

REVIEW OF THE NATIONAL REFERRAL MECHANISMS IN GREECE, SLOVENIA, ROMANIA AND BULGARIA FOR CHILD VICTIMS OF TRAFFICKING

NATIONAL REPORT FORM

Country: GREECE

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Purpose and Scope: The purpose of this Report is to provide contextual information at national level and to prepare for local fieldwork. The information provided is based on desk research that was subsequently complemented by factual information and references from interviews with national stakeholders. This report was prepared in the context of the VICTOR project (HOME/2012/ISEC/AG/THB/4000003907), upon a questionnaire kindly provided by Terre des Hommes.

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PART 1: DESK RESEARCH

A. INTRODUCTION, PATTERNS AND CHARACTERISTICS (CIRCA 2 PAGES)

- 1. Any available statistics on trafficking in human beings in general and break it down by gender and age. In the absence of statistics, please provide estimates.**

If possible, provide statistics/estimates for the last five years concerning at least: number of victims (broken down by age and gender):

2013: 106 victims in total (52 male, 47 female, 7 minors)

2012: 94 victims in total (18 male, 76 women, 0 minors)

2011: 97 in total (28 male, 56 female, 13 minors)

2010: 92 in total (no available data with regards to gender or age)

2009: 125 victims in total (no available data with regards to gender or age)¹

However, according to the USA Gov Tip report 2014 for Greece the number of identified victims in 2013 was 99.²

Number of potential victims (broken down by gender and age):

Not available

Number of investigations initiated on trafficking cases (break it down by child/adult cases), number of prosecution of trafficking cases (broken down by child/adult cases):

2013: 37 cases were investigated by the police (11 investigations were for forced begging or labour).³

2012: 46 cases investigated by the police in total (39 refer to sexual exploitation, 5 to forced begging, 1 to labour exploitation and 1 case of illegal adoption). The "organized crime" cases in 2012 were 14 (1 case of labour exploitation, 1 of forced begging, 1 of illegal adoption and 11 of sexual exploitation).

¹ Official statistics as given by the Hellenic Police, Ministry of Public Order. Available here: http://www.astynomia.gr/index.php?option=ozo_content&lang=%27..%27&perform=view&id=37821&Itemid=1246&lang=

² USA Gov TIP report 2014 Greece, p.3

³ Ibid, p.2

2011: 41 cases investigated by the police in total (16, 4 % were “organized crime cases”).⁴

Number of compensation measures (broken down by child/adult cases):

Not available

Number of residence permits issued to third country national victims of trafficking (broken down by child/adult cases):

2013: 12 new temporary residence permits were issued to foreign victims of trafficking and 42 residency permits given to victims were renewed.

2012: 12 new temporary permits, 51 renewals and 4 reissuances.⁵

Data information broken down by child/adult cases: not available.

Profiles of perpetrators (degree of parenthood, type of relation with the victim)

In most cases of forced child begging the perpetrator/s was/were related to the victim/s. For instance, parents (or other members of the extended family) were forcing their children or other family members with disabilities to beg.

2. Overview description of children victims of trafficking:

Ex. - Ethnic groups? Age groups? Gender composition?

- **Citizens, non-citizens or stateless?**
- **EU or non-EU migrants?**
- **2007 Accession/2004 Accession/Old EU-Member States?**
- **Immigration status? (e.g. short- or long-term status/undocumented; asylum seekers; unaccompanied minors etc.)**
- **Short-term migrants (less than one year)/long-term migrants (more than one year)/permanent residents (more than five years) etc.?**
- **Existence of associations with criminal gangs**

There is no consistent type or profile of a victim of human trafficking. However, certain conclusions can be drawn upon available statistics and work experience of actors actively involved in the field. Children victims of trafficking can be found among the unaccompanied minors who enter Greece for other European destinations. In most cases they come from Africa and Asia. They are mainly boys,

⁴ Statistical information provided by the Anti-Trafficking Task Force of the Hellenic Police, as published on the Europa Anti-trafficking website, Country: Greece. No distinction between child/adult cases is offered.

⁵ USA Gov Tip report 2014 GREECE, p.4

aged 12-18, while there are also a few cases under the age of 12.⁶ Victims are also trafficked into Greece from Eastern Europe and the Balkans. They originate primarily from Romania and Bulgaria and are generally trafficked for begging or labour exploitation. Minors involved in begging and petty crime are usually exploited by members of their family, parents or other extended members of family. Furthermore, minors forced to begging and petty crime can be found among the Roma population. Main countries of origin are again Romania and Bulgaria, with Albania added.

Enlarged EU citizenship that offers more opportunities for employment and travel has led to the appearance of a new trend. Victims are recruited under false promises for job placements and in some cases are being exploited while holding their own travel documents.⁷

3. Prevalence of the phenomenon per thematic and geographical origin.

3.1. Prevalence at national Level

Child trafficking cases for the purpose of forced begging and petty crime have been identified. Cases of labour and/or sexual exploitation have also been reported.

3.2. Specificities at local level (when it is known)

Begging and petty crime occur mostly in / around means of public transportation (mainly metro and overground stations). Also in major squares, minors, usually supervised by adults, sell flowers, items or gadgets around cafes and open spaces. Pedion tou Areos is another reported area for sexual exploitation.

4. Any changes in the groups involved or the geographical distribution over the past ten years:

Sexual exploitation seems to be in decline, while other stakeholders report stabilization of numbers not decline, whereas there is a visible increase of the number of trafficking cases for the purpose of labour exploitation and forced begging. There seems to be a strong connection between geographical areas of increased agricultural activities / busy periods of the year, like during harvesting, and increased numbers of trafficking cases for the purpose of labour exploitation.

New trends and modi operandi have appeared. Debt bondage appears to be a common practice. Excessive violence is now considered less favourable and

⁶ Report submitted for the Catch & Sustain, EU-funded project. Information provided by the following stakeholders: The Smile of the Child, KMOP, Institute of Child Health and ELIAMEP

⁷ Europa Anti-trafficking website, Country: Greece

therefore less used by traffickers. A friendlier approach is adopted and that includes certain concessions to the victims, for instance share of the profits, days off etcetera

B. NATIONAL GENERAL LEGAL FRAMEWORK (CIRCA 3 PAGES)

5. National Legal, administrative and/or social definitions of:

5.1. Child trafficking

Please briefly provide existing definitions - If there is a law or administrative regulation on trafficking, how is trafficking defined? How is child trafficking addressed? Are there any special elements involved when it comes to child victims? Are particular forms of exploitation further defined (e.g. begging, labour exploitation, child marriages etc.)? What particular exploitation purposes of trafficking are NOT defined in your criminal code?

Under the definitions of the Article 1 of the Law 3386/2005 (as amended by: 4146/2013, GG A 90) “Unaccompanied minor” shall mean a third country national or stateless person below the age of 18, who either enters on Greek territory unaccompanied by an adult responsible for him, whether by law or custom, and for as long as he is not effectively taken into the care of such a person or a minor who is left unaccompanied after he has entered the country.⁸

Under the definition of the Article 4 of the Law 4216/2013 “Trafficking in Human Beings” shall mean the recruitment, transportation, transfer, harbouring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery servitude or the removal of organs.

The consent of a victim of “trafficking in human beings” to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used.

The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in human beings” even if this does not involve any of the means set fourth in subparagraph (a) of this article.

“Child” shall mean any person under eighteen years of age

⁸ Codification of Legislation on the Entry, Residence and Social Integration of Third Country Nationals on Greek Territory, Law 3386/2005 (GG A 212), as amended by law: 4146/2013 (GG A 90)

“Victim” shall mean any natural person who is subject to trafficking in human beings, as defined in this article.⁹

1.1. Child protection framework

What legislation exists regarding protection of child victims of trafficking? What are the reporting authorities for child protection issues at national and local level? How are concerns about child abuse (incl. exploitation) reported and who are they addressed by? How is child abuse and /or exploitation defined in national legislation (see family law, or child protection act as it concerns the exploitation and abuse)?

The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in human beings” even if this does not involve any of the means mentioned above (see 5.1).

Victims of trafficking in human beings or smuggling of migrants that do not fall under certain categories are provided with a three-month reflection period, in order to be able to get over from the influence of the perpetrators of the offences and recover so that they can take an informed decision in relation to their cooperation with the competent authorities. Especially for minors-victims of trafficking in human beings or smuggling of migrants, the same deadline may be extended by two more months by decision of the competent public prosecutor’s office, on the basis of serving the interests of the minor.

In case of third-country nationals victims of trafficking in human beings who are unaccompanied minors, the competent prosecution office shall take the necessary steps in order to establish their identity and nationality and the fact that they are unaccompanied. They also make every effort to locate their families as quickly as possible and take the necessary steps immediately to ensure their legal representation, including representation in criminal proceedings. The competent Prosecutor for minors, or where there is no Prosecutor for minors the competent First Instance Court, in case the families are not located or if judged that under those circumstances the repatriation does not serve the interests of the minors, may order all appropriate means to protect them, until a court decision is reached.¹⁰

Concerns about child abuse or general child protection issues are reported to the following authorities: law enforcement agencies, prosecutors and where available prosecutors for minors, social services (hospitals, municipalities etc) and NGOs active in the field of child protection. The Smile of the Child for instance, operates the 1056 National SOS helpline for Children which receives reports/concerns about cases of child abuse, exploitation and other forms of violations of children’s rights. These reports are in turn directed to the competent authorities.

⁹ Ratification of the CoE Convention on Action against Trafficking in Human Beings, Law 4216/2013, Article 4 (a,b,c,d,e)

¹⁰ Codification of Legislation on the Entry, Residence and Social Integration of Third Country Nationals on Greek Territory, Law 3386/2005 (GG A 212), as amended by law: 4146/2013 (GG A 90), Articles: 46/2, 48/2

A draft law for the transposition of the Directive 2011/92/EU of the European Parliament and the Council on combating sexual abuse and sexual exploitation of children and child pornography (replacing Council Framework Decision 2004/68/JHA) has been discussed and it is currently under consideration (see reference for an update on this).¹¹

6. Ratification or transposition of the following legal instruments or recommendations (yes or no; please provide references and links to local language and English translation of the texts if available):

6.1. European Union

2011 Directive 2011/36/EU of the European parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims:

The Directive 2011/36/EU has been transposed into national law with Law 4198/2013 (G.G A' 215).¹²

2008 Conclusions of the JHA Council inviting MS to develop national mechanisms to alert the public of the abduction of children and to trigger cross-border alerts:

Greece had developed and implemented a national mechanism to alert the public in cases of missing or abducted children since 2007. The Smile of the Child, the coordinating organization, launched the Amber Alert system on May 25th 2007 and a few months later, on November 12th 2007, with a Ministerial Decision (reference number 3003/13/48-ε) issued by the Directorate for Public Security of the Ministry of Interior the activation of the alert system was harmonized and formalized.

2008 Directive 2008/115/EC on common standards and procedures in Member States for returning illegally staying third country nationals:

The Directive 2008/115/EC has been transposed into national law with Law 3907/2011 (G.G 7/A/26.01.2011) and Presidential Decree 104/2012.¹³

2007 European Commission Decisions on allocating the telephone number 116 000 to support services for missing children and their families and on reserving the number 116 111 for child helplines

The European 116000 hotline has been allocated to the organization The Smile of the Child since October 2008.¹⁴

¹¹ Ministry of Justice, Greek version available here: <http://bit.ly/18oam46>

UPDATE: Draft law passed, Law 4267/2014, published on June 12th, 2014 (GG 137/12.06.2014). Text available in Greek here: <http://www.ministryofjustice.gr/site/LinkClick.aspx?fileticket=CC0Lu-vKzI0%3d&tabid=132>

¹² Ministry of Interior, General Secretariat for Gender Equality, Greek version available here: <http://bit.ly/1jXln12>

¹³ General Secretariat of the Government, Greek version available here: <http://www.ggk.gov.gr/?p=3265>

¹⁴ Europa, state of implementation on the 116000 in the Member States

2004 Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities:

The Directive 2004/81/EC has been transposed into national law with Law 3386/2005

2000 Charter for Fundamental Rights of the European Union:

Including Art. 24 on the rights of the child (legally binding as of 2009):

An amended version of the Charter was referenced in the Lisbon Treaty. Greece ratified the Lisbon Treaty on August 8th 2008.¹⁵

6.2. Council of Europe

1996 Convention on the Exercise of Children's Rights

2005 Convention on Action against Trafficking in Human Beings

2007 Convention on the protection of children against sexual exploitation and sexual abuse:

Greece has ratified the Convention on the Exercise of the Children's Rights with Law 2502/1997 (G.G A' 103) and the Convention on Action against Trafficking in Human Beings with Law 4216/2013 (G.G A' 266).¹⁶ Greece also ratified the 2007 Convention on the protection of children against sexual exploitation and sexual abuse on March 10th, 2009.¹⁷

6.3. United Nations

1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery

Art. 1(d), "any institution or practice whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour"

1989 Convention on the Rights of the Child

2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime

(signed and approved by the European Community):

Greece has ratified the Supplementary Convention on the Abolition of Slavery, the slave trade and Institutions and Practices Similar to Slavery of the United Nations

¹⁵ http://europa.eu/lisbon_treaty/countries/index_en.htm

¹⁶ et.gr

¹⁷ <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=201&CM=1&DF=&CL=ENG>

with Law 1145/1972 (G.G A' 105), the Convention on the Rights of the Child with Law 2101/1992 (G.G A' 192) and the Protocol to prevent, Suppress and Punish Trafficking in Persons, especially Women and Children with Law 3875/2010 (G.G A' 158).¹⁸

6.4. International Labour Organization (ILO)

1973 Minimum Age Convention and its accompanying Recommendation

1999 Worst Forms of Child Labour Convention and its accompanying Recommendation:

Greece ratified the 1973 ILO Minimum Age Convention on March 14th, 1986.¹⁹

Greece ratified the 1999 Worst Forms of Child Labour Convention on November 6th, 2001.²⁰

7. Any other legislation relevant to child trafficking?

No

8. Mention Any Case Law Relevant to Child Trafficking (prosecutions, compensation, family law, guardianship, etc.)

Not available

9. Any available statistics on police apprehensions of traffickers or potential child victims of trafficking (incl. expulsions/deportations and/or people returned for this reason (particularly relevant for countries of origin)?

For 2013 and according to the official statistics released by the Hellenic police in 2013, 142 persons were identified as perpetrators, 119 men and 23 women. With regards to countries of origin, 17 of them come from Romania, 19 from Albania, 34 from Bulgaria, 44 from Greece, 9 from China, 2 from Moldova, 1 from Morocco, 1 from Turkey and 12 from Dominican Republic. The remaining 3 were of unknown origin.

There were 14 cases of forced begging, 26 cases of labour exploitation, 79 cases of sexual exploitation and 23 cases of both labour and sexual exploitation (142 in total).²¹

¹⁸ www.et.gr

¹⁹ http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102658

²⁰ *ibid*

²¹ http://www.astynomia.gr/index.php?option=ozo_content&lang=%27..%27&perform=view&id=37821&Itemid=1246&lang=

C. POLICIES (CIRCA 2 PAGES)

10. National policy responses to child trafficking

a. Prevention of child trafficking:

Including information campaigns. Provide details on resources, where possible.

In 2009, the Greek Ministry of Foreign Affairs in close collaboration with the Hellenic National Committee for UNICEF ran a public awareness campaign against child trafficking.²² The campaign included a TV and radio spot, the publication of a handbook for parliamentarians and opinion leaders entitled “combating child trafficking”, a one day radio marathon, an outdoor advertising campaign at 120 bus stop points, the distribution of informational material to schools, universities, municipalities, public transportation and the airport.²³ In 2012, the Greek Ministry of Foreign Affairs also launched another raising awareness campaign titled “Break the Chain”.²⁴ Furthermore, the Smile of the Child, in the context of the EU-funded project VICTOR, is about to launch a new public campaign which will include a TV spot and an informational leaflet about trafficking. This campaign will be launched in September 2014.²⁵

The International Organization for Migration Athens (IOM Athens) organized a training seminar on identification of victims and labour traffickers’ methods. The training, which was organized under the aegis of the Ministry of Employment, was attended by 120 labour inspectors.

The Smile of the Child, in collaboration with the Ministry of Public Order and the Ministry of Justice among other national and international stakeholders, organized a training seminar on identification of victims of child trafficking in April 2014. This training was organized in the framework of the EU-funded project VICTOR. One hundred and seventy professionals from different fields such as: public prosecutors, law enforcement officers, psychologists, social workers and health professionals participated and got trained on how to identify victims or potential victims of child trafficking. In 2010, the South-Eastern European Centre (SEEC) was created in Athens as a joint initiative between the International Centre for Missing & Exploited Children (ICMEC) and The Smile of the Child, ICMEC’s member organization in Greece. This initiative was inaugurated by the Ministry of Foreign Affairs. SEECs main role with regards to child trafficking is to generate cooperation and establish partnerships with national, regional and international stakeholders active in the field. SEEC also gathers relevant data and conducts reviews of laws, policies and existing systems in order to better understand the phenomenon and promote policies towards its eradication.²⁶ In May 2014, In the context of its work, The Smile of the Child and SEEC organized a Forum in Thessaloniki entitled “Missing Children in the context of

²² <https://www.youtube.com/watch?v=TC69R1AOJJs>

²³ Europa Anti-trafficking website, Country: Greece

²⁴ <http://www.youtube.com/watch?v=DqCxRu6EVWs>

²⁵ **UPDATE:** Campaign was launched and TV spots can be found here :

<https://www.youtube.com/watch?v=eSc2KYpNXXc>

<https://www.youtube.com/watch?v=StgOY477zMI>

²⁶ SEECs goals and objectives can be found with more details in the National Action Plan 2010-2012

Child Trafficking” that brought together for the first time over 90 participants from around 50 different national, regional and international key policy stakeholders.²⁷

b. Protection of children involved:

Including information campaigns. Provide details on resources, where possible. Services provided to child victims and their families etc.

Not available specifically for children.²⁸

c. Prosecution of offenders

Not available

d. Any relevant policy responses in the area of migration policy?

See national anti-trafficking strategies and action plans if relevant to child trafficking. See also policies for integration of migrants to see what is specific for migrant children in relation to trafficking.

Ex. Brief description of the relevant parts of the national anti-trafficking strategies

No specific action plan with regards to child trafficking is available.

Relevant recent policy responses in the area of migration policy:

a) “COSMI” (Social Communication and Foreign Minors in the Juvenile Justice System in Europe), a project funded by the Italian Department of Juvenile Justice that explores the impact of prejudice and discrimination on foreign minors, especially in relation to stereotypes linking them with crime, followed by an assessment of how social communication techniques are and can be used to increase awareness and reduce the level of prejudice and discrimination directed towards foreign minors. The focus on this topic is social communication applied also within the juvenile justice system to prevent and reduce discriminatory behaviour and actions, whether individual or structural, to help guarantee equal treatment and the safeguarding of the best interests of the child for all minors that come into contact with the juvenile justice system.

b) “Southeast Safe Net: Preventing child trafficking and protecting unaccompanied minors in Greek-Turkish Borders” implemented by the Greek Institute of Child Health in collaboration with the Directorate of Prevention of Juvenile Delinquency and Correctional Treatment of Minors, Ministry of Justice of Greece and Turkish actors. The main objectives of this project are to contribute in combating trafficking of minors by promoting & developing: i) coordination and cooperation

²⁷ <http://seec.org.gr/index.php/news/press-release/104-combating-missing-children-and-child-trafficking-phenomena>

²⁸ General information, without distinction between children and adults though, can be found in the USA Gov TIP Report 2014 for Greece.

among law enforcement, other state and private national authorities, and civil society, and ii) best practices for the protection of trafficked and/or unaccompanied minors entering illegally the Greek borders.

11. Strategy for the “Roma Decade”?

Greece is not a participating country of “the Decade of Roma Inclusion 2005 – 2015” initiative.²⁹ However, a National Strategy for Roma Integration has been drawn up and assessed by the European Commission.³⁰

12. National Action Plan for Social Inclusion?

Greece adopted the National Strategy for Social Integration of Roma 2012-2020 which focuses on four priority axes: housing, employment, education and health. The strategic approach that has been chosen is based on the rationale of the previous Integration Action Plan for the Social Integration of Greek Gypsies (2001 -2008) the main objective of which was: “the implementation of a housing policy for the Greek Roma, in conjunction with other measures to support and promote their social integration (trainings, education, promotion into employment, provision of health services and cultural and sporting amenities)”.³¹ The primary objective of the National Action Plan is “to end the social exclusion of the Roma and to create the necessary conditions for the social integration of Roma individuals, whether Greeks or foreigners, residing lawfully in Greece”.³² The Action Plan stipulates tailored measures with regards to the four priority axes mentioned above. More specifically, the following indicative key-steps have been taken since 2011 at national level:

i) Education: the “Education of Roma Children” programme supervised by the National & Kapodistrian University of Athens and the “Roma Children in Macedonia and Thrace” programme supervised by the Aristotle University of Thessaloniki were both established with the aim to improve school attendance rates among the Roma population. A centre with the same objective was also established at Volos.

ii) Health: a project named “Health for the Greek Roma”, which started in 2005 and continued till the end of 2013, provided the Roma population with medical examinations, vaccinations and psychological support services through on site visitations to camps and with the engagement of mobile units provided by the Disease Prevention Centre.

iii) Employment: Local Integrated Programmes for Vulnerable Social Groups (TOPEKO) were implemented since 2011 and 29 Support Centres for vulnerable groups, including Roma, continue to provide relevant services.

²⁹ Romadecade.org/participants

³⁰ http://ec.europa.eu/justice/discrimination/files/country_factsheets_2012/greece_en.pdf
http://ec.europa.eu/justice/discrimination/files/roma_implement_strategies2014_en.pdf

³¹ <http://www.ekka.org.gr/files/roma.pdf> p.3

³² http://ec.europa.eu/justice/discrimination/files/roma_greece_strategy_en.pdf p.8

iv) Housing: Three regional integrated pilot programmes with an infrastructure component were implemented.

v) Anti-discrimination: a separate office for Roma issues was established by the Greek Ombudsman.³³

PART II: SPECIFIC QUESTIONS ON THE NRM IN PRACTICE

13. Please paste an official (or [in the absence of an official visual version] draw a flowchart of the NRM in your country).

Not available

14. Is there an existing NRM in your country? Is it focused on referral of victims to support services only (e.g. shelters) or does it go beyond and include : a) identification processes, b) cooperation between authorities, c) support and protection services, d) repatriation and social inclusion ?

A National Referral Mechanism (NRM) has not been set up in Greece yet. A National Coordination Mechanism (NCM) tasked with monitoring and combating trafficking in human beings was established back in 2009 under the hub of the Greek Ministry of Foreign Affairs. The NCM coordinated all competent authorities and NGOs active in the field of trafficking and was in charge of the planning, implementation and evaluation of all activities related to combating THB at national level. After the ratification of the UN Convention against Transnational Organized Crime and its Protocols and the Council of Europe's "Warsaw" Convention for combating Human Trafficking, a comprehensive National Action Plan (NAP) 2010-2012 was adopted. The National Action Plan covered the following areas: a) prevention, b) protection and c) cooperation with relevant stakeholders, at national and international level. It also include measures on monitoring new trends and developments, collecting statistical data, procedures for the victims' identification, legal and administrative support, voluntary repatriation, prevention and victim reintegration actions in the countries of origin, raising awareness campaigns and training programmes for co-competent public agencies.³⁴ Currently there is no national action plan exclusively for anti trafficking, it is included though in the national action plan for human rights.³⁵

The position of the National Rapporteur on trafficking in human beings was officially established in November 2013.³⁶ The collection of statistics and the establishment of a national database are currently under development.

³³ <http://www.roma-ekkanep.gr/images/sampled/efdata/pdf/EYROPAIKI%20POLITIKI/THE EUROPEAN UNION AND ROMA- FACTSHEET GREECE.pdf>

³⁴ <http://www.mfa.gr/en/foreign-policy/global-issues/human-trafficking.html>

³⁵ USA Gov TIP report 2014 Greece, p.4

³⁶ Ministerial Decision of Appointment: ΑΔΑ: ΒΑ1ΥΕ-8ΟΔ/25.11.2013

15. Is the NRM in your country based on a formal cooperation agreement? If yes, is this agreement binding on participants and actors involved? If it exists, even informally, please describe the main dynamics and processes.

In the context of the National Coordination Mechanism (NCM), a Memorandum of Cooperation has been signed among more than a dozen NGOs, 8 ministries and the international Organization for Migration.³⁷

16. Please list all the agencies involved in the NRM as well as the coordinating authority. Include non statutory actors such as NGOs if applicable.

An official list of agencies, bodies and organizations involved in the current framework for combating THB in Greece could not be found. However, from practical experience national stakeholders involved are the following (not exhaustive):

State Authorities:

Ministry of Foreign Affairs, Office of National Rapporteur
 Ministry of Public Order & Citizen Protection, Hellenic Police, Anti-Trafficking Unit
 Ministry of Justice, Prosecutor's Office
 EKKA – National Centre for Social Solidarity, Ministry of Labour & Social Security

NGOs / INGOs:

The Smile of the Child
 IOM
 A21
 GCR
 PRAKSIS
 ARSIS
 Medecins du Monde
 Frontida
 Metadrasis
 Nea Zoi
 Salvation Army

17. Please place all agencies involved in your National Referral Mechanism according to their respective role: (please indicate them repeatedly if they are involved in more than one category)

A National Referral Mechanism has not been set up yet. However, in the current context the above mentioned agencies/bodies offer services as follows (indicative, not exhaustive list):

<p>a) Identification of victims: preliminary identification: Hellenic Police, Anti – Trafficking Unit</p>	<p>f) Attribution of residence permits and or reflection period: Public Prosecutors, Prosecutors for Minors g) Guardianship arrangements: Public</p>
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³⁷ National Action Plan 2010-2012, p.4

<p>official identification: Prosecutor's Office</p> <p>b) Coordination of information concerning the victim: EKKA is the coordinating authority</p> <p>c) Provision of immediate protection (shelter, mental and physical health)</p> <p>Requests are submitted to EKKA which provides victims with protection services, in close cooperation with NGOs.</p> <p>Shelter: The Smile of the Child (minors), A21, PRAKSIS, ARSIS, Frontida</p> <p>Physical health: EKKA (in cooperation with public hospitals), Medecins du Monde</p> <p>Mental/ psychological support: The Smile of the Child, A21, PRAKSIS, ARSIS</p> <p>Legal Services: A21, GCR</p> <p>d) Investigation: Hellenic Police, Anti-Trafficking Unit</p> <p>e) Prosecution: Public Prosecutors/ Prosecutors for Minors</p>	<p>Prosecutors, Prosecutors for Minors</p> <p>i) Age assessment: Preliminary assessment by the authority that comes in first contact with the victim (police, coast guard etc)</p> <p>j) Long term local integration of child victims: Information could not be found</p> <p>k) Transnational collaboration: Ministry of Foreign Affairs, Office of National Rapporteur, Hellenic Police Anti-Trafficking Unit for cross border cases</p>
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18. What are the identification methods used by national stakeholders in your country?

Here please explain if there is any outreach work carried out (what type and by whom) for the purpose of identification of child victims?

Also, are hotlines available at national level to report potential cases of child trafficking? (have they received any calls in relation to trafficking in children, if yes how much and to which extent?)

Preliminary identification is performed by the Hellenic police, while official identification and victim status is granted exclusively by Prosecutor's Order. Identification methods used in Greece take into consideration relevant research conducted by international bodies actively involved in the field of trafficking and also available international literature. Most common indicators used for identification purposes are the ones provided by FRONTEX, UNODC, ILO and the European Commission. Interviews are used as a method of assessment.

There are a number of available hotlines at national level for cases of child trafficking to be reported:

- 100: Hellenic police emergency line
- 1107: National Hotline for Child Protection, operated by EKKA
- 1056: National SOS Helpline for Children, operated by The Smile of the Child. In July 2014, The Smile of the Child also launched info desks specifically for child trafficking (116000).
- 1109: Human Trafficking Resource Hotline, operated by the A21 campaign.

19. Is there a designated authority with an exclusive mandate of identification or can identification be triggered by any authority, including NGOs?

Preliminary identification is performed by the anti-trafficking units of the Hellenic Police, Ministry of Public Order. Official identification is performed only by Prosecutors. NGOs can not identify victims of trafficking. However, when they report a suspected case to the competent authorities they can provide them with any evidence they might have that can support a relevant claim.

20. Is the identification process the result of a mutli disciplinary work that is carried out to formally identify a victim and grant them a victim status? If yes, which agencies are involved and is that happening in the majority of cases?

Victim status is granted only by Prosecutor's order. However, a multi disciplinary, inter-agency and cooperative approach is followed. Agencies/professionals involved in the process include the following: law enforcement agents, judicial actors, psychologists, social workers and health professionals.

21. Is there a specific check list or any procedure that professionals can rely on to identify a potential child victim of trafficking?

In most cases the check list used by professionals in order to identify a potential child victim of trafficking is the list of indicators provided by FRONTEX and other relevant key stakeholders, such as the European Commission, UNODC, ILO etc

22. To which extent does your national system recognizes potential victims of trafficking? Do support measures apply for persons and children that are « only » presumed to be victims of trafficking?

No clear distinction between identified victims and only presumed victims of trafficking in human beings could be found. However, protective and supportive measures for separated or unaccompanied children entering the Greek territory are foreseen, which could also be the case for presumed victims before they are officially identified. According to the Presidential Decree 220/2007 the appointment of a legal guardian is foreseen for these minors, irrespective of their legal status.

23. Describe how your state differentiates between detection of a potential victim and identification of a potential victim? Is identification interchangeably used to describe both detection and formal status recognition?

No official distinction between detection and identification could be found. However, since identification in Greece can only happen as a formal procedure we can make this distinction in practice. Identification involves a specific procedure and can only take place following a Prosecutor's order. Detection on the other hand, might happen anytime, anywhere by anyone that might come in contact with a potential victim: for instance, health professional, social worker, labour inspector etc.

24. How would you assess the identification skills of professionals likely to come across child trafficking cases?

Identification skills of professionals likely to come in contact with child trafficking cases have not been reviewed / evaluated so far and relevant research can not be found. Therefore, conclusions could not be drawn.

25. In relation to question 24, are there any professional life long training opportunities implemented for professionals likely to come across cases of child trafficking

Yes or No (and provide substantial information when you can) for:

<p>Shelter staff</p> <p>Child care homes</p> <p>Police YES, FRONTEX trainings, trainings in the context of EU funded projects</p> <p>Immigration officials</p>	<p>Border guards Trainings organized by the anti trafficking units based on the FRONTEX training material.</p> <p>Prosecutors / Judges: “judges and prosecutors were not trained in trafficking cases or in using a victim-centered approach to cases”.³⁸ However, in 2014 in the context of VICTOR project, the Smile of the Child in collaboration with IOM organized a training on identification, which included a separate workshop for prosecutors.</p> <p>Civil Society NGOs organize trainings in the context of EU funded projects (eg trainings on identification organized by The Smile of the Child in the context of Victor project. IOM and A21 also organized relevant trainings.</p>
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26. Does your NRM also play a preventive role (please do not include any criminal justice consideration such as stringent penalties or vigorous investigation etc.)

³⁸ USA Gov TIP report 2014 Greece, p.4, p.2

The National Action Plan, which was developed in the context of the National Coordination Mechanism, addresses all levels of counter trafficking action, prevention included.³⁹ Preventive actions include both specialized trainings of professionals and awareness raising campaigns. With regards to trainings, the Association of Prosecutors and Judges has conducted several training seminars on THB related issues, in close cooperation with the Hellenic Aid of the Ministry of Foreign Affairs and the International Organization for Migration. The NGO Smile of the Child also organized a training seminar on the identification of victims of THB in the context of the EU-funded project VICTOR.⁴⁰ This training took place in April 2014 in Athens with more than 170 participants who are more likely to come in contact with victims or potential victims of THB. With regards to awareness raising campaigns see question 10a.

27. Are there any internal monitoring, evaluation and/or feedback mechanisms that can be identified within the NRM framework?

Do these mechanisms include consultation of victims or opportunity to listen to their views on the process and on the support services provided?

In accordance with the law 3625/2007, with which the Optional Protocol to the Convention on the Rights of the Child was ratified, Greece assumed the responsibility to adopt appropriate measures to protect the rights and interests of child victims, particularly by: "allowing the views, needs and concerns of child victims to be presented and considered in proceedings".⁴¹

28. Please provide any information on funding of the services offered by NGOs (foreign development aid funds, own NGOs, municipal budget etc.)

No state funding, was given to NGOs providing services and shelter for victims of trafficking.⁴² Certain NGOs though implement EU-funded projects with regards to trafficking.⁴³

29. What services are provided to children after identification?

Minors-victims of trafficking in human beings or smuggling of migrants are granted an extended reflection period (by two months) so that they can get over from the perpetrator's influence and make an informed decision (if the age of the minor allows it) about their future. The competent prosecution authority takes all necessary steps in order to establish the identity and the nationality of the minor. Every effort is made to locate their families as soon as possible and ensure that the minor will be provided with legal representation, including representation in criminal proceedings. In case

³⁹ National Action Plan, p. 2

⁴⁰ <http://www.victorproject.eu/gr/en/news-events/#!/news:training-seminar-in-identifying-children-victims>

⁴¹ Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, Article 8, Ratified by Greece with the Law 3625/2007 (GG' 290/24.12.2007)

⁴² USA Gov TIP report 2014 Greece

⁴³ More information with regards to EU funding and Greece can be found here:

<http://ec.europa.eu/anti-trafficking/EU+Projects/?&tag=Country/Greece>

the families are not located or if judged that under the specific circumstances the repatriation does not serve the interests of the minor, the competent Prosecutor for minors (or the competent First Instance Court where there is no Prosecutor for minors) orders all appropriate means to protect the minor, until a court decision is reached.⁴⁴ Typically, EKKA as the coordinating authority will receive a request for shelter and the minor will be placed in a protected environment, usually provided by an NGO. In case the minor cooperates with the prosecution authorities, additional protective measures as a witness may also apply.

30. Is there a state or private fund for compensation of victims of trafficking in your country? If yes, how many victims benefited from it (please provide numbers, including amounts of compensation, and break down statistics by age and gender).

A relevant fund has not been established yet.

⁴⁴ Codification of Legislation on the Entry, Residence and Social Integration of Third Country Nationals on Greek Territory, Law 3386/2005 (GG A 212), as amended by law: 4146/2013 (GG A 90), Articles: 46/2, 48/2