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Combatting trafficking in women and girls for the purpose of sexual exploitation

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Comments Paper - Greece



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Combatting Sex Trafficking in Greece

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1. Introduction and Background

1.1. Prostitution and Sex Trafficking in Greece

When it comes to sex trafficking of women Greece is a country of transit and destination and to a much lesser extent a country of origin. Due to its geographical location Greece serves as an entry point for international trafficking organisations aiming to traffic their victims into the more affluent sex markets of Europe. However, Greece is predominantly a country of destination for victims of sex trafficking with active nation-wide demand all year long, a demand that gets amplified in the summer holiday destinations during the summer season.

In Greece prostitution is legal (for adults) and regulated, only allowing for sexual services to be sold in dedicated brothels, fulfilling certain criteria such as: registration of working girls, regular health checks, proximity restrictions to schools, churches, hotels and more. Despite the specified legal avenue, prostitution is outworked through several illegal avenues: street prostitution, private apartments, men's clubs, strip shows, massage parlours as well as escort services that often market their services online. Although most sex trafficking victims are rescued from illegal forms of prostitution, one NGO reports that 20% of the victims they assisted were exploited out of registered brothels. Survivors often reported that the paperwork for their prostitution permit and registration was filled by the trafficker's lawyers for a fee of 2.000€ which then had to be paid off by the victim. This way the traffickers avoided any risk of identification by medical professionals and developed debt bondage at the same time.

To further understand the context of the nexus of sex trafficking and prostitution in Greece you have to also look at two distinct elements: a) the evolution of the demographics of women engaged in prostitution and b) the role of the demand for sexual services. While up to the 80s women engaged in prostitution were predominantly of Greek origin¹, today's landscape differs dramatically. With globalisation and the widespread use of the internet, the Greek sex industry adapted, matured and evolved. It took advantage of the new opportunities and transformed into a predominantly international operation that outsources the supply to foreign, more vulnerable women. These women are easier to coerce, cost less (or even nothing) and that enables the traffickers to lower their prices. This practice spread widely in the 90s were, with the use of fake documents, artist visas, white marriages and even through corrupt border control enforcement, vulnerable foreign women were recruited in their home countries and sold to be forced to prostitution in the Greek sex market.

The effects of the then rising Greek economy along with the sexualisation of TV and wide spread access to pornography in conjunction with the newly available supply of

¹ [Interview](#) of president of SEPE (Greek Union of Prostitutes) Elli Kanelopoulou.

vulnerable women resulting in a cheaper service, set the foundations for the downward spiral of cause and effect where accessibility and low price of supply lead to an increased demand, which in turn leads to a higher profit potential, leading to a larger supply and so on.

1.2. Legal Framework

In Greece the legal framework has been updated and improved in an ongoing fashion at a mostly similar rate with the EU directives and the international community's suggestions. The first mention of Human Trafficking in Greek legislation appears in 2002 following the Council of the European Union's "2002/629/JHA: Council Framework Decision of 19 July 2002 on combating trafficking in human beings" with Law 3064/2002 which is then followed a year later by Presidential Decree 233/2003. This is the initial step that focuses on trafficking for sexual exploitation and declares protection for the victims. A number of laws are introduced in the following years defining the rights of victims as well as the procedures to be followed. Law 3386/2005 provides the framework for the residence permits for third country nationals victims of human trafficking and introduces a 30 days reflection which gets expanded later by Law 4251/2014 to 3 months for adult victims and 6 for the underaged. Law 3875/2010 ratifies the Palermo Protocol of the UN. Law 4198/2013 establishes the Office of the National Rapporteur, it calls for mandatory appointment of a psychologist the testimony collection and provides a framework where a victim that is reluctant to cooperate with the police can be certified via submission of 2 reports of social professionals directly to the public prosecutor's office. The Greek criminal code accordingly has also been amended over the years to match the laws introduced and today it reflects on human trafficking in the following articles: 323 Slavery, 323A Human Trade, 323B Sex Tourism, 336 Rape, 339 Seduction of children, 342 Lewd acts against children, 348,A,B,C Facilitation of Prostitution, 349 Pimping, 351,A Human Trafficking. For a complete list of all relevant Legal provisions with regards to Trafficking in Human Beings please refer to Appendix I.

1.3. Data

One of the most challenging parts in combatting sex trafficking in Greece is the significant lack of accessible and reliable data about sex trafficking and prostitution and that is for several reasons. There is no regular reported statistics on the prostitution permits issued, and when upon request they become available they offer no demographic analysis of the population which could subsequently help inform policy and support decision making. Furthermore the largest proportion of prostitution (and exploited women) exists outside the legal framework operating out of bars, apartments, massage parlours, street prostitution and call services advertised online therefore even in an ideal regular reporting of statistics as, the vast majority of women engaged in prostitution would not be included as they do not hold permits. Thus, the only concrete numbers found on sex trafficking are the ones issued by law enforcement each year, based on the number of certified victims. Those numbers are extremely small and according to front line professionals, NGOs and state authorities, are only the "tip of the iceberg" and are not reflective of the reality of sex trafficking in Greece as they are only based on the survivors that a) escaped or were rescued in police operation, b) were willing to cooperate with law enforcement and c) law enforcement was able to collect enough evidence to initiate prosecution.

A cohesive academic research that, though outdated, still provides a vivid impression of the sex market landscape of Greece is that of Professor Grigoris Lazos of Panteion University in his research “International Trafficking and forced prostitution in Greece 2002”². This research collected data from the years 1990 - 2002 from 16 sex markets in 12 different cities across the country. The research estimates that the number of women forced to prostitution in 2002 were 17.200 with two key characteristics i) being of foreign origin and ii) being recruited by international criminal organisations and remained under their control for the largest part of their exploitation. The same research estimates the number of active sex customers at 1.100.000 of ages between 17-60 years old, responsible for an estimated 18.500.000 transactions resulting to € 920.000.000 in profits.

More recently a study of prostitution and sex trafficking in Greece was commissioned by the General Secretariat of Gender Equality and outworked by CMT-Prooptiki and PRAKSIS³. Published in April 2015, the study collected nationwide official data as well as interviews with 70 prostitutes and 30 clients from legal brothels in 7 different cities. Among other statistical observations and discrepancies in the reporting methods, some of the most informative findings are:

- All foreign women interviewed (50) had not prostituted in their home country
- 72% of the women were not able to find other work
- 51% of the women wanted to leave prostitution
- 38% of the women attempted to leave but failed
- 57% of the customers were university educated
- 40% of the customers were currently married
- None of the customers ever identified a trafficked victim in prostitution

Even more revealing were the customers responses in regards to their awareness of sex trafficking were

- 97% of them reported being aware of trafficking for sexual exploitation
- 33% of them believed it occurred in 50-75% of the cases
- 26% of them believed it occurred in 26-50% of the cases

Observing the data and talking to front line professionals in Greece an obvious disconnection between awareness of Sex Trafficking and an appropriate response to eradicate it is highlighted. And this is not limited to the customers but it extends to the general public. Challenges with raising awareness and causing social change around sex trafficking are huge and as we will discuss further on this paper they are further hindered by the legal status of prostitution which as implemented in Greece fosters an environment of impunity for the customers, who generate the demand for sex trafficking, even in cases where minors are involved as we will see in an example below.

² Grigoris Lazos 2002, [Sex Trafficking and Prostitution in Greece](#)

³ CMT Prooptiki – PRAKSIS, April 2015, [Prostitution & and trafficking of women for sexual exploitation](#)

2. Policy Debate

In March 2017, by decision of the General Secretariat for Gender Equality, a working group was assembled in order to define a national strategy that will protect women from sexual exploitation and violence. The committee was tasked to examine the Scandinavian legislative model and develop relevant suggestions. The findings⁴ published on the 15 of December 2017 declare prostitution in itself an abuse of human rights and display a clear support for the effectiveness of the Scandinavian legislative approach of punishing the customer and caring for the woman. This approach has been adopted by several countries in Europe such as Sweden, Iceland, Norway and France while it also supported by the European Parliament. The findings paper also suggested several corrections in the formulation of existing laws and penal code articles. Although the working group did not result in an amendment of the national legislation, it definitely initiated the conversation towards a new strategy in regard to prostitution and sex trafficking, opening the door to a necessary debate. A debate which wasn't slow to come and the published findings were met with criticism by a number of civil society organisations issuing a joint press-release⁵ criticising the outcomes and calling for a new legislative framework through an approach where prostitution remains legal and regulatory measures are further relaxed.

3. Good Practice and Transferability

Prevention of human trafficking refers to positive measures to stop future acts of trafficking from occurring. According to the UN Office of the High Commissioner for Human Rights⁶, these measures need to be addressing the root causes of human trafficking:

- Decrease the vulnerability of victims and potential victims;
- Reduce the demand for the goods and services produced by trafficked persons;
- Create an environment within which traffickers and their accomplices cannot operate with impunity.

Reading through the Spanish discussion paper several similarities between the context and challenges appear to be shared between the two countries. Namely the interconnectivity between prostitution and sex trafficking, the general lack of awareness of the public attributing to victims the responsibility to get out of prostitution. There is a very small number of civilians reporting incidents to the police proceedings. Which reinforces the need for not only public awareness but also sensitisation and motivation of the whole community.

3.1. General Public Awareness

In order to see change we have to be able to influence the public opinion with an accurate understanding of sex trafficking and prostitution. Aiming to do just that, several anti-trafficking organisations carry out awareness and prevention programmes throughout the year in schools, public places, marathons, film festivals and other public cultural events. In 2015 the Office of the National Rapporteur in

⁴ General Secretariat for Gender Equality, December 2017, [Findings of working group](#)

⁵ Reaction of 11 NGO to the findings of the working group. [Joint press release](#)

⁶ Human Rights and Human Trafficking, Fact Sheet No36, Page 38, [G. Preventing trafficking](#)

Partnership with the Municipality of Athens launched the Break the Chain Festival⁷ which became a hub for Organisations to gather and spread awareness collectively and employ creative ways to educate and impact people. Though a lot remains to be done, here are some notable examples by civil society actors aiming to increase awareness of sex trafficking and to motivate civilians to report suspicious incidents. Notable examples of public awareness campaigns are:

- Stop Trafficking awareness Campaign organized by KMOP (Family and Child Care Center) and KEPAD (Human Rights Defense Centre) [Stop Trafficking](#)
- Walk For Freedom is a global campaign organized for several years now by an international NGO. This year the campaign is held in 7 cities in Greece. [Walk For Freedom](#)
- 1109 Hotline PSA see Video [here](#)

Here it is important to highlight an essential legal provision and best practice in the Radio-Television legal framework. Through a 1997 Ministerial decision NGO and state agencies can apply to promote approved public service announcements twice a year for the length of a month each time. This decision obliges all TV stations in the country to comply and it truly enables us to accelerate the rate by which awareness is raised among the general public.

3.2. Prevention through addressing demand

The positive results of such campaigns tend to be more obvious in some portions of the population, while less tangible across demographics of men potential customers of sexual services. There are several societal factors that explain that inability to reach men customers of sex, however one of the most important reasons is found in the legal status of prostitution creating the illusion of separation in the otherwise intersectional field of prostitution and sex trafficking. Potentially the most important distinction between the two countries is the legal status of prostitution. As mentioned above, prostitution in Greece is legal and regulated for adults. This provides several challenges in combating THB. Therefore, an important yet impossible distinction needs to be made to the definition of the “demand”. Is it demand for paid sex or demand for slaves that we want to lower? It is common sense that the supply of sex trafficking victims only exists due to the profits generated from the demand for sexual services. It is also common sense for the customers that if prostitution is legal, then demand for a legal service should be acceptable and not campaigned against.

This differentiation provides several challenges in combatting THB. For example, customers of illegal prostitution are not prosecuted and often even when the woman is certified as a victim of sex trafficking it is impossible to prove that the customer knew that was the case. In a 2011 case⁸ in the Greek island of Karpathos where the court imposed prison sentences of 21, 21 and 3 years to the 3 traffickers in a landmark case of sex trafficking of two girls 15 and 16 years old, the same court found all 25 local customers innocent as it accepted that they did not have a way to confirm the age of the girls before sleeping with them.

Similar challenges are faced when it comes to raising awareness and specifically aiming at addressing men, potential customers of sex in an effort to reduce demand.

⁷ Break the Chain Website – www.breakthechain.gr

⁸ News Article of Dimokratiki outlining the [case](#) (GREEK)

Though only a few, there have been efforts to reach directly this demographic employing the approach that Sex Trafficking exists within prostitution and the customer can also be a rescuer/identifier. Notable examples in this area are:

- In 2015 Erotic Art expo in Athens the NGO A21 set up a booth in the middle of the sex market's largest event, passing flyers and raising awareness among the public that was there to check out all that the Greek sex market has to offer.
- The 1109 Hotline produced a public service announcement set in a brothel raising awareness of the existence of sex trafficking inside the seemingly legal prostitution. Inviting customers to call and report suspicious incidents. Video in English [here](#).
- The Race For Freedom⁹ is an initiative of a volunteer racing team that entered in the Greek motorcycle racing championship in September 2017 in an effort to raise awareness about human trafficking. A group of 40 volunteers where at the racing track raising awareness among the fans while professional athletes were invited to record anti-trafficking statements encouraging their fans to report suspicious incidents. The campaign was then published through social media reaching over more than 100.000 men.

3.3. Coordination

3.3.1. Office of the National Rapporteur against Trafficking in Human Beings

The National coordinating authority in Greece is the Office of the National Rapporteur against Trafficking in Human Beings, established in November 2013, (L. 4198/2013). The office The Office of the National Rapporteur is composed by three civil servants of academic education of the Ministry of Foreign Affairs, who cooperates with the representatives-contact points of the competent ministries and other stakeholders. The Office's mandate promotes a comprehensive inter-agency approach that includes initiatives in pro-active Prosecution, Protection, Prevention and Partnership. The deliverables of the mandate are:

- to set up a National Coordination Mechanism for all state agencies;
- to set up a National Referral Mechanism as a road-map for successful victim identification, referral and support;
- to set-up a National Data Base for victim assistance, as well as for prosecutions;
- to promote large scale training for competent authorities and partnerships with the Private sector, Academia and the Cultural sector; and finally,
- to promote awareness-raising campaigns among the general public with in order to achieve "demand reduction".

In the framework of its mandate, the Office has established:

- a permanent Coordination Mechanism with public authorities, which include senior officials from all relevant Ministries.
- the National Referral Mechanism (NRM), a platform for inter-agency cooperation, managed by the National Centre for Social Solidarity (EKKA).

⁹ Race For Freedom PSA [Video](#) and [Facebook account](#) for more information

- a permanent Consultation Forum with civil society to ensure better cooperation among different stakeholders and better coordination of the available services offered by them.
- the Office of the National Rapporteur has s recently signed an agreement with a specialised NGO partner in THB (A21), in order to provide free legal aid to victims of trafficking around the country.

An important good practice that could be transferable to Spain would also be the legal provision of compulsory presentation of social announcements by decision of the National Council of Radio-television (ΕΣΡ). Through a 1997 Ministerial decision NGOs and state agencies can apply to promote approved public service announcements twice a year for the length of a month. This decision is obligatory for all TV stations to comply with and it is one of the most effective ways to educate the general public.

3.4. National Referral Mechanism

One of the new developments in the last couple of years has been the development and launch of operation of the National Referral Mechanism managed by the National Centre for Social Solidarity. This Mechanism does not merely concern law enforcement, social services and NGO, rather it involves additional front-line professionals, such as labour inspectors, health providers, migration services, public transportation employees, local administration authorities and other stakeholders who may come across potential victims. Also exceptional was the practice by which the NRM was developed through a series of participatory working groups with all stakeholders in an effort to arrive at a universally accepted model that has the buy in and support of all relevant stakeholders. Additionally, as addressed in section 1.3., there is a significant lack of recent and concrete data when it comes to prostitution and sex trafficking often disabling us from making authoritative statements and conclusions. The NRM is aiming to address that through a National Database which will provide us with a way to quantifying the presumed and potential sex trafficking cases regardless of the progression of their case with law enforcement. The National Referral Mechanism is currently at the first stages of its operation and at this stage it is focusing on the training of front line professionals, state and civil society actors around the country on the function and procedures of the NRM.

4. Conclusions

Combatting trafficking in women and girls for the purpose of sexual exploitation is an important yet challenging task. It requires a strong multiagency approach and a long-term commitment in raising awareness. Reducing demand has to remain one of the main pillars of an effective approach. Although there are many similarities and transferable good practice between Greece and Spain, there are also lessons to be learned in the not directly transferrable aspects, namely the differences in lawfulness of prostitution. In countries like Greece, where prostitution is legal and the ability to punish the men who cause the demand is anywhere from difficult to impossible, decreasing demand becomes much more complex and difficult. Yet we all need to do what we can in order to raise a generation of responsible human beings that will not accept humans to be treated as commodities regardless their gender, ethnicity or socioeconomic vulnerability.

APPENDIX I

Main legal provisions with regards to THB:

L. 3064/2002 on “Combating trafficking in human beings, crimes against sexual freedom, child pornography and the financial exploitation of sexual life in general and the assistance to the victims of these acts”

Presidential Decree (P.D.) 233/2003: entered into force on August 28th 2003, is an act of secondary legislation issued on the basis of legislative authorization of Article 12 of Law 3064/2002. The presidential decree provides the operational provisions in view of the application of Article 12 of Law 3064/2002 on the protection and relief of victims of the crimes described in Articles 323, 323A, 323B, 348A, 349, 351 and 351A of the Criminal Code and of Articles 29 (5) and (6) and 30 of Law 4251/2014. More specifically, the presidential decree was called to determine the bodies, means and ways of providing such protection.

L. 2928/2001: Amendment of provisions of the Criminal Code and of the Code of Criminal Procedure and other provisions on citizen’s protection from offences committed by criminal organizations.

L. 3274/2004 (Art. 34., par. 7) on residence permit for victims of trafficking

L. 3386/2005 on Entry, stay and social integration of third country nationals on Greek Territory

L. 3536/2007 (Art.11) on residence permit for victims of trafficking

L. 3625/2007 «Ratification and implementation of the Optional Protocol to the UN Convention on the Rights of the Child, on the sale of children, child prostitution, child pornography and other provisions»

L. 3727/2008 “Ratification and implementation of the Council of Europe Convention on protection of children against sexual exploitation and sexual abuse, measures for the improvement of the living conditions and decongestion of detention institutions and other provisions”

L. 3692/2008 “Ratification of the Agreement between the Government of the Greek Republic and the Council of Ministers of the Albanian Republic on the protection and assistance of the victims of minors’ trafficking”

L. 3663/2008 ‘EUROJUST, Joint Investigation Teams and other provisions’

L. 3811/2009 “Compensation of the victims of violent crimes committed on intention (integration in the Greek legislation of the Directive 2004/80/EC of the Council of the EU on 29th April 2004) and other provisions”

L. 3875/2010 “Ratification and implementation of the UN Convention against Transnational Organized Crime and of the three Additional to it Protocols and other provisions”.

L. 3907/2011 “The establishment of Asylum Service and Services of First Reception, adjustment of the Greek legislation to the provisions of Directive 2008/11/EC “regarding the common standards and procedures of the Member States for the return of the illegally staying of third countries’ citizens” and other provisions.”

L. 4198/2013 “Preventing and combating trafficking in Human Beings and protecting its victims and other provisions”, transposition Directive 2011/36/EU

L. 4216/2013 “Ratification of the Council of Europe Convention on action against trafficking in Human Beings”

L. 4251/2014 “Code of Immigration and Social Integration and other provisions”