



BUILDING A SAFETY NET for migrant and refugee women

Situation analysis and mapping of the existing legal and
policy framework in Greece

Reporting Partner for Greece: D. Parsanoglou (KETHI)



This Project is funded
By the Justice Programme
of the European Union



GENERAL SECRETARIAT
for GENDER EQUALITY



BUILDING SAFETY NET FOR MIGRANT AND REFUGEE WOMEN

**Situation analysis and mapping of the existing legal and policy framework in
Greece**

Reporting Partner for Greece: D. Parsanoglou (KETHI)



Table of Contents

| | |
|---|-----------|
| 1. Introduction | 2 |
| 2. Migrants and refugees/asylum seekers in Greece: a statistical overview | 4 |
| 2.1 Migrants | 4 |
| 2.2 Asylum seekers and refugees before and after the ‘summer of migration’ | 8 |
| 2.3 Gender-based violence and migrants/refugees/asylum seekers | 13 |
| 3. Legal framework: migration, asylum and gender-based violence | 15 |
| 3.1 Migration legislation | 15 |
| 3.2 Asylum legislation | 16 |
| 3.3 Gender-based violence as a legal issue | 19 |
| 4. Implementing policies and providing services | 23 |
| 4.1 Policy and social actors involved | 25 |
| 4.1.1 Public agencies | 25 |
| 4.1.2 International organisations | 26 |
| 4.1.3 International NGOs | 27 |
| 4.1.4 National NGOs | 28 |
| 4.2 Cooperation and communication among the actors involved | 29 |
| 5. Gaps and shortcomings; good practices and further possibilities | 31 |
| 6. References | 37 |

1. Introduction

Since summer 2015 a lot of research, combined or not with activism and/or volunteer work, has been conducted in Greece, particularly on the islands of the Eastern Aegean Sea, i.e. Lesbos, Chios, Samos etc. The situation on the islands, both on the arrival spots and on the detention centres before and after the creation of the hotspots, has been thoroughly recorded: reports from International Organisations and NGOs (UNHCR, IOM, UNFPA, Amnesty International, Proasyl, Greek Council for Refugees, etc.) as well as from government agencies and independent authorities (Ministry of Education, Greek Ombudsman etc.); research reports (as that of the Odysseus Network),¹ and academic accounts.²

From the very beginning of the so-called ‘refugee crisis’,³ the latter has been coupled with the economic crisis in two ways: either as an additional burden on a country hampered already by an ongoing sovereign-debt crisis and economic recession; either as another (missed) opportunity for the EU member states to show essential solidarity among each other in order to deal with a “European problem”. Moreover, this new ‘crisis’ coincided with the rise to power of the coalition between SYRIZA (Coalition of Radical Left) and ANEL (Independent Greeks). The formal Greek position since April 2015 followed four principles:

1. Relocation
2. Resettlement
3. Support Turkey and other neighbouring countries
4. Combat smuggling

The aim of this report is not to provide an assessment of the overall policy followed by the Greek government in relation to the response provided by the European Union, EU member states and International Organisations. It focuses on a specific aspect of the current situation, which is the issue of gender-based violence, both as reality and as a risk in given critical circumstances, such as increasing precarious mobility and living in extraordinary conditions, e.g. camps and other temporary facilities. In order to do so, we provide a statistical overview on migrants and refugees in the country, as well as on gender-based violence in general and related to migrants and refugees in particular. The statistical overview is followed by the legal framework of migration, asylum and gender-based violence.

Regardless how thorough and proactive a legal framework may be, the crucial point is that of implementation of designed policies. Therefore, the following chapter examines the actors who are involved in the implementation of relevant policies and provide services that combine migrants and refugees with gender-based violence, either explicitly or implicitly. Specific focus is made on the coordination among different actors, in order to highlight challenges and existing good practices. The report ends with some policy recommendations stemming from the research conducted within this project.

What is presented below is based upon primary and secondary research. The latter consists of a critical literature and policy review, including legal documents and reports drafted by relevant stakeholders who are active in the field. It also includes analysis of available statistical data from

¹<http://odysseus-network.eu>

² See among others the Special Issue on Humanitarianism and the Migration Crisis of the *Refugee Survey Quarterly*, 35(2), June 2016.

³ We put ‘refugee crisis’ in quotation marks because neither the number of refugees nor the challenges faced by the EU can justify the reactions of its member states. See Spyropoulou and Christopoulos (2016: 23-27).

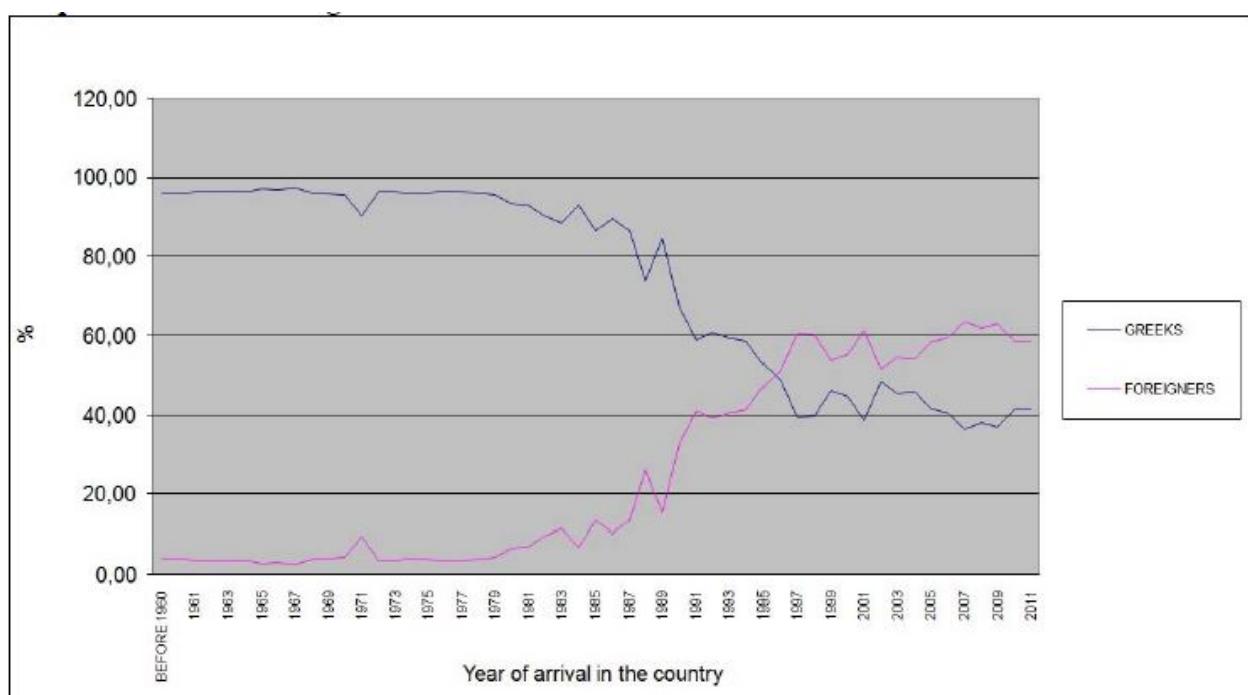
different sources, such as the Ministry of Interior, the Ministry of Migration Policy, the Hellenic Asylum Service, the UNHCR and the General Secretariat for Gender Equality. The former consists of a focus group with five representatives of authorities, such as the Reception and Identification Service, the Hellenic Asylum Service, local authorities, such as the municipality of Athens, public agencies, such as the National Centre for Social Solidarity, and EU agencies, such as the DG ECHO field office in Athens. Moreover, six individual interviews were conducted with members of NGOs and volunteers who have been active either in formal camps (Elaionas, Elliniko) or in informal/activist settings, such as squats in the centre of Athens (City Plaza hotel and Notara).

2. Migrants and refugees/asylum seekers in Greece: a statistical overview

3. 2.1 Migrants

Greece has been considered a traditional emigration country with a long history of overseas and intra-European mobility. Since the mid-1970s, however, the migration balance became positive for the first time after the Second World War. Since the mid-1980s, moreover, there has been a steady increase of foreign citizens' inflows, accompanied by a steady decrease of immigrants with Greek citizenship, who were probably returning to the country after having lived abroad. By the mid-1990s, foreigners outnumbered Greeks, rendering Greece a typical 'destination country' within contemporary international migration.

Inflow of immigrants, 1960-2011



Source: Hellenic Statistical Authority (ELSTAT), 2011 Population and Housing Census: Migration, Piraeus, 5 September 2014.

The financial and economic crisis, however, interrupted this tendency and in 2010 the migration balance became negative for the first time since 1975. Significant part of these outflows concern migrants who decide to return to their country of origin on their own or with the assistance of relevant programmes. Indicative is the data concerning relevant programmes launched and run by the International Organisation for Migration (IOM) office in Greece.

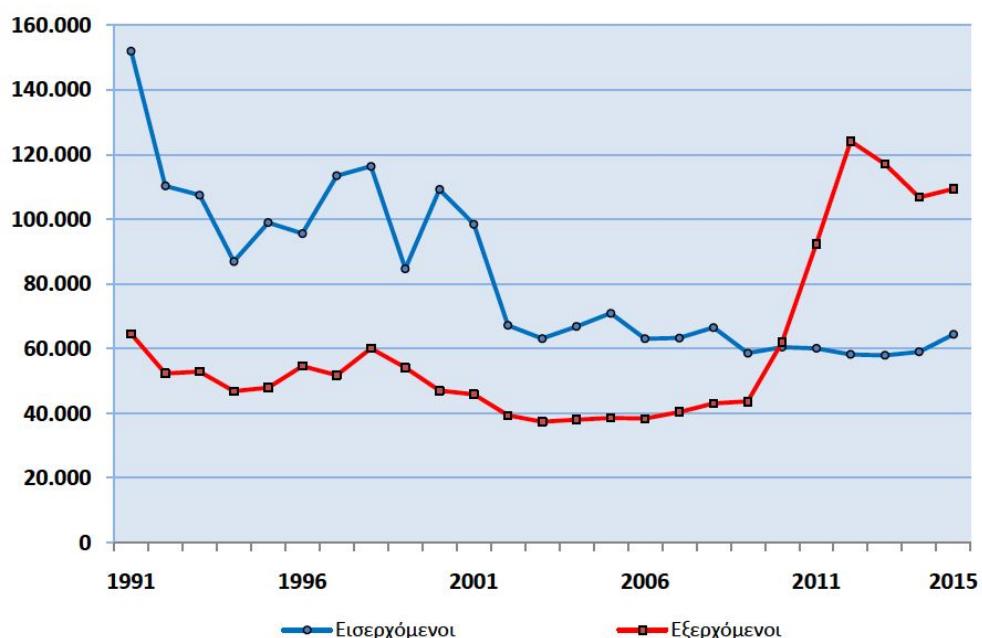
Departures sponsored by the return programmes of IOM



Source: IOM Office in Greece, Assisted Voluntary Return and Reintegration Programs (AVRR)

However, a large part of the outflows consists of Greek citizens with relatively high level of education. It is estimated (Lazaretou 2016) that approximately 0,5 million of high-skilled young Greeks have left the country during the last years of the crisis.⁴

Migrant inflows and outflows in Greece, 1991-2015



⁴ Lambrianidis (2011) suggests that this phenomenon is not new, it was not generated but intensified by the crisis.

Source: Hellenic Statistical Authority (ELSTAT.), Press Release: Estimated Population and Migrant Flows of the Country for the Year 2015, Piraeus, 30 December 2016.

Women have played and continue to play a significant role in the short history of contemporary immigration. In 2011, i.e. at the beginning of the economic crisis, out of 912.000 foreigners (8,43% of the total population), 445.053 were women, representing 48,80% of the foreign population in the country and 8,07% of the total female population in the country. Among the people who migrated to Greece during the five years prior to the 2011 Census, 47,8% were women; more particularly, among non-Greek migrants this percentage rose to 48,3% (ELSTAT 2011).

Similar is the image that is illustrated by the data on residence permits issued by the Ministry of Interior, since 4 November 2016 by the independent Ministry for Migration Policy.⁵ According to the latest data released, concerning the situation in May 2017, 564.278 non-Greek citizens were holding a valid residence permit; among them 269.013 were women, i.e. 47,67%. As the table below shows, women are overrepresented in family reunification schemes, either as family members of Greek or EU citizens or as dependent members of families where their status associated with that of the husband. Accordingly, they are significantly underrepresented in residence permit types linked to employment and to other types, among which most prevalent are long-term and indefinite duration permits.

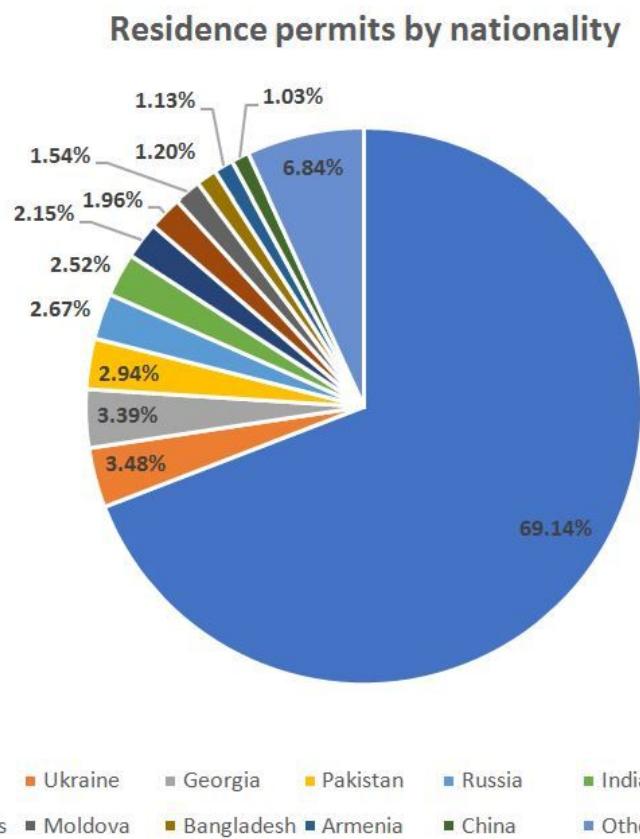
Distribution of valid residence permits between men and women, May 2017

| Category of residence permits (EU) | Men | % | Wome n | % | Total |
|---------------------------------------|----------------|----------------|----------------|----------------|----------------|
| Employment | 41.394 | 68,31 % | 19.201 | 31,69 % | 60.595 |
| Other | 167.286 | 62,36 % | 100.993 | 37,64 % | 268.279 |
| Family reunification | 85.648 | 36,68 % | 147.829 | 63,32 % | 233.477 |
| Studies | 937 | 48,62 % | 990 | 51,38 % | 1.927 |
| Total | 295.265 | 52,33 % | 269.013 | 47,67 % | 564.278 |

Source: Ministry for Migration Policy, Directorate of Migration Policy (elaborated by the author)

As far as ethnic origin is concerned, the Albanian community remains by far the most significant migrant community in Greece. It represents more than two thirds of the legally residing migrant population, whereas all the other important communities represent each one less than 4%.

⁵ According to the Presidential Decree 123/2016, ΦΕΚ 208/A/4-11-2016, article 3 "Establishment of Ministry for Migration Policy.



Source: Ministry for Migration Policy, Directorate of Migration Policy (elaborated by the author)

When it comes to gender distribution among nationalities, the Albanian community shows a relatively balanced situation, 55% to 45%. This is the case also for the migrants who come from China. In all other significant cases, however, one can observe significant asymmetries. There are nationalities where men are overrepresented, i.e. Pakistanis, Bangladeshis, Egyptians and Indians. In some cases, however, such as among Ukrainians, Russians, Moldovans, Filipinos, Georgians and Armenians, migration is predominantly feminine.

Distribution of residence permits by nationality and gender, May 2017

| Nationality | Men | % | Women | % | Total |
|-------------|---------|--------|---------|--------|---------|
| Albania | 214.822 | 55,06% | 175.333 | 44,94% | 390.155 |
| Ukraine | 3.510 | 17,88% | 16.119 | 82,12% | 19.629 |
| Georgia | 5.513 | 28,82% | 13.619 | 71,18% | 19.132 |
| Pakistan | 15.089 | 90,93% | 1.505 | 9,07% | 16.594 |
| Russia | 2.835 | 18,83% | 12.221 | 81,17% | 15.056 |
| India | 10.419 | 73,18% | 3.818 | 26,82% | 14.237 |

| | | | | | |
|--------------|----------------|---------------|----------------|---------------|----------------|
| Egypt | 9.132 | 75,43% | 2.974 | 24,57% | 12.106 |
| Philippines | 3.146 | 28,39% | 7.934 | 71,61% | 11.080 |
| Moldova | 2.094 | 24,04% | 6.617 | 75,96% | 8.711 |
| Bangladesh | 5.794 | 85,88% | 953 | 14,12% | 6.747 |
| Armenia | 2.329 | 36,43% | 4.064 | 63,57% | 6.393 |
| China | 2.904 | 49,83% | 2.924 | 50,17% | 5.828 |
| Other | 17.678 | 45,79% | 20.932 | 54,21% | 38.610 |
| Total | 295.265 | 52,33% | 269.013 | 47,67% | 564.278 |

Source: Ministry for Migration Policy, Directorate of Migration Policy (elaborated by the author)

Apart from the quantitative verification of the feminisation of migration, the *Gender of Migration* (Vaiou and Sratigaki 2009) implies also and redefines all qualitative aspects of embodied experiences of both women and men migrants, in both sending and receiving countries. Female immigration to Greece has been thoroughly discussed and researched, particularly during the last decade. Several publications on domestic work, and more particularly on female migrant domestic workers have appeared.⁶ In fact, domestic work seems to be the main pattern of female immigration to Greece, not only in the case of individual immigration for economic reasons, but also when it comes to family immigration. Even in the case of women who enter the country through the legal path of family reunification, as dependents of their male partners who had previously immigrated, most of them find domestic work a plausible way to contribute to the household income.

4. 2.2 Asylum seekers and refugees before and after the ‘summer of migration’

A major component of human mobility in contemporary Greece is linked to asylum seekers and refugees. In fact, since the mid-2000s and particularly after the completion of the third regularisation programme – the two first were launched in 1998 and 2001⁷ – practically the only way to enter Greece and from Greece other EU member states was irregular border crossing and either apply for asylum in Greece or continue the irregular trip to Italy or other countries in order to reach EU member states in North-Western Europe. Therefore, for most people who arrived in Greece from mid-2000s onwards, the ‘pink card’, i.e. the asylum seeker card, was the main legal document they could hold, sometimes for even five years, since their application would be examined. Although, according to the Circular 19000/442 of 19/10/2012 of the Ministry of Labour, Social Security and Welfare on “Initial issuance and renewal of the work permit to asylum seekers and holders of international protection status”, asylum seekers can have under certain conditions access to work and to social insurance, many of them have been working in the shadow economy. Let alone those who have been avoiding applying for asylum in order to skip the introduction of their fingerprints

⁶ See among others Tatsoglou and Maratou-Alipranti (2003); Kambouri (2007); Psimmenos and Skamnakis (2008); Parsanoglou and Tsiamoglou (2008); Papataxiarchis, Topali and Athanassopoulou (2009); Bellas (2012).

⁷ For a comprehensive account on the three regularisation programmes of 1998, 2001 and 2005, see among others Parsanoglou (2009).

into the EURODAC database, so that they would not be sent back to Greece in case they were arrested in another EU country (Tsianos, Kuster *et al.* 2012).

From 2005 to 6 June 2013, when the new Asylum Service started to function according to the Law 3907/2011,⁸ 114.810 individuals applied to the Hellenic Police for asylum in Greece. The graph below is revealing as for the acceptance (green column) and rejection rates (red column).⁹

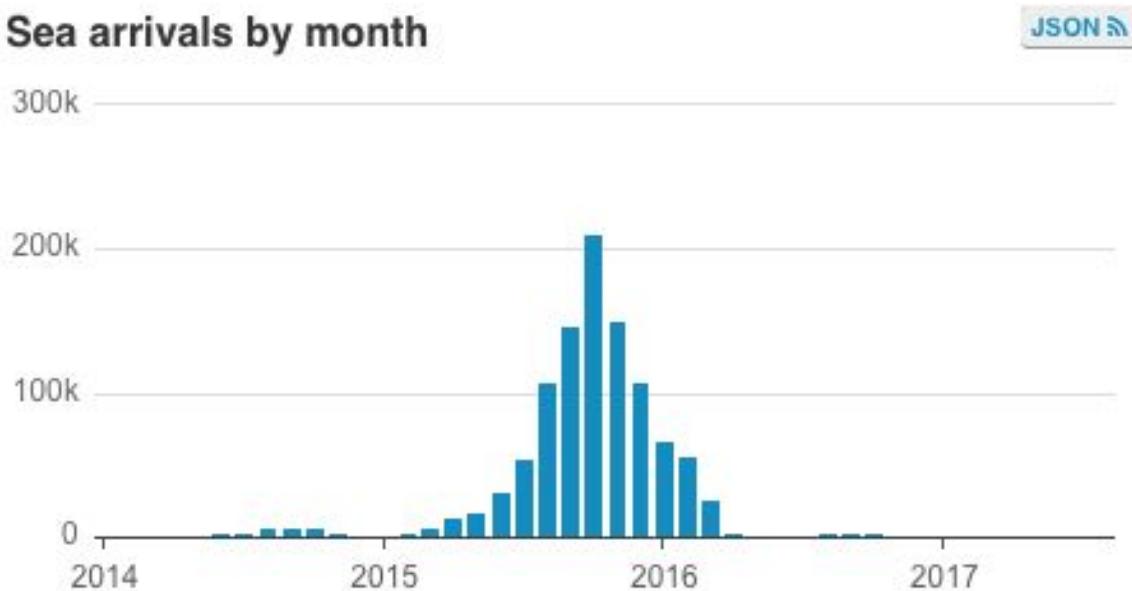


Source: Hellenic Police, Statistical data on international protection for the years 2005-2012

A major shift occurred undoubtedly in 2015. One million refugees and migrants transited through Greece in 2015 and 2016 during the emergency, along the Eastern Mediterranean route through Turkey to Europe. After the closure of the Northern border of Greece and the collapse of the Balkan route, along with the implementation of the EU-Turkey Common Statement from 20 March 2016, some 50.000 people remained in Greece. Since then, arrivals to the islands decreased to a daily average of 73 people, far below the 1.800 daily average of the first months of 2016.

⁸ See next chapter on Legal framework.

⁹ It must be noted that outcomes on applications refer to applications submitted in previous years.



Source: UNHCR, Operational Portal, Refugee Situations, Mediterranean Situation: Greece.

Many of those remaining in Greece sought asylum in the country. In 2016, three times more people applied for asylum in Greece than the year before, with 51.092 asylum applications, in contrast to the 13.195 in 2015, i.e. increase of 287,2%.

| Asylum Applications | | | | | | | | | | |
|------------------------|------|--------------------------|------|--------------------------|-------|--------------------------|-------|--------------------------|-------|--------|
| | 2013 | Difference % (2013-2014) | 2014 | Difference % (2014-2015) | 2015 | Difference % (2015-2016) | 2016 | Difference % (2016-2017) | 2017 | Total |
| Total | 4814 | | 9431 | | 13195 | | 51092 | | 23652 | 102184 |
| Monthly average | 688 | 14.3% | 786 | 39.9% | 1100 | 287.2% | 4258 | 11.1% | 4730 | 2129 |

Source: Hellenic Asylum Service, Statistical Data of the Greek Asylum Service (from 7.6.2013 to 31.5.2017), Revision date: 12/06/2017.

The quantitative shift illustrated on the data on asylum applications also encompasses significant qualitative shifts, in terms of gender, ethnicity and recognition rates. Starting from gender, it is obvious that the ‘summer of migration’ had an increasingly important feminine component. Thus, in 2013 women asylum applicants represented 24,14% of the total, while in 2014 18,94% and in 2015 25,24%; in 2016, their participation rose to 37,33%, a tendency which is still present in 2017 (32,26% for the first half of the year. As it can be seen in the table below, unaccompanied minors have also been gaining significance during the last two years.

| Asylum Applications - Gender and Age ranges | | | | | | | | | | | | | | | | | | | | | | | | |
|---|------|-------|-------|------|-------|-------|------|-------|-------|-------|-------|-------|----------|-------|-------|-------|-------|-------|-------|-------|--------|--|--|--|
| Age ranges | 2013 | | | 2014 | | | 2015 | | | 2016 | | | May 2017 | | | 2017 | | | Total | | | | | |
| | Men | Women | Total | Men | Women | Total | Men | Women | Total | Men | Women | Total | Men | Women | Total | Men | Women | Total | Men | Women | Total | | | |
| 0-13 | 255 | 182 | 437 | 389 | 306 | 695 | 920 | 793 | 1713 | 7691 | 7115 | 14806 | 484 | 406 | 890 | 3116 | 2835 | 5951 | 12371 | 11231 | 23602 | | | |
| 14-17 | 272 | 37 | 309 | 575 | 84 | 659 | 615 | 169 | 784 | 3530 | 1384 | 4914 | 303 | 65 | 368 | 1534 | 470 | 2004 | 6526 | 2144 | 8670 | | | |
| 18-34 | 2371 | 600 | 2971 | 5161 | 922 | 6083 | 6194 | 1465 | 7659 | 15297 | 6601 | 21898 | 1600 | 496 | 2096 | 8737 | 2880 | 11617 | 37760 | 12468 | 50228 | | | |
| 35-64 | 747 | 338 | 1085 | 1513 | 459 | 1972 | 2100 | 856 | 2956 | 5355 | 3798 | 9153 | 494 | 209 | 703 | 2596 | 1391 | 3987 | 12311 | 6842 | 19153 | | | |
| 65 and over | 7 | 5 | 12 | 7 | 15 | 22 | 35 | 48 | 83 | 144 | 177 | 321 | 7 | 13 | 20 | 40 | 53 | 93 | 233 | 298 | 531 | | | |
| Total | 3652 | 1162 | 4814 | 7645 | 1786 | 9431 | 9864 | 3331 | 13195 | 32017 | 19075 | 51092 | 2888 | 1189 | 4077 | 16023 | 7629 | 23652 | 69201 | 32983 | 102184 | | | |
| Unaccompanied Minors (included in the above total) | 188 | 12 | 200 | 414 | 36 | 450 | 367 | 53 | 420 | 2035 | 317 | 2352 | 191 | 12 | 203 | 911 | 68 | 979 | 3915 | 486 | 4401 | | | |

Source: Hellenic Asylum Service, Statistical Data of the Greek Asylum Service (from 7.6.2013 to 31.5.2017), Revision date: 12/06/2017.

As far as ethnicities are concerned, the major shift is linked to the presence of Syrian asylum seekers who have outnumbered ethnicities that were already important for the Greek context, i.e. Pakistanis, Afghans and Iraqis.

| Asylum Applications - Countries of Origin | | | | | | | | | | | | | | | | | |
|---|--|------|--|------|--|-------|--|-------|--|----------|--|-------|--|--------|--|---------|--|
| | | 2013 | | 2014 | | 2015 | | 2016 | | May 2017 | | 2017 | | Total | | % | |
| SYRIA | | 252 | | 773 | | 3492 | | 26693 | | 731 | | 6685 | | 37895 | | 37.1% | |
| PAKISTAN | | 610 | | 1618 | | 1823 | | 4695 | | 756 | | 3489 | | 12235 | | 12.0% | |
| AFGHANISTAN | | 803 | | 1709 | | 1720 | | 4371 | | 557 | | 3347 | | 11950 | | 11.7% | |
| IRAQ | | 107 | | 174 | | 661 | | 4812 | | 483 | | 2907 | | 8661 | | 8.5% | |
| ALBANIA | | 419 | | 569 | | 1003 | | 1420 | | 251 | | 775 | | 4186 | | 4.1% | |
| BANGLADESH | | 230 | | 633 | | 739 | | 1215 | | 109 | | 508 | | 3325 | | 3.3% | |
| IRAN | | 131 | | 361 | | 242 | | 1096 | | 101 | | 618 | | 2448 | | 2.4% | |
| GEORGIA | | 342 | | 350 | | 386 | | 688 | | 108 | | 400 | | 2166 | | 2.1% | |
| PALESTINE | | 17 | | 74 | | 60 | | 853 | | 44 | | 718 | | 1722 | | 1.7% | |
| ALGERIA | | 76 | | 187 | | 131 | | 889 | | 78 | | 426 | | 1709 | | 1.7% | |
| OTHER COUNTRIES | | 1827 | | 2983 | | 2938 | | 4360 | | 859 | | 3779 | | 15887 | | 15.5% | |
| Total | | 4814 | | 9431 | | 13195 | | 51092 | | 4077 | | 23652 | | 102184 | | 100.00% | |

Source: Hellenic Asylum Service, Statistical Data of the Greek Asylum Service (from 7.6.2013 to 31.5.2017), Revision date: 12/06/2017.

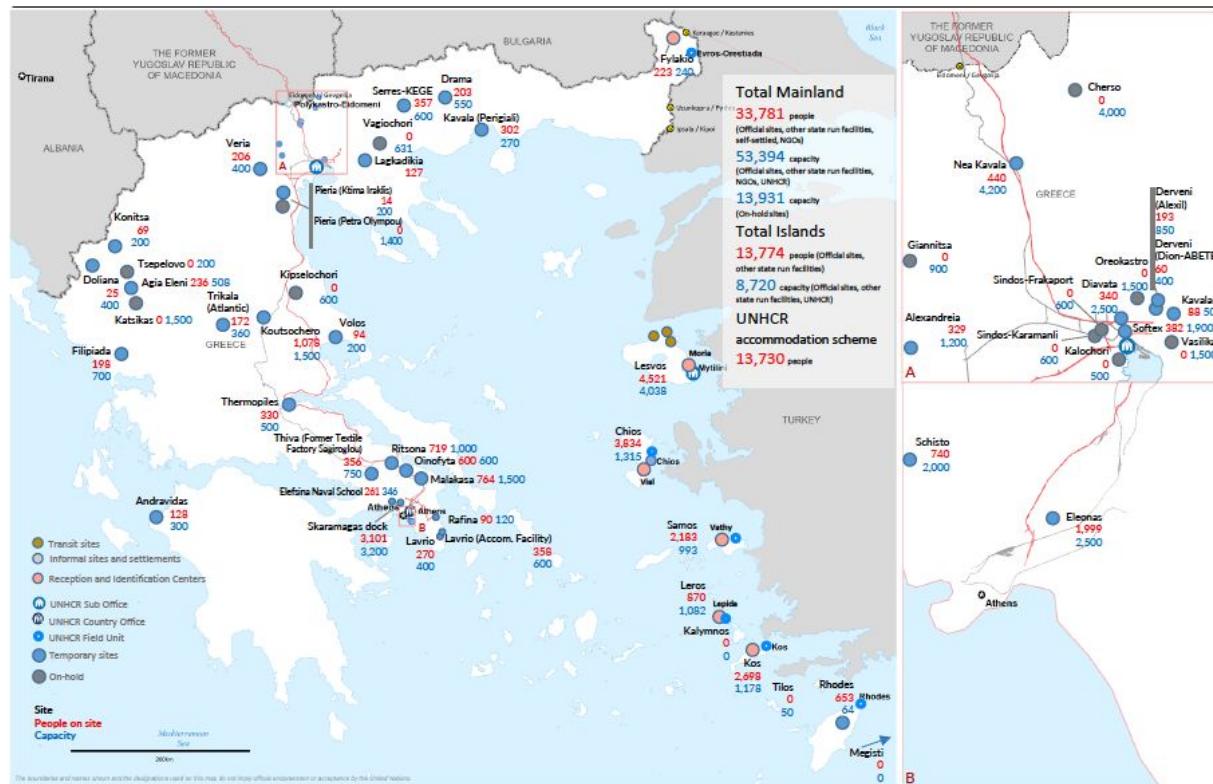
Recognition rate has significantly increased in comparison with applications submitted during the previous years to the Police. From 15.4% in 2013, it reached 47.4% in 2015 and in 2017 is 42.7%. There is a significant variation though on the grounds of applicants' countries of origin: applicants who come from Syria, from Yemen and Palestine and to a lesser extent from Eritrea and Somalia are more likely to be granted international protection than other significant communities, such as Pakistanis and Africans.

| 1st Instance Procedures - Recognition Rates (%) ³ (Countries with more than 60 Decisions in substance) | | | |
|---|-------|--|------|
| 10 Countries of Origin with the highest recognition rates | | 10 Countries of Origin with the lowest recognition rates | |
| SYRIA | 99.5% | DOMINICAN REPUBLIC | 2.5% |
| YEMEN | 94.2% | PAKISTAN | 2.3% |
| PALESTINE | 93.4% | ALGERIA | 1.7% |
| STATELESS | 84.0% | SENEGAL | 1.2% |
| ERITREA | 82.9% | ARMENIA | 0.8% |
| SOMALIA | 74.6% | GHANA | 0.7% |
| IRAQ | 69.6% | ALBANIA | 0.2% |
| AFGHANISTAN | 61.3% | GEORGIA | 0.0% |
| SUDAN | 58.8% | RUSSIA | 0.0% |
| IRAN | 53.1% | MOLDOVA | 0.0% |

Source: Hellenic Asylum Service, Statistical Data of the Greek Asylum Service (from 7.6.2013 to 31.5.2017), Revision date: 12/06/2017.

To sum up, Greek authorities estimate some 62.193 refugees and migrants to be in Greece at the end of May 2017, of whom, 48.185 in the mainland and 14.008 in the Aegean Islands. UNHCR though has its own estimates for assistance delivery purposes which indicate lower figures and have been shared with the Government with an overall estimate of some 42.000 people. The distribution of this population throughout the country in organised structures, such as camps is illustrated in the following map. As it can be observed, the majority are concentrated in the metropolitan areas of the two major cities, i.e. Athens and Thessaloniki, while a significant part is remaining on the islands of Eastern Aegean Sea, notably on the five islands where hotspots have been established in combination with the provisions of the EU-Turkey Common Statement of the 18 March 2016.

Weekly map indicating capacity and occupancy (Governmental figures)



Source: Coordination Centre for the Management of the Refugee Crisis, as of 27/06/2017.

5. 2.3 Gender-based violence and migrants/refugees/asylum seekers

In Greece, there is no comprehensive and reliable statistical data on gender-based violence. There has not been any survey conducted by the Hellenic Statistical Authority (ELSTAT) either specifically on gender-based violence or as an ad-hoc module within other surveys. Surveys have been conducted by private institutions, such as the Hellenic Society for the Study of Human Sexuality (EMAS) and the Andrology Institute of Athens, which conducted a survey with 1000 respondents in 2013, in order to examine the impact of economic crisis on personal and sexual life. The survey was covered extensively by the media, since it had some impressive and alarming findings: an increase of 47% had been recorded concerning incidents of physical, sexual and verbal violence in the first months of 2013 in Greece. Unemployed men with intense job stress, pressing financial obligations, as well as low sexual activity were mainly those who exerted violence against their wives or girlfriends. Verbal abuse reached 72% of the cases, while financial blackmail was second at 59%. Sexual humiliation followed at 55%, while physical violence and rape were also significant (respectively 23% and 18%). It must be noted that in 8% of violence incidents, slight or serious injury was reported (Kathimerini 2013).

Another resource that can provide an idea of the extension of the phenomenon in Greece is the 15900 24h SOS helpline, operated under the General Secretariat for Gender Equality (GSGE) at the Ministry of Interior. According to available data, from 11/3/2011 to 16/11/2016, the helpline received 26.548 calls and 346 electronic messages. 81% of the calls concerned cases of gender-based violence, 83% among which had to do with domestic violence and most of the women sought for psycho-social support. 74% of women who addressed to the helpline were Greek citizens, which leaves a significant part of non-Greek survivors.

Coming to contemporary refugees and asylum seekers, one can suggest that conditions, particularly in the islands where arrivals might have decreased but many people spend a longer time there to complete their asylum applications and stay in overcrowded sites, do not seem favourable for enhanced protection of vulnerable groups, such as women and unaccompanied minors. The overcrowded conditions mean that unaccompanied children, people with disabilities or survivors of sexual and gender-based violence cannot always access safe accommodation options. The overcrowded conditions also add pressure on the services that are provided and create tension over the limited available resources. The situation increases protection risks and demands ongoing work to improve living conditions and address protection concerns.

However, there is no statistical data available and information on gender-based violence is sporadic and not quantitative. An assessment report drafted by the UNHCR, the United Nations Population Fund (UNFPA) and the Women's Refugee Commission (WRC) (2016), examined the living conditions of refugee and migrant women and girls in several sites in Greece and in the former Yugoslav Republic of Macedonia, based on direct contact with refugees and key stakeholders involved in protection and humanitarian assistance. The assessment team "identified instances of SGBV, including but not limited to early and forced marriage, transactional sex, domestic violence, rape, sexual harassment and physical assault in the country of origin and on the journey. This testifies to the fact that if relevant government and humanitarian agency staff with SGBV prevention and response knowledge are deployed and tasked to respond to cases of SGBV as a protection priority. This will result in an increase in the identification of protection gaps/risks and support appropriate prevention and response measures being put in place. SGBV was identified as both a reason why

refugees and migrants are leaving countries of origin and first asylum and a reality along the refugee and migration route for women and girls." (UNHCR, UNFPA and WRC 2016: 8).

Field research in Greece was conducted also in November 2016 by a research team of the Refugee Rights Data Project and the Immigrant Council of Ireland, focusing on living conditions of refugee women and girls. The research team conducted a three-fold research including: 38 direct interviews with female residents in three camps; sex-disaggregated data from a survey conducted with 278 camp residents, 40.6% of whom women; 58 semi-structured interviews with service providers operating in camps and settlements. Apart from the adversities during the journey including physical abuse by smugglers, lack of safety, anxiety and generally difficult material and health conditions in the camps, 11,5% of women reported violence by police or security staff in Greece. The most common form was that of verbal abuse (92,3% of those who had such experiences), while physical abuse cannot be neglected (38,5%) (Stanton 2017: 38-39). Similarly, 13,3% of women respondents had experienced violence by citizens. 100% of these instances featured verbal abuse, while in 40% of the same instances there was also physical violence involved. A number of women reported in their interviews that while they had not experienced citizen violence themselves, they had witnessed others being verbally abused by locals (Stanton 2017: 40). It is important to note, finally, that 17,7% of respondents said that they had been subjected to violence inside the camp, while 65,5 of women interviewed privately said they knew of other women who had suffered from this problem (Stanton 2017: 41).

6. Legal framework: migration, asylum and gender-based violence

7. 3.1 Migration legislation

Greece has been the last country of Southern Europe to adopt a consistent migration policy. Even though in 1991 contemporary Greek immigration policy started taking form with the Law 1975/1991, there was no practical provision for regularisation of the migrants who started massively entering the country. On the contrary, as the title of the draft shows (“Entry-exit, stay, deportation of foreigners, procedure of foreign refugees’ recognition and other clauses”) the main concern was to restrict the massive entrance of irregular migrants following a repressive path (Barou 2001: 75).

In fact, the first regularisation programme took place in 1998 with two Presidential Decrees. During this procedure, 371.641 migrants obtained a temporary residence permit (for six months), of whom 212.860 applied for a residence permit of limited duration (2 years); numbers that demonstrate a drop-out of 42,7%. In addition, it is estimated that approximately 150,000 migrants who met the requirements did not participate either in the first phase and remained undocumented (Cavounidis 2002: 32).

The first attempt to deal more systematically with the issue took place in 2001 with the Law 2910. For the first time, provisions even though strict enough for a naturalisation procedure have been undertaken, while a new regularisation programme was set up in the framework of this law. On the other hand, the competence for migration issues passed from the Ministry of Public Order and the Police to the Ministry of Interior and regional authorities, since “foreigners do not constitute a supplementary charge for the Police, but persons and a social group with which the whole society must regulate its relations, through its institutional settings”.¹⁰ In addition, the implementation of the Law 2910/2001 signified the second major regularisation programme launched in the country.

With the law passed in 2005,¹¹ migration policy has been further elaborated, while social integration of migrants has for the first time became a policy objective. One of the most important innovations was the unification of *work* and *residence* permits to *one residence permit*. Additionally, three European Directives were transposed to national legislation: the 2004/81/EC on *Victims of Trafficking*, the 2003/86/EC on *Family Reunification* and the 2003/109/EC on *Long-term Residents*. Moreover, this law, along with the Law 3536/2007¹² constituted the third and ultimate general regularisation programme for all those who had not previously the possibility to obtain or to renew regularly a residence permit.

The final episode in the short history of the contemporary migration management in Greece was the Law 4251/2014, known as “Migration Code”.¹³ The main innovation of the law provided a five-year residence permit to legally residing foreign nationals allowing them to work in other EU member-states with their families. This applied also to those who already had residence permits of a 10-year duration or more. It also introduced fast-track procedures, for the entry and residence of foreign nationals wishing to promote investments and development, facilitating the issue of

¹⁰ «οι αλλοδαποί δεν είναι μια επιπλέον φροτική αστυνομική ύλη, αλλά πρόσωπα και κοινωνική ομάδα με την οποία πρέπει να ρυθμίσει τις σχέσεις της συνολικά η κοινωνία, μέσα από την θεσμική της εκπροσώπηση»: Ministry of Interior, Public Administration and Decentralisation, *Foreigners’ entrance and stay in Greece, possession of Greek citizenship with naturalisation and other clauses*, Law Circular 2910/2001, Athens, National Press, 2001, p. 12.

¹¹ Law 3386/2005, “Entry, stay and social integration of third country nationals into Greek Territory”.

¹² Law 3536/2007, “Specific provisions on migration policy issues and on other issues under the competence of the Ministry of Interior, Public Administration and Decentralisation”, ΦΕΚ 42/A'/23.2.2007.

¹³ Law 4251/2014, “Immigration and Social Integration Code and other provisions”, ΦΕΚ 80/A'/01.04.2014.

residence permits for third-country nationals carrying out investments greater than 100 million euros or real estate purchases with a value no less than 250.000 euros. Finally, the law taking into account the economic crisis, facilitated unemployed migrants who had lived in Greece for a long time to have the possibility to obtain/renew their residence permits under the provision concerning ‘specific reasons’.

To summarise, one could argue that the whole regulation system of migration from the side of the Greek State, even after three regularisation programmes and several major bills, poses a series of structural difficulties to migrants. Contract with a specific employer and assessment of the needs for foreign labour in the specific sector is still required from those who want to immigrate in the country. An important number of social security stamps (i.e. insured working days) are demanded from those who want to renew their residence permits. In other words, the Greek migration regime is still characterised by a blatant contradiction between a centralised Fordist-like organisation and management of movements and a predominantly post-fordist character of the organisation of work and production, not only for migrants but for increasingly larger parts of the labour.

Another issue that must be mentioned is the seemingly gender-blind character of migration legislation that in fact conceals a total lack of gender sensitivity. Although immigration to Greece is clearly ‘feminised’, and even though gender is increasingly gaining ground as a subject of academic research and debate, migration policies do not seem to follow the same pattern. As suggested by Kambouri and Hatzopoulos (2009: 14), female migrants in Greece tend to be represented in policy, either as a ‘complement’ to male migration in the framework of family reunification where women are implicitly considered as ‘protected members of the family’, or as ‘victims’ of trafficking networks controlled by men, both Greeks and foreigners. This representation reflects a certain ‘sexist myopia’ (Lazaridis 2000) that characterises Greek migration policy.

8. 3.2 Asylum legislation

As mentioned above, the competence for asylum issues was under the Ministry of Public Order and interviews and decisions were undertaken by Police officers at first instance. The Law 3907/2011¹⁴ set a new framework for asylum procedures. The most important shift was the establishment of a new Asylum Service, of Appeals Authority (2nd instance) and a new First Reception Service. The main concerns of the law were, on the one hand, the harmonisation of the Greek legislation with the common regulations and procedures of the EU member states according to the regulations foreseen in the EU Directive 2008/115/EC; on the other hand, the decentralisation of the procedures with the establishment of Regional Asylum Offices throughout the country.¹⁵ In practice, the new Asylum Service started operating two and a half years after the publication of the Law 3907/2011, i.e. in June 2013, while the number of the Regional Offices is even today nine instead of thirteen that were foreseen. In addition, both the Central Asylum Service and the Regional Asylum Offices, as well as the Asylum Units created mostly in detention centres, lack in personnel, since the possibilities of new

¹⁴ Law 3907/2011, “Establishment of an Asylum Service and of a First Reception Service and transposition into Greek legislation of the provisions of the Directive 2008/115/EC on common standards and procedures in Member States for returning illegally staying third-country nationals”, ΦΕΚ 07/A'/26.01.2011.

¹⁵ According to article 1, paragraph 3, Regional Asylum Offices would be established in Attica, in Thessaloniki, in Alexandroupoli, in Orestiada, in Ioannina, in Volos, in Patras, in Heraklion, in Lesbos, in Chios, in Samos, in Leros and in Rodos.

recruitments are limited due to austerity measures. More precisely, permanent staff is scarce and the need in personnel is mostly covered by temporary staff which is recruited through EU-funded projects and lately through the UNHCR. As a representative of the Hellenic Asylum Service reported:

*In my department, from the four persons who work, two of them are [paid] from the UNHCR. Before, there were only three persons, all from the UNHCR and me. (...) It must be clarified that from the operational budget of the Service a completely disproportionate part is coming from foreign funding. And when I say foreign funding I mean basically the two big European funds: the AMIF and the so-called Norwegian EEA Grants. The army of contract-based workers that we recruit and I say the army because with the staff of the Service we wouldn't do anything, all these people are paid from this money. In sum, the state pays the wages only of the permanent staff. All the rest is through European funding.*¹⁶

A new situation was undoubtedly created with the dramatic increase of arrivals in 2015. The formal Greek position since April 2015 followed four principles: a) relocation, b) resettlement, c) support to Turkey and to other neighbouring countries, d) combat smuggling. The EU-Turkey deal, more accurately the EU-Turkey Statement of 18 March 2016,¹⁷ set a new basis regarding both the management of refugee flows and the basic priorities/principles of the Greek government. Despite the fact that the Common Statement of 18 March 2016 is not a legally binding document in the sense of international law, it was and it is still presented almost as such, in the public discourse but also by members of the government and by judges who participate in asylum committees. The new Law on Asylum (N 4375/2016), which passed through an 'express procedure' in the beginning of April 2016, was considered by the public and the parliament to be a sort of adjustment of asylum procedures and structures to the new spirit of refugee emergency that underpins the EU-Turkey deal. However, nowhere in the text of the new law nor in the accompanying report that introduced the bill in the parliament, there is any reference to Turkey and to the 'EU-Turkey deal'. It must be noted, however, that the Law 4375/2016 provided for a fast-track 'borders procedure', exempting vulnerable individuals.

The government, and particularly the Alternate Minister for Migration Policy became the target of further criticism when he proceeded to the modification of the composition of the backlog committees, removing the representatives of the UNHCR and the representative of National Commission for Human Rights and adding two judges beside the pre-existing representative of the UNHCR. This happened on 22 June 2016, when this amendment passed through the Law 4399/2016 on the "Institutional framework for the establishment of regimes for the reinforcement of private investments aiming at the regional and economic development of the country – Establishment of a

¹⁶ Focus group with stakeholders, held in Athens in July 2017.

¹⁷ The so-called 'EU-Turkey deal' is in fact nothing more than a common statement of EU and Turkey, which means that it does not constitute a legal document in the typical sense of an agreement which is binding for the states that ratify or adhere to. It is based legally on the "Agreement between the European Union and the Republic of Turkey on the readmission of persons residing without authorisation" signed in December 2013 (see full text: <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A22014A0507%2801%29>) and approved by the European Council in April 2014 (<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1463486609650&uri=CELEX:32014D0252>). All that has been decided in November 2015 (EU-Turkey Joint Action Plan, http://europa.eu/rapid/press-release_MEMO-15-5860_el.htm) and in March 2016 (Common EU-Turkey Statement on 18 March 2016, <http://www.consilium.europa.eu/en/press/press-releases/2016/03/18-eu-turkey-statement/>) is mostly the activation of this Agreement and more importantly the specification of a Joint Action Plan (http://europa.eu/rapid/press-release_MEMO-16-963_el.htm) which is to be under on-going monitoring (http://europa.eu/rapid/press-release_MEMO-16-1221_en.htm).

Development Council and other measures". The National Commission for Human Rights, which is a public body and its members are appointed by the Parliament,¹⁸ published a statement expressing its concerns for the hastiness of the Minister to pass such an amendment through an absolutely irrelevant bill, particularly just some months after the new Law on asylum (4375/2016) which was the result of long consultation with relevant stakeholders. The Commission also expressed concerns as for the constitutionality of the amendment and its compliance with international legal standards.¹⁹ Another major development introduced by the Law 4399/2016 referred to EASO officers' competences: "The element b of paragraph 4 of article 60 of Law 4375/2016 [the Asylum Law passed on 1 April 2016] is amended as follows: b. The interview with the applicants for international protection can be conducted also by personnel provided by the European Asylum Support Office".²⁰

Despite the progress made regarding the speed of procedures, there are still large numbers of pending applications. For many nationalities, this number seems to increase, while there seems to be a preference to proceed faster with applications of Syrian asylum seekers. To this end, a Fast Track Asylum Unit of International Protection applications was established in Athens in December 2016, addressing to "Syrian nationals or stateless nationals with Syria as their former residential country, whose nationality or statelessness can be proved with original documents and mainly a passport of the Arab Republic of Syria".²¹ By the end of August 2017 almost 30.000 applications were still pending at first instance and approximately 21000, by June 2017 at second instance.

| 1st Instance Procedures - Pending Applications - Countries of Origin | | |
|--|-----------------------------------|-----------------------------------|
| | Pending Applications (31.07.2017) | Pending Applications (31.08.2017) |
| AFGHANISTAN | 6008 | 6307 |
| SYRIA | 5267 | 6055 |
| PAKISTAN | 3950 | 4231 |
| IRAQ | 3555 | 3607 |
| ALBANIA | 960 | 1055 |
| IRAN | 1024 | 1012 |
| BANGLADESH | 876 | 967 |
| DEMOCRATIC REPUBLIC OF CONGO | 840 | 814 |
| GEORGIA | 506 | 559 |
| PALESTINE | 501 | 520 |
| OTHER COUNTRIES | 4058 | 4529 |
| Total | 27545 | 29656 |

Source: Hellenic Asylum Service, Statistical Data of the Greek Asylum Service (from 7.6.2013 to 31.8.2017), Revision date: 10/09/2017.

¹⁸ The Greek National Commission for Human Rights (GNCHR) is the independent advisory body to the Greek State on matters pertaining to human rights protection. It was established by Law 2667/1998 in accordance with the UN Paris Principles and inaugurated on 10 January 2000, when it was first convened by the Prime Minister. Its members are nominated by institutions whose activities cover the field of human rights: NGOs, trade unions, independent authorities, universities, bar associations, political parties, Parliament and the Administration.

¹⁹ The statement of the National Commission for Human Rights is available online at http://www.nchr.gr/images/pdf/apofaseis/pros fuges_m etanastes/Dimosia%20dilwsi%20EE DA.pdf

²⁰ Law 4399/2016, "Institutional framework for the establishment of regimes for the reinforcement of private investments aiming at the regional and economic development of the country – Establishment of a Development Council and other measures", available online at <https://www.e-nomothesia.gr/kat-epikheireseis/nomos-4399-2016-phek-117a-22-6-2016.html> (translated by the author).

²¹ http://asylo.gov.gr/en/?page_id=2358

The new asylum law, following the international standards, stipulates specific provisions for vulnerable groups. More precisely, according to article 14, paragraph 8:

As vulnerable groups shall be considered for the purposes of this law: a) Unaccompanied minors, b) Persons who have a disability or suffering from an incurable or serious illness, c) The elderly, d) Women in pregnancy or having recently given birth, e) Single parents with minor children, f) Victims of torture, rape or other serious forms of psychological, physical or sexual violence or exploitation, persons with a post-traumatic disorder, in particularly survivors and relatives of victims of ship-wrecks, g) Victims of trafficking in human beings. Persons belonging to vulnerable groups can remain in Reception and identification Centres in special areas until completion of the procedures laid down in article 9, without prejudice to the deadlines set out in paragraph 2 above. Reception and Identification Services shall take special care to cater for the particular needs and the referral of families with children under the age of 14, especially infants and babies.

9. 3.3 Gender-based violence as a legal issue

The main legal instrument against gender-based violence remains the Law 3500/2006, which refers only to domestic violence.²² The scope of the law focuses on domestic environment, including the following configurations (article 2):

- a. family or community composed of spouses or parents and relatives by blood or by affinity first and second degree and their adopted children.
- b. in the family are included, if they are cohabiting, relatives by blood or by affinity of up to the fourth degree and persons of whom member of the family has been appointed guardian, legal representative or foster parent, as well as any person under age who cohabits with the family.
- c. the provisions of present law apply to the permanent female partner of the man or the permanent male partner of the woman and the children, that they have had together or whose parent is one of them, provided that those persons cohabit, as well as to the former spouses.

Despite the relatively narrow scope of the law, which might hinder its broader application on situations beyond the limits of a household, Law 3500/2006 provides for the first time in Greek legislation legal definitions of diverse form of gender-based violence including: bodily injure (article 6); unlawful threat, fear or anxiety with the threat of violence or other wrongful act (article 7); insult of sexual dignity by humiliating words or actions (article 9).

Another legal tool that could serve the purpose of combating gender-based violence could be the Law 3488/2006 on the "Application of the principle of equal treatment between men and women regards access to employment, vocational training and promotion, terms and conditions and other relevant provisions".²³ The law, which transposed the provisions of Directive 2002/73/EC, provides clear definitions of "direct" and "indirect discrimination", "harassment" and "sexual harassment",

²² Law 3500/2006, "For combating domestic violence and other provisions", ΦΕΚ232/A/24. 10.2006.

²³ ΦΕΚ 191/A'/11.09.2006.

and sanctions for acts that fall under these categories. The Ombudsman, who since July 2011 is a woman, is appointed as the body monitoring the implementation of the principle; its competence was widened with Law 4097/2012 “Application of the principle of equal treatment between men and women during the exercise of an independent economic activity”, which transposed in national legislation the Directive 2010/41/EU.²⁴

In 2010, a “Special Committee for the elaboration of a bill on combating violence against women” was established by the Minister of Justice, Transparency and Human Rights.²⁵ Although the Committee convened 19 times in 16 months and delivered its conclusions in January 2012, the bill has never been submitted to the Parliament. Therefore, the only comprehensive legal tool regarding gender-based violence remains the Law 3500/2006. It must be noted, however, that on 29 June 2017, the General Secretary for Gender Equality announced in Thessaloniki that a new bill that ratifies and transposes in the national legislation the Council of Europe Convention on preventing and combating violence against women and domestic, known as Istanbul Convention, is ready and will be soon introduced to the Parliament.²⁶ Among others, the new bill will amend both the Law 3500/2006 and the Penal Code, broadening the scope of the definition and legal tools against gender-based violence.

There have been significant developments in the field of trafficking of human beings. The first law that established trafficking both for sexual and labour exploitation as a grave criminal offense was the Law 3064/2002.²⁷ The aim of the law was double-fold: a) to amend the Penal Code in order to define trafficking as a felony and establish severe punishments which included up to 10 years imprisonment and penalties of 10.000 to 100.000 euros for trafficking and milder penalties and imprisonment for clients using the services of victims; and b) to guarantee the basic protection and assistance to the victims that included shelter, nutrition, living conditions, health care, psychological support, legal aid, translation, as well as voluntary repatriation in cases of illegal entry of the victim. With this law, Greek legislation was harmonised with the Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings.²⁸ The Presidential Decree 233/2003 that was issued few months later,²⁹ prescribes the conditions for the granting of protection and assistance to the victims. Provisions for victims include health and medical support, security, access to school and education for specific age groups, psychological and legal support that should be guaranteed as long as the victims need them.

According to the above-mentioned migration Law 3386/2005, which transposed the EU Directive 2004/81/EC (art. 46-52), victims that collaborate with the juridical and police authorities for the arrest and prosecution of traffickers are entitled to a one year residence permit without fee, renewable during the period of the juridical process of the case. The residence permit gives access to the labour market since it is valid also as a working permit. After the completion of the juridical

²⁴ See full text both in Greek and in English at <http://www.ilo.org/dyn/travail/docs/1513/GREECE%20NON%20DISCRIMINATIONACT%203488.pdf>

²⁵ Ministerial Decision ΔΔΟΙΚ/3604/30-07-2010 (Φ.Ε.Κ. ΥΟΔΔ270/04.08.2010).

²⁶ General Secretariat for Gender Equality, *Press Release*, 30/06/2017, available online at <http://www.isotita.gr/wp-content/uploads/2017/07/ΔΤ-30.06.2017-Δύο-νέα-Σχέδια-Νόμου.pdf>

²⁷ Law 3064/2002, “Combating trafficking of persons, crimes against sexual freedom, pornography of minors and the financial exploitation of sexual life in general and providing assistance to victims of such acts”, ΦΕΚ248/Α'/15.10.2002.

²⁸ <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32002F0629>

²⁹ Presidential Decree 233/2003, “Protection and assistance to victims of crimes pertaining to articles 323, 323^A, 349, 351 and 351 A of the Penal Code, according to Article 12 of Law 3064/2002”, ΦΕΚ 204/Α'/28.08.2003.

procedure, victims of trafficking must apply anew for a residence permit (granted for purposes of work, marriage, studies etc.). The law, with its amendment through the Migration Code (Law 4251/2014), provides for a three-month period of contemplation, during which potential victims enjoy the same rights as recognised ones (including access to secure housing, health and medical care, food, shelter, psychological and legal support), but no residence permit. This period is established in order to ensure the potential victims' willingness to fully collaborate with the juridical and police authorities against the traffickers. According to a subsequent amendment of the Law 3386/2005 with the Law 3536/2007, victims of trafficking cannot be deported during the period of contemplation.

The Law 4251/2014 also provides for the non-renewal and withdrawal of the residence permit: a) if the holder has actively, voluntarily and in his/her own initiative renewed contacts with those suspected of committing the reported offences; b) If the competent authority believes that the victim's cooperation is fraudulent or that his/her complaint is fraudulent or wrongful; c) when the victim ceases to cooperate; d) when the competent prosecuting or police authorities decide to discontinue the proceedings; e) when an irrevocable court judgment has been delivered, which concludes the relevant procedure. Nevertheless, the possibility to renew the residence permit under another category of permits is provided.

Heavier sentences and fines, as well as facilitated procedures, were established for the trafficking of children with the laws 3625/2007 and 3727/2008, which ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Lanzarote Convention of the Council of Europe on the Protection of Children against Sexual Exploitation and Sexual Abuse. Also, the Law 3692/2008 ratified a bilateral agreement between Greece and Albania for the assistance and protection of children victims of trafficking and the improvement of the cooperation between the two countries in the repatriation of children victims.

The Law 3875/2010 ratified the UN "Convention against Transnational Organized Crime" and the supplementing "Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children". The so-called Palermo Protocol broadens the protection of law to include victims of migrant smuggling (art. 46-52 of Law 3386/2005). Moreover, it provides that "the consent of a victim of trafficking in persons to the intended exploitation [...] shall be irrelevant where any of the means set forth in sub-paragraph (a) have been used". This provision presupposes that migrants who are working in areas where coercion is exercised, for example in prostitution, cannot be held accountable for participating in criminal activities. As such, it denies migrant agency and raises a whole set of questions with regard to the state authorities' ability to identify victims outside the criminalisation framework. Moreover, the Protocol provides for states' assistance to enable "the views and concerns of the victims to be presented and considered at appropriate stages of criminal proceedings against offenders, in a manner not prejudicial to the rights of the defence". This clause addresses the difficulties victims of trafficking face in testifying against perpetrators in juridical proceeding. The Protocol also establishes the obligation for states to "ensure that its domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered". Finally, the new law increases the reflection period for trafficking victims from 30 days to three months for adults and five months for children, clarified that victims of trafficking were ineligible for deportation, and made victims eligible for translation services and free legal aid.

Following this change, the above-mentioned Law 3907/2011 on asylum amended the Law 3386/2005. Accordingly, the victims of trafficking who do not cooperate with the authorities are also entitled to a residence permit on humanitarian grounds, if they are recognised, by act of the competent prosecutor's office, as victims of trafficking in human beings. With the amendment of the existing legislative framework in 2011, the criminalisation approach has been challenged and victims of trafficking who decide not to collaborate with the police against the traffickers are entitled at least in principle to a residence permit under special humanitarian circumstances.

The Law 4198/2013 transposed the EU Directive 2011/36/EU.³⁰ The law amends the penal code and includes provisions that facilitate and encourage the collaboration of victims of trafficking with the police and the juridical authorities against trafficking networks, including (a) the suspension of criminal convictions for participation in criminal activities, illegal prostitution and illegal migration for those who report that they have been forced into these activities by trafficking networks (according to Articles 187, 323A and 351 of the P.C.) (b) the banning of the deportations of and the granting of residence permits to illegal migrants, who have reported to the police trafficking crimes against them until their case is finalised. In addition, the law extends responsibility for trafficking to organisations and private companies, including the implementation of fines and removal of commercial permits. There are also provisions for compensation to the victims. Moreover, the law provides for the participation of psychologists and psychiatrists (as well as child-psychologists for minors) in the juridical procedure. The reports of these specialists are treated as juridical evidence. Finally, the law grants the right to the victim to testify in camera or remotely.

To sum up, the legal framework against trafficking in Greece is gender neutral making no distinction between female and male victims of trafficking. The relevant laws refer to victims and perpetrators without specifying whether they are male or female. Moreover, there are no references in the laws to gender as a social relation or gender equality as an objective. In the policy framework, for the protection and assistance of victims, however, women and children are the main target groups. Since 2001, most policy documents refer to women as trafficking victims for sexual exploitation. Although there are no references to gender or gender inequality, the trafficking of women is mainly associated with prostitution, which is considered as a form of violence against women rather than as a form of labour. It is mainly because of the treatment of female trafficking victims as victims of violence against women that they are integrated as a specifically vulnerable group into the policies for gender equality. In general, the gender-neutral character of the legislative framework can be contrasted to the emphasis placed on female victims and sexual exploitation in the relevant policy framework. It is interesting to note in that respect that increasingly, reports note a rise in the number of female perpetrators - members of trafficking networks, who in many cases have been victims in the past.

³⁰ Law 4198/2013, "Preventing and combating trafficking in human beings and the protection of victims and other provisions", ΦΕΚ 215/A'/11.10.2013.

10.Implementing policies and providing services

In general, legislation provides that “victims of domestic violence are entitled to moral support and the necessary material assistance by legal entities governed by public or private law, which operate specifically for these purposes under the supervision of the Ministry of Health and Social Solidarity, and social services by local authorities”.³¹ Diachronically, much of the social support provided to gender-based violence survivors was coming from NGOs, exclusively or in collaboration with public stakeholders. Nevertheless, after the recession began in 2009, there was a gradual but irreversible reduction of funds allocated to NGOs ending up to a complete suspension of funding in 2012. According to the 2013 Trafficking in Persons Report of the US State Department, a sharp deterioration in the services offered by NGOs for victim protection was caused by the lack of government funding. Only the government structures, i.e. the National Centre for Social Solidarity (EKKA) and the General Secretariat for Gender Equality(GSGE) continued to provide shelter, counselling, support health and medical care. Especially male and female victims of labour exploitation were hit by the lack of funding for protective mechanisms and structures: “NGOs reported that authorities temporarily placed victims of labour trafficking in jail due to lack of shelter. The government did not effectively grant victims of trafficking a reflection period, time in which to recover before deciding whether to cooperate with law enforcement, and often ordered foreign victims deported”. Moreover “there was a continued need for long-term care for victims of trafficking and shelter for male victims”.³²

It is true that since 2010 the GSGE provides protection and assistance to gender-based violence survivors, including counselling and legal support, in its specialised centres as well as in its shelters. The extension of the GSGE infrastructures for the protection of women victims of violence included initially, according to its National Action Programme for Substantive Gender Equality 2010-2013, the creation of 12 new counselling centres and 12 shelters all over Greece. Now, shelter and general support services to gender-based violence survivors provided by the two above-mentioned agencies is as follows: the GSGE operates 19 shelters and 40 counselling centres for female victims of violence; and the EKKA operates two long-term shelters, one of which has an emergency section, an emergency shelter, and two social support centres for vulnerable populations in need of assistance.

The above-mentioned services cover also migrant and refugee women. Particularly in the post-2015 situation, where vulnerability has become one of the most – if not *the* most – significant admissibility criteria, refugee women who have or are at risk of experiencing gender-based violence constitute a target group for this kind of services. There are certainly internal differentiations within vulnerable groups of women, e.g. the criterion of ethnicity seems to be very significant regarding the access or not to international protection where women from Syria are more likely to be granted asylum than women from Afghanistan or Pakistan. Nevertheless, in cases where vulnerability and risk is proven, access to social support is provided regardless ethnicity or other sociodemographic characteristics.

There is no comprehensive and analytical data on women who have been admitted to public social support structures. We have already mentioned that 26% of women who reached the SOS helpline of the GSGE from 11/3/2011 to 16/11/2016 were non-Greeks. As far as shelters are concerned, the EKKA provides data for 2015, where in total 4009 persons, out of 4087 who reached the Centre, were hosted in twenty shelters, run either by public agencies or by NGOs. 78% of them were men and

³¹ Law 3500/2006, article 21, paragraph 1.

³² http://photos.state.gov/libraries/greece/38517/state_reports_001/TIP2013_Greece.pdf

37,5% were of Afghan nationality, followed by Syrians (22,1%), Pakistanis (7,1%), Egyptians (5,6%), Iraqis (3,4%) etc. (EKKA 2016).

The GSGE does not provide any statistical data on people who stay in its shelters. Relevant data was gathered by the Centre for Research on Women's Issues DIOTIMA during a survey, funded by the Research Centre for Gender Equality (KETHI), they have conducted in 2016. More precisely, from April to October 2016, 134 refugee women were admitted in 10 shelters of the public support system to gender-based violence survivors, i.e. GSGE and EKKA. It is important to note, however that 10 shelters out of 20 that responded to the survey, had not admitted any refugee or migrant woman. The geographical dispersion of these structures that provided shelter to refugee women and to their children are illustrated in the table below:

Number of women hosted per Region and Shelter, including their children

| Athens-Piraeus | |
|-------------------------------------|---|
| E K K A shelter Athens | 35 persons (10 women and 25 children) |
| GSGE shelter Athens | 22 persons (10 women and 12 children) |
| GSGE shelter Acharnes | 13 persons (5 women and 8 children) |
| GSGE shelter Piraeus | 4 persons (1 woman and 3 children) |
| Central Macedonia | |
| E K K A shelter Thessaloniki | 22 persons (7 women and 15 children) |
| GSGE shelter Thessaloniki | 6 women (with non-clarified number of children) |
| GSGE shelter Kordelio | 12 persons (5 women and 7 children) |
| Epirus | |
| GSGE shelter Ioannina | 14 persons (4 women and 10 children) |
| Thessaly | |
| GSGE shelter Larissa | 3 women (with non-clarified number of children) |
| Southern Aegean | |
| GSGE shelter Rhodes | 3 persons (1 woman and 2 children) |

Source: Liapi, Charidi and Tyrovolas (2016): 45.

Significant overlaps exist between providing services to persons being at risk of gender-based violence and to persons being victims of human trafficking. As the US State Department (2017: 185) reports, “the government, in cooperation with NGOs, provided shelter, psychological support, medical care, legal aid, and reintegration support. Despite excellent cooperation with the Anti-Trafficking Unit, NGOs reported law enforcement generally demonstrated reluctance to refer victims to NGO-run support services due to a lack of formalized referral procedures incorporating NGOs. Observers reported a lack of specialized shelters for trafficking victims; only one NGO-run shelter provided shelter specifically for female trafficking victims.³³ Observers reported victims in

³³It probably refers to the shelter of A21 in Thessaloniki, addressed to “victims of trafficking”. For more, see <http://www.a21.org/content/greece/gnqxx4?permcode=gnqxx4>

rural areas had little access to support services and were often accommodated in police stations, hospital wards, or received no assistance”.

11.4.1 Policy and social actors involved

The intersection between gender-based violence and migration is manifold and involves many and heterogeneous actors. In Greece, diachronically various stakeholders of different type have been combining interventions and services addressed to social groups exposed to the risk of gender violence. The last two years and the intensity of refugee flows have generated among others an outbreak of both humanitarian crisis and humanitarian action. Services including first reception, health and medical aid, legal counselling, safety, psychosocial support and counselling, shelter, protection of rights and advocacy, have been provided by different actors in very condensed limits of time and space.

Leaving aside individual volunteers, local and international, who have emerged in large numbers in emergency situations both on the islands and in the mainland, we could establish the following typology of stakeholders and collective actors who have been and are active in the field of services to persons who have experienced or are at risk of experiencing gender-based violence:

- 1) Public authorities and/or public agencies, such as the Asylum Service, the First Reception and Identification Service, the General Secretariat for Gender Equality and the National Centre for Social Solidarity.
- 2) International organisations, such as the UNHCR, the International Organisation for Migration (IOM), the UNFPA and the UNICEF.
- 3) International NGOs, such as the Médecins du Monde, the Doctors Without Borders, the International Rescue Committee, the Oxfam, the Danish Refugee Council, the International Federation of the Red Cross, Mercy Corps etc.
- 4) Local/domestic NGOs, such as Praksis, Greek Council of Refugees, Lighthouse Relief, Diotima, A21 etc.
- 5) Migrant organisations, such as KASAPI, United African Women Organisation, Greek Forum of Refugees etc.

Below there is a brief description of the main active stakeholders that could fit under each type.

4.1.1 Public agencies

- Hellenic Asylum Service (<http://asylo.gov.gr>)

As competent authority to interview and examine asylum applications, its experts can refer persons who have experienced gender-based violence to relevant agencies and organisations. They are also supposed to inform survivors about their rights and possibilities.

- First Reception and Identification Service (<http://www.firstreception.gov.gr>)

Among others, they provide medical examination including the provision of health care as well as the provision of psychosocial support, if necessary. They also provide responsible information in relation

to the rights and obligations of the persons concerned. In case that it is recorded that the person is a vulnerable group member all the necessary procedures will take place for the effective transfer to the competent welfare department, i.e. EKKA.

- General Secretariat for Gender Equality (Ministry of the Interior) (<http://www.isotita.gr>)

In collaboration with Regions and Municipalities it has created and enriched a network of Counselling Centres and Shelters for women victims of violence and their children and services to assist gender-based violence survivors, as well as to prevent violence and provide raise public awareness.

- National Centre for Social Solidarity (E.K.K.A.) (Ministry of Health and Social Solidarity) (<http://www.ekka.org.gr>)

Among its objectives is to protect survivors of gender-based violence and minors and women victims of trafficking with the purpose of sexual or/and financial exploitation; it runs shelters and psychological and social support structures.

- The Greek Ombudsman(<http://www.synigoros.gr/>)

The Ombudsman is the independent authority that promotes the principle of Equal Treatment. Cases of severe exploitation appear in the annual reports of the authority, particularly when they have to do with discrimination on the grounds of gender or/and ethnicity. The Ombudsman is also competent to intervene in the field of vulnerable social groups, one of which is “women victims of violence” according to their own terminology.

4.1.2 International organisations

- UNHCR (<http://www.unhcr.gr>)

The UNHCR was present in all sites of interests from the beginning of the ‘refugee crisis’. It is the main actor intervening and providing humanitarian services to refugees and asylum seekers within the Emergency Support Instrument, set up by the European Commission, Directorate General Humanitarian Aid and Civil Protection (DG ECHO) on 16 March 2016.

- International Organization for Migration (<http://www.iom.int/countries/greece>)

The Greek Office has been very active in implementing repatriation programmes, among which for victims of trafficking and several projects on anti-trafficking policies and the combat against trafficking networks. During the last two years, they have been active in refugee camps providing information material and services to refugees.

- UNICEF (<https://www.unicef.gr>)

The Greek National Committee for UNICEF has participated in the past in anti-trafficking campaigns and is active in providing services to refugee women and their children, such as the Protection Centre for Women and Children in Athens

(<https://www.unicef.gr/κέντρο-προστασίας-για-τη-γυναίκα-και-το-παιδί-με-την-υποστήριξη-της-a2-1001-8>)

- United Nations Population Fund
(<http://www.unfpa.org/data/emergencies/greece-humanitarian-emergency>)

The UNFPA has mostly been offering services related to sexual and reproductive health and gender-based violence issues in several humanitarian settings in Greece since 2016. They have also provided capacity-building training to youth facilitators and to health personnel with specific focus on gender-based violence case management.

4.1.3 International NGOs

- Médecins du Monde - Greek Department (<http://mdmgreece.gr>)

They offer medical help and social assistance to victims of gender-based violence, trafficking and racially motivated violence. They have been very active in refugee camps, official and improvised from the beginning of the 'refugee crisis'.

- Doctors Without Borders (<https://msf.gr>)

They offer medical help to vulnerable populations including uninsured migrants and refugees. They have been active in several camps all over Greece and they run several social clinics in areas with strong refugee population.

- International Rescue Committee (<https://www.rescue.org/country/greece>)

They have started working in Greece in July 2015. They have been providing aid packages, one-to-one support to vulnerable refugees, including women survivors of violence and children suffering emotional distress, as well as safe space for vulnerable women and children.

- Danish Refugee Council (<https://drc.ngo/where-we-work/europe-and-caucasus/greece>)

They launched their activities in Greece in November 2015, focusing on recruitment, procurement, and engagement with people of concern, Greek authorities, the UNHCR, volunteer groups and other NGOs. Humanitarian activities have mainly been implemented in the Moria hotspot in Lesbos, where DRC has supported the identification of, and assistance to vulnerable people, by providing them information, counselling and shelter management.

- Mercy Corps (<https://www.mercycorps.org/countries/greece>)

Among others, they have been helping refugee girls overcome extreme stress by offering safe spaces and community systems to protect refugee women and girls.

- Lighthouse Relief (<https://www.lighthouserelief.org>)

They have been present in Greece since the beginning of the ‘refugee crisis’. Among others, they are focused on providing safe spaces, such as the Female Friendly Space in Ritsona camp, in the department of Euboea.

4.1.4 National NGOs

- PRAKSIS (<https://www.praksis.gr/el>)

They offer a wide range of social services to socially excluded groups including migrants and refugees, who have no access to public health services, social and legal support. They have been very active during the ‘refugee crisis’ in several camps.

- Greek Council for Refugees (GCR) (<http://www.gcr.gr/index.php/en/>)

One of the oldest relevant NGOs, which provides mainly legal counselling to asylum seekers, but also advocacy for the rights of refugees and asylum seekers. They have also been providing support to survivors of gender-based violence in several camps, mainly by identifying and referring them to relevant institutions.

- ARSIS (<http://arsis.gr>)

Association for the Social Support of Youth, which specialises in providing social support, advocacy and protection of children and youth at risk of being subjected to violence or trafficking. They are implementing projects on the repatriation of unaccompanied children (with IOM) and they are running shelters for unaccompanied children including victims of trafficking.

- DIOTIMA-Centre for Research on Women's Issues (<http://www.diotima.org.gr>)

They have implemented projects for research on gender-based violence and trafficking and they have published guidelines on counselling victims of trafficking and survivors of gender-based violence. They have been active in providing counselling and support to refugees in camps and through the Counselling Centres of the GSGE.

- Solidarity Now (<http://www.solidaritynow.org>)

They provide a range of services, such as legal counselling, psychosocial support and shelter in several places around the country.

- A21 (<http://www.a21.org/index.php?site=true>)

It is a campaign against human trafficking, including both sexual exploitation and forced labour. The Greek department is in Thessaloniki and is operating a shelter for victims of trafficking and members of vulnerable groups.

- European Network of Women - Greek Network (<http://eurogender.eige.europa.eu/users/european-network-women-greek-network-ευρωπαϊκο-δικτυο-γυναικων-ελληνικο-τμημα>)

They were running a shelter and providing social and psychological support to women victims of trafficking and violence. They are no longer have the resources for the shelter and are mainly make referrals to other stakeholders and are engaged in advocacy actions.

12.4.2 Cooperation and communication among the actors involved

Coordination among different actors has always been a desideratum for a holistic approach, which seems to be the most effective way to deal with sensitive issues, such as gender-based violence. Cooperation between different stakeholders has been a common practice for years in order to provide services to vulnerable groups, such as asylum seekers, refugees and migrants. It is indicative that NGOs play a crucial role in referring persons to the National Centre for Social Solidarity. Almost 30% of persons who applied for shelter at the EKKA during 2015 were sent by NGOs. Significant is also the part of persons sent by Asylum and First Reception Services, as well as Police.

| Referral pathways to EKKA | | |
|----------------------------------|-------------|------------|
| Stakeholders | N | % |
| NGOs | 1193 | 29,19 |
| Asylum Service | 1019 | 24,93 |
| First Reception Service | 912 | 22,31 |
| Police | 882 | 21,58 |
| Public agencies | 33 | 0,81 |
| Other | 22 | 0,54 |
| Hospitals | 14 | 0,34 |
| Prosecutors | 12 | 0,29 |
| Total | 4087 | 100 |

Source: EKKA (2016): 8.

Similar is the current situation concerning referrals of refugee women to shelters. According to the DIOTIMA research (Liapi, Charidi and Tyrovolas 2016), there is a variety of actors who refer requests for shelter and protection to the existing shelters. Most of the referrals are made by the corresponding Counselling Centres, run by the General Secretariat for Gender Equality, while the UNHCR also plays a very significant role. Among the NGOs – international and local – those who send many cases to shelters are the MdM, Praksis, the Doctors Without Borders and the GCR.

Despite the rich rainbow of actors and cooperation among them, coordination remains an open question. In September 2016, the Alternate Minister for Migration Policy decided the establishment of a National Registry of Greek and Foreign Non-Governmental Organisations that are active in issues regarding international protection, migration and social integration.³⁴ Up to now 21 organisations have been registered, 20 Greek and one foreign NGO.³⁵ When and if the procedure is completed, there will be a comprehensive illustration of the involved NGOs, their staff and their scope of action.

However, it seems that coordination gaps remain and the Greek Government, the Ministry of Migration Policy in particular, should continue to strengthen coordination structures among government agencies, with local authorities and all humanitarian stakeholders to ensure a coherent and efficient response where gaps are addressed, overlaps avoided, and resources optimised. It must be noted, here that in the case of Greece since late 2015-early 2016, there is a *de facto* coexistence of two protection systems that deal with the issue of gender-based violence: the national one, foreseen by the national legal and policy framework and an international one, brought by international organisations which are active in the field. It is true that coordination between these two systems was not assured from the beginning and additional efforts should be made in order to assure harmonious and productive coexistence.

To this end, the UNHCR initiated from the beginning of 2016 coordination/working groups on gender-based violence in Athens, Thessaloniki, Lesbos and Ioannina with a strong participation of actors and in few cases representatives of the refugees even though not for GBV issues but protection ones. Despite the open character of these groups and the expressed interest from many sides, local NGOs and refugees meet strong difficulties to attend the meetings, while public agency representatives practically do not participate. UNHCR and the Inter-Agency Standing Committee rolled out the 2015 IASC Guidelines for Integrating Gender-based Violence Interventions in Humanitarian Settings in Athens, Lesbos and Thessaloniki. In the training, 400 members of staff participated from international organisations, NGOs and public authorities and the different sectors of education, health, protection and child protection, site management support and shelter. The training aimed to incorporate gender-based violence concepts throughout the daily work of the different sectors and to build the capacity of sector partners to identify and mitigate sector-specific gender-based violence risks. Nevertheless, in sites with large single male presence, such as the Moria hotspot on Lesbos and the Souda camp on Chios, sexual and gender-based violence risks continue to exist. On Lesbos, UNHCR provided trainings to various local actors, active in different sectors including education and health, on how to integrate SGBV guidelines in their everyday work. On Chios, UNHCR held a meeting with the women's committee of Souda site to raise their awareness on available options and services in case they experience violence.

Despite the efforts of the UNHCR for a central design and coordination and despite the large number of actors intervening in the field, one can observe the lack of services and actors in major parts of Greece – except from Attica region and Thessaloniki – and meanwhile significant overlaps of services and actors in the field of protection. A major challenge for the near future, i.e. when/if the humanitarian emergency comes to an end, is whether and who will undertake in a constant and systematic way the task of maintaining synergies and sustaining the existing network of collaborations among diverse actors that assure survivors or people at risk of experiencing gender-based violence for a descent and effective protection.

³⁴ Ministerial Decision 39487/16, 08/09/2016, available online at <https://mko.ypes.gr>

³⁵ https://mko.ypes.gr/home_in_mitroo_report

13. Gaps and shortcomings; good practices and further possibilities

From the above, one can conclude that migrant/refugee mobility and gender-based violence – particularly the intersection between the two – encompass several unresolved issues for the Greek state and Greek society at large. The first problem one encounters, particularly in the case of gender-based violence in general and among migrant/refugee population in particular, is the lack of reliable, comprehensive data. This hinders not only research and diachronic and synchronic assessment of the situation; it also, and more importantly, hinders policy design and projections of the effectiveness of specific policy measures, let alone the possibility of credible evaluations based on measurable outcomes.

In the field of migration and refugee policy, both at legal and at operational level, tools and mechanisms that provide a potentially effective framework have been established throughout the years. Problems persist, especially regarding administrative efficiency to handle the volume of applications, but the situation seems to be under control. In addition, the Ministry for Migration Policy and the Hellenic Asylum Service, along with the UNHCR can provide a relatively reliable quantitative outline of the situation concerning both migrants, i.e. residence permits, and asylum seekers/refugees, i.e. arrivals, applications and decisions.

In the field of gender-based violence, however, there are still gaps that lead, on the one hand, to impressionistic assessments due to lack of solid and reliable date and, on the other hand, to partial and fragmentary policy responses. Despite legal developments in the field of human trafficking, gender-based violence remains under the definition and scope of domestic violence, as it is described in the Law 3500/2006. This narrow definition neglects other forms of gender-based violence, , such as forced and early marriage, female genital mutilation, survival prostitution, transactional sex, which remain uncovered at the legal and policy level. The need for an update of the legal framework has been acknowledged by the State; to this purpose, a “Special Committee for the elaboration of a bill on combating violence against women” was established in 2010 and delivered its conclusions, including a bill proposal in 2012. Nevertheless, there has been no new law until today and coordinating bodies foreseen by the bill proposal still lack: for example, the National Coordinating Body for the implementation and evaluation of measures and policies to prevent and combat violence against women³⁶ has never been established; neither the Regional Committees for the prevention and combating violence against women.

Therefore, an institutionalised, stable and solid referral mechanism, specialised in gender-based violence is still missing. This gap is filled by the General Secretariat for Gender Equality, and more specifically the Counselling Centres and the shelters throughout the country. In general, cooperation between relevant stakeholders, public and non-governmental, exists and passes through the infrastructure run by the GSGE and the National Centre for Social Solidarity. Nevertheless, particularly in emergency situations such as the dramatic increase of arrivals in 2015-2016 existing infrastructure was not sufficient to handle all cases in need. Moreover, there is no central coordinating or monitoring body, as it happens in the case for trafficking in human beings. More

³⁶ Article 1 of the bill proposal (Special Committee for the elaboration of a bill on combating violence against women 2102: 64-64). This body would design policy on any form of violence against women; it would monitor the situation in Greece and international developments regarding the issue of gender-based violence; it would coordinate data collection, data analysis and dissemination of relevant results; it would promote scientific research on the subject; it would provide relevant information to the broader public and to relevant stakeholders; it would monitor the implementation and compliance with relevant legislation; and it would coordinate the actions of the Regional Committees for the prevention and combating violence against women.

precisely, in 2009, a National Coordinating Mechanism was established in the Ministry of Foreign Affairs to coordinate all the governmental and non-governmental agencies participating in the efforts to combat trafficking. In cooperation with the International Organisation for Migration, co-competent Ministries, NGOs, the Foreign Ministry's Special Secretariat for the Development of International Programmes and the General Secretariat for Gender Equality, the NCM has been participating in a number of tenders within the framework of "Administrative Reform", "Digital Convergence", "Competitiveness" and "Gender Equality" being funded by the National Strategic Reference Framework (NSRF) for 2007-1013. Moreover, on 15 November 2013, Greece appointed a national rapporteur at the Ministry of Foreign Affairs, as provided by the article 6 of Law 4198/2013, in order to collaborate with the EU Coordination and Action Office and the Head of the Anti-Trafficking Unit of the Ministry. The national rapporteur, among others, is expected to assist with the completion of relevant databases, promote relevant campaigns and training and contribute to the creation of a national referral system for the victims of trafficking. Moreover, with the Ministerial Decision 30840 (ΦΕΚ 3003/2016), published in September 2016, the National Referral Mechanism was officially established under the supervision of the National Rapporteur and the operational competence of the National Centre for Social Solidarity.

Another point where more things could be done, is the readiness of local authorities to deal effectively with issues of gender-based violence. The Law 3852/2010, known as "Programme Kallikratis",³⁷ which led to a general restructuring of local governance, provided for the establishment of Gender Equality Committees in each regional authority and municipality. In most cases, Regional Gender Equality Committees were established in 2015-2016, while there is no clear information on how many municipal committees have been created throughout the country. However, there is revealing data regarding the European Charter for Gender Equality in Local Life, drafted by the Council of European Municipalities and Regions (CEMR) based on the EC-funded transnational project "The town for Equality",³⁸ in order to serve as a tool for mainstreaming gender dimension in all local policies. The Guide for the implementation of the Charter was drafted by the General Secretariat for Gender Equality in October 2011, in order to assist municipalities in designing and implementing local Action Plans for the incorporation of gender equality in their policies, as provided by the *National Programme for the Substantive Gender Equality 2010-2013*. However, from November 2011 until today, only 207 of 325 municipalities have signed the European Charter for Gender Equality in Local Life.³⁹

Coming specifically to refugees, there are several barriers that hinder their access to social services. Difficulties have been reported regarding access to public health services. Meanwhile, in several cases NGOs which were active in camps and other temporary facilities were lacking female medical staff discouraging women in need from having access to necessary health care. An additional barrier is that of language, enhanced by the lack of interpreters in public hospitals. The latter, i.e. language barriers, adds difficulties as far as legal counselling and access to information are concerned. It is observed, in general, that women are somehow 'invisible' in the public spaces of the camps. These are the main places where information is exchanged among co-ethnics and others, and they are male-dominated. Even in cases of violence, women are not eager to make it public or speak to anyone. As a volunteer working with the 'invisible women', as they were calling their group, at the open facility of Ellinikon in metropolitan Athens, which was closed down on 2 June 2017, reported:

³⁷ Law 3852/2010 "New Architecture of Local and Decentralised Administration", ΦΕΚ 87/A'/07.06.2010.

³⁸ For more see, http://www.ccre.org/img/uploads/piecesjointe/filename/town_for_equality_2005_en.pdf

³⁹ General Secretariat for Gender Equality, *Press Release: Municipalities of Zakynthos and Kefalonia sign the European Charter for Gender Equality*, 27/06/2017.

Women were not talking, but you could see them. You could see the scars. Once, I remember, I got off the bus and I saw a girl all alone crying. I sat beside her for a while and I told her to go to the office but she didn't want. But there were cases where if the woman talked they were separating her from her husband. They took them and they sent them to other structures. And the husband didn't know where she was. Now, what I'm going to tell you, I cannot be 100% sure if it is true, other people told me. I was told that there was a guy who was giving his daughters for paid sex. Certainly, from time to time we have read that different things happen during the night at Elliniko. On the other hand, we were seeing fathers being very tender with their kids who were babies. I was impressed that they were keeping the kids and they were letting the girls [the mothers] to go out and take off the scurf outside the camp. (...) In general, there was not an extreme case of which we became aware, no. we might see, however, a girl with a black eye and we could tell what had happened. But she would never talk to us. This frightened them. They were scared.⁴⁰

An additional issue that requires further attention is that of LGBTQI refugees, who are exposed to increasing risks of sexual and gender-based violence. The UNHCR has reported such incidents, e.g. in Leros between the refugee and the local population, including a physical assault of an LGBTQI asylum-seeker. This incident among others highlights the need for expedited processing of registration, identification and asylum processing of LGBTQI people, and their prompt transfer to a safe place in the mainland where they cannot be easily traced and identified. In these cases, risks are multiplied by the fact that these people are severely discriminated also inside their ethnic communities. As members of a LGBTQI+ assembly in Athens were reporting:

Because LGTB communities I think it is quite special because they are considered a sub-group because of their sexuality. So, working or volunteering in LGTB group is...You are facing a lot of things, probably more than in other groups. For example, we went in the demonstration the other day and we went there all together, and we were kind of guards because a lot of people were kind of mistreating them, insulting them and everything.

Q: People from the march?

A2: Yeah,

Q: Other refugees or?

A1: Other refugees.

Q: So, they have problem inside the community also.

A2: Yes, inside the community. Actually, for example there are many cases ... for example there is one guy, he has been moving with his family from different refugee camps and he has been abused and beaten so many times that he decided to be in a hunger strike because...

Q: It is on an island?

A2: Not anymore. He is here. But like him there are hundreds of cases. For example, this one case, one homosexual that has been moving to different camps until I can't stand this anymore and he asked international organization to move him to Athens. For example, with transsexual is different because the organizations as soon as they see a transsexual they take this person and they move him because he can even be killed. So yeah being LGTB...

Q: They are more easily classified as vulnerable.

⁴⁰ Interview taken in May 2017.

*A2: Yeah, therefore when they are moved to Athens they are put in a specific shelter, yeah. If they are not in shelter, in squat houses they have their own houses. Because after the years, they have recognized that they cannot live with other people because they are very discriminated.*⁴¹

Despite the problems and the gaps reported by actors in the field, it is admitted that a certain progress has been achieved during the last months, especially as far as acceleration in registering asylum claims is concerned. However, gaps remain and a comprehensive plan is still needed for the strengthening of the institutions allowing for the rapid full registration and processing of asylum claims in accordance with the requirements of the Asylum Procedures Directive (APD) and Greek law.

In the field we are examining, efforts have been made towards the enhancement of collaboration between actors. More precisely, the GSGE signed a MoU with the UNHCR on 14 June 2017 in order to strengthen the collaboration between the two agencies in “adopting common actions for the protection and temporary shelter, as well as providing information and support to women refugees and their children who are in danger or are victims of violence or multiple discriminations”.⁴²

It is important to note, however, that despite the lack of a centralised and institutionalised referral mechanism, there has been a well-established informal network, based on *ad hoc*, everyday synergies between public agencies, including the Police and Justice, and NGOs, which has proven to be relatively effective in dealing with survivors or persons at risk of gender-based violence. The Counselling Centres operated by the GSGE throughout the country are very often the first formal point of contact for survivors of gender-based violence. Apart from shelters and other institutions within the public system of protection to which cases are referred by the Counselling Centres, there is collaboration on a case-by-case basis with NGOs and other stakeholders that might be in position to provide specific services until public institutions are able to respond – or in case the latter cannot respond.

Another factor/type of stakeholder that sometimes substitute for protection and some services that are offered within formal pathways, is that of migrant/refugee and women’s associations that are active on gender issues. There have been cases of trafficking or gender-based violence, where survivors reached communities, more precisely migrant women’s organisations, such as the United African Women Organisation, or organisations with strong presence of women, such as KASAPI-Union of Filipino Migrant Workers in Greece. Using their networks, they have been supporting women with similar background who have been subjected to exploitation and violence, either inside households where they were working as domestic workers or in situations of trafficking for sexual exploitation. There are cases, where with the help of activist and advocacy groups, women have managed to escape conditions of captivity and to be transferred to shelters or other structures.

In a similar vein, large numbers of volunteers have been present in the field, especially since 2015 offering a range of services, some of them specialised for/to women refugees. What is extremely interesting is the fact that a wide range of actors, from state and supranational agencies representatives to international and local non-governmental actors along with individual volunteers, local and international, have been coexisting and interacting for specific moments in specific spaces where the refugee drama has occurred. From the northern coasts of Lesbos to the port of Piraeus

⁴¹ Focus group held in Athens, in July 2017.

⁴² General Secretariat for Gender Equality, *Press Release: A Memorandum of Cooperation was signed between the General Secretariat for Gender Equality and the United Nations High Commission for the Refugees*, 19/06/2017.

and the camps at Eidomeni, a bunch of people who might never have imagined coexisting and working together under any circumstances constituted a heterogeneous and heterodox continuum.

Much of the assistance during the emergency period and afterwards has been in fact provided by volunteers and by NGOs, which were operating under three main funding schemes: the Asylum, Migration and Integration Fund (AMIF), the Internal Security Fund (ISF) and the Emergency Support Instrument (ESI). The Emergency Support Instrument, in particular, was set up by the European Commission, Directorate General Humanitarian Aid and Civil Protection (DG ECHO) on 16 March 2016, in order to “address the humanitarian needs in Greece”. The DG ECHO funding has been distributed among eight ‘EU humanitarian aid partners’ who have already signed a Framework Partnership Agreement with the EC,⁴³ and actions were implemented either directly by those partners or through local NGOs/subcontractors.

Most of the funding and the work provided in this framework is described by the European Commission as “a faster, more targeted way to respond to major crises, including helping Member States cope with large numbers of refugees, with humanitarian funding channelled to UN agencies, non-governmental organisations and international organisations in close coordination and consultation with Member States”.⁴⁴ It is true that budgetary limitations have been present within the whole range of initiatives that Greek authorities had to undertake from the beginning of the ‘refugee crisis’. Recruitment of personnel in order to meet the increasing needs in several services, e.g. the Asylum Service and its local branches, the hotspots etc., creation and maintenance of infrastructure around the country in order to host refugees, as well as material support and assistance, all bear a financial cost unbearable for the government budget. In the case of support to survivors of gender-based violence, financial difficulties and lack of infrastructure goes even before the economic crisis; it is one of the basic problems for an effective implementation, let alone enhancement, of existing policies.

Nevertheless, some steps towards a more comprehensive response to the challenges that rise could be taken, without significant financial cost. These could cover several areas of intervention, including better coordination among stakeholders, training of personnel, targeted interventions in shelters and other facilities, and involvement of refugee and migrant communities. More precisely, the Standard Operating Procedures that have already been drafted under the coordination of the UNHCR and the collaboration of several key stakeholders could be completed and disseminated to all relevant stakeholders, establishing also procedures of control by relevant authorities. More effective coordination between IOs, NGOs and authorities could also be achieved through the enhancement and update of existing referral pathways, including all structures throughout the country. Moreover, the existing counselling centres should be enhanced in both directions: by establishing regular information visits of experts and frontline officers and by outreach of the centres to hosting facilities and local societies at large. Finally, a centralised design and monitoring of ongoing and future projects is necessary in order to avoid frequent overlaps of services in specific areas, while in other there are no services at all. Complementary to this, is the necessity of an effective gender

⁴³ These are the following: UNHCR, International Federation of the Red Cross, International Rescue Committee, Danish Refugee Council, Save the Children, Médecins du Monde, OXFAM, Arbeiter-Samariter-Bund.

⁴⁴ European Commission, “Managing the Refugee Crisis. EU Financial Support to Greece”, 26 January 2017, available online at https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/20170126_factsheet_managing_refugee_crisis_eu_financial_support_greece_-_update_en.pdf

mainstreaming in all projects addressed to migrants and refugees, with specific focus on the risk of gender-based violence.

As for the personnel involved in services provided to migrants and refugees in general and to survivors of gender-based violence in particular, women cultural mediators could play a significant role in areas of interest, such as shelters, hospitals, counselling centres etc. Apart from translation services, they could also provide the personnel with competences linked to communication, cultural understanding and trust, all necessary for a more efficient case management. Another element that could help is the assurance of women's participation in public services addressed to migrant and refugee women, particularly to survivors of gender-based violence. Without neglecting, of course, the need for further training of the relevant personnel on issues of identification and case management, whether they work in public authorities and services, in shelters, in camps or in other areas of interest. Extremely helpful would be the establishment of specialised gender-based-violence focal points in selected police stations, which survivors but also NGOs could reach in order to get protection and assistance.

Finally, no intervention can be efficient without the involvement of the communities concerned. The systematic involvement of migrant and refugee communities in the protection and prevention of gender-based violence among their members can be encouraged and enhanced through support groups and focus groups operated by members of NGOs who work in the field. Continuous contact and networking is also necessary in order to establish effective feedback mechanisms, which can be useful for both communities and relevant stakeholders. Equally important is the empowerment of women and the promotion of their participation in decision-making within the communities.

To sum up, the passage from the state of emergency that the dramatic increase of arrivals in 2015 had created to the state of relative stabilisation to which small numbers of arrivals and slow but steady progress of the relocation programme have established since March 2016 leads to an inescapable question: what will happen when emergency funding stops and international stakeholders who are now present and provide local stakeholders with their resources and their know-how leave the country? Even if in the field of gender-based violence, their scope of action is limited, i.e. to identification of potential victims and communication with competent institutions, they have been operating as first point in referral pathways and they have certainly contributed to the establishment of Standard Operation Procedures. The beginning of the maturity period regarding the management of the refugee issue for the Greek state involves, on the one hand, more experience and know-how acquired in much more difficult circumstance; on the other hand, it involves the lack or the significant decrease of actors who could provide additional experience and know-how. The outcome of this development remains an open question which will be answered in the (not-so-far) future.

14. References

- Barou, J. (2001) *Europe, terre d'immigration. Flux migratoires et intégration*, Grenoble: Presses Universitaires de Grenoble.
- Bellas, Ch. F. (ed.) (2012), *Domestic work and social integration of migrant women in Greece of economic crisis* [Οικιακή εργασία και κοινωνική ένταξη μεταναστριών στην Ελλάδα της οικονομικής κρίσης], Athens: University of the Aegean Press.
- Cavounidis, J. (2002) *Migrants' characteristics: the Greek regularization programme of 1998* [Χαρακτηριστικά μεταναστών: το Ελληνικό πρόγραμμα νομιμοποίησης του 1998], Athens-Thessaloniki: Sakkoulas (National Institute of Employment).
- EKKA (2016) *2015 Annual Review of the Department for the management of demands for shelter of asylum seekers and unaccompanied minors*, Athens: National Centre for Social Solidarity.
- General Secretariat for Gender Equality (GSGE) (2009) *National Action Programme for Substantive Gender Equality 2010-2013*, available online at http://www.isotita.gr/wp-content/uploads/2017/04/municipalities_regions_oct-2011.pdf
- Kambouri, H. and Hatzopoulos, P. (2006) *Policy Analysis Report (WP 3): Greece*, Athens: Centre for Gender Studies – Panteion University of Social and Political Sciences, Project Ge.M.IC. (Gender, Migration and intercultural Interaction in South-East Europe), 7th Framework Programme, available online at <http://www.gemic.eu/wp-content/uploads/2009/04/wp3-greece.pdf>
- Kambouri, E. (2007) *Gender and Migration. Volume II: Everyday life of migrant women from Albania and Ukraine* [Φύλο και Μετανάστευση, τόμος 2: Η καθημερινή ζωή των μεταναστριών από την Αλβανία και την Ουκρανία], Athens: Centre for Social Morphology and Social Policy (KEKMOkop), Department of Social Policy of Panteion University of Social and Political Sciences – Gutenberg.
- Kathimerini (2013) “Increase of sexual violence, decrease of sexual intercourses”, 22/05/2013, available online at <http://www.kathimerini.gr/39997/article/epikairothta/ellada/ay3hsh-ths-se3oyalikhs-vias-meiwsh-s-e3oyalikwn-epafwn>
- Lambrianidis, L. (2011) *Investing in flight: brain drain from Greece in the globalisation era* [Επενδύοντας στη φυγή: η διαρροή επιστημόνων από την Ελλάδα την εποχή της παγκοσμιοποίησης], Athens: Kritiki.
- Lazaretou, S. (2016) “Human capital flight: the contemporary emigration tendency of Greeks during the crisis” [«Φυγή ανθρώπινου κεφαλαίου: η σύγχρονη τάση μετανάστευσης των Ελλήνων στα χρόνια της κρίσης»], *Economiko Deltio*, Bank of Greece, 43, July 2016, 33-57.
- Lazaridis, G. (2000) “Filipino and Albanian Women Migrant Workers in Greece: Multiple Layers of Oppression”, in A. Floya and G. Lazaridis (eds.), *Gender and Migration in Southern Europe: Women on the Move*, Oxford: Berg, 49-79.
- Liapi, M., Charidi, E. and Tyrovolas, Th. (2016) *Needs assessment study on refugee women who stay in structures of temporary residence* [Μελέτη ανίχνευσης αναγκών γυναικών προσφύγων που διαμένουν σε δομές προσωρινής φιλοξενίας], Athens: Centre for Research on Women's Issues DIOTIMA.
- Papataxiarchis, E., Topali, P., Athanassopoulou, A. (2009) *Worlds of domestic work. Gender, migration and cultural transformations in early-21st century Athens* [Κόσμοι της οικιακής εργασίας].

Φύλο, μετανάστευση και πολιτισμικοί μετασχηματισμοί στην Αθήνα του πρώιμου 21ου αιώνα], Athens: Alexandria.

Parsanoglou, D. (2009), *Grèce, pays d'immigration : perspectives historiques et sociologiques*, (Thèse de doctorat en sociologie à l'Ecole des Hautes Etudes en Sciences Sociales-Paris), Lille : Atelier national de reproduction des thèses.

Parsanoglou, D. and Tsiamoglou, J. (2008) "National Report: The Case of Greece", in Mediterranean Institute of Gender Studies (MIGS) – University of Nicosia, *Integration of Female Migrant Domestic Workers: Strategies for Employment and Civic Participation*, Nicosia: University of Nicosia Press, 91-106.

Psimmenos, I. and Skamnakis Ch. (2008) *Domestic Work of Migrant Women and Social Protection. The case of women from Albania and Ukraine* [Οικιακή εργασία των μεταναστριών και κοινωνική προστασία. Η περίπτωση των γυναικών από την Αλβανία και την Ουκρανία], Athens: Papazissis.

Special Committee for the elaboration of a bill on combating violence against women (2012) *Report of the Project Management Team for the completion of the elaboration of a bill on combating violence against women* [Πόρισμα της Ομάδας Διοίκησης Έργου με σκοπό την ολοκλήρωση της επεξεργασίας σχεδίου νόμου για την αντιμετώπιση της βίας κατά των γυναικών], Decision of the Minister of Interior No ΔΙΔΚ/3435 – ΦΕΚ 253 ΥΟΔΔ/08-08-2011), available online at http://www.isotita.gr/wp-content/uploads/2017/04/PORISMA_ODE_BIAS.pdf

Spyropoulou, G. and Christopoulos, D. (2016) *Refugee issue: "Will we make it?" An assessment of management and recommendations* [Προσφυγικό: Θα τα καταφέρουμε; Ένας απολογισμός διαχείρισης και προτάσεις διεξόδου], Athens: Papazisis.

Stanton, N. (ed.) (2017) *Hidden Struggles: Filling Information Gaps Regarding Adversities Faced by Refugee Women in Europe*, Refugee Rights Data Project, In partnership with Immigrant Council of Ireland and Denise Charlton & Associates, available online at http://refugeerights.org.uk/wp-content/uploads/2017/03/RRDP_HiddenStruggles.pdf

Tastsoglou, E. and Maratou-Alipranti, L. (eds) (2003) "Special Issue Gender and International Migration: Focus on Greece", *The Greek review of social research*, 110.

Tsianos, V., Kuster B. et al. (2012) *Thematic Report "Border Crossings"*, MIG@NET, Transnational digital networks, migration and gender, Deliverable 6, available online at http://www.mignetproject.eu/wp-content/uploads/2012/10/MINET_Deliverable_6_Thematic_report_Border_crossings.pdf

UNHCR, UNFPA and WRC (2016) *Initial Assessment Report: Protection Risks for Women and Girls in the European Refugee and Migrant Crisis Greece and the former Yugoslav Republic of Macedonia*, United Nations Refugee Agency, United Nations Population Fund and Women's Refugee Commission, available online at <http://www.unhcr.org/569f8f419.pdf>

US Department of State (2017) *Trafficking in Persons Report 2017*, available online at <https://www.state.gov/j/tip/rls/tiprpt/2017/index.htm>

Vaiou, D. and Stratigaki, M. (eds.) (2009) *The gender of migration* [Το φύλο της μετανάστευσης], Athens: Metechmio.