



## **The Legal Dimension of Terrorism in Human Trafficking – The Cases of Italy and Greece**

**Dr. Fotios Fitsilis**

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### **Abstract**

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As illegal migration towards EU Member States does not show much sign of abating any time soon, countries at the EU border attempt to apply their legal tools and their administrative capacity, as well as calling on more assistance from other EU Member States, to effectively tackle the developing challenges relating to increased migration flows. With Italy and Greece as case studies, this paper focuses on national and international legal instruments to counter human trafficking. Pertinent case-law of the European Court of Human Rights is used to highlight the ‘European’ perspective. In particular, possible links to terrorism are investigated. However, a significant direct link between terrorism and human trafficking still awaits evidential proof.

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## Analysis

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### 1. Introduction and Definitions

The reflexes of the national, European and international administration systems are being put to the test while tackling the challenge of combating terrorism. Trafficking and smuggling<sup>1</sup> form channels through which terrorists may reach western countries. The link between terrorism and trafficking has been the focus of several studies and reports<sup>2</sup>, but quantitative data at the national level is difficult to acquire, mainly due to the classified character of such information. Human trafficking is utilized by terrorists, as it is by more traditional organised crime gangs. For instance, the income generated by human trafficking related crimes may be used by terrorist groups to finance their operations. In relation to terrorism, one must clearly differentiate between the notion of human trafficking, which contains the parameter of exploitation<sup>3</sup>, and illegal or 'irregular' migration<sup>4</sup>, where terrorists make use of common migration routes to infiltrate western target countries. Yet, there is still no publicly available evidence that victims of human trafficking have been radicalized en route to western destinations or that they have been conditioned to take part in terrorist operations.

To explore the issue and challenges, one should first screen the international legal framework. Thereafter, the current situation of anti-trafficking policy in two Member States of the European Union (EU), Greece and Italy, shall be discussed. Both countries, due to their geographic location in the south-eastern and southern borders of Europe, respectively, and the on-going migration crisis have experienced a significant increase in mixed-migrant influx, particularly after 2015. This paper attempts therefore a comparison of the relevant international and national legal provisions that bind both EU Member States and presents a series of conclusions.

### 2. International Legal Framework

Some of the relevant international obligations of States have been brought forward under the umbrella of the UN. In 2006, the General Assembly of the UN adopted the Global Counter-Terrorism Strategy<sup>5</sup>. With regards to the guidelines of conduct towards transit countries, the Security Council (SC) issued the follow-up Resolution 2178 (2014), which requires that countries should ensure not to allow their territories to become a transit

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<sup>1</sup> A distinction needs to be made between the terms 'human trafficking' and 'people smuggling'. See Europol, Trafficking in Human Beings, <http://www.europol.europa.eu/crime-areas-and-trends/crime-areas/trafficking-in-human-beings>, accessed on 29 September 2018.

<sup>2</sup> See Rotella, S. (2016) How Europe Left Itself Open to Terrorism, Frontline, <https://www.pbs.org/wgbh/frontline/article/how-europe-left-itself-open-to-terrorism/>, accessed on 16 August 2018; Funk M. and Parkes, R. (2016) Refugees versus terrorists, European Union Institute for Security Studies, <http://www.europarl.europa.eu/greece/resource/static/files/refugees-versus-terrorists.pdf>, accessed on 16 August 2018; Gonzalez, E. (2013) The Nexus between Human Trafficking and Terrorism/Organized Crime: Combating Human Trafficking By Creating a Cooperative Law Enforcement System, Law School Student Scholarship, Paper 227, [http://scholarship.shu.edu/student\\_scholarship/227](http://scholarship.shu.edu/student_scholarship/227), accessed on 16 August 2018.

<sup>3</sup> Human trafficking is defined in Art. 3, § (a) of the United Nations (UN) Protocol to Prevent, Suppress and Punish Trafficking in Persons. It was adopted by General Assembly resolution 55/25 of 15 November 2000 as part of the UN Convention against Transnational Organized Crime, [https://www.unodc.org/pdf/crime/a\\_res\\_55/res5525e.pdf](https://www.unodc.org/pdf/crime/a_res_55/res5525e.pdf), accessed on 20 September 2018.

<sup>4</sup> There is a difference in international law between the terms 'refugee', 'migrant' or 'asylum seeker' and all three groups may be present in illegal border crossings into Italy or Greece. See Edwards, A. (2015) UNHCR viewpoint: 'Refugee' or 'migrant' – Which is right?, UNHCR, <http://www.unhcr.org/news/latest/2016/7/55df0e556/unhcr-viewpoint-refugee-migrant-right.html>, accessed on 20 September 2018; For ease of reference, the terms 'migrant' or 'mixed-migrant' is used in this paper; On further explanation of key migration terms, see International Organization for Migration, <https://www.iom.int/key-migration-terms>, accessed on 20 September 2018.

<sup>5</sup> More details on the four pillars of UNs Global Counter-Terrorism Strategy (A/RES/60/288) may be found here: <https://www.un.org/counterterrorism/ctitf/en/united-nations-general-assembly-adopts-global-counter-terrorism-strategy>, accessed on 9 August 2018.



route for foreign fighters or terrorists of different nationalities. The issue was again tackled by a SC Resolution S/RES/2331(2016). §16 of this Resolution requests that information is included in country assessments regarding Member States' efforts to address the issue of possible links between human trafficking and terrorism<sup>6</sup>. Moreover, §9 of Resolution 2388 (2017) encourages States to 'increase efforts to collect, analyse and share, through appropriate channels and arrangements and consistent with international and domestic law, data relating to financial flows associated with human trafficking (...)'.<sup>7</sup>

Within the European context, the Council of Europe (CoE) held, in Warsaw in 2005, a convention on the prevention of terrorism. As an outcome to this convention<sup>7</sup>, the Member States agreed to:

- a. exchange information;
- b. improve the physical protection of persons and facilities and;
- c. enhance training and coordination plans for civil emergencies.

The issues of public provocation to commit a terrorist offence<sup>8</sup>, recruitment for terrorism and training for terrorism<sup>9</sup> are also addressed by this Treaty. Furthermore, Art. 12 requires that the establishment, implementation, application and criminalisation of terrorist actions as described in Art. 5, 7 and 9 are carried out while respecting human rights obligations; in particular, the right to freedom of expression, freedom of association and freedom of religion. In 2015, through Treaties Series no. 217, an additional Protocol was included. The issues of participation in associations or groups, travelling abroad, funding travelling abroad and organizing or otherwise facilitating travelling abroad, all for the purpose of terrorism, are tackled therein.

Moreover, since trafficking may take several forms, the Istanbul convention attempts to upgrade national protection of adults of children that are lured or forced into marriage in a foreign country<sup>10</sup>. In addition, the EU Counter Terrorism Strategy was introduced in 2005<sup>11</sup>. A roadmap was developed to satisfy seven strategic objectives<sup>12</sup>:

- a. international cooperation;
- b. terrorist financing;
- c. the detection, investigation, prosecution and prevention of terrorist attacks;
- d. transport security and border control;
- e. adequate response capacity after a terrorist attack;
- f. support for and recruitment into terrorism and;

<sup>6</sup> The relevant provision is to be found in §16 of Resolution S/RES/2331(2016), [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2331\(2016\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2331(2016)), accessed on 16 August 2018.

<sup>7</sup> See CoE Convention on the Prevention of Terrorism, Treaties Series no. 196, Warsaw 16 May 2005, <https://rm.coe.int/168008371c>, accessed on 9 August 2018.

<sup>8</sup> Ibid., Art. 5.

<sup>9</sup> Ibid., Articles 6 and 7, respectively.

<sup>10</sup> See Art. 37, CoE Convention on preventing and combating violence against women and domestic violence, signed in Istanbul on 11 May 2011.

<sup>11</sup> Council of the European Union (2005) The European Union Counter - Terrorism Strategy, 14469/4/05 Rev 4, 30 November 2005, <http://ccpic.mai.gov.ro/docs/The%20European%20Union%20Counter-Terrorism%20Strategy%20st14469-re04.en05.pdf>, accessed on 16 August 2018; Significant input towards a unified EU Counter Terrorism Strategy has been provided by the European Commission's (EC) first Inter-Service (working) Group on Counter-Terrorism, EC HQ, Brussels, 2003-2005.

<sup>12</sup> Council of the European Union, EU Plan of Action on Combating Terrorism, 10586/04, 15 June 2004, p. 5, <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2010586%202004%20INIT>, accessed on 9 August 2018.



- g. focus on priority Third Countries in terms of external action (in relation to development assistance with regards to specific technical assistance).

In fact, the United Kingdom (UK) model strongly influenced the Union's strategy<sup>13</sup>, which in the end consisted of the four pillars: prevent, protect, pursue, and respond<sup>14</sup>. Questions have been raised regarding the coherence of this Strategy and its added value towards the effectiveness of counter-terrorism Community policy. Despite the fact that EU has introduced 88 legislative initiatives on the matter since 2001, too many actors are currently involved in design and implementation of counter-terrorism policy, while the issue of overlapping competences and the necessary balance between the newly created position of the Commissioner for Security Union, vis-a-vis the EU Counter-Terrorism Coordinator, is further complicating things<sup>15</sup>. Most recently, the Agreement between EU and Turkey on the readmission of persons residing without authorisation<sup>16</sup>, signed on March 2016, is a significant part of EU's legal toolbox in combating human trafficking and its side effects regarding terrorism.

### 3. Greek Legal Framework

Greek legislation on anti-trafficking includes a series of laws that have introduced ratified international obligations into the national legal order. These include:

- law 3875/2010: Convention Against Transnational Organized Crime, opened for signature in Palermo Italy on 12-15 December 2000 and its three Protocols;
- law 4216/2013: CoE Convention on Action Against Trafficking in Human Beings, signed in Warsaw on 16 May 2005;
- law 4198/2013: Directive 2011/36/EU of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims and;
- law 4531/2018: CoE Convention on preventing and combating violence against women and domestic violence, signed in Istanbul on 11 May 2011<sup>17</sup>.

Moreover, a parliamentary committee against human trafficking was established in June 2016. It takes the form of a sub-committee under the Special Permanent Committee for Equality, Youth and Human Rights Issues. It currently evaluates the zero draft of a national action plan (2018-2023) against human trafficking<sup>18</sup>.

Although the above legislative line-up seems competent on paper, according to U.S. Department of State, the Hellenic Republic is not fulfilling the required best-practices towards eliminating trafficking, in terms of implementation. Nevertheless, the Greek government has recently taken action and made several

<sup>13</sup> At the time, UK was holding the presidency of the European Council.

<sup>14</sup> The European Union's Policies on Counter-Terrorism. Relevance, Coherence and Effectiveness, Study for the LIBE Committee, 2017, p. 43.

<sup>15</sup> Ibid., p. 45.

<sup>16</sup> See Agreement between the European Union and the Republic of Turkey on the readmission of persons residing without authorization, Official Journal of the European Union, L 134/3, [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:22014A0507\(01\)&from=en](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:22014A0507(01)&from=en), accessed on 16 August 2018.

<sup>17</sup> Amended the Penal Code to include trafficking with the aim of forced marriage among the forms of human slavery.

<sup>18</sup> The relevant discourse within the mentioned sub-committee may be followed here (in Greek): [https://www.hellenicparliament.gr/Koinovouleftikes-Epitropes/Synedriaseis?met\\_id=fddec31-c9a3-4e4a-956e-a90a00a4e3e5](https://www.hellenicparliament.gr/Koinovouleftikes-Epitropes/Synedriaseis?met_id=fddec31-c9a3-4e4a-956e-a90a00a4e3e5), accessed on 29 September 2018.



improvements<sup>19</sup>. Particularly, the need to operationalise a National Referral Mechanism (NRM)<sup>20</sup> and to organize working groups to establish roles and responsibilities for relevant actors has been addressed. The Office of the National Rapporteur on Human Trafficking<sup>21</sup> is the coordinator of the national anti-trafficking attempts. The priorities of the Office are<sup>22</sup>:

- a. stepping up the prevention;
- b. identifying, protecting and assisting victims;
- c. increased prosecution of traffickers;
- d. enhanced coordination and cooperation among key actors and;
- e. increased knowledge of and effective response to all forms of trafficking in human beings.

The Hellenic Police established in 2002 an Anti-Trafficking Unit (ATU) within its organized crime division which is currently composed of two major units, in Athens and in Thessaloniki respectively. Twelve additional smaller units, distributed across the country, are investigating trafficking and organized crime related offenses. Such units are also called Task Forces Against Trafficking in Human Beings or THB task forces. Excellent cooperation with the ATU is reported by Non-governmental organizations (NGOs) and numerous awareness-raising campaigns (mainly conducted by NGOs) have taken place on a local or national level<sup>23</sup>. Training on anti-trafficking matters was given to front-line officers, such as border police and the coast guard and relevant seminars and presentations are given at the police academy on a regular basis.

The work of the THB task forces is based on large scale national and cross-border operations that commenced in 2006 with the ILAEIRA project under the auspices of the former Ministry of Public Order (now Ministry of Citizen's Protection)<sup>24</sup>. As main problematic areas of anti-trafficking policy in Greece remain the inadequate or hasty screening procedures (initially due to the high volume of cases and initial lack of support from EU partner countries), the vulnerability assessments at migrant entry points and camps and the prolonged judicial procedures. In relation to terrorism, one needs to take into account that only in 2016, 15 suspected jihadists were arrested while transiting through Greece<sup>25</sup>. Furthermore, the fact that terrorists who participated in major attacks in Paris and Brussels transited through a Greek island<sup>26</sup>, also explains the European-wide significance for tackling illegal immigration at the Greek borders in a more efficient manner.

From January 2015 to September 2017, approximately 70% of all mixed-migrants (over 1.5m) into the European Union transited through Greece<sup>27</sup>. Certainly, strengthened border controls and an improved system of integrated border management (IBM), also with the support of the European Border and Coast-Guard

<sup>19</sup> US Department of State, Office to monitor and combat trafficking in persons, 2017 Report, Greece, <https://www.state.gov/j/tip/rls/tiprpt/countries/2017/271195.htm>, accessed on 9 August 2018.

<sup>20</sup> The NRM is a framework for identifying, referring and supporting potential victims of human trafficking.

<sup>21</sup> The Greek Office of the National Rapporteur on Human Trafficking, [https://ec.europa.eu/anti-trafficking/national-rapporteurs/greece\\_en](https://ec.europa.eu/anti-trafficking/national-rapporteurs/greece_en).

<sup>22</sup> Implementation of anti-trafficking policy in Greece, European Commission, [https://ec.europa.eu/anti-trafficking/member-states/greece-3-implementation-anti-trafficking-policy\\_en](https://ec.europa.eu/anti-trafficking/member-states/greece-3-implementation-anti-trafficking-policy_en), accessed on 9 August 2018.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup> See Skleparis, D. Explaining the absence of Islamist terrorist attacks and radicalization in Greece, ELIAMEP, <http://www.eliamep.gr/en/γιατι-το-ισλαμικο-κροτος-δεν-εχει-πληξ>, accessed on 16 August 2018.

<sup>26</sup> See Mantzikos, I. (2016) The Greek Gateway to Jihad, Combating Terrorism Center, CTC Sentinel, 9(6), [https://ctc.usma.edu/app/uploads/2016/06/CTC-SENTINEL\\_Vol9Iss611.pdf](https://ctc.usma.edu/app/uploads/2016/06/CTC-SENTINEL_Vol9Iss611.pdf), accessed on 16 August 2018.

<sup>27</sup> See Borton J. and Collison S. (2017) Responses to mixed migration in Europe - Implications for the humanitarian sector, Overseas Development Institute, London, Number 81, December 2017, p. 7, <https://odihpn.org/wp-content/uploads/2017/12/NP-81-web-file.pdf>, accessed on 4 October 2018.



Agency Frontex, an enhanced, preferably biometric registration system and unified EU databases should help towards curbing migration flows and, as a direct consequence, also trafficking. Biometric registration at point-of-entry will help populate Greek Interior Ministry databases, the data then being shared with Europol and therefore with the other 27 EU Member States, should also be a short-term goal. Such data would also help to populate Interpol's I-24/7 police information exchange system and databases in relation to wanted persons (including those on terrorist watch-lists). Greece of course already has an active and well-functioning Interpol National Central Bureau (NCB) and Greek police and immigration Directorates have remote access to I-24/7 at border crossing points and ports of entry. This could be expanded however to increase coverage.

The process of developing the NRM is presented in Decision 30840/20.9.2016 of the Ministry of Citizen's Protection (formerly part of the Ministry of Interior) and recent developments suggest that the mechanism is about to become operational. It is supervised by the Office of the National Rapporteur (ONR) and managed by the National Centre for Social Solidarity (EKKA<sup>28</sup>). The ONR also reaches out to the private sector to develop synergies against human trafficking<sup>29</sup>. To this end, the ONR has signed a memorandum of cooperation with the Hellenic Network for Corporate Social Responsibility (CSR Hellas). When it comes to relevant judicial decisions, on March 2017, Greece was found to be in violation of Art. 4 §2 of the European Convention on Human Rights by the European Court of Human Rights (ECHR). According to the Court, in this 2013 forced labour case of victims of trafficking, Greece failed to protect 23 Bangladeshi laborers on a strawberry farm near the town of Manolada<sup>30</sup>.

#### 4. Italian Legal Framework

Since 1998, Italy has been at the forefront of the fight against human trafficking<sup>31</sup>. Its strategy is founded on a victim rights-centred approach. The basic relevant provisions in Italian law are<sup>32</sup>:

- Art. 18 of the National Law on Migration (Legislative Decree No 286 of 1998) and
- Art. 13 of the National Law against Trafficking in Human Beings (Law No 228 of 2003).

Italy, as opposed to Greece, recognized early on the value of international cooperation in combating human trafficking. In 2009, Italy increased cooperation with source and transit countries by signing agreements with Nigeria, Libya and Algeria to counter trafficking rings<sup>33</sup>. Technical assistance, provision of equipment and

<sup>28</sup> National Centre for Social Solidarity (EKKA), <http://www.ekka.org.gr/>

<sup>29</sup> See response of the Greek Office of National Rapporteur to a relevant questionnaire of 11 June 2018 developed by the Counter-Terrorism Committee Executive Directorate. The response has not been made public. Additional input to the questionnaire by the THB task forces remains classified.

<sup>30</sup> See *Chowdury and Others v. Greece* case at the ECHR, [https://www.echr.coe.int/Documents/FS\\_Forced\\_labour\\_ENG.pdf](https://www.echr.coe.int/Documents/FS_Forced_labour_ENG.pdf), accessed on 16 August 2018.

<sup>31</sup> US Department of State, Office to monitor and combat trafficking in persons, 2017 Report, Italy, <https://www.state.gov/j/tip/rls/tiprpt/countries/2017/271211.htm>, accessed on 9 August 2018.

<sup>32</sup> See Implementation of anti-trafficking policy in Italy, European Commission, [https://ec.europa.eu/anti-trafficking/content/nip/italy\\_en](https://ec.europa.eu/anti-trafficking/content/nip/italy_en), accessed on 9 August 2018; For a more detailed presentation of the relevant Italian legal framework see Cucchiara M. F. and Baracchi A. (2017) The Italian legal framework against labour exploitation, Business & Human Rights Resource Centre, [https://www.business-humanrights.org/sites/default/files/documents/ASGI\\_HRIC\\_BHRRRC\\_May2017\\_REV%2019.7.pdf](https://www.business-humanrights.org/sites/default/files/documents/ASGI_HRIC_BHRRRC_May2017_REV%2019.7.pdf), accessed on 25 September 2018.

<sup>33</sup> US Department of State, Office to monitor and combat trafficking in persons, 2017 Report, Italy, <https://www.state.gov/j/tip/rls/tiprpt/countries/2017/271211.htm>, accessed on 9 August 2018.





technology to combat illegal migration, the setting up of information exchange channels and involvement of police forces from third countries in sea patrol operations were included in the cooperation agreements<sup>34</sup>.

Data and statistics regarding the victims or presumed victims of trafficking can be found via the Department for Equal Opportunities (DEO) of the Presidency of the Council of Ministers<sup>35</sup>. The Italian National Strategy/National Action Plan consists of a complex structure which has been in place since 2000<sup>36</sup>. It is comprised of three main tools<sup>37</sup>:

- a. Programs for temporary assistance and long-term social protection
- b. Free Hotline (*Numero Verde Anti-tratta*)
- c. Program for Assisted Voluntary Returns (AVRs)

Coordination and supervision is assigned to the DEO, which is the central public authority in charge of promoting and coordinating anti-trafficking policies and actions. The District Anti-Mafia Directorates (*Direzioni Distrettuali Antimafia*) are in charge of the investigations of human trafficking in Italy with the National Anti-Mafia Directorate (*Direzione Nazionale Antimafia*) being the coordinator<sup>38</sup>. In 2003, a specific offence in relation to human trafficking was introduced by Law No 228/2003 in the Italian Criminal Code (Art. 601). Human trafficking cases have been also prosecuted under provisions for 'slavery' (Art. 600) and 'trade of slaves' (Art. 602)<sup>39</sup>.

On several occasions, Italy has been brought in front of the ECHR regarding its conduct with (suspected) terrorists. In 2008, in *Saadi v. Italy*<sup>40</sup>, the issue at question was the risk of ill-treatment in the receiving country for a deported individual. The Court found that the decision to deport Mr. Saadi would be a violation of Art. 3 of the European Convention on Human Rights ('prohibition of inhuman or degrading treatment'). In several other cases, Italy also acted in clear violation of Rule 39 ('Interim measures') of the Rules of the Court, as it extradited the accused instead of waiting for further notice<sup>41</sup>. Of particular significance was the case of *Nasr and Ghali v. Italy* on 23 February 2016, which related to 'extraordinary rendition' and constituted a violation of several Articles of the Convention, including Articles 3, 5, 8 and 13<sup>42</sup>.

## 5. Comparison and Conclusions

Greece and Italy are both Mediterranean countries and long-time members of the European Union. Their national borders form at the same time large parts of the southern/South-Eastern European borders. Because

<sup>34</sup> See implementation of anti-trafficking policy in Italy, European Commission, [https://ec.europa.eu/anti-trafficking/content/nip/italy\\_en](https://ec.europa.eu/anti-trafficking/content/nip/italy_en), accessed on 9 August 2018.

<sup>35</sup> See Department of Equal Opportunities, <http://www.pariopportunita.gov.it/>

<sup>36</sup> National Plan/Strategy of Italy on human trafficking, [https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/trafficking\\_in\\_human\\_beings\\_italy.pdf](https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/trafficking_in_human_beings_italy.pdf), accessed on 16 August 2018.

<sup>37</sup> Implementation of anti-trafficking policy in Italy, European Commission, [https://ec.europa.eu/anti-trafficking/content/nip/italy\\_en](https://ec.europa.eu/anti-trafficking/content/nip/italy_en), accessed on 9 August 2018.

<sup>38</sup> *Ibid.*

<sup>39</sup> *Ibid.*

<sup>40</sup> See relevant ECHR press release of 28 February 2008, <https://hudoc.echr.coe.int/app/conversion/pdf/?library=ECHR&id=003-2277629-2444458&filename=003-2277629-2444458.pdf>, accessed on 16 August 2018.

<sup>41</sup> See *Ben Khemais v. Italy*, judgment of 24 February 2009; *Trabelsi v. Italy*, judgment of 13 April 2010; *Toumi v. Italy*, judgment of 5 April 2011; and *Mannai v. Italy*, judgment of 27 March 2012.

<sup>42</sup> See ECHR press release of 22 February 2016, <https://hudoc.echr.coe.int/app/conversion/pdf/?library=ECHR&id=003-5306001-6605733&filename=Forthcoming%20judgments%20and%20decisions%2023-25.02.16.pdf>, accessed on 16 August 2018.



of that, it comes as no surprise that the main migrant flows and hence trafficking routes, lead through these countries. Yet, for socioeconomic reasons and due to political choices, their national anti-trafficking policies differ. In the context of international cooperation with neighbouring non-EU countries, the cooperation agreement between Italy and North-African countries has resulted in a significant decrease in the migration of sensitive to trafficking social groups<sup>43</sup>. To an extent, the European Commission's MENA Regional Justice and Police Programmes have made some ground in encouraging and improving the necessary co-ordination at both administrative and operational levels. For reasons that expand further than the scope of this paper, Greece has not had the same level of cooperation with Turkey and has experienced an unprecedented increase in migrant flows, especially after the 2015 migrant crisis, which eventually brought forward an international agreement between EU and Turkey in 2016.

When it comes to compliance with US anti-trafficking standards, it is worth noticing that the two countries are classified differently. Italy is a Tier 1 country, meaning that it fully complies with the minimum standards of the Trafficking Victims Protection Act (TVPA). On the other hand, Greece, as a Tier 2 country, is not in full compliance with TVPA's minimum standards, but is making significant efforts in the right direction<sup>44</sup>. The differences between the countries are also apparent when seeking a properly structured national strategy or Action-Plan. While Italy has been at the forefront of the battle against trafficking since the late twentieth century, Greece is attempting, since the introduction of an NRM in 2016, to develop a clearly defined national strategy<sup>45</sup>. However, one needs to question the overall practices of the Italian government at this level, as it was repeatedly found liable for violations of human rights of (suspected) terrorists or traffickers.

This paper assessed the legal dimension of the relation, both direct and indirect, between trafficking and terrorism. Anti-trafficking measures have been primarily examined. The monetary dimension of trafficking, i.e. the possibility of funding terrorism through trafficking, is tackled by other national or European legal instruments such as Directive (EU) 2015/849 against money laundering and terrorist financing. Though one needs to underline that there are no case studies available, current legislation in both countries also attempts to curb the direct relation between human trafficking and terrorism from becoming a reality. For this, the radicalisation of victims of trafficking needs to be prevented. Both legal orders seem to be equipped with the relevant protection and social mechanisms. Italy, for instance, under its National Strategy/Action Plan, has put in place programs for temporary assistance and long-term social protection. When the NRM in Greece will become operational, it will offer a similar level of State protection for victims of trafficking, a service that it is currently provided by scores of NGOs.

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**Remarks:** Opinions expressed in this contribution are those of the author.

<sup>43</sup> Implementation of anti-trafficking policy in Italy, European Commission, [https://ec.europa.eu/anti-trafficking/content/nip/italy\\_en](https://ec.europa.eu/anti-trafficking/content/nip/italy_en), accessed on 9 August 2018.

<sup>44</sup> United States Department of State Tier Placements, <https://www.state.gov/j/tip/rls/tiprpt/2017/271117.htm>

<sup>45</sup> USA Department of State, Office to monitor and combat trafficking in persons, 2017 Report, Greece, <https://www.state.gov/j/tip/rls/tiprpt/countries/2017/271195.htm>, accessed on 9 August 2018; A zero draft of national action plan (2018-2023) against human trafficking is awaiting endorsement by the relevant parliamentary committee.





## About the Author of this Issue

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Dr. Fotios Fitsilis<sup>46</sup> (Dr.-Ing. Dipl.-Wirt.Ing. I.I.LLM) has an academic background in Law, Economics and Engineering. While operating on a global scale, he has been active in a broad range of fields, from telecommunications and logistics to management and governance.

Since 2007, he is working in the Hellenic Parliament; initially as Scientific Advisor to the Speaker of the Parliament and later as Head of the Department for Scientific Documentation and Supervision in the Scientific Service. Recently, he has held the position of the Resident Twinning Advisor of a high profile EU project to improve legislation, administrative and transparency procedures in the National Assembly of Serbia.

Dr. Fotios Fitsilis has been visiting Professor at the Universidad Complutense de Madrid, Spain, on parliamentary procedures and legislative drafting. He is a certified PRINCE2 practitioner and, in 2017, he founded the Hellenic OCR Team<sup>47</sup>, a crowdsourcing initiative for the processing and analysis of parliamentary data.



*Dr. Fotios Fitsilis*

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<sup>46</sup> See personal web page: <https://fitsilis.gr>

<sup>47</sup> See official web page: <https://hellenicOCRteam.gr>