

The Invisible Crime: Sex Trafficking in Greece

An Analysis of the Structural Barriers
and Vulnerability Victims Face
in Seeking Protection

by Eleni Zervos

ELIAMEP Scientific Associate, Migration Research Project

November
2015

WORKING PAPER No 69/2015

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HELLENIC FOUNDATION FOR EUROPEAN AND FOREIGN POLICY (ELIAMEP)¹

49, Vassilissis Sofias Ave., 106 76 Athens, Greece

Tel: (+30) 210 7257110-1, Fax: (+30) 210 7257114,

e-mail: eliamep@eliamep.gr,

url: www.eliamep.gr

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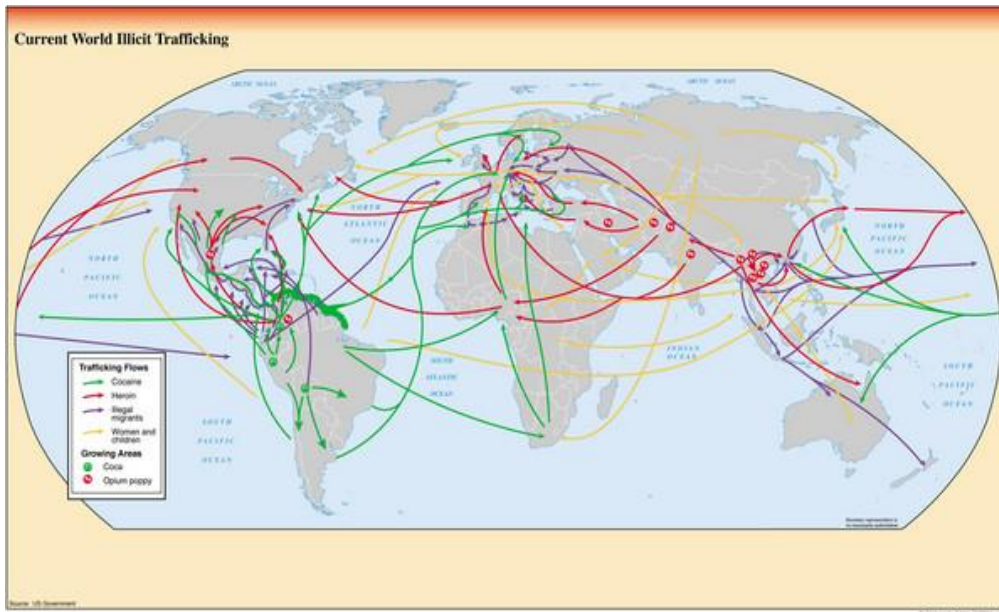
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Table of Contents

I. Introduction.....	4
II. Terminology.....	7
i.Human Trafficking and Human Smuggling.....	8
ii.Asylum Seekers and Refugees.....	9
iii. Differences between Refugees and Migrants.....	10
III. Sex Trafficking.....	11
IV. Legal Frameworks.....	14
V. Legal Barriers for Sex Trafficking Victims in Receiving Protection.....	17
i.Palermo Protocol.....	18
ii.TVPA.....	19
iii.Greek Anti-Trafficking Legislation.....	21
VI. Challenges Sex Trafficking Victims Face in Identification and Access to Protection.....	23
i.Fear of Trafficker.....	24
ii.Fear of Police.....	26
iii.Stigma.....	28
iv.Minimally Trained Officials.....	31
v.Lack of Documentation.....	33
vi.Lack of Prioritization.....	34
VII. Life Post-Trafficking.....	35
i.Absence of Funding.....	35
ii.Role of NGOs.....	35
iii. Reintegration.....	36
IX. The way forward: Recommendations.....	36
i.Policy.....	37
ii.Temporary Residency Permits.....	38
iii.Documentation.....	38
iv.Witness Protection.....	38
v.Separating Trafficker from Trafficking Victim.....	39
vi. Funding Allocation and NGOs.....	39
vii.Training Officials.....	40
IX. Conclusion.....	41
References.....	43

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I. Introduction

Human trafficking remains one of the most pervasive and profitable organized criminal activities in the world. Generating \$150 billion globally², it ranks as the third largest and fastest growing international crime, exploiting millions of people in the process³. A criminal industry driven by market demands, its vast spread can be credited to its economic model as a low risk enterprise with immense financial gains⁴. It ranges from both sexual and labor exploitation, to organ harvesting and, in some cases, forced begging and theft⁵. Of the 21 million people human trafficking victimizes, 11.4 million are women and girls while 9.5 million are men and boys⁶. 33% are children⁷. The most common form of trafficking, accounting for 53% of all individuals trafficked, is sexual exploitation⁸ victimizing 4.1 million people⁹ with females making up an overwhelming majority of 97%¹⁰.

Unfortunately, given the illicit nature of these human rights violations, it is difficult to accurately assess the full scope of this crime and any data collected represents either only one portion of this large-scale issue or is based on estimates. When reviewing these statistics, it is also important to take into consideration that higher numbers of reported trafficking victims in one country do not necessarily signify higher actual numbers of victims, but might simply represent a more sophisticated means of data acquisition in that particular country.¹¹ There are, however, global trends that can be identified when studying how human trafficking spreads throughout the world. While it is a crime with international reach, victims are often

² International Labour Organization. (n.d.) *Forced labour, human trafficking and slavery*. Retrieved from <http://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>

³ Koser, K. (2009). Dimensions and Dynamics of Irregular Migration. *Population, Space and Place* Volume 16, 181-193.

⁴ Polaris. (n.d.). Human Trafficking. Retrieved August 4, 2015 from <http://www.polarisproject.org/human-trafficking/overview>

⁵ European Commission (n.d.) *Trafficking in human beings*. Retrieved August 4, 2015 from http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/trafficking-in-human-beings/index_en.htm

⁶ International Labour Organization. (n.d.) *Forced labour, human trafficking and slavery*. Retrieved from <http://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>

⁷ United Nations Office on Drugs and Crime (2014). *Global Report on Trafficking in Persons 2014* (United Nations publication, Sales No. E.14.V.10). Retrieved from https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf

⁸ Ibid.

⁹ International Labour Organization. (n.d.) *Forced labour, human trafficking and slavery*. Retrieved from <http://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>

¹⁰ United Nations Office on Drugs and Crime (2014). *Global Report on Trafficking in Persons 2014* (United Nations publication, Sales No. E.14.V.10). Retrieved from https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf

¹¹ European Union. (2015). *Trafficking in Human Beings* (Eurostat Statistical Working paper). Retrieved from https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat_report_on_trafficking_in_human_beings_-_2015_edition.pdf. DOI: 10.2785/512112

from impoverished countries with limited resources.¹² Wealthier countries are generally where demand and exploitation is highest.¹³ In particular, human trafficking tends to thrive in countries where women's rights are devalued, and where women typically hold economically disadvantaged positions in comparison to their male counterparts.¹⁴ Trafficking is prevalent in conflict zones, both because they are intrinsically a context where the risk of exploitation is elevated, and because some members of local peacekeeping missions have been known to solicit sexual activity with trafficking victims themselves.¹⁵

Often fueled by intricately organized crime networks, human trafficking exploits the most vulnerable populations. Traffickers seek to take advantage of victims in situations that minimize risk to themselves.¹⁶ Refugees and migrants are thus in exceptional danger of exploitation, as traffickers will frequent well-established refugee and migrant routes, where the likelihood of detection is lower.¹⁷ They leverage and abuse refugees' desire to escape the horrific conditions of their camps and their willingness to pay to be smuggled out. They then sell them into slavery after deceptive negotiations.¹⁸ In general, people from indigenous communities and migrant workers are also at high risk for being trafficked.¹⁹

A key destination for many of these traffickers is the EU.²⁰ While 65% of documented victims between 2010 and 2012 were EU citizens,²¹ this region actually has a greater diversity of victims in terms of country of origin than any other region in the world.²² The EU countries from which most documented trafficking victims originate are Romania, Bulgaria, the Netherlands, Hungary and Poland.²³ The main countries where trafficking victims are originally third country nationals are Nigeria, Brazil, China, Vietnam, and Russia.²⁴ The most common form of trafficking was found to be sexual exploitation, accounting for 69%

¹² Chapman, B. N. (2015). *An analysis of human trafficking victims in federal court cases* (Thesis). Retrieved from University of Arkansas website <http://dproc.uark.edu:8080/jspui/bitstream/10826/1198/1/CHAPMAN-THESIS-2015.pdf>

¹³ Shelley, L. I. (2010). *Human Trafficking: A Global Perspective*. Cambridge [UK]: Cambridge University Press.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Hernandez, D., & Rudolph, A. (2015). "Modern Day Slavery: What Drives Human Trafficking in Europe?" *European Journal of Political Economy* Volume 38, 118-139.

¹⁷ Ibid.

¹⁸ Shelley, L. I. (2010). *Human Trafficking: A Global Perspective*. Cambridge [UK]: Cambridge University Press.

¹⁹ International Labour Organization. (n.d.) *Forced labour, human trafficking and slavery*. Retrieved from <http://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>

²⁰ European Commission. (n.d.) *Trafficking explained*. Retrieved from https://ec.europa.eu/anti-trafficking/citizens-corner/trafficking-explained_en

²¹ European Union. (2015). *Trafficking in Human Beings* (Eurostat Statistical Working paper). Retrieved from https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat_report_on_trafficking_in_human_beings_-_2015_edition.pdf. DOI: 10.2785/512112

²² Shelley, L. (2014). *Human Smuggling and Trafficking into Europe: A Comparative Perspective*. Washington, DC: Migration Policy Institute. Retrieved from <http://www.migrationpolicy.org/research/human-smuggling-and-trafficking-europe-comparative-perspective>

²³ European Union. (2015). *Trafficking in Human Beings* (Eurostat Statistical Working paper). Retrieved from https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat_report_on_trafficking_in_human_beings_-_2015_edition.pdf. DOI: 10.2785/512112

²⁴ Ibid.

of all victims.²⁵ In general, a total of 30,146 individuals were identified as trafficking victims in the EU between 2010-2012.²⁶

Greece in particular, geographically positioned as a gateway country into the EU for many, is a major hub for trafficking. In contrast with every other EU country with the exception of Spain, Greece is not only a core destination for traffickers, but also one that transnational smuggling organizations actively take advantage of.²⁷ Many smuggling routes, which can essentially simultaneously serve as trafficking routes, are located throughout the Mediterranean, the Balkans, Eastern Europe and Turkey.²⁸ When the access routes across the Mediterranean were closed off, forcing people to cross through Turkey, the flow of smuggled migrants through Greece increased.²⁹ Since traffickers often recruit victims from these routes, this influx of migrants serves as an important indicator of the scope of the trafficking problem in Greece. In fact, **Greece is one of the five countries that "recorded the highest number of trafficking victims in Europe"**³⁰. As such, it is in a unique position to develop neutralizing strategies against these human rights violations, and to establish a system that effectively protects victims and prosecutes traffickers.

Unfortunately the data available in Greece itself is limited, and does not accurately reflect the full scope of the problem. According to statistics from the Hellenic Police Department, in 2014, there were only 34 cases involving trafficking, with 64 identified victims and 125 identified traffickers.³¹ In the first four months of 2015, there were 13 trafficking cases with 26 identified victims and 33 traffickers.³² Greek police statistics report that in both years, the countries with the highest numbers of identified victims were Romania, Bulgaria and Greece.^{33,34} **Sex trafficking accounted for the overwhelming majority of cases** both years, with 30 out of 34 cases in 2014 and 11 out of 13 cases in 2015 so far.^{35,36} It is important

²⁵ Ibid.

²⁶ Ibid

²⁷ Shelley, Louise. 2014. *Human Smuggling and Trafficking into Europe: A Comparative Perspective*.

²⁸ Dimitriadi, A. (2015). 'Greece is like a door, you go through it to get to Europe': *Understanding Afghan migration to Greece (IRMA Case Study)*. Retrieved from http://irma.eliamep.gr/wp-content/uploads/2013/04/IRMA-Case-Study_Afghanistan-EN.pdf

²⁹ Shelley, Louise. 2014. *Human Smuggling and Trafficking into Europe: A Comparative Perspective*.

³⁰ Ibid, p. 6

³¹ Στατιστικά εμπορίας ανθρώπων και σωματεμπορίας για το 2014. (2014). *Υποθέσεις-Δράστες-Θύματα εμπορίας ανθρώπων*. Ελληνική Αστυνομία. Retrieved from http://www.astynomia.gr/images/stories//2015/statistics15/emporia2014_1.JPG

³² Στατιστικά εμπορίας ανθρώπων και σωματεμπορίας για το 2015. (2015). *Υποθέσεις-Δράστες-Θύματα εμπορίας ανθρώπων Α' 4μηνο του 2015*. Ελληνική Αστυνομία. Retrieved from http://www.astynomia.gr/images/stories//2015/statistics15/emporia2015_1.JPG

³³ Στατιστικά εμπορίας ανθρώπων και σωματεμπορίας για το 2014. (2014). *Θύματα εμπορίας ανθρώπων ανά εθνικότητα*. Ελληνική Αστυνομία. Retrieved from http://www.astynomia.gr/images/stories//2015/statistics15/emporia2014_5.JPG

³⁴ Στατιστικά εμπορίας ανθρώπων και σωματεμπορίας για το 2015. (2015). *Θύματα εμπορίας ανθρώπων ανά εθνικότητα Α' 4μηνο του 2015*. Ελληνική Αστυνομία. Retrieved from http://www.astynomia.gr/images/stories//2015/statistics15/emporia2015_5.JPG

³⁵ Στατιστικά εμπορίας ανθρώπων και σωματεμπορίας για το 2014. (2014). *Υποθέσεις εμπορίας ανθρώπων ανά είδος εκμετάλλευσης*. Ελληνική Αστυνομία. Retrieved from http://www.astynomia.gr/images/stories//2015/statistics15/emporia2014_2.JPG

³⁶ Στατιστικά εμπορίας ανθρώπων και σωματεμπορίας για το 2015. (2015). *Υποθέσεις εμπορίας ανθρώπων ανά είδος εκμετάλλευσης Α' 4μηνο του 2015*. Ελληνική Αστυνομία. Retrieved from http://www.astynomia.gr/images/stories//2015/statistics15/emporia2015_2.JPG

to note that in Greece there has been a decreasing trend in the number of traffickers arrested and victims protected in the past few years.³⁷ For example, in 2010, 246 traffickers were tried³⁸ and in 2013, 106 victims were identified.³⁹ These previously higher numbers are in stark contrast to those in the past two years and it is worth examining how this pattern affects and represents the issue of human trafficking in Greece.

This paper aims to analyze the barriers sex trafficking victims face in seeking legal and social protection in Greece with research comprised of evaluating case studies of trafficking victims as well as a review of academic sources that address the effects of anti-trafficking legislation. It also includes analysis of secondary literature that detail global trends of human migration, asylum seeking and trafficking. Finally, an interview was conducted with the Greek National Rapporteur for Combating Human Trafficking, Dr. Iraklis Moskof, in order to better understand the scope of the problem in Greece. After introducing a general overview of the issue of sex trafficking, the goal is to study the ways Greece may internally exacerbate these human rights violations, and the role Greek state actors, non-governmental organizations, and society in general play when victims first escape their traffickers. Initially examining the global anti-trafficking legal framework surrounding human trafficking and its application to EU and Greek law, this document will focus on the legal and social challenges that sex trafficking victims face while seeking protection in Greece, and how these play a role in their exploitation. Ultimately, it will offer recommendations pertaining to Greek policies and suggest changes to the societal structures that allow these human rights violations to thrive.

II. Terminology

Human trafficking is not an isolated crime. It spans across all international borders⁴⁰ and requires the collaboration of multiple actors on both a state and an individual level. However, in order to understand the processes through which these human rights violations are allowed to spread and the legal frameworks affecting them, it is critical to determine what constitutes trafficking. **Trafficking victims are often conflated with smuggled migrants, asylum seekers, sex workers, and refugees, among others.**⁴¹ While there can undoubtedly be overlap among these categories, legal protection in Greece differs significantly according to how an individual is categorized. Determining who exactly is a trafficking victim can be a difficult process that depends on a variety of complex factors and thus requires a thorough examination of the modalities by which the above definitions overlap. This determination is a

³⁷ Στατιστικά Στοιχεία. *Εμπορίας Ανθρώπων*. Ελληνική Αστυνομία. Retrieved from http://www.astynomia.gr/index.php?option=ozo_content&perform=view&id=81&Itemid=73&lang=

³⁸ Στατιστικά Στοιχεία Εμπορίας Ανθρώπων Έτους 2010. (2010). *Δράστες εμπορίας ανθρώπων – σωματεμπορίας*. Ελληνική Αστυνομία. Retrieved from <http://www.astynomia.gr/images/stories//2011/statistics2011/28022011-DRASTES.jpg>

³⁹ Στατιστικά εμπορίας ανθρώπων και σωματεμπορίας για το 2013. (2013). *Συνολο θυματων εμπορίας ανθρωπων ανα υπηκοότητα, φυλο και ηλικια για το 2013*. Ελληνική Αστυνομία. Retrieved from http://www.astynomia.gr/images/stories//2014/statistics14/2013_emporias_thymata_fylo&typhkoothta.JPG

⁴⁰ Ibraheem, T. O. (2014). Equal Trafficking: Another Crime against the Woman and Girl-Child." *Journal of Law, Policy and Globalization* Volume 30. Retrieved from International Knowledge Sharing Platform website <http://www.iiste.org/Journals/index.php/JLPG/article/viewFile/16339/16857>

⁴¹ Koser, K. (2009). Dimensions and Dynamics of Irregular Migration. *Population, Space and Place* Volume 16, 181-193.

necessary first step in understanding trafficking victims' barriers to protection, and determining constructive ways to combat these violations of human rights.

For this paper, the same definition for human trafficking will be used as the one found in the Protocol to Prevent, Suppress, and Punish Trafficking in Persons Especially Women and Children, which supplements the United Nations Convention against Organized Crime, otherwise known as the **Palermo Protocol**. The Protocol defines trafficking as:

*"the recruitment, transportation, transfer, harboring 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."*⁴²

i. Human Trafficking and Human Smuggling

While the above definition lays an important foundation for targeted efforts to combat trafficking, it still remains open for interpretation⁴³ and allows for an incomplete understanding of what constitutes a trafficking victim. The uncertainty surrounding the term is evident by how frequently "human trafficking" is understood as "human smuggling" and vice versa.⁴⁴ In order to better understand these potential ambiguities, it is important to differentiate between the two terms. While they can overlap and both make up industries worth billions of dollars, human smuggling and human trafficking are two different entities that are perhaps best explained in relation to international migration.⁴⁵ Human smuggling constitutes a form of irregular migration, which in turn is a form of international migration.⁴⁶ Irregular migration can occur when people cross national borders without proper documentation, or stay beyond the expiration point of their travel documents.⁴⁷ One particular avenue for irregular migration is human smuggling.⁴⁸ This occurs when an individual pays a smuggler to transport them illegally to a destination country.⁴⁹

Human smuggling and human trafficking are essentially differentiated through the critical issue of consent.⁵⁰ **Human smuggling turns into trafficking when the person who is being transported has not consented to the actions of their smuggler**, or their consent becomes irrelevant as when the smuggler

⁴² UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, Article 3a, 15 November 2000.

⁴³ Koser, K. (2009). Dimensions and Dynamics of Irregular Migration. *Population, Space and Place* Volume 16, 181-193.

⁴⁴ Ibid.

⁴⁵ Väyrynen, R. (2003). *Illegal Immigration, Human Trafficking, and Organized Crime* (WIDER Discussion Discussion Papers/ World Institute for Development Economics (UNU-WIDER) No. 2003/72). Retrieved from http://www.wider.unu.edu/publications/working-papers/discussion-papers/2003/en_GB/dp2003-072/

⁴⁶ Ibid.

⁴⁷ Koser, K. (2009). Dimensions and Dynamics of Irregular Migration. *Population, Space and Place* Volume 16, 181-193.

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ Ibid.

subsequently goes on to exploit the victim.⁵¹ For example, smuggling becomes trafficking if the smuggler falsely promises their victim a job and after they arrive in their destination country, exploits their labor,⁵² often by imposing debts for alleged transportation costs.⁵³ A smuggler may also refuse to return personal identification, thus retaining exploitative control over their victims.⁵⁴

Given that smugglers impose a fee, trafficking occurs when a smuggled person cannot pay their debt, and the smuggler requires payment through other exploitative means.⁵⁵ **It is important to note here the way gender plays a role in these experiences. Females, particularly in routes from West Africa, are much more likely to be required to pay lower initial fees to be smuggled into Europe, but more likely to be forced to pay additional debt upon arrival through other means, most often by being sexually exploited or being recruited for forced domestic work.**⁵⁶ This is not to suggest that females are more likely to be trafficked in general, or that males are not in danger of being sexually exploited, but to emphasize that women are overwhelmingly more vulnerable to being trafficked for sexual purposes in relation to their male counterparts after agreeing to a smuggling arrangement, particularly in routes from North Africa to Europe.⁵⁷

ii. Asylum Seekers and Refugees

Trafficked victims are also conflated with asylum seekers and refugees. Asylum seekers are defined as individuals who have filed a claim for asylum stating that they are refugees, but have not yet received confirmation of their status.⁵⁸ According to the UN Refugee Convention of 1951, a refugee is eligible for asylum if:

*"owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself to the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such event, is unable or, owing to such fear, is unwilling to return to it."*⁵⁹

⁵¹ United Nations Office on Drugs and Crime. (2011). *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union*. Vienna. Available at https://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Report_SOM_West_Africa_EU.pdf

⁵² Hernandez, D., & Rudolph, A. (2015). "Modern Day Slavery: What Drives Human Trafficking in Europe?" *European Journal of Political Economy* Volume 38, 118-139.

⁵³ United Nations Office on Drugs and Crime. (2011). *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union*. Vienna. Available at https://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Report_SOM_West_Africa_EU.pdf

⁵⁴ Hernandez, D., & Rudolph, A. (2015). "Modern Day Slavery: What Drives Human Trafficking in Europe?" *European Journal of Political Economy* Volume 38, 118-139.

⁵⁵ Koser, K. (2009). Dimensions and Dynamics of Irregular Migration. *Population, Space and Place* Volume 16, 181-193.

⁵⁶ United Nations Office on Drugs and Crime. (2011). *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union*. Vienna. Available at https://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Report_SOM_West_Africa_EU.pdf

⁵⁷ Ibid.

⁵⁸ The UN Refugee Agency. (n.d.) *Asylum-Seekers*. Retrieved from <http://www.unhcr.org/pages/49c3646c137.html>

⁵⁹ UN General Assembly, *Convention Relating to the Status of Refugees*, Article 1A, 28 July 1951, United Nations, Treaty Series, vol. 189, p. 137

It is important to note that being granted asylum is a form of protection **specifically applicable to refugees**. Trafficking victims may be granted other means of protection such as temporary residency permits.⁶⁰ Trafficking victims may also qualify for asylum, but only if they also meet the criteria described above⁶¹ since being trafficked is not equivalent to being persecuted according to the Refugee Convention. **This distinction can pose a significant challenge for government officials and makes it all the more important to take measures to screen for signs of trafficking among asylum seekers.**⁶²

iii. Differences between Refugees and Migrants

Refugees are also different from migrants in the sense that a refugee is someone who is forced out of their country due to persecution and potential physical danger.⁶³ On the other hand, a migrant is a person who leaves their country not because they are persecuted, but rather are seeking a change in circumstances related to employment, study, etc.⁶⁴ While it can certainly be argued that there are many structural barriers in a migrant's country of origin that weaken the element of choice and compel them to seek residence in an alternative country, for the purposes of legal protection, migrants and refugees are two different concepts.⁶⁵ Thus, neither migrants nor all trafficking victims are eligible for protection under the Refugee Convention.

It is also important to note that a key reason trafficking victims may be confused with refugees or migrants is that during periods of large population relocations, in particular refugee influxes, trafficking organizations increase their recruitment activity.⁶⁶ In fact, well-established migrant and refugee routes are breeding grounds for exploitation.⁶⁷ In terms of entry into Greece from Turkey, the key routes used are the land border through the Evros River, called the Meric, and the sea routes through the Aegean islands with Greece as a destination.⁶⁸ Since it is both logistically and economically beneficial for traffickers to recruit in these lower risk areas, these routes are key hubs for exploiters.⁶⁹ Thus, while refugees and migrants are vulnerable to being trafficked, not all trafficking victims are refugees.

⁶⁰ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. P. 170. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

⁶¹ Koser, K. (2009). Dimensions and Dynamics of Irregular Migration. *Population, Space and Place* Volume 16, 181-193.

⁶² U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

⁶³ Edwards, A. (n.d.) 'Refugee' or 'migrant' - Which is right?. UNHCR. Retrieved from <http://www.unhcr.org/55dfoe556.html>

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Hernandez, D., & Rudolph, A. (2015). "Modern Day Slavery: What Drives Human Trafficking in Europe?" *European Journal of Political Economy* Volume 38, 118-139.

⁶⁷ Ibid.

⁶⁸ İçduygu, A. (2004). Transborder Crime between Turkey and Greece: Human Smuggling and Its Regional Consequences. *Southeast European and Black Sea Studies* 4(2), 294-314.

⁶⁹ Hernandez, D., & Rudolph, A. (2015). "Modern Day Slavery: What Drives Human Trafficking in Europe?" *European Journal of Political Economy* Volume 38, 118-139.

III. Sex Trafficking

The overlap between all these definitions becomes clearer upon examining how sex trafficking is initiated. These individuals are often lured into exploitative conditions through false pretenses.⁷⁰ The difference between a smuggled migrant and a trafficked person, as discussed previously, hinges on whether or not they give consent to their circumstances.⁷¹ Even in cases where a trafficking victim initially consents to sex work, because they are unaware of what this ultimately entails, they are not in a position to give informed consent.⁷² Thus their situation, by definition, becomes exploitative.⁷³ While the specifics and legal implications of sex trafficking among children and adolescents goes beyond the scope of this paper, it is important to note that recruiting a child for sex work is automatically exploitative, since children are below the age of consent.⁷⁴

A smuggler can become a trafficker by negotiating their services on unclear terms.⁷⁵ For example, while a smuggler may initially ask for a small fee as part of the transaction (and in this way making the conditions of their transportation more appealing), smuggling devolves into trafficking if they subsequently change the terms of the debt, often by forcing the victim into sex work or into performing free labor in order to pay off smuggling fees.⁷⁶ This common form of exploitation is known as **debt bondage** and female migrants are significantly more vulnerable than their male counterparts, who are usually asked for the entire transportation fee at the beginning of the transaction.⁷⁷ The situation becomes particularly exploitative since for many women, agreeing to the terms of their traffickers represents the only means through which they and their families can evade extreme poverty.⁷⁸ What feeds the image of being smuggled as a “positive” decision is that trafficking may often result in the victims’ families escaping extreme poverty, even though the true human cost of escape may not be easily recognized by their local communities.⁷⁹

⁷⁰ United Nations Office on Drugs and Crime. (2011). *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union*. Vienna. Available at https://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Report_SOM_West_Africa_EU.pdf

⁷¹Ibid.

⁷² Ibid.

⁷³ Ibid.

⁷⁴ Dottridge, M., & Jordan, A. (2012). *Children, adolescents and human trafficking: Making sense of a complex problem* (Issue Paper 5). Washington College of Law Center for Human Rights and Humanitarian Law. Retrieved from http://www.childtrafficking.com/Docs/dottridge_making_problem_0812.pdf

⁷⁵ United Nations Office on Drugs and Crime. (2011). *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union*. Vienna. Available at https://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Report_SOM_West_Africa_EU.pdf

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ Carling, J. (2006). *Migration, human smuggling and trafficking from Nigeria to Europe* (IOM Migration Research Series No. 23). Geneva: International Organization for Migration. Retrieved from <https://www.iom.int/files/live/sites/iom/files/What-We-Do/idm/docs/MRS23.pdf>

⁷⁹ Ibid.

Many trafficking victims will be forced by their exploiters to return to their communities to enlist others, a phenomenon known as "**smiling trafficking**".⁸⁰ Smiling trafficking involves victims being pressured into recruiting others on the basis that they themselves will be released, or will receive specific benefits.⁸¹ While it is a traumatizing process, it is only one form of recruiting victims. People may be sold into sexual slavery through their family, boyfriends, friends or neighbors.⁸² In fact, many traffickers are often acquaintances of the victims they go on to recruit.⁸³ It is important to note that organized crime is often involved in these human rights violations. Sex trafficking frequently requires widespread illicit networks, and these thrive on the debt bondage that they impose on their victims.⁸⁴ This is illustrated by the way that victims are often transported from one country to another with great frequency, depending on the needs of the market.⁸⁵ Traffickers often require many "safe houses"⁸⁶, where they can temporarily transport and keep victims before they reach their destination.⁸⁷ In Greece, many of these criminal organizations collaborate with owners of night clubs that serve as a cover for this illegal activity.⁸⁸ As such, it is evident that there are a variety of actors that cooperate in an intricate web that sustains an extensive landscape of illegal activity.

Sex trafficking can take place in a variety of modalities, one of which is forced domestic servitude.⁸⁹ This involves a victim being kept in their trafficker's home to perform various domestic tasks, which can often escalate into sexual exploitation either by the trafficker, their family or other abusers.⁹⁰ There have also been cases in Greece where undocumented immigrant domestic workers perform sex work as another means of generating income for themselves.⁹¹ While one can argue that there is an element of choice in this case, there are many structural barriers that keep undocumented migrants from finding other ways to support themselves and thus the sex work they are "choosing" to do is in fact be another form

⁸⁰ Vrotsou, C. (2014). *Stories about sex trafficking in Greece: A productive power play* (Thesis). Linköping University. Available at Diva-Portal website <http://www.diva-portal.org/smash/get/diva2:752957/FULLTEXT01.pdf>

⁸¹ Ibid.

⁸² Ibraheem, T. O. (2014). Equal Trafficking: Another Crime against the Woman and Girl-Child." *Journal of Law, Policy and Globalization* Volume 30. Retrieved from International Knowledge Sharing Platform website <http://www.iiste.org/Journals/index.php/JLPG/article/viewFile/16339/16857>

⁸³ Papadimos, S. T. (2012). *Human trafficking in Serbia and Greece: A comparative analysis of a victim-centered approach* (Thesis). Ohio State University. Retrieved from https://etd.ohiolink.edu/etd.send_file?accession=osu1339617852&disposition=inline

⁸⁴ Väyrynen, R. (2003). *Illegal Immigration, Human Trafficking, and Organized Crime* (WIDER Discussion Discussion Papers/ World Institute for Development Economics (UNU-WIDER) No. 2003/72). Retrieved from http://www.wider.unu.edu/publications/working-papers/discussion-papers/2003/en_GB/dp2003-072/

⁸⁵ Lazaridis, G. (2001). Trafficking and Prostitution: The Growing Exploitation of Migrant Women in Greece. *European Journal of Women's Studies* 8(1), 67-102.

⁸⁶ Shelley, L. I. (2010). *Human Trafficking: A Global Perspective*. Cambridge [UK]: Cambridge University Press.

⁸⁷ Ibid.

⁸⁸ Papanicolaou, G. (2008). The sex industry, human trafficking and the global prohibition regime: a cautionary tale from Greece. *Trends in Organized Crime*, 25(1), 379-409. DOI:10.1007/s12117-008-9048-7

⁸⁹ Organization for Security and Co-operation in Europe (OSCE). (2013). *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment* (Occasional Paper Series no. 5). Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation. Retrieved from <https://www.osce.org/cthb/103085?download=true>

⁹⁰ Ibid.

⁹¹ Lazaridis, G. (2001). Trafficking and Prostitution: The Growing Exploitation of Migrant Women in Greece. *European Journal of Women's Studies* 8(1), 67-102.

of exploitation.⁹² While domestic work may be exploitative and lead to sex trafficking, not all domestic and sex workers are trafficking victims, nor are all the employers of domestic workers part of a "trafficking chain".⁹³

Upon arrival to the destination country, a victim's papers and documentation may be confiscated, rendering them even more vulnerable to their trafficker,⁹⁴ who may threaten to report the victim's illegal status to local authorities should they try to escape.⁹⁵ Victims are held captive under the control of their trafficker until they pay off the debt that has been imposed on them.⁹⁶ In many cases, traffickers may arbitrarily increase the amount owed, forcing the victims to be sexually exploited for an even longer period of time.⁹⁷ This can occur in a variety of ways, even if the victim was unaware that they owed anything initially.⁹⁸ For example, a trafficker may take a detour in transporting the victim to their original destination, but then demand payment for the altered route due to the "additional effort" needed.⁹⁹ A trafficker may also impose more debt by accusing a victim of not performing satisfactory work, and force them to stay longer in their circumstances.¹⁰⁰ In an effort to ensure obedience, they may even threaten to pass the victim on to another trafficker who may increase the amount owed, a threat that unfortunately becomes reality frequently enough that trafficking victims feel compelled to comply with their trafficker's demands.¹⁰¹

In general, the ways that a trafficker exerts control over their victim cannot be underestimated. Victims incur a tremendous amount of psychological trauma and are often threatened by their traffickers to the point where they are afraid to leave or report their situation to the authorities.¹⁰² They can be kept in

⁹² Ibid.

⁹³ Anderson, B., O'Connell, D. J., & International Organization for Migration. (2003). *Is trafficking in human beings demand driven?: A multi-country pilot study* (IOM Migration Research Series No. 15). Geneva, Switzerland: IOM, International Organization for Migration.

⁹⁴ Ibraheem, T. O. (2014). Equal Trafficking: Another Crime against the Woman and Girl-Child." *Journal of Law, Policy and Globalization* Volume 30. Retrieved from International Knowledge Sharing Platform website <http://www.iiste.org/Journals/index.php/JLPG/article/viewFile/16339/16857>

⁹⁵ Organization for Security and Co-operation in Europe (OSCE). (2013). *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment* (Occasional Paper Series no. 5). Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation. Retrieved from <https://www.osce.org/cthb/103085?download=true>

⁹⁶ Ibraheem, T. O. (2014). Equal Trafficking: Another Crime against the Woman and Girl-Child." *Journal of Law, Policy and Globalization* Volume 30. Retrieved from International Knowledge Sharing Platform website <http://www.iiste.org/Journals/index.php/JLPG/article/viewFile/16339/16857>

⁹⁷ Ibid.

⁹⁸ Organization for Security and Co-operation in Europe (OSCE). (2013). *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment* (Occasional Paper Series no. 5). Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation. Retrieved from <https://www.osce.org/cthb/103085?download=true>

⁹⁹ Organization for Security and Co-operation in Europe (OSCE). (2013). *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment* (Occasional Paper Series no. 5). P. 54. Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation. Retrieved from <https://www.osce.org/cthb/103085?download=true>

¹⁰⁰ Ibid.

¹⁰¹ Shelley, L. I. (2010). *Human Trafficking: A Global Perspective*. Cambridge [UK]: Cambridge University Press.

¹⁰² Organization for Security and Co-operation in Europe (OSCE). (2013). *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment* (Occasional Paper Series no. 5). Office of the Special Representative and Co-ordinator for

unhygienic conditions, and are often subjects of both psychological and physical abuse.¹⁰³ Cases range from traffickers punching victims in the face, tying them with ropes, burning them with cigarettes, and beating them with iron rods, thus inflicting severe physical and psychological abuse.¹⁰⁴ Traffickers will also beat victims in order to force compliance for when they are sold to clients.¹⁰⁵ These circumstances can escalate to actual homicide, as every year many young women lose their lives fighting off traffickers.¹⁰⁶ There have been cases where Eastern European traffickers will torture a victim to the point of death in front of other victims in order to ensure submission.¹⁰⁷ Through these atrocious human rights violations, traffickers create a situation of absolute terror and control.¹⁰⁸

IV. Legal Frameworks

In order to understand the full scope of barriers that sex trafficking victims in Greece face in gaining protection, it is critical to first examine the global anti-trafficking legal framework, since Greek legislation surrounding trafficking has changed significantly during the past few decades. Presently, Greek National Rapporteur for Combating Human Trafficking, Dr. Iraklis Moskof, indicated that the three main laws that guide Greek anti-trafficking legislation are: The Palermo Protocol, the Council of Europe Convention on Action Against Trafficking in Human Beings, and the EU Anti-Trafficking Directive of 2011.¹⁰⁹ Prior to the establishment of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons in 2000, Greece lacked any significant legal framework that explicitly outlawed sex trafficking.¹¹⁰ The Palermo Protocol differed from previous international efforts to combat trafficking in that it acknowledged and focused on the element of organized crime that fuels these human rights violations.¹¹¹

Combating Trafficking in Human Beings in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation. Retrieved from <https://www.osce.org/cthb/103085?download=true>

¹⁰³ Ibid.

¹⁰⁴ Ibid.

¹⁰⁵ Shelley, L. I. (2010). *Human Trafficking: A Global Perspective*. Cambridge [UK]: Cambridge University Press.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Organization for Security and Co-operation in Europe (OSCE). (2013). *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment* (Occasional Paper Series no. 5). Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation. Retrieved from <https://www.osce.org/cthb/103085?download=true>

¹⁰⁹ Greek National Rapporteur for Combating Human Trafficking Dr. Iraklis Moskof. Interview on July 24, 2015. Athens, Greece.

¹¹⁰ Lymouris, N. (2007). *Trafficking in Greece* (Doctoral Dissertation). Panteion University of Athens. Retrieved from http://www.lse.ac.uk/europeanInstitute/research/hellenicObservatory/pdf/3rd_Symposium/PAPERS/LYMOURIS_NIKOLA_OS.pdf

¹¹¹ Papanicolaou, G. (2008). The sex industry, human trafficking and the global prohibition regime: a cautionary tale from Greece. *Trends in Organized Crime*, 25(1), 379-409. DOI:10.1007/s12117-008-9048-7

The Trafficking Victims Protection Act of 2000 (TVPA), which was implemented during the same time as the Palermo Protocol represents another influential piece of legislation.¹¹² Along with it followed the establishment of the U.S. Department of State's Trafficking in Persons (TIP) Reports, which rank countries into one of three tiers, depending on their governments' prioritization and execution of anti-trafficking initiatives.¹¹³ Countries are categorized into three tiers with Tier 1 being the highest.¹¹⁴ The higher a country is ranked, the more funding it receives to combat trafficking.¹¹⁵ Countries that do not take the necessary means to combat trafficking as detailed in the TVPA may be subject to sanctions.¹¹⁶ One such sanction is addressed in Sec 105 (1)(A)(i) which states:

*"The United States will not provide nonhumanitarian, nontrade-related foreign assistance to the government of the country for the subsequent fiscal year until such government complies with the minimum standards or makes significant efforts to bring itself into compliance"*¹¹⁷

It is important to note that the TIP reports have been accused of being used as a political tool, since many of the countries categorized into Tier 3 were previously subject to sanctions regardless.¹¹⁸ In any event, these reports can hold other countries accountable in ways that other legislation does not,¹¹⁹ and they ultimately exercised a significant amount of pressure on Greece given that until 2003, Greece had received a Tier 3 ranking.¹²⁰ With the combined effect of NGO-led anti-trafficking campaigns and the incentive the reports provided, the Greek government eventually adopted one of its most significant laws combating trafficking to date in 2002,¹²¹ Law 064/2002¹²² and in doing so improved its standing in the TIP reports.¹²³

The adoption of the Anti-Trafficking Law of 2002 positioned Greece as "one of the pioneers in the field of anti trafficking legislation".¹²⁴ This law significantly expanded the Greek Criminal Code and, for the first

¹¹² Miller, M. J., and Wasileski, G. (2010). An Underappreciated Dimension of Human Trafficking: Battered and Trafficked Women and Public Policy. *Human Rights Review* 12(3), 301-314.

¹¹³ Papanicolaou, G. (2008). The sex industry, human trafficking and the global prohibition regime: a cautionary tale from Greece. *Trends in Organized Crime*, 25(1), 379-409. DOI:10.1007/s12117-008-9048-7

¹¹⁴ Ibid.

¹¹⁵ Ibid.

¹¹⁶ *United States of America: Victims of Trafficking and Violence Protection Act of 2000* [United States of America], Public Law 106-386 [H.R. 3244], 28 October 2000,

¹¹⁷ *United States of America: Victims of Trafficking and Violence Protection Act of 2000* Sec. 105 (1)(A)(i)

¹¹⁸ Shoaps, L. L. (2013). Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act. *Lewis & Clark Law Review* 17(3), 931-972. Retrieved from <http://law.lclark.edu/live/files/15325-lcb173art6shoaps.pdf>

¹¹⁹ Ibid.

¹²⁰ Miller, M. J., and Wasileski, G. (2010). An Underappreciated Dimension of Human Trafficking: Battered and Trafficked Women and Public Policy. *Human Rights Review* 12(3), 301-314.

¹²¹ Ibid.

¹²² Papanicolaou, G. (2008). The sex industry, human trafficking and the global prohibition regime: a cautionary tale from Greece. *Trends in Organized Crime*, 25(1), 379-409. DOI:10.1007/s12117-008-9048-7

¹²³ Miller, M. J., and Wasileski, G. (2010). An Underappreciated Dimension of Human Trafficking: Battered and Trafficked Women and Public Policy. *Human Rights Review* 12(3), 301-314.

¹²⁴ Lymouris, N. (2007). Trafficking in Greece (Doctoral Dissertation). Panteion University of Athens. Retrieved from http://www.lse.ac.uk/europeanInstitute/research/hellenicObservatory/pdf/3rd_Symposium/PAPERS/LYMOURIS_NIKOLA_OS.pdf

time, explicitly criminalized sexual exploitation along with other forms of trafficking.¹²⁵ It made human trafficking punishable by a maximum of ten years in prison with a possible fine of up to 50,000 Euros¹²⁶ and included articles that specify the requirement of the state to aid trafficking victims in repatriation, legal proceedings, finding shelter, and accessing adequate protection.¹²⁷

Later on, Greek legislation evolved with Law 3386/2005, adopted in 2005, which allowed victims of trafficking a reflection period of 30 days to elect whether or not to collaborate with law enforcement authorities.¹²⁸ If a victim decides to aid government officials in a criminal proceeding, they receive temporary renewable residency permits along with social assistance and healthcare.¹²⁹ The Greek National Rapporteur noted, however, that if a trafficking victim is not given victim status and thus the protection that goes with it, they may be treated as an illegal immigrant. This is particularly relevant given that he also noted that protection is only granted if a victim agrees to cooperate with the authorities. Equally problematic is the fact that should trafficking victims be identified as illegal immigrants and need to file for refugee status as a last resort in hopes that they may be provided with asylum, it is highly unlikely that it will be granted to them, given that **“Greece holds one of the last places among EU member-states in terms of recognition of refugee status and the granting of other forms of international protection”**¹³⁰

Much of the Greek Ministry of Foreign Affairs' work regarding trafficking centers around what the National Rapporteur refers to as the “four P’s”: Prevention, Protection, Prosecution and Partnership.¹³¹ Some of the projects that the Ministry of Foreign Affairs is currently working on in its efforts to combat human trafficking are:

- 1) Setting up a National Referral Mechanism, which increases collaboration among all invested partners
- 2) Creating a National Database to document new trends that are forming in organized crime relating to trafficking, which can serve as a tool for financial investigations against traffickers to take place
- 3) Permanent Consultation form that gives NGOs a voice and formalizes an avenue for their input so that all invested actors can learn best practices with which to combat trafficking.
- 4) A Help Line – A hotline (#1109) that is similar to the Polaris hotline, which is intended to provide support for victims of trafficking.

¹²⁵ Ibid.

¹²⁶ Papadimos, S. T. (2012). *Human trafficking in Serbia and Greece: A comparative analysis of a victim-centered approach* (Thesis). Ohio State University. Retrieved from https://etd.ohiolink.edu/!etd.send_file?accession=osu1339617852&disposition=inline

¹²⁷ Ibid.

¹²⁸ Lymouris, N. (2007). *Trafficking in Greece* (Doctoral Dissertation). Panteion University of Athens. Retrieved from http://www.lse.ac.uk/europeanInstitute/research/hellenicObservatory/pdf/3rd_Symposium/PAPERS/LYMOURIS_NIKOLA_OS.pdf

¹²⁹ Papadimos, S. T. (2012). *Human trafficking in Serbia and Greece: A comparative analysis of a victim-centered approach* (Thesis). Ohio State University. Retrieved from https://etd.ohiolink.edu/!etd.send_file?accession=osu1339617852&disposition=inline

¹³⁰ Miller, M. J., and Wasileski, G. (2010). An Underappreciated Dimension of Human Trafficking: Battered and Trafficked Women and Public Policy. *Human Rights Review* 12(3), p. 309

¹³¹ Greek National Rapporteur for Combating Human Trafficking Dr.Iraklis Moskof. Interview on July 24, 2015. Athens, Greece.

In addition, the Ministry of Public Order currently oversees 15 Counter-Trafficking in Persons task forces all across Greece.¹³² These task forces seek to gather information from NGOs, trafficking victims, and other knowledgeable parties in order to create a database that better defines the landscape of the trafficking problem in Greece.¹³³ While the Greek government has made many strides in providing protection for trafficking victims, many barriers persist that prevent victims from escaping their circumstances.

V. Legal Barriers for Sex Trafficking Victims in Receiving Protection

In order to understand the ways Greek legislation can impede victims' ability to escape their exploitative circumstances, it is critical to examine the ways that the global legal framework, as well as its applicability to Greek law, can function counter-productively and create barriers for victims. This becomes clearer when focusing on the fundamental reasons many of these laws were drafted and analyzing the common themes among them. State governments, while they may not always have an incentive to document incidents of trafficking or allocate funding for victim's social assistance,¹³⁴ **do have incentives to combat trafficking as an organized crime.** The most important reason of all is to protect fundamental human rights, but this incentive alone does not drive the drafting and implementation of anti-trafficking legislation and is arguably secondary to other factors such as state authority and public order.

Human trafficking and state authority

Human trafficking not only constitutes a severe violation of basic human rights, it is also widely regarded by governments as a crime that undermines political authority and disrupts public order.¹³⁵ The corruption that allows for human trafficking to thrive also delegitimizes a government's function¹³⁶ and threatens its accountability.¹³⁷ Given that in the past slave traders would have specific permissions from the state, thus making slavery a state initiative, modern slavery has taken on a different dimension in that it is now solely a function of individual traffickers and organized crime networks.¹³⁸ While these self-

¹³² Lymouris, N. (2007). Trafficking in Greece (Doctoral Dissertation). Panteion University of Athens. Retrieved from http://www.lse.ac.uk/europeanInstitute/research/hellenicObservatory/pdf/3rd_Symposium/PAPERS/LYMOURIS_NIKOLA_OS.pdf

¹³³ Ibid.

¹³⁴ Smith, H. M. (2010). Sex Trafficking: Trends, Challenges, and the Limitations of International Law." *Human Rights Review* 12(3), 271-286. DOI: 10.1007/s12142-010-0185-4

¹³⁵ Toktas, S., & Selimoglu, H. (2012) Smuggling and Trafficking in Turkey: An Analysis of EU-Turkey Cooperation in Combating Transnational Organized Crime. *Journal of Balkan and Near Eastern Studies* 14(1), 135-150. DOI: 10.1080/19448953.2012.656970

¹³⁶ Shelley, L. I. (2010). *Human Trafficking: A Global Perspective*. Cambridge [UK]: Cambridge University Press.

¹³⁷ Toktas, S., & Selimoglu, H. (2012) Smuggling and Trafficking in Turkey: An Analysis of EU-Turkey Cooperation in Combating Transnational Organized Crime. *Journal of Balkan and Near Eastern Studies* 14(1), 135-150. DOI: 10.1080/19448953.2012.656970

¹³⁸ Shelley, L. I. (2010). *Human Trafficking: A Global Perspective*. Cambridge [UK]: Cambridge University Press.

evident human rights violations and any similar activity have no legal or moral basis, the fact that they occur outside of state jurisdiction, in contrast to the past, fundamentally weakens state authority.¹³⁹

Human trafficking as a security threat

The EU considers organized crime one of its fundamental challenges to security.¹⁴⁰ Global anti-trafficking legislation is therefore largely constructed through a security driven perspective and ultimately focuses on prosecuting traffickers.¹⁴¹ Creation of the TVPA and the Palermo Protocol is also driven by the need to increase the legal risks for traffickers,¹⁴² since the low risk high yield model of trafficking is a large part of this organized crime's appeal.¹⁴³ In fact, U.S. Representative Chris Smith, who also spearheaded the TVPA's initial implementation, stated a year after its drafting that the main goal of the Act was "to ensure that criminals who knowingly operate enterprises that profit from sex acts involving persons who have been brought across international boundaries for such purposes by force fraud or coercion, or who force human beings into slavery should receive punishment commensurate with the penalties for kidnapping and forcible rape. This would not only be a just punishment, but also... a powerful deterrent."¹⁴⁴

This way, global anti-trafficking legislation works to decrease traffickers' incentive to pursue these illegal activities, while also strengthening state sovereignty. Unfortunately, the structure of these laws and the ways that they are geared towards defending state security, rather than focusing solely on preventing human rights violations, frequently undermines their effectiveness in eradicating trafficking and can fundamentally neglect the experiences of victims. We first look at the Palermo Protocol then the TVPA as the two main global legal instruments and then we turn to the barriers in Greek legislation.

i. Palermo Protocol

The prioritization of crime prevention at the expense of victim's safety is particularly evident in the **Palermo Protocol**, arguably the most influential piece of anti-trafficking legislation globally and one to which Greece actively subscribes. Before analyzing the ways that its implementation in the EU and Greece may ignore the realities of victims and create barriers for their protection, it is important to first examine the Protocol's actual content and understand that any attempt to apply it to national law is automatically set up to prioritize the prosecution of traffickers rather than the protection of trafficking victims. In regards to the **criminalization of traffickers**, the Protocol states in Article 5(1):

¹³⁹ Ibid.

¹⁴⁰ *Trafficking in human beings: learning from Asian and European experiences*. – Singapore: Konrad Adenauer Stiftung [and] East Asian Institute [and] European Policy Centre [and] European Union Centre in Singapore, 2014.

¹⁴¹ Shoaps, L. L. (2013). Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act. *Lewis & Clark Law Review* 17(3), 931-972. Retrieved from <http://law.lclark.edu/live/files/15325-lcb173art6shoaps.pdf>

¹⁴² Ibid.

¹⁴³ Polaris. (n.d.). Human Trafficking. Retrieved August 4, 2015 from <http://www.polarisproject.org/human-trafficking/overview>

¹⁴⁴ Shoaps, L. L. (2013). Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act. *Lewis & Clark Law Review* 17(3), p. 954. Retrieved from <http://law.lclark.edu/live/files/15325-lcb173art6shoaps.pdf>

"Each State Party **shall adopt such legislative and other measures as may be necessary** to establish as criminal offences the conduct set forth in article 3 of this Protocol, when committed intentionally"¹⁴⁵

This is in contrast to the language used to address protecting victims of trafficking¹⁴⁶, as Article 6(1) sets forth that:

"**In appropriate cases and to the extent possible under its domestic law**, each State Party shall protect the privacy and identity of victims of trafficking in persons, including, *inter alia*, by making legal proceeding relating to such trafficking confidential"¹⁴⁷

The Protocol also specifies in Article 6(2) that:

2. Each State Party shall ensure that its domestic legal or administrative system contains measures that provide to victims of trafficking in persons, **in appropriate cases**:

(a) Information on relevant court and administrative proceedings¹⁴⁸

By requiring states to restructure their laws in order to ensure traffickers are prosecuted without making the same demands in terms of providing legal protection for victims, the Palermo Protocol positions victims' safety as a secondary concern.¹⁴⁹ It undermines its own goal without taking into consideration the fact that victims will not come forward without an explicit guarantee of protection, since in many cases they may be risking their lives by testifying against their traffickers.¹⁵⁰ By ensuring state protection to a victim only if they decide to initiate legal action against their trafficker in Article 6(2), the Palermo Protocol makes prosecution of traffickers the core primary obstacle for victims to access state protection and assistance.

Significantly softer language than that employed for the criminalization of traffickers is also used in Article 6(3) regarding social assistance, as the Protocol specifies that, "each state **shall consider** implementing measures to provide for the physical, psychological and social recovery of victims of trafficking in persons".¹⁵¹ As such, the Palermo Protocol is only suggestive of the responsibility states should have towards aiding victims, whereas it **legally obligates** them to restructure their governance in order to prosecute traffickers.

ii.TVPA

¹⁴⁵ UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, Article 5(1), 15 November 2000

¹⁴⁶ Shoaps, L. L. (2013). Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act. *Lewis & Clark Law Review* 17(3), 931-972. Retrieved from <http://law.lclark.edu/live/files/15325-lcb173art6shoaps.pdf>

¹⁴⁷ UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, Article 6(1), 15 November 2000

¹⁴⁸ UN General Assembly, Article 6(2), 15 November 2000

¹⁴⁹ Shoaps, L. L. (2013). Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act. *Lewis & Clark Law Review* 17(3), 931-972. Retrieved from <http://law.lclark.edu/live/files/15325-lcb173art6shoaps.pdf>

¹⁵⁰ Shelley, L. I. (2010). *Human Trafficking: A Global Perspective*. Cambridge [UK]: Cambridge University Press

¹⁵¹ UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, Article 6(3), 15 November 2000

Similar problems exist with the TVPA. While the TVPA is arguably secondary to the Palermo Protocol and was created primarily for U.S. government purposes, given the sanction regime that the U.S. has set up and the funding it allocates internationally to help prevent trafficking,^{152,153} it is nevertheless a globally influential piece of legislation. The U.S. may be the only country directly accountable to the TVPA, but given its economic power globally and the fact that nations benefit from it financially, the TVPA does set a precedent for other anti-trafficking legal frameworks. As such, it is all the more troubling that it also prioritizes the criminalization of traffickers above the provision of victim protection.¹⁵⁴

Regarding trafficking victims in the United States, those eligible for social assistance from the government must be identified as a victim of “a severe form of trafficking”¹⁵⁵ However, “victim of severe trafficking” is later defined only as an individual that has been trafficked and underage, or someone who “is willing to assist in every reasonable way in the investigation and prosecution of severe forms of trafficking in persons.”¹⁵⁶ This law, like the Palermo Protocol, also does not acknowledge the myriad controls traffickers exert over their victims¹⁵⁷ and thus sets a potentially harmful precedent for other anti-trafficking legislation.

It is important to note, however, the difference between the TVPA and the Palermo Protocol with regards to providing social assistance to victims who agree to prosecute their traffickers. While the Palermo Protocol suggests that states consider allocating resources for social and legal aid to victims,¹⁵⁸ the TVPA makes it a requirement¹⁵⁹ and by doing so, indirectly holds other governments accountable to the same standards. Unfortunately, given what is demanded of trafficked individuals to be identified as victims under the TVPA, it sets a potentially harmful precedent. It encourages victims to further risk their safety in order to aid prosecution of their trafficker, which paradoxically undermines the mission of the TVPA and thus, through its influence, other national anti-trafficking legislation.

While basing central anti-trafficking legislation on prioritizing targeting organized crime may be theoretically effective, it is an inefficient structure in application. It ultimately sets a flawed legal groundwork, upon which any implementation is structured to prioritize the prosecution of the crime rather than the protection of those exploited. Furthermore, it **fundamentally neglects the power**

¹⁵² *United States of America: Victims of Trafficking and Violence Protection Act of 2000* [United States of America], Public Law 106-386 [H.R. 3244], 28 October 2000, TVPA

¹⁵³ Shoaps, L. L. (2013). Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act. *Lewis & Clark Law Review* 17(3), 931-972. Retrieved from <http://law.lclark.edu/live/files/15325-lcb173art6shoaps.pdf>

¹⁵⁴ George, S. (2012). The Strong Arm of the Law Is Weak: How the Trafficking Victims Protection Act Fails to Assist Effectively Victims of the Sex Trade. *Creighton Law Review* Volume 45. Retrieved from <http://hdl.handle.net/10504/40756>

¹⁵⁵ *United States of America: Victims of Trafficking and Violence Protection Act of 2000* [United States of America], Section (107) (b)(1), Public Law 106-386 [H.R. 3244], 28 October 2000, TVPA

¹⁵⁶ *United States of America: Victims of Trafficking and Violence Protection Act of 2000* [United States of America], Section (107) (b)(1)(E)(i)(I) Public Law 106-386 [H.R. 3244], 28 October 2000, TVPA

¹⁵⁷ George, S. (2012). The Strong Arm of the Law Is Weak: How the Trafficking Victims Protection Act Fails to Assist Effectively Victims of the Sex Trade. *Creighton Law Review* Volume 45. Retrieved from <http://hdl.handle.net/10504/40756>

¹⁵⁸ UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, Article 6(1), 15 November 2000

¹⁵⁹ *United States of America: Victims of Trafficking and Violence Protection Act of 2000* [United States of America]. Public Law 106-386 [H.R. 3244], 28 October 2000, TVPA

dynamics that exist between the victim and the trafficker. While long sentences and harsh punishments for traffickers may increase the risk involved with trafficking, they are not enough on their own to de-incentivize the economic appeal of this crime, given the social, psychological and physical control traffickers have over their victims¹⁶⁰. As the Greek National Rapporteur pointed out, traffickers also have a significant amount of legal influence, given that there have been cases where they pay off their victims so that they do not testify against them.¹⁶¹ Increasing the risk for these crimes therefore, does not have the intended effect if victims are not equally prioritized. If policy makers do not take these factors into consideration, they risk many victims simply not coming forward at all, allowing a perpetuation of human rights violations. The inefficiency of prosecution oriented anti-trafficking legislation is also evident in the increase of trafficking victims during recent years.¹⁶² By targeting primarily organized crime and prioritizing state sovereignty rather than focusing on preventing human rights violations and addressing the needs of trafficking victims, these laws paradoxically undermine both their missions of decreasing crime and protecting human rights by indirectly creating barriers for victims to declare themselves and receive protection.

iii. Greek Anti-Trafficking Legislation

While the content and structure of global anti-trafficking legislation is critical when examining state law surrounding trafficking, what ultimately shapes the legal protection victims are afforded is how and whether or not they are implemented, something that only a country itself can carefully regulate. As is clear by the fact that there are countries with no anti-trafficking laws,¹⁶³ the Palermo Protocol exists as a guide and not as a comprehensive legal tool with which to fight trafficking. Each government has the option and responsibility of expanding on international legal framework on the basis of its needs. In this respect, Greece falls short, in many ways, of effectively applying both global legal frameworks, and its own national laws, at the expense of victims' safety.

The first indicator of deficiencies in Greek legislation regarding trafficking is that there exists no specific national plan to combat trafficking.¹⁶⁴ Instead, laws pertaining to human trafficking fall under a general national action plan for human rights.¹⁶⁵ Given that this act in itself has the power to set the agenda for how anti-trafficking efforts are pursued, there is a significant risk that attempts to combat this issue can be marginalized by being subsumed under less specific legislation.

Greek anti-trafficking legislation also follows the precedent set by the Palermo Protocol and prioritizes prosecuting traffickers, rather than focusing on victim protection. In 2005, Greek law was adjusted and Law No.3386/2005 was implemented in order to give victims 30 days to decide whether or not they

¹⁶⁰ Shelley, L. I. (2010). *Human Trafficking: A Global Perspective*. Cambridge [UK]: Cambridge University Press.

¹⁶¹ Greek National Rapporteur for Combating Human Trafficking Dr.Iraklis Moskof. Interview on July 24, 2015. Athens, Greece.

¹⁶² Shoaps, L. L. (2013). Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act. *Lewis & Clark Law Review* 17(3), 931-972. Retrieved from <http://law.lclark.edu/live/files/15325-lcb173art6shoaps.pdf>

¹⁶³ United Nations Office on Drugs and Crime (2014). *Global Report on Trafficking in Persons 2014* (United Nations publication, Sales No. E.14.V.10). Retrieved from https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf

¹⁶⁴ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

¹⁶⁵ Ibid.

would cooperate with authorities in order to testify against their traffickers.¹⁶⁶ The law prescribed that social, legal and health-related assistance would be given to victims who complied with legal authorities. While in theory giving victims the time to decide how they may assist the government is a positive adjustment, it still does not consider the reasons a victim would fear involvement in legal proceedings against a trafficker. Furthermore, there are reports of cases where victims were not given the full 30 days to make a decision, occasionally even resulting in deportations.¹⁶⁷ A victim's hesitation to speak out against their trafficker is often seen as "not cooperating."¹⁶⁸ The Greek National Rapporteur emphasized that protection of victims should be unrelated to their potential participation in legal proceedings against traffickers.¹⁶⁹ Unfortunately however, this is often not the case given a plethora of potential bureaucratic complications.

The Greek National Rapporteur also noted that criminal proceedings pertaining to trafficking can take years to reach a verdict and prosecute traffickers. During this time, he stated, even if victims are receiving state protection, there is a high likelihood that the trafficker will take advantage of the fact that the victim may be in an economically unstable situation and attempt to pay them off to keep them from testifying. In their vulnerable economic status, the victim may simply accept these terms. This allows traffickers to continue their exploitations. According to the Greek National Rapporteur, these criminals are often extremely wealthy, and thus the lawyers they hire may be exceptionally skilled in defending them. In fact, The U.S. Department of State's TIP Report 2014 notes that traffickers' attorneys typically reduce their clients sentences much shorter by characterizing them as pimps rather than traffickers. NGOs noted one such case,¹⁷⁰ showing how relevant and critical training for judges is in these situations. The Greek National Rapporteur emphasized, however, that Greek law is strictly interpreted and requires hard evidence to in order to convict a trafficker. The Greek legal system thus does not take into consideration the power imbalances that exist between the trafficker and their victim, and ultimately risks the safety of those that have been exploited.

Greek criminal proceedings against traffickers also put victims in a vulnerable position because they do not always guarantee their safety.¹⁷¹ While witness protection is taken into account in Greek law, the U.S. Department of State's TIP Report 2015 noted reports from NGOs that stated that **such privileges had not been given in full to any trafficking victims**. Lack of prioritization for witness protection unintentionally works to silence those that have been exploited and allows traffickers to continue to commit human right violations. Furthermore, the significant psychological trauma that victims have sustained is also not

¹⁶⁶ Papadimos, S. T. (2012). *Human trafficking in Serbia and Greece: A comparative analysis of a victim-centered approach* (Thesis). Ohio State University. Retrieved from https://etd.ohiolink.edu/!etd.send_file?accession=osu1339617852&disposition=inline

¹⁶⁷ U.S. Department of State. (2014). *Trafficking in Persons Report 2014*. Retrieved from <http://www.state.gov/documents/organization/226846.pdf>

¹⁶⁸ Papadimos, S. T. (2012). *Human trafficking in Serbia and Greece: A comparative analysis of a victim-centered approach* (Thesis). P. 24 Ohio State University. Retrieved from https://etd.ohiolink.edu/!etd.send_file?accession=osu1339617852&disposition=inline

¹⁶⁹ Greek National Rapporteur for Combating Human Trafficking Dr.Iraklis Moskof. Interview on July 24, 2015. Athens, Greece.

¹⁷⁰ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

¹⁷¹ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

usually considered during legal proceedings. There is currently no “victim-centered training” for judges or prosecutors that help them conduct trials in a manner that is sensitive to the victim's needs.¹⁷² The judges are versed in trafficking laws, but not all are equally knowledgeable on trafficking as a larger issue.¹⁷³ The U.S. Department of State's TIP Report 2015 went on to point out that while mental health practitioners can be present during trials, and remote testimony is permitted according to Greek law, practically there are not enough resources and technology for these provisions to be properly implemented.

Another critical weakness in Greece's implementation of anti-trafficking legislation is its resistance to giving victims access to permanent residency permits.¹⁷⁴ This can have significant consequences for victims' safety, as it compels them to return to their country of origin, and quite possibly into geographical areas where traffickers are active.¹⁷⁵ Access to residency permits requires documentation.¹⁷⁶ This, as discussed previously, can be particularly problematic, as traffickers often confiscate victims' documentation.¹⁷⁷ This forces victims into a cycle where they are vulnerable to re-trafficking, and denies them the means to build a life for themselves without fear of being exploited.

VI. Challenges Sex Trafficking Victims Face in Identification and Access to Protection

Drafting legal frameworks, although a critical step in combatting human rights violations, is still not enough in itself to prevent sex trafficking. Unfortunately, sex trafficking victims face a variety of other obstacles in receiving protection under Greek law. One big challenge is the process of identification, a process that is severely impeded by a wide range of factors.¹⁷⁸ Identification requires the concerted effort of the state to document and protect trafficking victims, and to determine the structural barriers that deter them from coming forward. Thus, a more thorough investigation of these challenges is required to ensure their needs are being adequately addressed.

¹⁷² U.S. Department of State. (2014). *Trafficking in Persons Report 2014*. P.188 Retrieved from <http://www.state.gov/documents/organization/226846.pdf>

¹⁷³ Ibid.

¹⁷⁴ Papadimos, S. T. (2012). *Human trafficking in Serbia and Greece: A comparative analysis of a victim-centered approach* (Thesis). Ohio State University. Retrieved from https://etd.ohiolink.edu/!etd.send_file?accession=osu1339617852&disposition=inline

¹⁷⁵ Ibid.

¹⁷⁶ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

¹⁷⁷ Shelley, L. I. (2010). *Human Trafficking: A Global Perspective*. Cambridge [UK]: Cambridge University Press.

¹⁷⁸ Brunovskis, A., & Surtees, R. (2012). *Out of sight? Approaches and challenges in the identification of trafficked persons*. The Fafo/NEXUS Institute. Retrieved from http://fafo.no/~fafo/media/com_netsukii/20255.pdf

i. Fear of Trafficker

A major factor that keeps victims from coming forward is fear of their trafficker. As detailed above, traffickers often exert immense psychological and physical control over their victims.¹⁷⁹ They frequently transport their victims illegally and retain all of their documentation,¹⁸⁰ thus leveraging the victims' illegal status to keep them silent.¹⁸¹ Furthermore, traffickers keep victims isolated and permit limited social contact.¹⁸² The trafficker may also pose as a victim's relative or friend in social contexts, a camouflage that complicates identification by uninvolved third parties¹⁸³ such as when traffickers accompany victims to receive health services.¹⁸⁴ This facade is less likely to cause suspicion among health care providers regarding the victim's physical condition if signs of trauma or other physical abuse are evident.¹⁸⁵ It also makes it far less likely that the victim will have a private interaction with a doctor or other health care provider in whom they can confide.¹⁸⁶ The trafficker will typically remain by the victim's side, suppressing any requests for a private evaluation with the threat of subsequent physical harm.¹⁸⁷ Victims are often unaware of the host country's location, which exacerbates their powerlessness, and further ensures their silence and complicity.¹⁸⁸ Since traffickers often work within a larger social network and know their victims' families, many victims fear additional consequences for their relatives.^{189,190}

a. Psychological Control

In some cases, mainly with Nigerian victims, traffickers can also exert psychological control long after victims have escaped their trafficking situation.¹⁹¹ Nigerian traffickers often force their victims to undergo rituals, powered by strong superstitions. These are based on the concept that if victims ever

¹⁷⁹ George, S. (2012). The Strong Arm of the Law Is Weak: How the Trafficking Victims Protection Act Fails to Assist Effectively Victims of the Sex Trade. *Creighton Law Review* Volume 45. Retrieved from <http://hdl.handle.net/10504/40756>

¹⁸⁰ Ibraheem, T. O. (2014). Equal Trafficking: Another Crime against the Woman and Girl-Child." *Journal of Law, Policy and Globalization* Volume 30. Retrieved from International Knowledge Sharing Platform website <http://www.iiste.org/Journals/index.php/JLPG/article/viewFile/16339/16857>

¹⁸¹ George, S. (2012). The Strong Arm of the Law Is Weak: How the Trafficking Victims Protection Act Fails to Assist Effectively Victims of the Sex Trade. *Creighton Law Review* Volume 45. Retrieved from <http://hdl.handle.net/10504/40756>

¹⁸² Ibid.

¹⁸³ Organization for Security and Co-operation in Europe (OSCE). (2013). *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment* (Occasional Paper Series no. 5). Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation. Retrieved from <https://www.osce.org/cthb/103085?download=true>

¹⁸⁴ Ibid.

¹⁸⁵ Ibid.

¹⁸⁶ Ibid.

¹⁸⁷ Ibid.

¹⁸⁸ George, S. (2012). The Strong Arm of the Law Is Weak: How the Trafficking Victims Protection Act Fails to Assist Effectively Victims of the Sex Trade. *Creighton Law Review* Volume 45. Retrieved from <http://hdl.handle.net/10504/40756>

¹⁸⁹ Ibid.

¹⁹⁰ Organization for Security and Co-operation in Europe (OSCE). (2013). *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment* (Occasional Paper Series no. 5). Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation. Retrieved from <https://www.osce.org/cthb/103085?download=true>

¹⁹¹ Ibid.

reveal themselves to authorities, they and their family will die, along with the person to whom they report their trafficker, or that they will "go mad".¹⁹² Thus Nigerian trafficking rings are very efficient in recruiting as well as escaping detection from the police¹⁹³ since this kind of psychological terror effectively ensures both that victims never escape and never publicize their situation.¹⁹⁴

b. Effect on Self-Identification

George (2012) detailed another form of psychological control traffickers exert: instilling in victims the idea that they deserve to be exploited. There are many cases where victims do not know that their trafficker's activities are actually crimes. This makes it all the more difficult for victims to self-declare because they themselves do not identify as victims. If they do not know that they are victims, they inevitably will not seek assistance. This is a critical disguising element for individuals who may interact with trafficking victims, whether they are legal authorities or healthcare providers.

There are other complicating aspects to self-identification: while certainly not all individuals who are employed in the sex industry have been trafficked, there are cases where the situation is not clear, and victims themselves may believe they are prostitutes when they are actually sex trafficking victims.¹⁹⁵ Self-identification and identification by others becomes even more problematic if victims believe their circumstances are better than any alternatives.¹⁹⁶ It is important to note that even if victims choose to work as prostitutes, this does not necessarily mean their situation is not exploitative. The framework that sees individuals who may opt to take part in sex work as solely prostitutes does not take into consideration the different dimensions of exploitation, or the fact that there are many social barriers that keep them from exploring other options besides sex work.¹⁹⁷ This touches on the necessity of governments to provide other productive viable options for victims to sustain themselves. It is thus critical to remember that simply because there is "consent" to an element of their circumstances does not eliminate the possibility that an individual is not a victim and therefore does not need social services and assistance. Understanding victims' status in totality requires a both a broader knowledge of how sex trafficking works but also acknowledging the reality that not all prostitutes have made an independent, informed choice to engage in sex work.

While victims not recognizing themselves as victims is arguably one of the most important factors that suppresses self-identification, there are also situations where victims are hesitant to assume a "victim"

¹⁹² Organization for Security and Co-operation in Europe (OSCE). (2013). *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment* (Occasional Paper Series no. 5). P. 55. Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation. Retrieved from <https://www.osce.org/cthb/103085?download=true>

¹⁹³ Carling, J. (2006). *Migration, human smuggling and trafficking from Nigeria to Europe* (IOM Migration Research Series No. 23). Geneva: International Organization for Migration. Retrieved from <https://www.iom.int/files/live/sites/iom/files/What-We-Do/idm/docs/MRS23.pdf>

¹⁹⁴ Organization for Security and Co-operation in Europe (OSCE). (2013). *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment* (Occasional Paper Series no. 5). Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation. Retrieved from <https://www.osce.org/cthb/103085?download=true>

¹⁹⁵ Brunovskis, A., & Surtees, R. (2012). *Out of sight? Approaches and challenges in the identification of trafficked persons*. The Fafo/NEXUS Institute. Retrieved from http://fafo.no/~fafo/media/com_netsukii/20255.pdf

¹⁹⁶ Ibid.

¹⁹⁷ Lazaridis, G. (2001). Trafficking and Prostitution: The Growing Exploitation of Migrant Women in Greece. *European Journal of Women's Studies* 8(1), 67-102.

identity¹⁹⁸ because this may denote vulnerability, and presumes a certain lack of empowerment. It is thus important for individuals who come into contact with trafficking victims to stress that their circumstances are not due to personal faults or weaknesses. It is also important to stress their fundamental right to be respected and to have autonomy over their own body and choices. Identifying individuals as victims should not be used to disempower those that have been sex trafficked. Rather, it is a tool to pinpoint and, to the extent possible, meet the specific needs they have. The goal is not to further emphasize the vulnerability they have experienced but to assist them in finding the means to take control of their own lives, a basic human right that has not been afforded to them in the past.

In order for these victims to safely declare themselves, regardless of their circumstances, significant resources need to be dedicated not just to their physical recovery but their psychological recovery as well. These unfortunately are severely lacking in Greece, leading to what may be deemed “re-victimization” for trafficking victims who encounter an absence of social and psychological support.¹⁹⁹

ii. Fear of Police

The trafficker's controlling relationship with victims is an important barrier that impedes access to receiving social and legal protection but it is by no means the only one. A critical factor which discourages trafficking victims from coming forward is their distrust of the police.²⁰⁰ While authorities can be instrumental in assisting victims, and are an invaluable resource for local NGOs,²⁰¹ the experiences of many victims trafficked throughout Europe with police have not been positive and at times marked by violence.²⁰² Another reason for this distrust is that victims may be held in custody for long periods of time without police intervention before receiving government assistance (Brunovskis and Surtees, 2012). One trafficking victim in a study involving interviews of 43 individuals who had been trafficked all over Europe conducted by Anette Brunovskis and Rebecca Surtees in 2012 stated:

“Yes it is really very stressful. It is difficult because they don't believe and many girls that go there make up their stories so maybe they try to check to see if the stories are really true but I just prayed to them to believe me... He beat all of us. I am not going to speak about that. But I managed to convince him.”²⁰³

In another study, conducted by the Organization for Security and Co-operation in Europe in 2013, one trafficking victim stated:

“I didn't trust the police because they were friends of my boyfriend who forced me into prostitution and they knew what was happening to me. Some of them even had sex with me and brought other women

¹⁹⁸ Brunovskis, A., & Surtees, R. (2012). *Out of sight? Approaches and challenges in the identification of trafficked persons*. The Fafo/NEXUS Institute. Retrieved from http://fafo.no/~fafo/media/com_netsukii/20255.pdf

¹⁹⁹ George, S. (2012). The Strong Arm of the Law Is Weak: How the Trafficking Victims Protection Act Fails to Assist Effectively Victims of the Sex Trade. *Creighton Law Review* Volume 45, p.576. Retrieved from <http://hdl.handle.net/10504/40756>

²⁰⁰ Brunovskis, A., & Surtees, R. (2012). *Out of sight? Approaches and challenges in the identification of trafficked persons*. The Fafo/NEXUS Institute. Retrieved from http://fafo.no/~fafo/media/com_netsukii/20255.pdf

²⁰¹ Vrotsou, C. (2014). *Stories about sex trafficking in Greece: A productive power play* (Thesis). Linköping University. Available at Diva-Portal website <http://www.diva-portal.org/smash/get/diva2:752957/FULLTEXT01.pdf>

²⁰² Brunovskis, A., & Surtees, R. (2012). *Out of sight? Approaches and challenges in the identification of trafficked persons*. The Fafo/NEXUS Institute. Retrieved from http://fafo.no/~fafo/media/com_netsukii/20255.pdf

²⁰³ Brunovskis, A., & Surtees, R. (2012). *Out of sight? Approaches and challenges in the identification of trafficked persons*. P. 34. The Fafo/NEXUS Institute. Retrieved from http://fafo.no/~fafo/media/com_netsukii/20255.pdf

to the house who were prostitutes. My boyfriend threatened to kill me if I left him and he reminded me of his contacts within the police and the mafia. The police are not much good unless you have connections or you are rich."²⁰⁴

There are many stories like these, and Greece is not exempt from them. Distrust in the police still remains a major issue among trafficking victims.²⁰⁵ Undocumented trafficked victims are unlikely to come forward,²⁰⁶ especially given that even with reformed anti-trafficking legislation, there have been cases where, following arrest, traffickers were released by authorities on a "suspended sentence",²⁰⁷ thus posing a serious danger to victims.²⁰⁸ The Greek National Rapporteur noted that there are situations where the traffickers dress as policemen, so that victims see them as legitimate authorities and are therefore much less likely to come forward and report abuse.²⁰⁹

In a study conducted by Christina Vrotsou (2014) which involved an interview with the president of an NGO that works with trafficking victims, the interviewee described a situation where a prominent police officer had been collaborating with traffickers and, after noting that the police officer had never been prosecuted, she was confident that he was still working with them, stating that "I have no doubt in my mind because it is a lot of money there".²¹⁰ A policeman in Greece was also arrested and accused of being a ringleader of a sex trafficking ring in May 2014, though the trial was non-conclusive.²¹¹ A year earlier, two other law officials were also arrested on the grounds of collaborating with a sex trafficking ring and exchanging information on internal police activity, though this case has not yet been formally tried.²¹²

There have also been incidents throughout Europe where policemen actively discouraged victims.²¹³ There are reports that police officers had been abusive and ultimately influenced one self-declared

²⁰⁴ Organization for Security and Co-operation in Europe (OSCE). (2013). *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment* (Occasional Paper Series no. 5). P. 68. Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation. Retrieved from <https://www.osce.org/cthb/103085?download=true>

²⁰⁵ Miller, M. J., and Wasileski, G. (2010). An Underappreciated Dimension of Human Trafficking: Battered and Trafficked Women and Public Policy. *Human Rights Review* 12(3), 301-314.

²⁰⁶ Okonkwo, R., & Robinson, C. (2015). *Perspectives of Service Professionals on the Contributing Factors to Sex Trafficking and on the Service Utilization Patterns of the Victims/Survivors* (Thesis). California State University, Sacramento. Retrieved from <http://csus-dspace.calstate.edu/bitstream/handle/10211.3/138808/FINAL%20Chenee%20and%20Rhonda's%20%20thesis%20revised%2004-28-15.pdf?sequence=1>

²⁰⁷ Miller, M. J., and Wasileski, G. (2010). An Underappreciated Dimension of Human Trafficking: Battered and Trafficked Women and Public Policy. *Human Rights Review* 12(3), p. 306

²⁰⁸ Miller, M. J., and Wasileski, G. (2010). An Underappreciated Dimension of Human Trafficking: Battered and Trafficked Women and Public Policy. *Human Rights Review* 12(3), 301-314.

²⁰⁹ Greek National Rapporteur for Combating Human Trafficking Dr. Iraklis Moskof. Interview on July 24, 2015. Athens, Greece.

²¹⁰ Vrotsou, C. (2014). *Stories about sex trafficking in Greece: A productive power play* (Thesis). P. 54. Linköping University. Available at Diva-Portal website <http://www.diva-portal.org/smash/get/diva2:752957/FULLTEXT01.pdf>

²¹¹ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

²¹² Ibid.

²¹³ Brunovskis, A., & Surtees, R. (2012). *Out of sight? Approaches and challenges in the identification of trafficked persons*. The Fafo/NEXUS Institute. Retrieved from http://fafo.no/~fafo/media/com_netsukii/20255.pdf

victim, even after being identified, to attempt to leave the country into a potentially more dangerous situation, because she did not feel safe in the country where she was examined.²¹⁴ Even if specific incidents like these have not been documented in Greece, they can nevertheless influence the way victims, particularly in a re-trafficking context, approach legal authorities in the future.²¹⁵ It is thus a factor that police officers in Greece need to strongly consider when questioning suspected victims of trafficking.

It is important to note that many police officers can and have been important facilitators in connecting victims of trafficking with appropriate resources that can aid in their escape and recovery.²¹⁶ They are often the state actors that have a more realistic understanding of the impact and reach of human trafficking in Greece.²¹⁷ Unfortunately, even if most police officers are capable of establishing trust with victims and managing these situations with respect and responsibility, only a small portion of police officers remaining complicit with these human rights violations is enough to discourage many victims from coming forward.

iii. Stigma

These incidents with police and victims however, do not exist in a vacuum, and in many ways, the social context surrounding the work of these legal authorities ultimately influences how trafficking victims are treated. While social context does not ameliorate their accountability or their responsibility towards treating victims with respect and fighting corruption, broader social influences on state authorities and all actors directly or indirectly involved with human rights violations are important considerations. Thus another critical barrier sex trafficking victims face in coming forward is stigma. Sex trafficking victims are frequently dehumanized, and the stigma they face often means that they are treated as "disposable".²¹⁸ This stigma is intensified by the fact that sex is often seen as negative, a view reflected on sex workers and anyone perceived as a sex worker. Sex trafficking victims are also frequently presumed to be sex workers, and therefore the public assumes they have actively consented to their circumstances,²¹⁹ not fully comprehending the pre-existing context of coercion and human rights violations that take place. In some cases, victims are often blamed for their exploitation, and society assumes that they "should have known better".²²⁰ This is also relevant in cases where escaped victims return back home, only to be re-victimized through discrimination and ongoing stigma.²²¹ More

²¹⁴ Ibid.

²¹⁵ Ibid.

²¹⁶ Vrotsou, C. (2014). *Stories about sex trafficking in Greece: A productive power play* (Thesis). Linköping University. Available at Diva-Portal website <http://www.diva-portal.org/smash/get/diva2:752957/FULLTEXT01.pdf>

²¹⁷ Ibid.

²¹⁸ Anderson, B., O'Connell, D. J., & International Organization for Migration. (2003). *Is trafficking in human beings demand driven?: A multi-country pilot study* (IOM Migration Research Series No. 15). P. 17. Geneva, Switzerland: IOM, International Organization for Migration.

²¹⁹ Brunovskis, A., & Surtees, R. (2012). *Out of sight? Approaches and challenges in the identification of trafficked persons*. The Fafo/NEXUS Institute. Retrieved from http://fafo.no/~fafo/media/com_netsukii/20255.pdf

²²⁰ Smith, H. M. (2010). Sex Trafficking: Trends, Challenges, and the Limitations of International Law." *Human Rights Review* 12(3), 271-286. DOI: 10.1007/s12142-010-0185-4

²²¹ Themeli, E. (2011). *Trafficking in Women for Sexual Exploitation. A Major Health and Human Rights Issue* (Thesis). National and Kapodistrian University of Athens School of Medicine. Retrieved from <http://crisis.med.uoa.gr/elibrary/TRAFFICKING%20IN%20WOMEN%20FOR%20SEXUAL%20EXPLOITATION..pdf>.

importantly, the general view in society that sex workers have freely chosen their circumstances directly influences and decreases the number of trafficking incidents that are reported.²²²

The stigma directed at sex trafficking victims is indicative of a larger societal issue that allows sex trafficking to thrive and, as the Greek National Rapporteur noted, can even influence legal proceedings.²²³ If officials and legal authorities prejudicially perceive that an individual's activities occur in the absence of coercion, they are less likely to assign blame to the accused trafficker and as a result are less likely to grant protection. The legal dimensions of the stigma surrounding sex trafficking are also evident in legislation meant to combat these human rights violations. While anti-trafficking law is drafted with the intent of fairness and objectivity, its practical consequences may ultimately be guided by pre-conceived notions that potentially disregard the realities of trafficking victims.²²⁴

Gender stereotyping can also play a significant role in the proliferation of sex trafficking.²²⁵ Cultures that devalue women and frequently objectify them allow for a context in which "prostitution is viewed as a victimless crime".²²⁶ Societies that deny women economic autonomy also result in increased sexual exploitation, since females are more likely to be forced into trafficking in order to provide economic support for their families.²²⁷ Stigma against prostitution and sex work is also related to the negative perception surrounding women's sexuality and that any woman who engages in frequent sexual activity is disparaged.²²⁸ Thus, women who have been trafficked, regardless of their lack of consent, can suffer severe discrimination, particularly if they return back to their country of origin.²²⁹

Stigma and Male Sex Trafficking Victims

Gender stereotyping, of course, does not only affect females that are trafficked. In fact, this line of thinking is misguided given the significant percentage of male sex trafficking victims globally.²³⁰ Sex

²²² Smith, H. M. (2010). Sex Trafficking: Trends, Challenges, and the Limitations of International Law." *Human Rights Review* 12(3), 271-286. DOI: 10.1007/s12142-010-0185-4

²²³ Greek National Rapporteur for Combating Human Trafficking Dr. Iraklis Moskof. Interview on July 24, 2015. Athens, Greece.

²²⁴ Bianchini Mosher, N. (2011). Impressions of gender in international anti human trafficking instruments: hegemonic gender inequality in Europe and beyond (Thesis). Webster University. Available from ProQuest Dissertations & Theses database.

²²⁵ Ibid.

²²⁶ Ibraheem, T. O. (2014). Equal Trafficking: Another Crime against the Woman and Girl-Child." *Journal of Law, Policy and Globalization* Volume 30, p. 80. Retrieved from International Knowledge Sharing Platform website <http://www.iiste.org/Journals/index.php/JLPG/article/viewFile/16339/16857>

²²⁷ Okonkwo, R., & Robinson, C. (2015). *Perspectives of Service Professionals on the Contributing Factors to Sex Trafficking and on the Service Utilization Patterns of the Victims/Survivors* (Thesis). California State University, Sacramento. Retrieved from <http://csus-dspace.calstate.edu/bitstream/handle/10211.3/138808/FINAL%20Chenee%20and%20Rhonda's%20%20thesis%20revised%204-28-15.pdf?sequence=1>

²²⁸ Lazaridis, G. (2001). Trafficking and Prostitution: The Growing Exploitation of Migrant Women in Greece. *European Journal of Women's Studies* 8(1), 67-102.

²²⁹ Ibid.

²³⁰ Shelley, L. (2014). *Human Smuggling and Trafficking into Europe: A Comparative Perspective*. Washington, DC: Migration Policy Institute. Retrieved from <http://www.migrationpolicy.org/research/human-smuggling-and-trafficking-europe-comparative-perspective>

trafficking rarely addresses the experiences of male trafficking victims.²³¹ Society generally stereotypes females as the typical sex trafficking victims.²³² **This notion is highly problematic because the fact that males are less likely to be identified as trafficking victims, and therefore less likely to be reported as such by legal authorities and the public, makes them all the more appealing to trafficking networks.**²³³

Gender expectations and the way masculine ideals influence male victim's decisions regarding reporting their circumstances are important and can ultimately influence the way male sex trafficking victims perceive their situation.²³⁴ Ideals of masculinity include being dominant and in control, which contrasts with the notion of a vulnerable sex trafficking victim. This may lead to internal conflicts in male sex trafficking victims who may not realize that they are being exploited and thus may be discouraged from seeking legal remedies. Male victims that have been trafficked may also be less likely to come forward because of the stigma surrounding homosexuality.²³⁵ If a male is sexually exploited by another male, this adds another level of isolation to the victim's experience, keeping them from speaking out since they may assume they will be stigmatized for engaging in sexual activities with another male.²³⁶

Stereotypical ideas surrounding male sexuality perpetuate false notions about who can be a trafficking victim. Men are generally viewed as more promiscuous than their female counterparts. The idea of a sex trafficking victim, therefore, is in some ways incompatible with that of a typical male. Ideals of masculinity include being dominant and in control, which contrasts with the presumed vulnerability of a sex trafficking victim. This may lead to internal conflicts in male sex trafficking victims who may not realize that they are being exploited and as such may be discouraged from initiating legal activity, since this would require identifying themselves as a trafficking victim and thus be perceived as a sign of weakness.²³⁷ These categorizations are not only unfair to both sexes, and discriminatory, they are also dangerous because they lead to the false conclusion that men cannot be sexually exploited, since sexual activity is something that men supposedly automatically consent to, regardless of the situation. It also can lead to males themselves doubting whether or not they really are victims and adds another barrier to them seeking protection for their circumstances.

Gender stereotyping against males can also have significant negative implications in a legal context. The Palermo Protocol does not require states to provide "gender sensitive" training and instead only includes it as a suggestion²³⁸ stating that:

²³¹ Van Liempt, I. and Doornik, J. (2006). Migrant's Agency in the Smuggling Process: The Perspectives of Smuggled Migrants in the Netherlands. *International Migration* 44(4), 165–190. doi: 10.1111/j.1468-2435.2006.00383.x

²³² Shoaps, L. L. (2013). Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act. *Lewis & Clark Law Review* 17(3), 931-972. Retrieved from <http://law.lclark.edu/live/files/15325-lcb173art6shoaps.pdf>

²³³ Ibid.

²³⁴ Mai, N. (2011). Tampering with the Sex of 'Angels': Migrant Male Minors and Young Adults Selling Sex in the EU. *Journal of Ethnic and Migration Studies*, 37(8), 1237-1252. Institute for the Study of European Transformations (ISET) and London Metropolitan University. DOI: 10.1080/1369183X.2011.590927

²³⁵ Ibid.

²³⁶ Ibid.

²³⁷ Ibid.

²³⁸ Shoaps, L. L. "Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act." P. 939. *Lewis & Clark Law Review* 17.13 (2013):

"The training should also take into account the need to consider human rights and child- and gender-sensitive issues and it should encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society".²³⁹

As such, this gives states the option to opt out of such training, and therefore legal authorities may not be fully aware that males can be victims of sex trafficking as well as females.²⁴⁰ The legal implications of these laws can directly affect the identification and protection of male trafficking victims.²⁴¹ **This is evident by the fact that there is currently only one NGO that serves male trafficking victims in Greece.**²⁴² Furthermore, even this protection can become inaccessible to victims if legal authorities are not aware of the how sex trafficking involves males, as they will not be able to properly identify them.²⁴³

iv. Minimally Trained Officials

Social stereotyping and the way that it affects how trafficking victims have access to protection brings to light possibly one of the most important factors that can determine whether or not a trafficking victim has access to protection: minimally trained legal authorities. One of the largest barriers in identifying sex trafficking victims is that there are still many law officials who rely on stereotypical notions of what a victim should look like in order to take action, and who receive minimal training on the appropriate ways to question potential victims of sexual exploitation.²⁴⁴ Whether a victim receives protection is mainly dependent on whether police officers will correctly identify the individual as someone who has been exploited.²⁴⁵ As such, proper training, an aspect of the law enforcement system that is currently not prioritized in Greece, is imperative in order to make sure victims have a chance to escape their traffickers.

Police reports from 2005, referencing interactions between Macedonian police and 32 female sex workers, stated that none of the women showed signs that they could be victims of trafficking.²⁴⁶ They indicated that they had control over which clients they received, and noted their consent to and satisfaction with their working conditions.²⁴⁷ In other cases, it was found that many police officers "get fooled" in interactions with sex trafficking victims, and overestimate the measure of consent given in

²³⁹ UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, Article 10(2), 15 November 2000

²⁴⁰ Shoaps, L. L. (2013). Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act. *Lewis & Clark Law Review* 17(3), 931-972. Retrieved from <http://law.lclark.edu/live/files/15325-lcb173art6shoaps.pdf>

²⁴¹ Ibid.

²⁴² U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

²⁴³ Shoaps, L. L. (2013). Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act. *Lewis & Clark Law Review* 17(3), 931-972. Retrieved from <http://law.lclark.edu/live/files/15325-lcb173art6shoaps.pdf>

²⁴⁴ George, S. (2012). The Strong Arm of the Law Is Weak: How the Trafficking Victims Protection Act Fails to Assist Effectively Victims of the Sex Trade. *Creighton Law Review* Volume 45. Retrieved from <http://hdl.handle.net/10504/40756>

²⁴⁵ Shoaps, L. L. (2013). Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act. *Lewis & Clark Law Review* 17(3), 931-972. Retrieved from <http://law.lclark.edu/live/files/15325-lcb173art6shoaps.pdf>

²⁴⁶ Arsovska, J. (2008). Decline, Change or Denial: Human Trafficking and EU Responses in the Balkan Triangle. *Policing* 2(1), 50-62. DOI:10.1093/police/pan005

²⁴⁷ Ibid.

their living conditions.²⁴⁸ **This is extremely problematic, since many victims of trafficking, fearing their trafficker will not come forward.**²⁴⁹ To further complicate the situation, victims of trafficking are often purposefully dressed so as to not raise suspicion.²⁵⁰ Thus authorities' reliance only on what sex trafficking victims are directly telling them may lead to many trafficking cases not being properly investigated.

Legal authorities also must understand how to appropriately interview trafficking victims.²⁵¹ Many police officers are often not trained to properly question potential victims of sexual exploitation and may misidentify them as sex workers, illegal immigrants or criminals.²⁵² Their interrogations may disparage the victim's sexuality²⁵³, not realizing that they need government protection and are not criminals.²⁵⁴ This is particularly harmful, given that many victims' testimonies may be incoherent due to the trauma they have experienced.²⁵⁵ Further questioning that implies doubt and shame may ultimately discourage them from recounting the details of their exploitative circumstances, resulting in a denial of legal assistance.²⁵⁶ It is imperative, therefore, that legal authorities are trained in asking sensitive questions that give the victim a non-judgmental space to respond to questions, offering them an opportunity to describe a coherent account of events.²⁵⁷

Untrained legal authorities can also undermine the laws that they are obligated to help implement. For example, while Greek law prohibits punishment for victims who have committed crimes that were a direct result of being trafficked²⁵⁸, this does not stop police officers from unlawfully detaining them, not recognizing them as individuals who have been exploited but as criminals engaging in sex work without

²⁴⁸ Bosworth, M., and Pickering, S., & Fili, A. (2013). Women's Immigration Detention in Greece: Gender, Control, and Capacity. Forthcoming in Maria Joao Guia, Robert Koulis, Valsamis Mitislegas (Eds.). (2014). Immigration Detention, Risk and Human Rights. Springer; Oxford Legal Studies Research Paper No. 81/2013; Criminal Justice, Borders and Citizenship Research Paper No. 2297440. Available at SSRN: <http://ssrn.com/abstract=2297440> or <http://dx.doi.org/10.2139/ssrn.2297440>

²⁴⁹ United Nations Office on Drugs and Crime. (2011). *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union*. Vienna. Available at https://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Report_SOM_West_Africa_EU.pdf

²⁵⁰ Ibid.

²⁵¹ Okonkwo, R., & Robinson, C. (2015). *Perspectives of Service Professionals on the Contributing Factors to Sex Trafficking and on the Service Utilization Patterns of the Victims/Survivors* (Thesis). California State University, Sacramento. Retrieved from <http://csus-dspace.calstate.edu/bitstream/handle/10211.3/138808/FINAL%20Chenee%20and%20Rhonda's%20%20thesis%20revised%204-28-15.pdf?sequence=1>

²⁵² Brunovskis, A., & Surtees, R. (2012). *Out of sight? Approaches and challenges in the identification of trafficked persons*. The Fafo/NEXUS Institute. Retrieved from http://fafo.no/~fafo/media/com_netsukii/20255.pdf

²⁵³ Okonkwo, R., & Robinson, C. (2015). *Perspectives of Service Professionals on the Contributing Factors to Sex Trafficking and on the Service Utilization Patterns of the Victims/Survivors* (Thesis). California State University, Sacramento. Retrieved from <http://csus-dspace.calstate.edu/bitstream/handle/10211.3/138808/FINAL%20Chenee%20and%20Rhonda's%20%20thesis%20revised%204-28-15.pdf?sequence=1>

²⁵⁴ Brunovskis, A., & Surtees, R. (2012). *Out of sight? Approaches and challenges in the identification of trafficked persons*. The Fafo/NEXUS Institute. Retrieved from http://fafo.no/~fafo/media/com_netsukii/20255.pdf

²⁵⁵ Ibid.

²⁵⁶ Ibid.

²⁵⁷ Ibid.

²⁵⁸ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

proper documentation.²⁵⁹ This is even more problematic given the fact that many individuals who are trafficked have had their documents confiscated by traffickers.²⁶⁰ It is also important to note that in cases where individuals were detained on the basis of working as undocumented prostitutes, there were instances where Greek legal authorities did not screen for signs of sex trafficking.²⁶¹ This type of treatment ultimately risks the safety of victims, and perpetuates a cycle of discrimination and human rights violations.

v. Lack of Documentation

Lack of training for signs of trafficking also leads to fewer cases reported and consequently to another serious barrier that keeps victims from escaping their circumstances: lack of statistical documentation regarding the prevalence of these human rights violations in Greece. The U.S. Department of State's TIP Report 2015 noted that only about half of all Greek courts were able to provide data on trial convictions, and those that did only gave partial information on prosecutions. As such, the data available regarding the scope of trafficking in Greece is not truly representative of the problem, given the limited research that has been done on the issue. While countries have an incentive to downplay the scale of sex trafficking,²⁶² lack of documentation on the number of trafficking victims in Greece is also in part due to the nature of sex trafficking as a crime. The Greek National Rapporteur stated that for many governments, it is not a visible crime, with the number of victims documented similar to those of homicide. These low numbers are further exacerbated by the fact that victims themselves are not willing to come forward for reasons mentioned above²⁶³.

Unfortunately, Greek data related to trafficking, when available, is limited and in general perceived as unreliable.²⁶⁴ It is also important to note that police officers are one of the most instrumental actors in facilitating a victim's access to justice and protection.²⁶⁵ As such, given that data is often dependent on the police taking the initiative to file reports of trafficking incidents, there is a danger that the process can come to a halt in the rare cases where police themselves benefit from the trafficker's profit.²⁶⁶ It is safe, therefore, to assume that the data regarding trafficking represents a limited view of the actual prevalence of these human rights violations. This is particularly troublesome given that, "studies on human trafficking typically rely on prosecution and investigation rates to gauge the severity of human

²⁵⁹ Papanicolaou, G. (2008). The sex industry, human trafficking and the global prohibition regime: a cautionary tale from Greece. *Trends in Organized Crime*, 25(1), 379-409. DOI:10.1007/s12117-008-9048-7

²⁶⁰ Shelley, L. I. (2010). *Human Trafficking: A Global Perspective*. Cambridge [UK]: Cambridge University Press.

²⁶¹ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

²⁶² Brunovskis, A., & Surtees, R. (2012). *Out of sight? Approaches and challenges in the identification of trafficked persons*. The Fafo/NEXUS Institute. Retrieved from http://fafo.no/~fafo/media/com_netsukii/20255.pdf

²⁶³ Smith, H. M. (2010). Sex Trafficking: Trends, Challenges, and the Limitations of International Law." *Human Rights Review* 12(3), 271-286. DOI: 10.1007/s12142-010-0185-4

²⁶⁴ Miller, M. J., and Wasileski, G. (2010). An Underappreciated Dimension of Human Trafficking: Battered and Trafficked Women and Public Policy. *Human Rights Review* 12(3), 301-314.

²⁶⁵ Vrotsou, C. (2014). *Stories about sex trafficking in Greece: A productive power play* (Thesis). Linköping University. Available at Diva-Portal website <http://www.diva-portal.org/smash/get/diva2:752957/FULLTEXT01.pdf>

²⁶⁶ Ibid.

sex trafficking." ²⁶⁷ Therefore, if police officers are engaged in these organized crimes themselves, are not properly trained, or if the government is using statistics around trafficking for their own purposes, it is impossible to have an accurate understanding of the scope of the problem. Without accurate data, as the then head of UNODC, Mr. Antonio Maria Costa, stated in 2009, "we will be fighting this problem blindfolded."²⁶⁸

vi. Lack of Prioritization

Lack of reliable data is a strong indicator of another critical barrier regarding access to protection for sex trafficking victims in Greece, which is the fact that the government does not prioritize this issue. EU governments, including Greece's, generally have an incentive to under report the number of trafficking victims in their countries, otherwise it may externally appear that they are not taking enough measures to limit the crime.²⁶⁹ Governments also tend to prefer classifying trafficking victims as illegal immigrants,²⁷⁰ a facet of governance that may have immense legal implications for those that have been exploited and need legal or social protection.

Furthermore, applying anti-trafficking legislation requires a significant amount of funding and, as such, governments tend to avoid creating hard law around the issue, since it requires them to allocate resources towards providing assistance to victims of trafficking at the expense of issues they may deem more important.²⁷¹ Thus, anti-trafficking legislation is often relegated to "soft law" and serves more as suggestions, rather than laws to which countries are held firmly accountable.²⁷² This removes much of the incentive for governments to take action and thus trafficking victims are severely underserved.

The lack of properly applied legislation in Greece is also due to the fact that trafficking victims do not have a voice in elections and cannot by themselves hold government officials accountable.²⁷³ They cannot even form relationships with local community members who have a platform with which to advocate for their rights, given how frequently trafficking victims are transported from one country to another.²⁷⁴ They, therefore, have no means through which to make their voices heard and cannot mobilize the government to take action since it is not only financially inconvenient, but also because it is fundamentally only accountable only to voters, many of whom may be unaware of the scale of these human rights violations.

²⁶⁷ Smith, H. M. (2010). Sex Trafficking: Trends, Challenges, and the Limitations of International Law." *Human Rights Review* 12(3), 271-286. Doi: 10.1007/s12142-010-0185-4

²⁶⁸ United Nations Office on Drugs and Crime. (n.d.) *UNODC report on human trafficking exposes modern form of slavery*. Retrieved from <https://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html>

²⁶⁹ Brunovskis, A., & Surtees, R. (2012). *Out of sight? Approaches and challenges in the identification of trafficked persons*. The Fafo/NEXUS Institute. Retrieved from http://fafo.no/~fafo/media/com_netsukii/20255.pdf

²⁷⁰ Ibid.

²⁷¹ Smith, H. M. (2010). Sex Trafficking: Trends, Challenges, and the Limitations of International Law." *Human Rights Review* 12(3), 271-286. Doi: 10.1007/s12142-010-0185-4

²⁷² Ibid.

²⁷³ Gibney, M. J. (2001). *The state of asylum: Democratization, judicialization and evolution of refugee policy in Europe* (UNHCR Working Paper No. 50). University of Oxford Refugee Studies Centre. Available at <http://www.unhcr.org/3bf102204.html>

²⁷⁴ Lazaridis, G. (2001). Trafficking and Prostitution: The Growing Exploitation of Migrant Women in Greece. *European Journal of Women's Studies* 8(1), 67-102.

VII. Life Post-Trafficking

Even though trafficked persons may manage to escape, they are not guaranteed the protection they need or the assurance that they will not be re-trafficked. There are many safety challenges for victims even after they are no longer under the physical control of their trafficker, and these uncertain conditions are further exacerbated by the fact that there already very few avenues through which victims can make their voices heard. The process in order for victims to re-establish their lives and live without fear, a fundamental right for all human beings, is one that is dependent on a variety of factors, ones that often work against the victims.

i. Absence of Funding

One of the major challenges that sex trafficking victims face in Greece after escaping their exploitative conditions is that Greece has significantly limited funding for services that can help them integrate into society. Greek NGOs that serve trafficking victims are severely understaffed,²⁷⁵ and have been greatly influenced by Greece's economic crisis.²⁷⁶ This crisis and associated funding restrictions have also reduced the staffing of legal authorities whose focus is human trafficking.²⁷⁷ While resources for trafficking victims remain limited in Greece, the government has cooperated with NGOs that are helping victims in their recovery process, and has set aside buildings for their functions rent-free.²⁷⁸ Unfortunately, government funding still remains restrictive and cannot accommodate for all the trafficking victims in Greece that need assistance.

ii. Role of NGOs

Given the inability of the government to provide social aid for all sex trafficking victims in Greece, NGOs are all the more important in filling the gap that exists in protection services. The Greek National Rapporteur emphasized that NGOs play a crucial role in the mission to fight human trafficking and the Ministry of Foreign Affairs greatly relies on their input and collaboration in order to succeed. According to the U.S. Department of State's TIP Report 2015, there are currently 21 shelters run by the state, some of which are run by local NGOs, that serve women who have been trafficked and other victims of violence. NGOs provided shelter for 13 victims in 2014, in addition to the 18 victims for which the government provided shelter.²⁷⁹ The U.S. Department of State's TIP 2015 Report noted that there is only one NGO, however, that supports male trafficking victims and it does not receive government funding. It mentioned also that shelter is only available if individuals have residency permits, which is obtainable only if victims have relevant documentation. These documents, unfortunately, as described above, are

²⁷⁵ Miller, M. J., and Wasileski, G. (2010). An Underappreciated Dimension of Human Trafficking: Battered and Trafficked Women and Public Policy. *Human Rights Review* 12(3), 301-314.

²⁷⁶ Vrotsou, C. (2014). *Stories about sex trafficking in Greece: A productive power play* (Thesis). Linköping University. Available at Diva-Portal website <http://www.diva-portal.org/smash/get/diva2:752957/FULLTEXT01.pdf>

²⁷⁷ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

²⁷⁸ Ibid.

²⁷⁹ U.S. Department of State. (2014). *Trafficking in Persons Report 2014*. Retrieved from <http://www.state.gov/documents/organization/226846.pdf>

frequently confiscated by their trafficker, making protection even more inaccessible for victims.²⁸⁰ The Greek National Rapporteur stated that NGOs are especially active in translation and legal services and are also instrumental in identification efforts, law enforcement and anti-trafficking task forces.²⁸¹ It was abundantly clear throughout the research conducted that in every aspect of society pertaining to trafficking victim protection, NGOs' contributions were invaluable. Given their direct interactions with victims, they can also provide a more informed perspective for policymaking, and help push for collective action against these human rights violations.

iii. Reintegration

Unfortunately, after a victim has escaped their trafficking circumstances, there are cases where they may not be granted protection, and be sent back to their country of origin.²⁸² The Greek government did not provide any residency permits in 2014,²⁸³ potentially putting victims in significant danger, by subjecting them to deportation back to places where they are at high risk for being re-trafficked. Social reintegration in their country of origin is also potentially very difficult because of the stigma associated with sex work. Since trafficking victims often come from countries that intrinsically devalue women's rights,²⁸⁴ discrimination towards them as former "sex workers" may be overwhelming.²⁸⁵ Women involved in sex work may be viewed as promiscuous, which can be grounds for severe punishment.²⁸⁶ Governments are generally well aware of these types of situations, to the point that women who have been trafficked are often not sent home at all, since they know that they are unlikely to receive adequate protection.²⁸⁷ It is thus absolutely vital that the Greek government take action to ensure that they are not condemning a recently identified victim to re-trafficking, and subjecting them to worse circumstances than if they had not been deported.

IIX. The way forward: Recommendations

Eradicating the systemic barriers that exist for sex trafficking victims in escaping their circumstances should be a national priority. In addition to emphasizing the ways Greek state actors and society facilitate these injustices, however, it is also important to recognize the concerted efforts to improve

²⁸⁰ Hernandez, D., & Rudolph, A. (2015). "Modern Day Slavery: What Drives Human Trafficking in Europe?" *European Journal of Political Economy* Volume 38, 118-139.

²⁸¹ Greek National Rapporteur for Combating Human Trafficking Dr. Iraklis Moskof. Interview on July 24, 2015. Athens, Greece.

²⁸² Papadimos, S. T. (2012). *Human trafficking in Serbia and Greece: A comparative analysis of a victim-centered approach* (Thesis). Ohio State University. Retrieved from https://etd.ohiolink.edu/!etd.send_file?accession=osu1339617852&disposition=inline

²⁸³ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

²⁸⁴ Shelley, L. I. (2010). *Human Trafficking: A Global Perspective*. Cambridge [UK]: Cambridge University Press.

²⁸⁵ Lazaridis, G. (2001). Trafficking and Prostitution: The Growing Exploitation of Migrant Women in Greece. *European Journal of Women's Studies* 8(1), 67-102.

²⁸⁶ Ibid.

²⁸⁷ Shelley, L. I. (2010). *Human Trafficking: A Global Perspective*. Cambridge [UK]: Cambridge University Press.

victims' access to protection and raise public consciousness around this issue that have been made thus far. Local NGOs have noted positive collaborations with the government and anti-trafficking units.²⁸⁸ The screening process for victims has improved, and while there is still much work to be done, legal authorities do have a system in place to protect trafficking victims from unjust deportation and misidentification as migrants.²⁸⁹ While no national anti-trafficking action plan exists, the national action for human rights includes efforts to combat trafficking, ranging from awareness campaigns to training.²⁹⁰ Thus, in 2013, the Greek government appointed a national coordinator for trafficking prevention,²⁹¹ indicating that combating trafficking will be increasingly prioritized in the national agenda.

According to the U.S. Department of State's TIP Report 2015, the office of the National Rapporteur on Human Trafficking has gone on to hire more staff, expand anti-trafficking efforts with targeted events, increase collaboration with NGOs, and establish a national hotline. It has also utilized the impact of social media in awareness raising, and officially collaborates with companies that support ethical labor practices. In addition, the government has taken measures against sex trafficking by targeting the demand for commercial prostitution, in contrast to previous years.²⁹² It also has provided training for many involved professionals, including health care workers and legal authorities.²⁹³ Informational manuals pertaining to victim identification and residency permit granting have been given to new Greek diplomats, and all have received general instruction on issues of trafficking.²⁹⁴ Greek government has also facilitated training seminars, and sustained various media campaign efforts against trafficking.²⁹⁵

While progress has been made in efforts to combat trafficking, it is by no means sufficient. It is critical that the Greek government and society hold each other accountable. There are many more measures that need to be taken in order to end human rights violations, and to ensure that victims have access to protection.

i. Policy

One of the main changes that need to take place in order to better combat trafficking in Greece involves legislative reform. First, a specific national action plan for human trafficking needs to be instated, rather than sectioning all anti-trafficking efforts under a general national action plan for human rights.²⁹⁶ This could be crafted with the input of NGOs, current anti-trafficking units and other

²⁸⁸ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

²⁸⁹ Ibid.

²⁹⁰ Ibid.

²⁹¹ Ministry of Foreign Affairs. (2013). Dr. Iraklis Moskof appointed National Rapporteur for Combating Human Trafficking. Retrieved from <http://www.mfa.gr/en/current-affairs/news-announcements/dr-iraklis-moskof-appointed-national-rapporteur-for-combatting-human-trafficking.html>

²⁹² U.S. Department of State. (2014). *Trafficking in Persons Report 2014*. Retrieved from <http://www.state.gov/documents/organization/226846.pdf>

²⁹³ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

²⁹⁴ Ibid.

²⁹⁵ Ibid.

²⁹⁶ Ibid.

relevant invested actors, particularly involving government officials who also work with refugees and migrants. While this in itself might be insufficient to completely eradicate trafficking, it will provide a foundation for developing anti-trafficking efforts. The two most critical elements of Greek policy that need to be adjusted are how it prioritizes the prosecution of traffickers over victims' safety, and the fact that it bases access to protection on testimony against traffickers. Without these changes, the mission of fighting trafficking is fundamentally undermined, as it does not take into consideration the existential realities of victims.

ii. Temporary Residency Permits

One way to ensure that Greek anti-trafficking policy addresses victims' needs is by changing the criteria for obtaining residency permits. It poses a serious issue to the safety of victims that **no temporary residency permits were distributed in 2014**.²⁹⁷ The fact that this may be a result of stricter eligibility requirements, including having all relevant documentation,²⁹⁸ highlights the reality that many victims will not have such documentation given that it is often confiscated by their traffickers as a means of ongoing exploitation and control. These situations must be considered when determining who is eligible for a permit, and their distribution should be based whether a victim shows signs of being trafficked, and not whether they have proper documentation.

iii. Documentation

As the U.S. Department of State's TIP Report 2015 stated, proper documentation, or EU citizenship is also required for residency permits, which is necessary for victims in order to have access to the 21 shelters that also serve individuals who have been trafficked. The report noted that there is only one emergency shelter trafficking victims can go to without residency permits. This automatically excludes any third country nationals who do not have proper identification, and ignores an entire population of individuals who have undergone the trauma of trafficking and escaped, yet still have no means by which to receive proper protection. As such, it is important that anyone who exhibits signs of being trafficked and needs emergency shelter have more than one option. It might be useful to examine the ways that current NGOs who require residency permits can adjust their policies in order to be able to accommodate all trafficking victims, regardless of identification.

iv. Witness Protection

Safety measures for victims also need to be taken during and throughout legal proceedings should they choose to prosecute their traffickers. Witness protection has not been given to any trafficking victims thus far.²⁹⁹ Witness protection is absolutely vital in ensuring that victims feel safe coming forward and in decreasing the risk they will be re-trafficked. It is irresponsible and ineffective to demand that victims

²⁹⁷ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. P. 170. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

²⁹⁸ Ibid.

²⁹⁹ Ibid.

assist in prosecution of their traffickers in order to receive social assistance³⁰⁰ without providing adequate protection for those proceedings. As such, it needs to be offered consistently in every trial case,³⁰¹ as this can make an important difference both in the number of traffickers that are prosecuted and in the number of victims that ultimately receive state protection.

v. Separating Trafficker from Trafficking Victim

It is essential for the safety of trafficking victims that access to protection is not based on whether or not they are willing to prosecute their trafficker. Setting up such a requirement for victims in order to be eligible for protection will keep many from coming forward and will result in fewer trafficker being prosecuted. It is a law based on the false premise that access to social and legal assistance is enough of an incentive for victims to come forward, but it does not take into consideration the threat the trafficker often poses. It is especially not enough of an incentive if there are inadequate resources to ensure victim protection after they testify. A better policy would be providing social assistance to all victims who exhibit signs of trafficking and, should they choose to prosecute their trafficker, provide them with legal assistance as needed. While this may not necessarily lead to higher prosecution rates, it does take into consideration the dynamics at play between the victim and their trafficker. Given that it focuses on protection, it encourages more victims to come forward and as such, is a more effective strategy than simply focusing on prosecuting traffickers.

Legal protection for victims should also include resources for them to be able to give their testimony virtually, without being in direct contact with their trafficker.³⁰² This is provided under Greek law, but unfortunately is difficult to implement due to limited technology.³⁰³ Since contact with their trafficker can be re-traumatizing for the victim, ensuring that victims can provide their testimony remotely needs to be a priority during the trial process.

vi. Funding Allocation and NGOs

Of course, any positive changes require that human trafficking be prioritized in the Greek government's national agenda, and that funding is significantly reallocated. In 2013, the government did not set aside any funding for NGOs who serve victims of trafficking,³⁰⁴ and in 2014, the budget for victim protection was still unclear.³⁰⁵ This lack of funding towards NGOs is also affected by Greece's economic crisis.³⁰⁶

³⁰⁰ Papadimos, S. T. (2012). *Human trafficking in Serbia and Greece: A comparative analysis of a victim-centered approach* (Thesis). Ohio State University. Retrieved from https://etd.ohiolink.edu/!etd.send_file?accession=osu1339617852&disposition=inline

³⁰¹ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

³⁰² U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

³⁰³ Ibid.

³⁰⁴ U.S. Department of State. (2014). *Trafficking in Persons Report 2014*. Retrieved from <http://www.state.gov/documents/organization/226846.pdf>

³⁰⁵ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

³⁰⁶ Vrotsou, C. (2014). *Stories about sex trafficking in Greece: A productive power play* (Thesis). Linköping University. Available at Diva-Portal website <http://www.diva-portal.org/smash/get/diva2:752957/FULLTEXT01.pdf>

Thus, while it is difficult for the Greek government to set aside many resources at this point, it can and should reallocate funding from other areas in order to better provide for NGOs.

As recommended by the U.S. Department of State's TIP Report 2015, with such funding, NGOs should seek to establish special care units specifically for victims of trafficking. It is important that they also expand to be able to accommodate male trafficking victims, as only one NGO in Greece currently does. NGOs should also be able to accommodate children who have been trafficked as well, as they have different needs than their adult counterparts. If within NGOs' capabilities, they should also seek to provide concrete means through which victims can seek employment, which in turn may lead to an easier integration into society. Government funding also needs to be invested in expanding Greece's data collection resources. If Greece has data that better reflects the scope of the problem, it will be able to develop more targeted strategies for combating it.

vii. Training Officials

One of the most important issues that the Greek government needs to focus on in order to better fight trafficking is providing more training for officials who play a role in a victim's access to protection.³⁰⁷ Police officers especially play a vital part in identifying and referring victims.³⁰⁸ In fact, whether or not a victim ultimately receives state protection largely depends on law enforcement officials.³⁰⁹ NGOs stress that police officers who work near the borders would especially benefit from training, as they are first to interact with trafficking victims and therefore need to be more accurate and vigilant when screening for signs of trafficking. NGOs also recommend that staff working at migration detention centers should be trained, so that no trafficking victim is unjustly deported.³¹⁰ Besides expanding training for police officers who already receive some form of it, it is essential that judges and attorneys are also trained in appropriately handling cases related to trafficking victims.³¹¹

Another element of anti-trafficking training that needs to be taken into consideration is the **gender component**.³¹² Legal authorities need to be trained to understand that it is not just women who can be trafficked, as these notions can significantly impede access to protection for male victims.³¹³ Police officers should also be consistently held accountable and police departments need to ensure that they are conducting regular investigations for corruption, so that no police officers have a platform through which to leverage trafficking for personal benefit. Improving training in order to better increase the accuracy with which legal authorities identify victims is thus absolutely essential in efforts to combat trafficking.

³⁰⁷ Ibid.

³⁰⁸ Brunovskis, A., & Surtees, R. (2012). *Out of sight? Approaches and challenges in the identification of trafficked persons*. The Fafo/NEXUS Institute. Retrieved from http://fafo.no/~fafo/media/com_netsukii/20255.pdf

³⁰⁹ Shoaps, L. L. (2013). Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act. *Lewis & Clark Law Review* 17(3), 931-972. Retrieved from <http://law.lclark.edu/live/files/15325-lcb173art6shoaps.pdf>

³¹⁰ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

³¹¹ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

³¹² Shoaps, L. L. (2013). Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act. *Lewis & Clark Law Review* 17(3), 931-972. Retrieved from <http://law.lclark.edu/live/files/15325-lcb173art6shoaps.pdf>

³¹³ Ibid.

IX. Conclusion

Sex trafficking is a global issue that we are all responsible for combating. Eradicating these human rights violations need to be a priority for all governments and Greece is in a unique position to be able to set a positive precedent for other countries in the ways it fights human trafficking. Unfortunately, it is also a country that helps facilitate many of these human rights violations. Given its economic situation and the current refugee influx, it is becoming increasingly difficult for the Greek government to allocate resources towards combating trafficking. Thus, while increasing funding for anti-trafficking efforts may be beyond the government's current capabilities, it can certainly reallocate funding to specific, targeted endeavors that are known to yield positive results. The recommended changes to Greece's legal frameworks and social initiatives will not completely alter the scope of human trafficking in Greece, but they can establish a much more efficient system with which to fight this problem and ultimately a concrete model that can be expanded as needed.

One of the most important changes that need to take place is restructuring Greek anti-trafficking legislation so that it prioritizes victim protection. Not doing so for many years has likely jeopardized the safety of many victims, as traffickers can terrorize them into silence.³¹⁴ While strictly prioritizing victim's safety may seem counterintuitive, given that the state's main goal is usually to combat any entity that threatens its sovereignty, it is possible that this current government policy leads to fewer victims coming forward all together and therefore fewer prosecutions. It is ultimately in both the state's interest and in the victim's interest that victim protection is granted regardless of their willingness to speak out against their trafficker.

Protection from trafficking however does not only mean helping remove victims from their current circumstances. It also entails avoiding re-traumatizing the victim during trial proceedings, and reducing the risk of the victim being re-trafficked after escaping their traffickers. It is thus imperative that appropriate training is provided to legal authorities and the screening process for signs of trafficking is as updated as possible, particularly along the borders.³¹⁵ In such training efforts, collaboration among all invested actors, including NGOs and hospitals, is crucial, given that Greece's small size makes it particularly conducive to such interconnected projects.

Unfortunately, societal structures in Greece allow for these human rights violations to thrive. As such, none of the initiatives mentioned above can be properly implemented without raising social awareness on these issues. A critical element in fighting trafficking is to decrease the demand for prostitution, which can serve as a cover for exploitative circumstances. As discussed in previous sections, prostitution is different from sex trafficking but it can be used to disguise human rights violations. Increased demand for sex trafficking has been linked to developed sex industries in wealthier nations³¹⁶ and where there is a

³¹⁴ Shelley, L. I. (2010). *Human Trafficking: A Global Perspective*. Cambridge [UK]: Cambridge University Press.

³¹⁵ U.S. Department of State. (2015). *Trafficking in Persons Report 2015*. Retrieved from <http://www.state.gov/documents/organization/243559.pdf>

³¹⁶ Okonkwo, R., & Robinson, C. (2015). *Perspectives of Service Professionals on the Contributing Factors to Sex Trafficking and on the Service Utilization Patterns of the Victims/Survivors* (Thesis). California State University, Sacramento. Retrieved from <http://csus-dspace.calstate.edu/bitstream/handle/10211.3/138808/FINAL%20Chenee%20and%20Rhonda's%20%20thesis%20revised%2004-28-15.pdf?sequence=1>

higher demand for prostitution, there may also be higher levels of sex trafficking. Limiting demand for sex work starts with providing comprehensive curriculum in schools that inform students of the social cost of certain practices. Providing this education early on can help facilitate an environment where involvement in social causes is natural reflex, leading to a larger dialogue about these issues and greater awareness on how to actively fight them. Understanding who the customers are and what drives the demand for these types of practices is critical in pushing past the stigmatization of victims and creating a broader, more inclusive social landscape in which these issues are actively addressed. **It is important, however, that this process of education and conversation does not further silence and stigmatize sex workers and sex trafficking victims**, but is used as a vehicle to elaborate on the ways that sex work can lead to exploitative situations and how these human rights violations are allowed to thrive. Discussions regarding sex trafficking should also seek to create an environment where individuals who have been trafficked can take control of their own lives without being discriminated against or defined by what has happened to them. Ultimately, sex trafficking victims' voices need to be amplified and encouraged, as it is their perspectives that are needed the most in order to establish concrete avenues of protection.

All the above requires that the government prioritize trafficking as a national issue and is able to have the data collecting resources that allow all interested parties to study how these human rights violations thrive and persist.³¹⁷ This in turn will also lead to more research and a better understanding of what methods work best to address this issue. The fight against trafficking requires a social context in which people are aware of the problem, and encouraged to be part of its solution. To reiterate, along with social media campaigns, this is where curriculum in schools and universities can be particularly helpful, so that individuals learn from a young age the ways that indifference and passivity contribute to exacerbating these human rights violations. The goal is that this leads to an understanding that human trafficking is not an isolated issue, and that everyone is responsible for taking an active stand against the enslavement of other human beings. These changes may not happen rapidly, but they can set the groundwork so that trafficking can soon become a crime of the past.

³¹⁷ Ibid.

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