentation of its Vice-President which was entitled "Protecting Public Sector Supplies from Forced Labor Services and Products", covered socially responsible public procurement, the dangers of human trafficking in public supply chains, analyzed the existing context and presented good practices and concerns, as well as suggestions and perspectives for the future.*

*The National Independent Public Procurement Authority organized an International Scientific Conference on Public Procurement-Critical Issues and New Developments (21-23.11.2019), during which the topic of Socially Responsible Public Procurement was raised.*

*- On 29 November 2019, a training took place with the participation of the Athens Airport Police Directorate, in collaboration with Athens International Airport SA and Aegean Airlines. The aim of the training, which was under the auspices of the Ministry of Foreign Affairs/Office of the National*

*Rapporteur on Combating Trafficking in Human Beings, was to raise awareness on the prevention and fight against trafficking in human beings.*

*Officials of the Department for Combating Human Trafficking of the Organized Crime & Human Trafficking Division of the Thessaloniki Security Directorate participated in a workshop held at the Papageorgiou Hospital, on how to provide humanitarian assistance and services to victims of trafficking, how to deal with infants' trading circles and how to improve cooperation of stakeholders to combat the phenomenon. (15 November 2019).*

## **Measures to discourage demand**

**13. GRETA considers that the Greek authorities should enhance their efforts to discourage demand for the services of trafficked persons, for all forms of exploitation, in partnership with NGOs, trade unions and the private sector, as well as by raising awareness of the criminalization of knowingly using the services of trafficked persons. Particular attention should be paid to prevention of trafficking in supply chains, outsourced services and domestic work.**

*- See actions of the Ministry of Education under number 12.*

*Furthermore, the Minister of Education introduced several new teaching subjects in the school curriculum including sexual and reproductive health education and human rights education. The ONR collaborates with the Institute on Educational Policy to train teachers on THB-related issues, including discouraging demand among boys and empowering girls to protect themselves from commercial sexual exploitation.*

*- A two-day regional conference on preventing trafficking in human beings through government procurement practices and measures, took place in Athens. The conference, organized by the OSCE, in partnership with the City of Athens, the Office of the National Rapporteur on Trafficking in Human Beings, the Athens Partnership and Bloomberg Associates, brought together over 200 participants from 15 countries. Procurement and anti-trafficking experts, representatives of the city, regional and national governments, members of international Organisations and civil society discussed how governments can help prevent human trafficking and labour exploitation in their supply chains. A new pilot program aiming to develop policies and implement practices aimed at ensuring that the City of Athens does not purchase goods produced or contract services provided by victims of human trafficking, was announced during the conference.*

*- In the new Penal Code, penalties imposed on users of trafficked services are stricter than before: a minimum of 3 years in prison (instead of 6 months) and a fine shall be imposed on anyone who knowingly, without resorting to the means set forth in paragraphs 1 and 2, employs a person who is a victim of trafficking, accepts the services of that person, has sex with him/her or receives income from his exploitation.*

## Social, economic and other initiatives for groups vulnerable to THB

**14. GRETA urges the Greek authorities to continue strengthening the aspect of prevention through targeted social and economic empowerment measures for groups and persons particularly vulnerable to THB, including women, asylum seekers, irregular migrants, unaccompanied children and children in street situations.**

*- According to expert assessments from various stakeholders, Roma constitute about 90 % of the victims of trafficking for begging and pick-pocketing activities and the group is significantly overrepresented among victims of sexual exploitation.*

*In order to address all possible factors (unacceptable living conditions, large-scale unemployment, low levels of education, lack of civil registration, early marriages) which make the members of the Roma community across Europe vulnerable to trafficking, and to achieve a higher degree of their integration, the General Secretariat for Social Solidarity and Against Poverty has developed a National Strategy (2011-2020) that treats all integration issues in a holistic manner and in line with the respective action plan, which includes actions per axis, such as:*

**Housing:** *infrastructure development, temporary relocation to organized space, improvement of living conditions (Law 4483/2017 and JMD RO64/2018) and rent subsidy.*

**Education:** *Second Chance Schools, Open University Scholarships, Educational Priority Zones to address specific needs of Roma pupils, migrants and refugees. Furthermore, the project "Inclusion and Education of Roma Children" is implemented by the Centre for Intercultural Education of the Department of Pedagogy of the Philosophy Faculty of National and Kapodistrian University of Athens in partnership with the Aristotle University of Thessaloniki and the University of Thessaly.*

**Employment:** *Employment integration programs in collaboration with OAED.*

**Health:** *Access to health structures, vaccination coverage of children, etc.*

**Early marriages:** *Underage marriages are not allowed in our country, except by a court order for a serious reason. The institutional framework is therefore a deterrent to the conclusion of child, early and forced marriages.*

**Civil Registration:** *To face the problem of lack of citizenship documents, a new legislation for undocumented mothers and their infants in maternity hospitals started being implemented in 2018, according to which they are given access to civil registration for themselves and their children (article 68 of Law 4554/2018).*

*As the General Secretariat for Social Solidarity and Against Poverty is in the process of drawing up a New National Strategy for Roma Social Inclusion (post 2020), it is currently planning to activate working groups set up by both members/representatives of the Roma community and experts working in the field, with a view to submitting proposals to address the issues of begging and child abuse, child early and forced marriages, poverty migration, civil registration, school dropout, which are all factors of social vulnerability.*

*Along with the establishment of working groups, the General Secretariat plans to reinforce the committee of experts which includes representatives of all the relevant ministries and bodies concerned, as described in the law 4430/2016, article 48.*

*Finally, the General Secretariat considers to rely on the institution of Community Centers/Roma Branches<sup>4</sup> that offer a package of services covering every need for care, for children and adult Roma by a personalized approach, with the participation of Roma mediators when necessary.*

<sup>4</sup> L. 4368 OG 21 A /21.02.2016, MJD Δ23/ECO.14435/1135/29.03.2016, OG 854 B /30.03.2016

*The reason for engaging them is to raise awareness on the risk of trafficking within the community as a direct means of prevention.*

*Another important aspect concerning the children victims of trafficking that already participate in criminal rigs of begging or petty criminality (pick-pocketing), is the fact that they are not self aware of their situation which means that they find it normal within the family or extended family context and they will not ask for help. Therefore, we should react by enforcing the law of compulsory education along with initiatives to tackle early drop out, ensuring that all children have access to quality education and a safe environment according to the constitutional and legislative framework for the rights of the child.*

*- The European Center Wergeland under the auspices of the Ministry of Education and in cooperation with the Institute of Educational Policy launched the project “Integration of refugee children in Greek schools”. Thanks to this project, 150 schools in total until 2020 will receive a training with a view to creating safe and inclusive schools and classrooms where refugees are welcome into a learning environment which aims to provide quality education to all.*

**15. With reference to Article 5, paragraph 5, of the Convention, which requires States Parties to take specific measures to reduce children’s vulnerability to trafficking, notably by creating a protective environment for them, GRETA urges the Greek authorities to put in place a guardianship system for children without parental care, including unaccompanied children, and to amend the system of birth registration with a view to reduce the risk of new-born children not being registered.**

*a. In July 2018 the Greek government adopted new legislation on Guardianship (4554/2018) which introduced the capacity and competences of professional guardians for unaccompanied minors. The said legal framework provides for the recruitment, training and appointment of a number of professional guardians to various locations in the Greek territory in order to provide individualized support to UAMs, complement their limited legal capacity, facilitate their access to legal protection and basic social services and ensure the children’s best interests. The professional guardians will promote UAMs’ well-being, advocate for their rights as well as maintain a coordinating and monitoring role of services provided to UAMs by various professionals. Best interest assessment and best interest determination procedures are also, for the first time, explicitly mentioned in the Guardianship Law, as are responsibilities of the guardians and the Supervisory Board respectively.*

*The professional guardians are to be recruited and supervised by the National Center for Social Solidarity (NCSS), a public institution supervised by the Ministry of Labor and Social Affairs (MoLSA). The Guardianship Supervisory Board and the territorially competent Public Prosecutors are foreseen in the law as independent entities supervising the professional guardians. Relevant secondary legislation, as provided for in law, has also been adopted, except for the Ministerial Decision establishing the Guardianship Supervisory Board. However, due to various constraints and challenges related to public administration procedures, the law will enter into force on 1 March 2020.*

*The Guardianship Law also introduces new competencies for NCSS vis-à-vis its coordinating and monitoring role over the protection of UAMs, through the establishment of a Directorate for the Protection of UAMs, consisting of three separate Departments; a) Department of Coordination, Support and Supervision of Professional Guardians (Department of Guardians hereinafter), b) Department for the management of UAMs accommodation referrals and c) Department for the monitoring and evaluation of UASMs accommodation centers. The Department of Guardians will be responsible for the coordination, supervision and evaluation of professional guardians and to establish and operate a complaint mechanism for UAMs supported by professional guardians. The Guardianship Law provides also for the establishment and operation of three Registries; a)*

the UAMs Registry, b) the Registry of Professional Guardians and c) the Registry for Accommodation Centers.

The NCSS (EKKA) has received the relevant funding approval, under the Asylum, Integration and Migration Fund (AMIF) vis-à-vis the recruitment of 180 professional guardians as well as the necessary coordination and support staff in various regional units across Greece. The MoLSA, in cooperation with NCSS and the support of UNICEF is also in the process of developing SOPs, guidelines and relevant tools for the operationalization of the guardianship scheme and the actual operation of the respective Directorate and Department, in full respect of children's rights and protection safeguards.

Until the full implementation of the new legal framework, the territorially competent Public Prosecutors are – in line with the legal framework in force- assigned as guardians for the UAMs. However, due to the overwhelming number of UAMs, the Public Prosecutors cannot fully exercise their duties, therefore interim solutions are pursued, such as the appointment of “authorized representatives for UAMs” by the competent Public Prosecutors. On the same note and in the context of the operationalization of the Guardianship system, a tripartite agreement has been signed by the United Nations High Commissioner for Refugees (UNHCR), the Ministry of Labor and Social Affairs (MoLSA) and METAdrasi (a Greek NGO with five years' experience on the Guardianship Network project) for the implementation of a “transitional guardianship scheme” as of 1 January 2019, with the participation of NCSS. The transitional program is to be completed in December 2019 (pending confirmation for a two-month period of extension, when the regulatory framework will enter into force). The program aims to cover the needs of approximately 1,600 UAMs, as well as to ensure the transfer of know-how as well as a smooth and gradual transition to the proper implementation phase of the guardianship scheme, based on the recruitment and assignment of 55 “Authorized Representatives” in various locations across Greece.

b. In an effort to support alternative care arrangements and meet the needs for the accommodation of the unaccompanied minors the Ministry with the commitment of UNHCR, IOM and UNICEF the current period is aiming at the scale up of supervised apartments operation for the UAMs aged 16 plus (260 places by the end of 2019), while; (a) MoLSA is in the process to issue the relevant legal framework (according to Law 4540/2018, art. 22) and (b) MoLSA is in close cooperation with the AMIF Responsible Authority for the issuance of the relevant call under the National Call in 2020.

In addition the Ministry in the Strategic Plan for the accommodation and the care of UAMs submitted to the European Commission supports UNHCR's proposal for the expansion of the foster care program (including refugee foster families along with the Greek foster families). In the context of the national effort for de-institutionalization of care, the MoLSA is willing to support the implementation of the aforementioned pilot foster care program by referring UAMs from other care arrangements as a way of paving the way for further development and institutionalization of foster care for unaccompanied minors.

c. In 2018, a new legislation was implemented for undocumented mothers and their infants in maternity hospitals, according to which they are given access to civil registration for themselves and their children: Article 68 of Law 4554/2018.

d. Regarding adoption with the biological parents' consent, usually called “private adoption”, which is provided for in Greek legislation, we would like to note that the recently introduced Law 4538/18, governing adoptions, adds important tools for child protection. More concretely, it foresees a centralized electronic register being created for all children available for adoption as well as for all prospective parents who have been screened for suitability by the competent state social services and have completed successfully a training program on parental role. A court decision declaring the adoption is also required.

The new law aims to considerably reduce the time needed to place a child with adoptive parents, while, at the same time, it makes the process more transparent, preventing minors' trafficking or facilitating the identification of such cases.

Greece's first integrated online platform for adoption and fostering is open.



*e. A comprehensive plan for the protection and care of unaccompanied children who have arrived in our country through refugee/migration flows is being activated by the government. The plan focuses on the creation of new long-term hospitality structures for them. Moreover, a National Coordinator for the Unaccompanied Minors has been designated.*

## **Border measures to prevent THB**

**16. GRETA considers that the Greek authorities should strengthen their efforts to detect cases of THB in the context of border controls, including through further training of border guards on the identification of victims of THB.**

*See trainings of the Hellenic Coast Guard under Recommendation no 8*

*According to the Greek Police, almost all cases of trafficking in human beings in our country were transnational external cases of THB.*

*In this context, the Hellenic Police cooperates with all relevant Offices and Agencies, inside and outside the country (through the official police cooperation channels - Europol, Interpol, SELEC, Frontex), with the aim of collecting and making best use of all available information.*

*In addition, the Hellenic Police utilizes relevant European Agency (Eurojust, Europol, Frontex) Trafficking Reports and Threat Assessments, which give added value to the efforts of Frontline Services (including Border Guard Services) towards identification of human trafficking cases.*

*At the same time, the Greek Police places particular emphasis on the training of frontier staff on trafficking in human beings. These trainings take place both at national level and within European agencies (Frontex, Cefpol).*

*Finally, as mentioned above, with the aim of optimizing the flow of information between Heads of Open Hosting Structures and Police Services, Greek Police Officers have been designated as Liaison Officers, who are the points of contact with the Heads of Open Structures and to whom specific training (among other topics) on trafficking in migrant flows was provided.*

## **Identification of victims of trafficking in human beings**

**17. GRETA urges the Greek authorities to take steps to improve the identification of victims of THB, and in particular to:**

**– ensure that the identification of victims of THB does not depend on the presumed victim's statement and co-operation in the investigation or criminal proceedings;**

*The Code on Migration and Social Inclusion (article 1 of Law 4251/14) provides for the possibility of a victim of trafficking to be recognized by the competent Prosecutor of first instance, even if the presumed victim does not cooperate with the authorities. In this case, a written report, drafted by two scientists specializing in psychiatry, psychology or social work, is required for the Public Prosecutor's act to be adopted.*

*In practice, the National Center for Social Solidarity, through its trainings on the National Referral Mechanism, informs the institutions about the existence of this possibility.*

*In addition, the Office of the National Rapporteur in cooperation with the NRM drafted a memo to the Supreme Court Prosecutors requesting their support towards this alternative option of victim identification and subsequently, the Supreme Court Prosecutor issued a circular to inform all prosecutorial authorities throughout Greece.*

**– speed up the process of granting the status of victim of trafficking;**

*The duration of this process ranges from 1 day (in flagrante delicto proceedings) to up to 2 months depending on investigation procedures.*

**– promote a multi-agency approach in the identification of victims of trafficking by involving the expertise of all relevant organizations and entities, such as specialized NGOs, social workers, labour inspectors and health-care staff;**

*According to the National Referral Mechanism Report for 2019, a large number of institutions cooperating with NRM and ONR sent data on presumed victims to the Mechanism. More specifically, the following public actors submitted 68 referral forms to NRM during 2019:*

1. *Greek Police*
2. *Asylum Service*
3. *First Reception and Identification Service*
4. *National Centre for Social Solidarity (EKKA)*
5. *National Public Health Organisation (EODY)*

*Within the same period, NRM received 82 referrals from Non-Governmental and International Organisations:*

1. *«Arsis» - Association for the Social Support of Youth*
2. *The A21 Campaign*
3. *Network for Children's Rights*
4. *Centre for Research on Women's Issues "DIOTIMA",*
5. *HIAS Greece,*
6. *NGO "Praksis",*
7. *NGO "Solidarity Now",*
8. *The Smile of the Child,*
9. *Greek Council for Refugees*
10. *The UN Refugee Agency in Greece (UNHCR)*

*It is worth-mentioning, that the presumed and officially recognized victims (not the potential ones) are referred to the Greek NRM, on the condition that the Referring Actor currently provides services to the presumed victim, no matter where and when the acts of trafficking took place.*

*In the EU Operational Action Plan (OAP,2017-2019) to disrupt the activities of Organized Crime Groups (OCGs) involved in THB, coordinated by Europol, SEPE and POLICE participate in joint inspections taking place on scheduled Joint Action Days (JAD). JAD take place in industries and*

*businesses with the highest risk of labour exploitation and the aim is to maximize the possibility of identifying exploitation cases in industries and enterprises with increased risk. The report of the results of the joint SEPE - POLICE inspections is forwarded to Interpol for further investigation. For the years 2018-2019, SEPE - POLICE have carried out a total of 721 joint inspections. In particular, for the year 2018, 372 joint SEPE - POLICE inspections were carried out and 113 administrative penalties (fines) were imposed for violations of Labour law provisions. For the year 2019, 347 joint inspections took place and 82 administrative penalties (fines) were carried out for breaches of Labour law provisions.*

**– secure sufficient funding for the National Referral Mechanism in order to build up identification networks and provide training for relevant professionals on identification techniques and procedures;**

*EKKA has raised its capacity through funding mechanisms for the operational support of the NRM. More specifically, EKKA was granted 631.835,16 euros in the framework of EU Internal Security Fund (2018-2022). For the allocation of funding, the Office of National Rapporteur and EKKA have signed an MOU. EKKA also signed an MOU with NORCAP (Norwegian Refugee Council), in virtue of which three anti-trafficking experts were seconded in November and December 2018: one legal consultant and two anti-trafficking advisers/ trainers, in order to support EKKA with the production of several NRM-related material, as well as with the development of several training packages and the deliverance of interagency trainings to first – line professionals.*

**– take measures to proactively identify victims of trafficking for the purpose of sexual exploitation and provide the police with the necessary means for doing so;**

*In order to effectively identify/investigate cases of THB, the Greek Police established Sections and Teams of tackling THB.*

*Executive level: Since September 2002, the Public Security Directorate of the Greek Police Headquarters has been specifically handling THB issues and guiding regional operational agencies.*

*Operational Level: Twelve (12) THB Teams and two (2) THB Departments belonging to the Sub-directorates of Organized Crime and THB of the Security Directorates of Attica and Thessaloniki operate respectively, whose staff have undergone specialized training in approaching (potential) victims - investigating THB cases.*

*The competent services locate the points of activity (where sexual exploitation takes place) and then targeted expeditions are implemented.*

*Presumed victims are referred to the "second line" services, where with the responsibility of the Public Security Directorate of the Hellenic Police Headquarters, a special Human Trafficking Report (based on relevant cases and reports from international and European organizations) is compiled each year, detailing trends, ways of action, indications etc. (This Report is for Police use only.) The report is, then, sent to all "front line" services and form the basis of trainings, with the ultimate aim of optimizing the approach/investigation of the respective cases.*

*As a general principle, the victim-centered approach and the avoidance of further victimization are applied. To this end, efforts are being made to provide continuous, up-to-date training to the staff of the frontline services, which has a high likelihood of contacting potential victims.*

**– pursue a proactive approach to the identification of victims of trafficking for the purpose of labour exploitation by encouraging regular and co-ordinated multi-agency inspections in the sectors most at risk, and by regulating and monitoring private employment agencies and domestic work;**

*Due to the high risk of labour exploitation at the private employment agencies, inspections are planned annually and continuously throughout the country for Private Employment Offices (KAD 78). For 2018, 55 inspections were carried out in Employment Agencies, 10 fines totaling EUR 41.900 were imposed and 2 lawsuits were filed with the Public Prosecutor's Office for violations of Labour law provisions.*

*With regard to domestic workers, the Labour Inspectorate is not allowed to enter into private households without a Prosecutor's order (article 2, paragraph 5 of Law 3850/2010).*

*However, the Labour Inspector may file a complaint with the competent Public Prosecutor if he finds any violations of Labour law in the course of examining all evidence submitted to him during the SEPE conciliation mechanism.*

*Domestic workers have access to the SEPE conciliation mechanism and in 2018, 91 domestic workers have resorted to the SEPE conciliation mechanism. Out of 91 cases, were resolved 36 related to unpaid accruals and in 6 cases, complaints were filed with the Prosecutor.*

**– introduce a procedure for the proactive identification of child victims of trafficking for different forms of exploitation, including forced begging, paying particular attention to unaccompanied migrant children. The procedure should take into account the special circumstances and needs of child victims, involve child specialists and ensure that the best interests of the child are the primary consideration;**

**– pay increased attention to detecting victims of THB among migrants and asylum seekers in first-line reception centres and persons detained as irregular migrants, and provide additional training to staff who come into contact with such persons.**

*(Answer to both previous points:)*

*Prior to official launching of the National Referral Mechanism (1.1.2019) and in the context of preparatory activities, the National Centre for Social Solidarity (EKKA) organized thematic working groups, on the conclusions of which the relevant documentation was based. Standard Operational Procedures (SOPs) for the Identification and Referral of THB victims (including children) were developed for all relevant stakeholders. More specific SOPs were drafted for the Reception and Identification Service, as well as the Health Sector due to their special protocols on procedures. All accompanying documents (SOPs, Referral Form, Glossary of Terms etc.) were shared in December 2018 with all first line state and non-governmental actors.*

*Furthermore, joint meetings with all local relevant actors – state and non-governmental, if active – are organized in the country (until now in Thessaloniki, Patra, Kalamata, Pyrgos and soon in Crete – Chania, Rethymno, Heraklion, Agios Nikolaos), in order to be informed of trafficking issues, the NRM and its SOPs. On the other hand, national stakeholders, such as the Asylum Service, have given instructions to all their local branches across the country on how the Special Forms sent to EKKA in case of referral should be filled in.*

*Moreover, there are procedures taking place at the Reception and Identification Centers (RICs-Hotspots) and followed especially for women and children: At the Reception and Identification Centers (RICs- Hotspots) the newly-arrived women get information about their rights according to the national law, as well as information on the actions and the referral pathways in case they are faced with any form of violence or harassment. They can contact the appointed focal points - employees for gender-based violence or any form of sexual violence at the RICs. As a follow-up to an eventual complaint, the administration will contact the psycho-social support unit and the police when and if necessary.*

*As previously stated, the National Referral Mechanism is already in place and active and the referral pathways are known to all competent personnel. This means that cooperation and coordination of all competent authorities, i.e. multi –agency approach, is functional and specialized NGOs and social workers are on board, together with the authorities.*

*Needless to say that all above actions include children and any other presumed THB victim.*

*Guidelines for pro-active actions and training on THB related issues for front line officers have already started to take place in the RICs and this will continue in the following year.*

*Additionally, there is an MOU in place, signed by all national authorities involved in the fight against gender violence and THB, together with the General Secretariat for Gender Equality, by means of which access to a 24/7 help line for the support and aid to refugee and migrant victims is given, together with access to relevant counseling centers.*

## **Assistance to victims**

**18. GRETA urges the Greek authorities to take steps to improve the assistance provided to child victims of trafficking and fulfill the obligation to provide a protective environment for them, in particular by:**

*The Ministry of Justice has drafted an Action Plan for the Rights of the Child to be adopted in the near future.*

*Child-friendly justice has been set as a high priority axis of the National Action Plan.*

*Specifically it comprises 4 actions as follows:*

- 1) Juvenile Victims and Witnesses in Criminal Proceedings - Children's Houses (Athens, Piraeus, Thessaloniki, Heraklion, Patras). Certain provisions for proper housing, staffing, technical equipment, and staff training are included.*
- 2) Training for the judiciary and relevant professionals in the examination of juvenile victims in criminal proceedings by district court.*
- 3) Protocol on the trial of Juvenile Victims of Sexual Offenses in Criminal Proceedings.*
- 4) Establishment of a comprehensive electronic data base that will collect the data kept by the individual guardian offices of minors and Children's Houses.*

*Moreover, the following are human trafficking hotlines in Greece, that provide assistance to children victims, as well, while some of them specifically address child protection:*

### Government operated:

- National Center for Social Solidarity/Ministry of Labour and Social Affairs, helplines:  
 . National Line for child protection: **1107***
- General Secretariat for Family Policy and Gender Equality – Ministry of Labour and Social Affairs, SOS helpline for women and girls victims of violence, including human trafficking: **15900**  
 On 11<sup>th</sup> of March 2011, the General Secretariat for Family Policy and Gender Equality launched the SOS Helpline 15900 designed to offer advice, support and counseling to women and girls victims of all forms of violence 24 hours/day and 365 days/year. It is a low-cost helpline, nationwide, confidential and staffed by gender-trained counselors. Counseling is provided in both Greek and English. Victims are directly relegated to other specialized structures. It is also supported by the e-mail address: [sos15900@isotita.gr](mailto:sos15900@isotita.gr)*
- Labour Inspectorate: Hotline for complaints about labour law infringement and undeclared work: **15512***

### NGO-run:

- The Smile of the Child - National helpline for children SOS: **1056***

*The Smile of the Child” runs three helplines 24/7, 365 days/year, anonymous and free, which are staffed with social workers and psychologists. Their helplines (National Helpline for Children SOS 1056, the European Hotline for Missing Children 116000-also info desk for THB and the European Helpline for Children and Adolescents 116111) are all interconnected with the European Emergency Number 112. In 2019, they identified 11 potential trafficking victims for whom they have carried out the appropriate actions for their protection (immediate intervention, submitting formal reports to the public prosecutor etc.). Their helplines operate in Greek (official language), English, French, Arabic and Farsi.*

- European hotline for missing children – Information desk on child trafficking: **116000**
- A21 – Helpline: **1109**

*The General Secretariat for Family Police and Gender Equality, as the competent state entity on the issue of combating violence against women and girls has been implementing since 2010 the "National Programme for the Prevention and Combating Violence against Women", which was funded by the National Strategic Reference Framework (European Social Fund). Within this program a network of 63 structures was established and operates for women victims of all forms of gender-based violence (domestic violence, trafficking, sexual harassment, rape).*

*The network includes:*

- the bilingual SOS telephone helpline 15900
- 42 Counseling Centers and 20 shelters all over Greece

*The services provided by the above mentioned structures are free of charge and include psychosocial support, legal counseling as well as counseling in labor issues, emergency shelter and, where necessary legal aid in cooperation with local Bar Associations. In designing and delivering these services, due consideration is given to the need to respond to different social, ethnic, and cultural backgrounds, faiths, states of health, etc. Our goal is to empower women victims of violence and help them to regain self-esteem, thus enabling them to make sound decisions for their future, and finally gain independence in their jobs and in their personal and family lives.*

*The tasks of the structures also include networking with local agencies and relevant associations for joint communication and public awareness programs.*

*All the structures provide help to victims regardless of whether they have been officially identified as victims of trafficking by the public prosecutor or only personally state themselves as such.*

*The General Secretariat for Family Police and Gender Equality recognizing the complexity of problems that refugee and asylum-seeking women and girls are facing, as well as the gender dimension of these problems undertook the initiative to activate a state mechanism and to develop partnerships with other actors for the integration of refugee women and their children to the society, and signed a protocol of cooperation with relevant governmental bodies. The aim of the protocol is the adoption of standard procedures as regards identification, referral and accommodation, but also the provision of counseling services and activities for refugee women at risk or survivors of gender-based violence as well as to refugee women heads of single-parent families and their children.*

**– ensuring that services are provided to child victims of trafficking on a consensual and informed basis, taking due account of their special needs and the rights of children in terms of accommodation, education and appropriate health care;**

**– training all professionals working with child victims of trafficking to recognize and respond appropriately to their needs;**

**– ensuring that possible child victims of trafficking who are unaccompanied or separated are assigned a legal guardian, as expeditiously as possible, to ensure that the best interests of the child are effectively protected (Article 10(4) of the Convention);**

As it is extensively mentioned above, in July 2018 the Greek government adopted new legislation on Guardianship (4554/2018), which introduced the capacity and competences of professional guardians for unaccompanied minors (see details in answer to recommendation 15).

**– addressing the situation of children going missing by providing suitable safe accommodation and adequately trained supervisors or foster parents;**

*In order to appropriately address the situation of children going missing, the Greek legal system has adopted new legislation on Guardianship (see above and answer to Recommendation no 15), as well as the recently introduced Law 4538/18, governing adoptions, which adds important tools for child protection.*

*More concretely, the latter foresees a centralized electronic register being created for all children available for adoption as well as for all prospective parents who have been screened for suitability by the competent state social services and have completed successfully a training program on parental role. A court decision declaring the adoption is also required.*

*The new law aims to considerably reduce the time needed to place a child with adoptive parents, while, at the same time, it makes the process more transparent, preventing minors' trafficking or facilitating the identification of such cases.*

*Greece's first integrated online platform for adoption and fostering is open.*

*According to recent data by EKKA, there are currently functioning 10 safe zones for unaccompanied minors throughout Greece, as well as 53 shelters, 11 out of which at the entry points (<http://www.ekka.org.gr/index.php/2018-05-08-09-50-30/143-statistika-2>).*

*Accommodation for unaccompanied minors is coordinated by EKKA in cooperation with specialized NGOs.*

*From March 2020, the responsibility for the safe accommodation and integration of unaccompanied minors will be allocated to the Special Secretary for Unaccompanied Minors (Ministry of Migration and Asylum).*

**– putting an end to child detention for immigration purposes and seeking alternatives to detention, in line with the best interests of the child.**

*In November 2019, the Prime Minister's Office announced a project titled "no child alone" to respond to the pressing issue of assistance, accommodation and integration of the approximately 5.000 unaccompanied minors currently residing in Greece. He appointed a National Coordinator to carry out this task and the first priority was the immediate accommodation of children below the age of 11 in appropriate hospitality structures that serve the best interest of the children. At the same time, a Special Secretariat for Unaccompanied Minors was established under the Ministry of Migration and Asylum. In February 2020, an additional 240 places for the safe accommodation of UM were added to the existing ones and appropriate facilities are currently being prepared for 2.000 more children. The new structures will be small units allowing for a more individualized approach of the specific needs of the children.*

**19. GRETA urges the Greek authorities to ensure that suitable accommodation is provided for male victims of trafficking and that they can fully benefit from the assistance measures provided for in law.**

*Concerning the provision of safe accommodation to men victims of THB, the NGO "PRAKSIS", partner of the NRM, provides a number of safe urban apartments for this population. In addition, if the number of concurrent men victims is greater than the available apartments, EKKA*

*coordinates their temporary hosting into shelters for asylum-seekers or shelters for homeless men. In such cases, men victims of THB are transferred to an appropriate accommodation as soon as possible.*

**20. GRETA considers that the Greek authorities should enhance their efforts to provide assistance to victims of trafficking by:**

– ensuring that all assistance measures provided for in law are guaranteed in practice; where assistance is delegated to NGOs or other non-state actors as service providers, the State should ensure the provision of adequate financing and the quality of the services;

– providing appropriate and secure accommodation to all victims of trafficking;

– facilitating the reintegration of victims of trafficking into society and avoiding re-trafficking by providing them with long-term assistance, including vocational training and access to the labour market.

*Public private partnerships and project deliverables such as safe accommodation shelters that involve state agencies and NGOs are usually financed by a combination of EC structural funds, State budget and private foundation funding. In general terms, this synergy between different stakeholders ensures the financial viability of anti-trafficking projects. Besides, the reintegration of victims of trafficking into society is addressed by several social entrepreneurship projects that offer vocational training and access to the labour market.*

## **Recovery and reflection period**

**21. GRETA urges the Greek authorities to ensure that all possible foreign victims of THB, including EU and EEA citizens, are systematically informed of the possibility to use a recovery and reflection period and are effectively granted such a period. Steps should be taken to alert police officers and other relevant staff of the importance of this period and to issue instructions regarding the procedure for granting it.**

*Victims are regularly informed of their rights, and particularly, about identification act, residence permit and reflection period.*

*THB victims are allocated a 90-day reflection period, which is extended to 5 months in case of underage victims.*

## **Residence permits**

**22. GRETA considers that the Greek authorities should take further steps to ensure that victims of THB can effectively benefit in practice from the right provided under Greek law to obtain a renewable residence permit.**

*In 2019, 13 residence permits were issued/renewed. The respective numbers for 2018 and 2017 were 23 and 17.*



## Compensation and legal redress

**23. GRETA urges the Greek authorities to adopt measures to facilitate and guarantee access to compensation for victims of trafficking, and in particular to:**

- ensure that victims of trafficking are systematically informed in a language that they can understand of the right to seek compensation and the procedures to be followed;
- enable victims of trafficking to exercise their right to compensation by ensuring their effective access to legal aid, by building the capacity of legal practitioners to support victims to claim compensation and by including the issue of victim compensation in training programs for law enforcement officials, prosecution and the judiciary;
- ensure that the State-funded compensation scheme is effectively accessible to victims of THB, regardless of their citizenship and residence status;
- use assets confiscated from perpetrators to compensate victims of THB;
- enable victims of trafficking who are non-EU nationals and who have left Greece to benefit from the possibility to claim compensation.

*Law 3811/2009 on Compensation of Victims of Violent Crimes, which entered into force on 18 December 2009, provides the legal basis for State compensation to victims of certain crimes, including Articles 323A (trafficking in human beings) and 351 (trafficking in human beings for sexual exploitation) of the Criminal Code. Article 1 of this law established the Greek Compensation Authority, under the Ministry of Justice, Transparency and Human Rights, which decides upon compensation claims for violent crimes committed in Greece, as well as the Greek Assistance Authority which assists persons residing in Greece to claim compensation for crimes committed in other EU Member States. Pursuant to Article 4, paragraph 3, of the law, the investigating and prosecuting authorities are obliged to inform victims of intentional violent crimes, including trafficking, about their right to apply for State compensation.*

*Informing victims of THB of their right to seek State compensation under the conditions of the relevant legislation is also guaranteed prior to the prosecution of the perpetrator and regardless of it, as provided for in the Presidential Decree (P.D.) 233/2003 and Law 4478/2017 (that is, as soon as the victim has resorted to Protection and Assistance Services and Units.).*

*As part of its contribution to the development of integrated comprehensive support and victim care services, the Ministry of Justice provides thorough and victim-friendly information (and application form) through its website and the E-JUSTICE PORTAL ("one stop shop") in 23 official EU languages on the right of victims to claim compensation.*

*[Ministry of*

*Justice [https://www.ministryofjustice.gr/?page\\_id=1511](https://www.ministryofjustice.gr/?page_id=1511) (Greek), [https://www.ministryofjustice.gr/English/?page\\_id=765](https://www.ministryofjustice.gr/English/?page_id=765) (English) ]*

*[E-JUSTICE PORTAL [https://e-justice.europa.eu/content\\_compensation-67-el.do](https://e-justice.europa.eu/content_compensation-67-el.do) (Greek) [https://e-justice.europa.eu/content\\_compensation-67-en.do?init=true](https://e-justice.europa.eu/content_compensation-67-en.do?init=true) (English) ]*

*In particular, the P.D. 233/2003 states that protection and assistance services and units shall ensure that victims are provided with legal assistance and interpretation when victims do not speak Greek. In fact, all the protection and assistance services provided for in the aforementioned P.D. are provided to victims of THB irrespective of criminal prosecution as soon as the victim has resorted to Protection and Assistance Services and Units.*

*Therefore, the victim of THB is informed in a language that they understand that they are entitled to seek compensation in accordance with the provisions of Law 3811/2009. The right of the victim to seek compensation in accordance with the above does not depend on nationality.*

*Victims of the criminal offences provided for in article 323A PC are the beneficiaries of legal assistance in any criminal and civil claims. That is to say, they are entitled to request the*

appointment of a lawyer to represent them in the criminal proceedings and the appointment of a lawyer, notary and bailiff, with the mandate to represent them in court and to provide them with the assistance they need in order to take the necessary action in the proceedings of their claims (article 1, par. 3 of Law 3226/2004).

The compensation covers medical and hospital expenses, loss of income for a reasonable period of time and funeral costs (if applicable). The expenses of the Greek State for medical care are deducted, as well as any sum that the victim has received from the offender or from social services. In order for a victim of trafficking to apply to the Greek Compensation Authority, there must be a final criminal conviction of the perpetrator and either the perpetrator must lack the necessary means to comply with the final judgment awarding damages or the perpetrator cannot be prosecuted or identified. The application must be submitted within one year of the final conviction or, in case the perpetrator cannot be identified, within one year of the placing of the case on file. There are a number of exceptions to the entitlement to claim State compensation, including when the victim has refused to co-operate with the authorities in the criminal proceedings, for example refusing to testify or submit crucial evidence (Article 9). Further, a fee of 100 euros is levied for submitting an application for State compensation.

The legislation on compensation for victims of crime was amended with the addition of provisions of the Istanbul Convention on "gender based violence & domestic violence" by Law 4531/2018. The new Law provides that the Compensation Authority must examine the case within three months of the date on which the application is lodged, and must give its final decision within three months of the date of assessment of the application.

Furthermore, expenses that are covered by the compensation have been expanded as such:

(a) For the victim of the offence - Material (non-psychological) damage:  
 medical costs of injury (medical treatment — out-patient and hospital treatment, rehabilitation)  
 loss of earnings during medical treatment and thereafter (including lost earnings, loss or diminution of capacity to earn a livelihood, etc.)

Moral damage:

mental and psychological support

change of environment and address (removal and purchase of essential consumer items) (both pending upon relevant Ministerial Decision )

(b) For relatives of the victim or other persons entitled by reason of their relationship to the victim:

Material (non-psychological) damage:

funeral costs

medical costs (e.g. therapy for a family member, out-patient and hospital treatment, rehabilitation)

loss of support or prospects.

The Greek Compensation Authority compensates victims of crimes of intentional violence, if the act is committed in Greece and the victim's place of residence or habitual residence is in Greece or in the territory of another EU Member State.

At the same time, amendment to the provision of article 3, paragraph 1 of Law 3811/2009 disconnecting the victim's right to compensation from the place of domicile or habitual residence is on the way. No distinction is made between EU and non-EU nationals.

In relation to the use of the frozen assets for the victim of the trafficking, article 16, par. (3) of Law 4635/30.10.2019 added article 63A to Law 4478/2019, which provides that property frozen during the criminal proceedings and declared to be returned to victims shall be returned to them without delay, in accordance with the provisions of the Code of Criminal Procedure. In accordance with the new provision of article 373 CCP, restitution to the victim of frozen property obtained directly or indirectly from the crime and constituting material damage to the victim shall be executed prior to sequestration of those assets. Sequestration is to be imposed only where there is no chance of returning the frozen assets to the victim.

In a training session "Info Day" (30-11-2018) organized by the National Center for Social Solidarity, within the framework of the implementation of the Support VOC (Victims of Crime)

*Project, the Ministry of Justice was invited to present the topic of "legislation on rights, support and protection for victims of crime and the current challenges". Among other things, special emphasis was put on awareness of all relevant professionals of how victims can fully exercise their right to compensation before and after the criminal proceedings.*

*The Ministry of Justice is planning to raise awareness (in 2020) amongst the Bar Associations in Athens, Piraeus, Thessaloniki and Chania and the judiciary in Lesvos, Chios and Samos Courts on the rights of victims of crime, with a special focus on vulnerable groups and victims such as children and persons with disabilities.*

**24. GRETA invites the Greek authorities to develop a system for recording compensation claims of and awards to victims of trafficking.**

*Data Collection according to Victims' Rights Directive (2012/29/EU)*

*Hellenic Ministry of Justice has already communicated to the European Commission relevant statistical data (for year 2016) related to the application of national procedures on victims of crime, including the number and type of the reported crimes and, as far as such data are known and are available, the number and gender of the victims. Relevant statistical data include data recorded by the judicial authorities and by law enforcement agencies and, as far as possible, administrative data compiled by public and non-governmental victim support or restorative justice services and other organizations working with victims of crime. Judicial data in some cases include information about reported crime, the number of cases that are investigated and persons prosecuted and sentenced. Service-based administrative data include data on how victims are using services provided by government agencies and public and private support organizations, such as the number of victims that request, receive or do not receive support or restorative justice.*

*Data Collection according to Victims' Compensation Rights Law 3811/2009*

*The Ministry of Justice keeps records with detailed statistics on cases it has handled since 2006. Information is kept in all cases including gender, age, nationality (when mentioned) disaggregated data and other characteristics of the victims.*

## **Repatriation and return of victims**

**25. GRETA considers that the Greek authorities should take additional steps to:**

**– ensure that the return of victims of trafficking is conducted with due regard for their rights, safety and dignity. This means informing victims about existing programs, protecting them from re-victimization and re-trafficking and, in the case of children, fully respecting the principle of the best interests of the child;**

**– further develop international co-operation in order to ensure proper risk assessment and safe return, as well as effective reintegration of victims of THB;**

**– ensure compliance with the non-refoulement obligation under Article 40, paragraph 4, of the Convention. In this context, the Greek authorities should give full consideration to the UNHCR's Guidelines on the application of the Refugees Convention to trafficked people and their possible entitlement to asylum when deciding upon applications for asylum of persons who are at risk of being re-trafficked or otherwise persecuted should they be obliged to return to their State of origin or residence.**

*Voluntary repatriation of victims is conducted by IOM. IOM Greece cooperates closely with all competent stakeholders addressing THB issues (ONR, law enforcement authorities, NRM) and it applies the following principles in the process of return and reintegration of victims in the countries of origin:*

- *Understanding of voluntariness of return and available options (applying for asylum, residency permit etc.)*
- *Risk assessment on safety and security in country of origin with VoT in cooperation with IOM in origin country and law enforcement in Greece and country of origin*
- *Personalized re-integration activities for sustainability and reduced risk of re-victimization (accommodation in different town/city, access to health services, labour and vocational training, work opportunities)*
- *Monitoring and evaluation by IOM offices in country of origin (usually 6-12 months but may be longer depending on vulnerability)*

*For child victims of human trafficking there are additional safeguards:*

- *Family tracing for the identity of the legal guardians in the country of origin and in Greece (exploring understanding of voluntariness)*
- *Family assessment by IOM and/or in partnership with NGOs in the countries of origin including factors such as:*
  - *Information on the safety of the region and country, as well as the safety of the community where the family resided.*
  - *Information on the make-up of the family, family dynamics between family members and extended family, the social and economic ability of the family to support the child and their willingness to care for the unaccompanied child if he/she returned.*
  - *Access to basic services such as health care and education.*
  - *Best Interest Assessment Report submitted to Prosecutor for Minors to review all available material, and provide opportunity to speak to the child and consider their opinion*
  - *Decision by Prosecutor for Minors that it is in the best interest of the child to return home*
  - *Personalized Reintegration Activities: Education, vocational training, work*
  - *Monitoring and Evaluation by IOM or partner organization*

*As to the compliance with the non-refoulement obligation, no such cases regarding presumed THB-victims have been brought to the attention of Greek authorities. Moreover, in the Greek legal system, as soon as a criminal investigation or a victim identification procedure is initiated, no arrest, detention or return takes place.*

## Non-punishment of victims of trafficking in human beings

26. GRETA urges the Greek authorities to take additional measures to ensure compliance with the principle of non-punishment of victims of THB for their involvement in unlawful activities, to the extent that they were compelled to do so, as contained in Article 26 of the Convention. Such measures should include the abolishment of the requirement of a prior complaint by the victim of trafficking which is not in line with Article 26 of the Convention and the development of guidance for police officers and prosecutors on the scope of the non-punishment provision. While the identification procedure is ongoing, potential victims of trafficking should not be punished for their involvement in unlawful activities, to the extent that they were compelled to do so.

### **Ministry of Justice:**

*The provision not to punish the victim under the PC in the event of a criminal offence itself, with the prosecutor's provisional refraining from prosecuting and, if the complaint is founded, by the definitive refraining from prosecution, was maintained in the new text of the PC was even included in the article specifically on THB and not in a PC article on criminal organizations. As regards the non-punishment of the victim, it is also important to note that the provisions of the preliminary rulings have remained largely unchanged in the new CCP. Only minor interventions have been made in article 59 CCP which regulates the postponement of the prosecution by an act of the prosecutor on specific crimes allegedly committed by victims of various crimes, including THB. In this context, paragraph 8 of article 323A PC a new provision has been introduced which provides that, for anyone who reports criminal offences committed against him by perpetrators of THB, following the approval by the Appeal Prosecutor, the Misdemeanors Prosecutor may temporarily suspend criminal prosecution for violations of the aliens law and for prostitution, as well as for offences involving their participation in criminal activities, provided that such participation was a direct consequence of the fact that they were the victims of offences of the previous paragraphs, until an irrevocable decision is reached on the acts complained of. If the complaint is found to be well founded, refraining from prosecution becomes definitive.*

*Furthermore, the provisions of article 59 CCP par. (4) and (5) expanded the scope of protection for victims of THB by introducing a legislative provision for definitive refraining from prosecution of the perpetrators of the offences listed there (unlawful entry into the country, possession and use of travel documents, identity cards, residence permits or other counterfeit or genuine documents issued for another person, illegal work, prostitution), provided that s/he was a victim of THB and traffickers have been irrevocably convicted. The prosecutor has the same option, even if the verdict is not a conviction or if the charges are dropped in the case of unidentified perpetrators, if the case file shows that the commission of the crime was a consequence of the fact that the alleged perpetrator was a THB victim.*

*If criminal proceedings have already been instituted against the victim of these offences, the court shall suspend the proceedings until the end of the criminal proceedings for the crime committed against him/her. Following the irreversible adjudication of any of the above crimes committed against the victim, if there is a judgment for conviction, the criminal prosecution against the latter for his/her aforementioned acts is terminated. Also, the court may terminate the prosecution permanently, even if there is no conviction, if the case file finds that the commission of the crime was the direct result of the fact that the alleged perpetrator was a THB victim.*

*It should be noted that the notion of 'denouncing' the offences committed against the perpetrator of the offences referred to in paragraph 4 does not, under Greek law, require the filing and lodging of a complaint against the traffickers, nor the explicit and clear reference to the offences they have committed against the victim of trafficking accompanied by a statement by the victim of his/her desire to prosecute the perpetrator. For the fulfillment of the abovementioned provision of article 323A PC, paragraph 8, it is sufficient that a simple, albeit narrative, statement of the victim to a*

fact which may provide the authorities with an indication of the commission of the offence of trafficking.

## Investigation, prosecution and procedural law

### 27. GRETA urges the Greek authorities to:

– **prioritize the identification of gaps in the investigation procedure and the prosecution of THB cases in court, with a view to ensuring an expeditious trial and effective, proportionate and dissuasive convictions;**

– **provide law enforcement agencies with the necessary resources and tools to detect and investigate THB cases. In this context, GRETA wishes to stress the importance of making use of special investigation techniques so that crimes related to THB can be investigated and prosecuted effectively;**

– **develop the specialization of prosecutors and judges to deal with THB cases.**

*With regard to the investigative procedure followed for the purpose of ascertaining the offence of THB, the overriding of the evidentiary difficulties connected with the nature of such cases shall be achieved by carrying out the specific investigative actions referred to in article 254 CCP. In particular, for the crime of THB, investigations may include:*

*a) an undercover investigation, in which the investigating officer or the individual acting under his/her instructions offers to facilitate the commission of any of the offences set forth in paragraph 1, which the perpetrator of the crime in question had predetermined. The undercover investigation shall be carried out under the authority of the Misdemeanors Prosecutor and a detailed report shall be drawn up on the actions of the undercover agent or individual.*

*b) investigative infiltration, in which an investigating officer with concealed identity undertakes under cover assignments in a criminal or terrorist organisation with the aim to clarify its structure, disclose its members, and establish the crimes referred to in para. 1, which the members of the Organisation had predecided.*

*c) controlled transport*

*d) lifting the confidentiality of the contents of the communications or their location and traffic data, in accordance with the safeguards and procedures of articles 4 and 5 of Law 2225/1994.*

*e) recording of activity or other events outside the home with audio or video equipment or other special technical means.*

*f) the association or combination of personal data.*

*Indeed, special investigations of controlled transport, lifting confidentiality of communications or location and traffic data and the association or combination of personal data may also be imposed on a third party not participant in the crime in order to reveal the identity of the defendant or his or her place of residence or domicile and where it is technically impossible to verify this information in any other way.*

*It is therefore concluded that Greek law provides the pre-investigating and investigating officers with the appropriate investigative means to effectively investigate THB cases in order to ensure that they have evidence before the judicial authorities ruling on the fate of the perpetrators.*

*Regarding the speed of the proceedings: Priority is to be given to trials of THB against minors, absolute priority of the investigation and the closure of the investigation by a ruling of the council of misdemeanours.*

*As regards the existence of special prosecutors dealing with trafficking and THB cases, we hereby inform you that, by act of the Public Prosecutor of the Supreme Court and the Director of the Public Prosecutor's Office at the Court of First Instance of Athens, competent prosecutors are appointed for matters relating to trafficking in the Public Prosecutor's Office of the Supreme Court*

and the Public Prosecutor's Office at the Athens Court of First Instance, respectively. In addition to the Public Prosecutor's Office at the Court of First Instance of Thessaloniki, an equivalent act of the Director of the Public Prosecutor's Office appoints the Public Prosecutor responsible for the general supervision of the cases of organised crime, who also deals with cases of THB.

### **Greek Police:**

The study - analysis of THB cases that have been investigated by the Greek Police clearly shows that this is a transnational, multi-factorial phenomenon, the effective handling of which requires the use of special investigative techniques as provided for in the current legislation and in article 254 "Special Investigations on Certain Crimes" of the CCP<sup>5</sup>.

The use of the aforementioned special investigative techniques is a topic in the trainings organised for the Greek Police staff with the ultimate aim of optimising the ability to investigate related cases.

The Special Services of the Greek Police, whose responsibilities include investigating THB cases (THB Departments and Teams), have specialised equipment (video and audio recorders, physical surveillance vehicles equipped with imaging and recording systems), which is used (according to the legislation in force) to investigate cases more effectively.

## **Protection of victims and witnesses**

**28. GRETA urges the Greek authorities to make full use of the available measures to protect victims, including children, and to prevent intimidation during the investigation and during and after the court proceedings. In this context, GRETA refers to the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice.**

Article 228 of the new CCP, entitled 'Witnesses victims of THB', provides that, when witnesses are examined, for witnesses who are victims of THB, an expert, such as a psychologist or psychiatrist, is appointed and present to the procedure, prepares the victim for the examination, in cooperation with the investigators and the judicial officers, decides on the perceptive ability and mental condition of the victim and makes his/her findings in a report forming an integral part of the file. During the hearing, the psychiatrist or psychologist and the injured party may be accompanied by his or her legal representative.

Furthermore, the testimony of the injured party shall be made in writing and recorded in an electronic audiovisual medium, where possible. The electronic submission of the testimony of the injured party shall replace the physical presence at the next stages of the procedure and, if it is not possible to display it electronically, a written statement from that person shall be read out to the audience.

After the introduction of the case of trafficking in the courtroom, the public prosecutor or the parties may request from the President of the court the examination of the injured person, if he or she has not been heard in the investigation, or should be examined in a complementary manner. If the application is successful, the examination of the injured person shall be carried out on the basis of questions which are clearly set out, without the parties being present, at the place where s/he is, by an investigative official appointed by the court ordering the examination.

Similar provisions can be found in article 227 of the new CCP as regards the procedure for the examination of minor witnesses who are victims of the acts referred to in articles 323A par. (4), 324, 336, 337 par. (3), 338, 339, 342, 343, 345, 348, 348A, 348B, 348C, 349, 351A of the PC and articles 29 par. (5) and (6) and 30 of Law 4251/2014. According to the information provided there, examination as a witness of the minor victim of such acts shall be carried out by the investigators and judicial officers through the person attending, such as a specially trained child

<sup>5</sup> CCP = Code of Criminal Procedure

*psychologist or child psychiatrist in the Independent Services for the Protection of the Minor Victims. Likewise, the provisions of article 228 of the CCP concerning the diagnosis of the minor's perceptive ability and mental condition, the expert's report, the recording of the testimony of the minor victim by an audiovisual medium, and the replacement of his/her physical presence in the audience by electronic display or the reading of his or her deposit are repeated.*

*All the above provisions of the new CCP reflect the provisions of articles 68 and 69 of Law 4478/2017, which incorporated Directive 2012/29/EU, and aim to avoid the risk of secondary and repeat victimisation and intimidation suffered by the victim. In accordance with Law 4478/2017, Independent Services for the Protection of the Minor Victims - "Home of the Child" were set up and operate, with the purpose of individual assessment of victims, the provision of support services to child victims, the assistance of pro-investigative, investigative, prosecutorial and judicial authorities for the proper examination of minor victims, assessment of their perceptive ability and the development of appropriate conditions and premises for the examination by the preliminary, investigative, prosecutorial and judicial authorities of minor victims.*

*Furthermore, pursuant to article 9 par. (6) of Law 2928/2001, in criminal proceedings in respect of the criminal offences of THB under article 323A of the PC and the smuggling of migrants, measures may be taken to ensure that victims, their relatives and material witnesses are effectively protected from possible retaliation or intimidation. These measures include guarding by appropriately trained police personnel, examination by sound and visual electronic means or mere sound transmission of the recording, failure to indicate in the examination report the name, place of birth, residence and work, occupation and age, ordered by reasoned opinion of the competent public prosecutor of misdemeanour, relocation to other countries, as well as transfer or secondment of civil servants, for an indefinite period, with the possibility of revocation, which are decided by the competent Ministers by way of derogation from the existing provisions. This Ministerial Decision may provide for its non-publication in the Official Journal, as well as other ways to ensure the secrecy of the operation. Such protective measures shall be taken with the agreement of the witness, shall not limit his or her individual freedom beyond the necessary security measures and shall cease if the witness has requested it in writing or does not cooperate for their success.*