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AI Index: EUR 25/005/2007
Distribution: PG/SC



To: Health Professional Network
From: Health and Human Rights Team
Date: 24 July 2007

Health Professional Action

Trafficked women: Inadequate time for psychological recovery

Greece

Further information: AI Report: *"Greece: Uphold the rights of women and girls trafficked for sexual exploitation"*. EUR 25/002/2007; Memorandum on the draft European Convention on Action Against Trafficking on Human Beings: Protection of the Rights of Trafficked Persons, IOR 61/011/2004

Summary:

For women who are recognised as 'victims of trafficking' by the Greek authorities, available protection and assistance comes at a price: they must 'cooperate with the authorities'. Despite the physical and psychological stresses they may have experienced, these women are offered a period of only one month to decide whether to testify against suspected traffickers. An extension of the time for reflection would allow trafficked women a more adequate period of time receive assistance and recover from their ordeal, as well as make an informed decision as to whether to cooperate with the authorities in criminal proceedings. AI supports the goal of prosecuting those involved in the trafficking of people, but believes that these goals can be accomplished whilst supporting victims of trafficking and allowing more time for a women to decide freely as to whether to assist in a prosecution.

Background:

Greece has been a transit and destination country for trafficked persons since the early 1990s and from that time has seen a continuous increase in the number of

women and girls trafficked and forced into prostitution. The women mainly come from Eastern Europe and Africa. They often believe they are being brought to Greece to make a living but rarely know that they will be forced to work in the sex industry. Many trafficked women remain unidentified as such and face detention and deportation on charges of, for example, unlicensed prostitution or immigration offences. Only a few manage to overcome obstacles to being unidentified as “victims of trafficking” by the authorities. Even then, the protection and assistance available to them comes at a price: they must “cooperate with the authorities” by testifying against their suspected traffickers in spite of the risk of possible reprisals.

Too brief a reflection period:

According to information available to AI, on their first contact with law enforcement authorities, many trafficked persons may be traumatized, and frightened, as well as confused and disempowered, having been subjected to multiple serious human rights abuses. They are likely to have been subjected to torture or other forms of inhuman or degrading treatment and to have been threatened by their traffickers. Furthermore, according to the International Organisation for Migration 2004 report¹, trafficked women are exposed to a range of health related problems and the psychological reactions to their experience during ‘captivity’ are complex and often enduring. Their integration can be a long-term and complex process.

Time, and a safe and secure environment are needed for trafficked persons to escape the power and influence of their traffickers; to ensure they are provided with advice about their rights and afforded legal and other assistance; to begin to recover from their ordeal, and to decide what they want to do in the future, including whether they want to cooperate with law enforcement.

The reflection period during which trafficked women can consider whether to cooperate with the authorities was set at a minimum duration of 30 days in the Council of Europe Convention on Action against Trafficking in Human Beings. Article 48.1 of Greek Law 3386 of 2005 stipulates that the reflection period for women to begin to recover from their experience and make informed decisions about further cooperation with the authorities ‘may not exceed one month.’ However, the Explanatory Report to the Council of Europe Convention emphasized that the reflection period must benefit the woman herself and later the court in ensuring she is capable of giving testimony that is as clearly and calmly considered as possible. The Council of Europe acknowledges that many countries have set their minimum reflection period at a higher level than 30 days and that the European Commission’s Expert Group on trafficking in human beings recommended on 16 April 2004 that the minimum period be at least three months.²

Social workers in Greece told Amnesty International that trafficked women needed a longer reflection period. Amnesty International considers that such an extension would provide better guarantees of ensuring that a trafficked woman’s decision to

¹ ‘Trafficking in human beings and health implications’, Seminar on Health and Migration 9-11 June 2004.

http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/microsites/IDM/workshops/Health_and_Migration_09110604/related%20docs/background.pdf

² Letter dated 18 May 2004 from Ms Marjan Wijers, President of the Experts Group on Trafficking to the European Commission, attaching Opinion on Reflection Period and Residence Permit for Victims of Trafficking in Human Beings (adopted 16 April 2004). Available at: http://ec.europa.eu/justice_home/doc_centre/crime/trafficking/doc/opinion_experts_group_2004_en.pdf

cooperate has been taken freely and is “informed”. It would also allow more time for psychological support, to recover from their ordeal, and to access remedies available.

Ensuring effective assistance:

Under Greek law, trafficked women may receive free medical, pharmaceutical and hospital care throughout the period they are entitled to protection and assistance. This level of health care provision exceeds the requirement for minimum emergency care required in the Council of Europe Convention on Action against Trafficking in Human Beings. However, many women have difficulty accessing health care in state hospitals because of the lack of awareness among hospital staff of trafficking and legislation on trafficking. As one NGO worker told Amnesty International:

“Only when we accompany the victims to the hospital and explain to the personnel there what the situation is, what the [2003 Presidential] Decree stipulates, as well as the fact that our organization, although not on the list of organizations mentioned in the Decree, has a memorandum of cooperation with the authorities in assisting victims of trafficking, do they agree to look at the case. In effect, we need to carry a big file with the relevant paperwork to the hospital each time.”

To facilitate the provision of medical treatment to trafficked women, health professionals working in state hospitals, need to be provided with relevant information on trafficking and legislation on trafficking.

Inadequate hotline services:

Hotline services are a means for trafficked women to alert authorities to their situation and from there access medical and other assistance. Two telephone hotlines are available to women who have been trafficked. The one operated by an NGO offers a wide range of languages but is run on a voluntary basis and therefore limited to only certain hours of the day. Set up as a service for trafficked women, it also receives reports of domestic violence incidents. The government-run hotline operates on a 24-hour basis, offers a more limited range of languages and is aimed not just at trafficked women but at others in need of immediate social assistance. Increased resources would ensure that these hotlines provide a more effective service to trafficked women and offer them a means of accessing health services in a bid to start to recuperate both physically and mentally.

Recommendations:

Please write to the authorities below in Greek, English or your language:

- Introduce yourself as a health professional and urge the authorities to extend the existing reflection period for trafficked women, in line with the European Commission’s Expert Group on trafficking in human beings’ April 2004 recommendation.
- Urge the authorities to ensure that health professionals are provided with relevant information on trafficking and legislation on trafficking, to facilitate the provision of medical treatment to trafficked women.

- Urge the authorities to commit to increasing resources to ensure that state telephone hotlines providing assistance to trafficked women are fully multi-lingual and operate on a 24-hour basis.

As a minimum, if possible, it is requested that you write to Panagiotis Panouris, Chairman of the Inter-ministerial Committee for Trafficking in Persons

Appeals:

Panagiotis Panouris
Secretary General of the Ministry of Justice
Chairman of the Inter-ministerial Committee for Trafficking in Persons,
Mesogeion 96,
Athens
Greece
Email: mjust2@otenet.gr
Fax: +30 210 7758742

Anastassios Papaligouras
Minister of Justice
Ministry of Justice
Mesogeion 96,
Athens
Greece
Fax: +30 2107755835