



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

**Recommendation CP/Rec(2023)02
on the implementation of the Council of Europe Convention
on Action against Trafficking in Human Beings
by Greece**

*adopted at the 32nd meeting of the Committee of the Parties
on 16 June 2023*

The Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to as "the Convention"), acting under the terms of Article 38(7) of the Convention;

Having regard to the purposes of the Convention to prevent and combat trafficking in human beings, while guaranteeing gender equality, protect the human rights of victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, ensure the effective investigation and prosecution of the offences related to trafficking in human beings, and promote international co-operation;

Bearing in mind the provisions of Article 36(1) of the Convention concerning the monitoring role of the Group of Experts on Action against Trafficking in Human Beings (GRETA) in the implementation of the Convention;

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Greece on 11 April 2014;

Recalling Committee of the Parties' Recommendation CP(2018)3 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Greece and the report of the Greek authorities on measures taken to comply with this recommendation, submitted on 28 February 2020;

Having examined the second report concerning the implementation of the Convention by Greece, adopted by GRETA at its 46th meeting (14-18 November 2022), as well as the comments of the Greek Government received on 3 February 2023;

1. Welcomes the progress made since the first round of evaluation in the following areas:
 - the further development of the legal framework relevant for combating trafficking in human beings, including by introducing amendments to the criminal legislation, the legislation pertaining to compensation of victims of crime and to guardianship of unaccompanied children;
 - the adoption of the National Action Plan for Preventing and Combating Trafficking in Human Beings and the Protection and Rehabilitation of Victims (2019-2023);
 - the strengthening of the institutional framework relevant for combating trafficking through the launch of the National Referral Mechanism (NRM) and the establishment of the Special Secretariat for the Protection of Unaccompanied Minors;
 - the efforts to provide training on human trafficking to relevant professionals and to expand the categories of staff trained;

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- the steps taken to raise public awareness of human trafficking and to strengthen prevention of trafficking among vulnerable groups;
 - the setting up of a system of data collection and the publication of annual reports on the NRM containing disaggregated statistical information.
2. Recommends that the Greek authorities take measures to address the following issues for immediate action identified in GRETA's report:
- intensify efforts to prevent THB for the purpose of labour exploitation, taking into account GRETA's Guidance Note on combating trafficking for labour exploitation and the Council of Europe Committee of Ministers Recommendation CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation. This should include steps to:
 - increase the number and strengthen the capacity of labour inspectors so that they can be actively engaged in the prevention of THB and ensure that their mandate includes a concrete focus on detecting potential victims of trafficking for labour exploitation;
 - address the risks of THB in the agricultural sector and ensure that sufficient resources are made available to labour inspectors to fulfil their mandate and carry out proactive and systematic inspections, including in remote locations at risk of trafficking. When joint inspections are conducted, the role of the immigration authorities should be clearly defined and the relevant legislative framework should be further developed to ensure that undocumented workers are able to regularise their status;
 - with a view to preventing abuse and exploitation, ensure that the living and working conditions of migrant workers meet all the requirements laid down in legislation, and provide adequate information on rights and social insurance coverage to migrant workers;
 - train labour inspectors throughout the country, as well as law enforcement officers, prosecutors and judges, on combating trafficking for the purpose of labour exploitation and the rights of victims;
 - ensure that inspections can take place in private households where domestic workers are employed with a view to preventing abuse of domestic workers and detecting cases of human trafficking;
 - strengthen the monitoring of recruitment and temporary work agencies and supply chains and review the legislative framework for any loopholes that may limit protection or preventive measures;
 - raise awareness among the general public as well as, in a targeted manner, among migrant workers, about the risks of trafficking for the purpose of labour exploitation;
 - work closely with trade unions, civil society and the private sector to raise awareness of trafficking for the purpose of labour exploitation, prevent trafficking in supply chains and strengthen corporate social responsibility, drawing on the Guiding Principles on Business and Human Rights and Recommendation CM/Rec(2016)3 on human rights and business;
 - ensure that individualised risk assessment is conducted prior to any forced removals and that it assesses the risks of trafficking or re-trafficking on return, in compliance with the obligation of *non-refoulement*. In this context, full consideration should be given to the UNHCR's Guidelines on the application of the Refugees Convention to trafficked persons and GRETA's Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection;

- take steps to improve the identification of victims of trafficking, and in particular:
 - ensure that the identification of victims of trafficking does not depend on the presumed victim's complaint (statement) and co-operation in the investigation or criminal proceedings, by amending the relevant legislation. The expertise of relevant organisations and entities, such as specialised NGOs, psychologists, health-care staff and labour inspectors should be duly taken into account during the identification procedure;
 - ensure that the process of granting the status of victim of trafficking is completed without undue delay;
 - pursue a proactive approach to the identification of victims of trafficking for the purpose of labour exploitation by encouraging regular and co-ordinated inspections in the sectors most at risk;
 - ensure that qualified interpreters are available whenever presumed victims of trafficking are interviewed in the context of the victim identification procedure. The costs of interpretation should be covered by the authorities;
- take further steps to improve the identification of, and assistance to, child victims of trafficking, in particular by:
 - ensuring that relevant actors take a proactive approach and increase their outreach work to identify child victims of trafficking and refer them to the NRM, by paying particular attention to unaccompanied and separated children and children from Roma communities;
 - ensuring long-term assistance for the integration of child victims of trafficking;
- ensure that all possible foreign victims of trafficking, including EU and EEA citizens, are systematically informed of the possibility to be granted a recovery and reflection period and are granted such a period when there are grounds to believe they are victims of THB, regardless of whether or not they co-operate with law enforcement authorities. Training and written instructions on the purpose of the recovery and reflection period and the procedure for granting it should be provided to police officers, prosecutors, and other relevant officials;
- take further steps to guarantee access to compensation for victims of trafficking, in particular by:
 - providing information to all victims of trafficking on their right to compensation and the ways to access it, in a language they can understand, and ensuring that victims have effective access to legal aid in this respect;
 - ensuring that state compensation is effectively accessible to victims of trafficking;
 - making full use of the existing legislation on the freezing and forfeiture of assets to secure compensation for victims of trafficking;
including victim compensation into training programmes for law enforcement officials, prosecutors, judges and lawyers;
- strengthen the criminal justice response to trafficking, including by:
 - ensuring that human trafficking offences are proactively and promptly investigated, regardless of whether a complaint about the reported crime has been submitted, and that relevant documentary, financial and digital evidence is collected during investigations, in order to avoid relying exclusively on testimony by victims or witnesses;
 - ensuring that human trafficking offences are prosecuted as such every time the circumstances of a case allow this, rather than being requalified as lesser offences, and lead to effective, proportionate and dissuasive sanctions for those convicted;
 - ensuring that units investigating human trafficking offences are properly resourced, are not reassigned to other offences due to competing demands, and make use in practice of special investigation techniques;

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- systematically carrying out financial investigations in order to locate, seize and confiscate the assets of the perpetrators;
 - strengthening efforts to investigate and prosecute cases of trafficking for the purpose of labour exploitation;
 - ensuring that the length of court proceedings in cases of trafficking of human beings is reasonable, in line with the case-law of the European Court of Human Rights (related to Article 6, paragraph 1 of the ECHR) and the standards set by the European Commission for the Efficiency of Justice (CEPEJ);
- make full use of the available measures to protect victims of trafficking in human beings, including children, and to prevent intimidation during the investigation and during and after the court proceedings. Police officers, prosecutors and judges should be provided with the necessary training in order to ensure the application of such measures in practice.
3. Requests the Government of Greece to report to the Committee of the Parties on the measures taken to comply with this recommendation by **16 June 2024**.
4. Invites the Government of Greece to continue the dialogue in progress with GRETA and to keep GRETA regularly informed of the measures taken in response to GRETA's conclusions.