

**Mandate of the Special Rapporteur on trafficking in persons, especially women and children**

Ref.: AL GRC 3/2024  
(Please use this reference in your reply)

2 September 2024

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on trafficking in persons, especially women and children, pursuant to Human Rights Council resolution 53/9.

In this connection, I would like to bring to the attention of your Excellency's Government information I have received concerning the failure to adequately identify possible victims of trafficking, especially women and children, and failure to protect identified victims of trafficking in persons in the island of Samos. I would like to bring attention to alleged systemic breaches of your Excellency's Government with regard to identification and inadequate provision of protection services, including lack of appropriate housing and lack of medical, psychological and material assistance, by the National Referral Mechanism.

According to the information received:

Hotspots in Greece function and are established under Law 4686/2020, which amends Law 4636/2019 – the 'International Protection Act' (IPA) – and Law 4375/2016.

The Closed Control Access Centre (CCAC) was opened in September 2021, in north-west of Samos, on a 154-acre site in Zervou, 6.9 km from Vathy town, the capital of Samos and the location of the previous refugee camp on the island. The site was built with 43 million euro of EU funds and has the capacity to host 3,000 residents including 900 in pre-removal detention centres. During the summer of 2023, up to 5,000 people were accommodated in the Samos CCAC, at 170% capacity.

According to information received, accommodation and services within CCAC are provided in containers, which are separated and surrounded by barbed wire fencing and heavily policed by Greek state police, border force and a private security firm. Since the opening of the facility in September 2021, there have been claims that the reception conditions are inadequate, infringe on individual rights to freedom of movement and privacy, and fail to provide a safe, dignified and healthy living environment. To enter or pass through the different zones of the CCAC, individuals must pass through checkpoints manned by security staff, fences, turnstiles, magnetic gates, x-ray machines and a two-factor identification process, which includes scanning their identification card and their fingerprints.

In 2022, 2,170 asylum seekers entered Samos, of whom 285 could be potential victims of trafficking. Accounts received by 14 victims/survivors of trafficking reflect a lack of proper identification of victims/survivors of trafficking, a lack of appropriate accommodation and a lack of medical, psychological and material assistance. The 14 victims reportedly fled their

countries alone, had received limited education, were from poor socio-economic backgrounds, lacking family support, and had a history of exploitation and/or violence or feared persecution due to their sexuality and/or forced female genital mutilation. All except one were between the ages of 18 and 26. Reportedly, each of the 14 women displayed clear indicators of trafficking upon their initial encounter with the authorities and displayed physical injuries, such as scarring, or indicators of sexual violence, including pregnancy or gynaecological infections. All of them came from countries in Western and Central Africa and had been trafficked through various countries for the purpose of sexual exploitation and/or forced labour. They arrived in Samos as asylum seekers and all 14 cases demonstrate the systemic failures to identify survivors of trafficking.

*Case of ██████████.*

██████████ is a 24-year-old survivor of female genital mutilation. After a forced initiation into a secret society,<sup>1</sup> during which she was tortured, ██████████ fled and was trafficked to a third country on the promise of work as a housemaid. Instead, she was subjected to sexual exploitation for a period of four months. ██████████ escaped but was arrested by the local police and while imprisoned, she discovered that she was pregnant, following the sexual exploitation and rape endured. ██████████ was unable to access an abortion and gave birth to a baby boy.

Upon her arrival in Samos on 25 June 2022, ██████████ was accommodated in the Closed Control Access Centre. ██████████ disclosed her trafficking experiences during her asylum interview. While the vulnerability assessment from the Centre identified ██████████ as a vulnerable person due to her experiences of torture, rape and other forms of violence, the vulnerability assessment from the authorities did not consider or refer to ██████████ as a survivor of human trafficking.

Despite experiencing poor mental health, ██████████ did not receive any formal diagnosis, treatment or counselling at the Centre where she struggled to care for her newborn, with no money and limited amounts of diapers and milk.

Since her transfer from Samos in October 2022, ██████████ was transferred to the Agia Eleni camp in Ioannina, Schisto Camp and to a private accommodation in Thessaloniki. Reportedly, Agia Eleni camp has ongoing issues related to security, living standards, and access to essential services, including intermittent water supply disruptions during the day and overcrowded accommodations, with instances of up to seven individuals residing in a single room. Conditions are particularly challenging in relation to health emergencies. While the camp had a clinic, for more serious matters residents had to visit a hospital in town, which could only be accessed by foot. ██████████ was referred multiple times to the hospital to treat her baby which prompted her to leave the camp despite having received cash, food, and milk for her baby. While Schisto camp is an open camp, with less stringent ID checks

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<sup>1</sup> A common practice for men and women to join so-called secret societies, especially in rural areas in certain countries in the Western African region. The secret societies claim to prepare girls for womanhood, where new members are forcefully subjected to Female Genital Mutilation and other forms of physical violence as part of their initiation into the groups.

which allow for easier movement in and out of the facility, it is in an isolated location in the outskirts of Athens. A Greek Ombudsman report has reported that one third of its accommodations are no appropriate for housing.<sup>2</sup>

Upon receiving her documents in 2023, ██████ moved to a private accommodation in Athens. While she received some form of psychological support from NGOs while in Ioannina and Thessaloniki, she lacks psychological and financial support in Athens and struggles to provide for her and her baby's basic needs, including food, clothes, and diapers.

*Case of ██████ and ██████*

██████ is a survivor of human trafficking, FGM, rape, and other sexual violence. She became pregnant as a result of prolonged periods of sexual violence. ██████ crossed to Samos and gave birth to ██████ one day after arriving on Samos. When ██████ was only three days old, the police took H ██████ and ██████ to the CCAC where they were detained.

██████ and ██████ were held in the section for the “general population”, sharing a room with two single women and a bunk bed with an unrelated adult man. ██████ did not feel comfortable sharing her room with an unrelated man and could not change or clean herself while her male roommate was present in the room.

The environment of the CCAC is not suitable for a survivor of trafficking and sexual violence. There is a general level of stress, disruption, and a risk of violence. ██████ never left her room for fear of aggression and discrimination unless she had an appointment or essential chores. As a single mother, she did not feel comfortable leaving the newborn with anyone inside the CCAC. ██████ was forced to stay in the same set of clothes in which she arrived on Samos for four weeks, wearing them during and after she went through labour. The clothes were blood-stained, soaked with sweat, and smelled. ██████ felt humiliated and, therefore, tried to avoid the rest of the CCAC population.

██████ was provided food twice a day, which was insufficient for a breastfeeding mother. She was forced to rely on other people to collect food for her from the distribution points where fights broke out which may have put their safety at risk.

Notwithstanding ██████ experiences of human trafficking, she did not have access to any medical treatment in the CCAC, nor specialised support from the State, including psychological treatment. This was despite suffering from gynecological issues due to her experiences of FGM, sexual violence, recent birthing experience and her deteriorating mental health in the CCAC.

Following interim measures granted in February 2024 by the ECtHR<sup>3</sup> for safe and suitable accommodation and adequate food, water, clothing and medical care, ██████ and ██████ were transferred to the “Controlled Facility for

<sup>2</sup> <https://www.synigoros.gr/api/files/download/509887>, p. 27.

<sup>3</sup> Case H.T. and M.T. v Greece (2868/24). Interim measures 2868\_24 LE2\_2a R39 Granted Only (5 February 2024).

Temporary Accommodation of Asylum Seekers” in Schisto, near Athens.

In the current accommodation in Schisto, they share a “block” (accommodation space) with another woman. The bathroom is located in another block forcing ██████ to leave ██████ alone. ██████ has had the opportunity to see a psychologist only once and has not spoken to anyone about her trafficking experiences. In Schisto camp, despite the ECtHR’s interim measures, ██████ continued to lack appropriate support as a survivor of human trafficking and as a first-time single mother.

In June 2024, ██████ and ██████ left Schisto to go to the Greek island of Kefalonia to work in ██████ with a friend. ██████ works as a housekeeper and her tasks consist mainly of cleaning. She has a contract, works six days a week, eight hours a day and has one break per day. She reports that she is paid sufficiently to sustain her and her daughter. She reports that she has a good relationship with her boss and her colleagues.

██████ and ██████ share a room free of charge in the basement of the hotel with ██████’s friend. She reports being provided with sufficient food three times a day which she is permitted to choose. On her day off, she rarely leaves the hotel and mainly stays inside with her daughter as she does not know her way around the island and does not know where she could go. Occasionally, she takes the bus to go to town and buy milk for ██████.

██████ reports that her mental health has improved since leaving state camps mainly due to her work which gives her a routine and purpose. Contrary to the interim measures ordered by the European Court of Human Rights, she has not had access to psychological care. Regarding her physical health, ██████ reports that she continues to suffer from pain which caused her to take two days off in July when she was unable to work due to her pain. Her boss brought her medicine which reportedly helped. To date ██████ has not been able to see a doctor, contrary to her right to sufficient medical care as a survivor of human trafficking.

██████, her 11-month-old daughter, is reportedly doing well. As the staff at the hotel work in shifts, ██████ colleagues take care of her during her shifts. ██████ was provided a crib by the hotel and ██████ is able to buy sufficient milk for her with her salary. ██████ was able to see a doctor in August and received medical care and medicine when they went back to Schisto camp to collect their asylum decision.

In August 2024, ██████ was granted refugee status and she travelled to Schisto camp to receive her refugee decision and collect their passports. While in Schisto, they were informed that they would no longer be accepted in the camp.

██████ work contract expires on October 6th due to the hotel’s closure and she will lose her only source of income and accommodation. As the camp has already informed her that they would no longer be able to be accommodated there, this would leave ██████, a survivor of sexual violence and human trafficking, and ██████, her 11-month-old baby, at the immediate risk of homelessness. The circumstances make ██████ more

vulnerable to exploitation and re-trafficking. [REDACTED] has expressed urgent need for support in finding suitable accommodations for her and her child.

*Summary of other cases submitted*

A woman, aged 19, fled her country of origin in March 2022 to escape forced Female Genital Mutilation and trafficking. After her parents died of Ebola, she was trafficked to another country, where she was sexually exploited, and her partner was killed while trying to defend her. After multiple hardships, including imprisonment in another country, she arrived in Samos in June 2022 with her baby. Despite her traumatic past, this woman faces inadequate resources and poor mental health support, with her asylum application rejected in September 2022.

A woman aged 22 became pregnant through sexual violence and trafficking. She fled forced initiation into the Bondo Society and faced repeated abuse, including sexual exploitation in two other countries. After being trafficked to a third country, she arrived in Samos in June of 2022. She struggles with medical issues, inadequate support, and an ongoing asylum claim.

A woman, aged 25, suffered severe abuse, trafficking, and a miscarriage. She fled after having been forcefully introduced to a secret society, which entailed Female Genital Mutilation, and torture. After being trafficked to a third country, she suffered from sexual exploitation for two months and was later re-trafficked by another person. Despite registering her asylum claim on Samos in June 2022, she faced inadequate care and support for her pregnancy and trauma, leading to the loss of her baby in Athens.

A woman aged 22 fled her country of origin due to her sexual orientation and past Female Genital Mutilation. She was trafficked and abused in another country for two months, where she was arrested and imprisoned for two weeks before arriving in Samos in June of 2022. Despite disclosing her trafficking experiences, she received minimal support both physical and mental, and her asylum claim was rejected.

A woman aged 25, and Female Genital Mutilation survivor, faced persecution for refusing to join a secret society and endured severe abuse and trafficking. After escaping to two other countries, she was sexually assaulted in another country and heavily injured on her right eye. She arrived in Samos in July of 2022. She received some medical evaluation but struggles with inadequate medical and economic support and a rejected asylum application.

A woman, aged 41, a survivor of Female Genital Mutilation, fled her country to escape forced marriage. With the premise of working as a housemaid, she was trafficked to another country where she suffered from labour and sexual exploitation. She attributes her abuse to her medical condition, compounded by Hepatitis B. Due to her medical condition, upon her arrival to Greece, she was transferred to Athens for medical care in August 2022. Despite having been granted refugee status, she continues to face inadequate support and medical care.

A woman, aged 22, faced persecution for her sexual orientation and Female Genital Mutilation. After fleeing her native country and enduring trafficking and abuse in another country, she escaped to a third country where she was later arrested. Upon her release, she again suffered from sexual abuse. She arrived in Samos in April of 2022 where she continues to struggle with poor health, inadequate support, as well as a rejected asylum claim.

A woman, aged 26, and Female Genital Mutilation survivor, is a pregnant widow who fled her native country due to persecution and trafficking. After enduring severe abuse and exploitation in two other countries, she arrived in Samos in June of 2022. With her asylum claim rejected in August 2022, she faced significant health issues and inadequate support for her pregnancy.

A woman, aged 24, also a survivor of Female Genital Mutilation, fled her country of origin after severe abuse by a secret society. In her attempt to improve her living conditions, she was trafficked from one country to another. She endured extensive sexual abuse before fleeing to a third country, where she was later arrested. She travelled to Greece, where she was sexually assaulted during the trip. Despite giving birth in Samos, she faced inadequate support, harsh and “prison like” conditions in the asylum camp, with her claim facing rejection.

A 28-year-old woman, and a survivor of Female Genital Mutilation, faces persecution if she returns, due to her sexual orientation. After being beaten for her relationship with a woman, she fled to another country, where she was trafficked to another country on the premise to work as a housemaid. There, she was held captive and subjected to daily sexual violence for a month before her escape. She travelled to a third country, where she was imprisoned, and subsequently sent to Greece. Despite her severe trauma, including gynaecological issues, she has received minimal psychological support and faces a prison-like environment. Her asylum application was rejected, and she struggles with inadequate support and the inability to integrate into society.

#### *Conditions in the CCAC*

According to information received, the restrictions on liberty for those accommodated in the CCAC are extreme. The CCAC is located in an isolated area, far from town or village infrastructure. Individuals are not allowed to leave the CCAC until their identification procedure is complete. When this process is complete, individuals are subjected to a geographical restriction which prohibits them from leaving the island. They are also subjected to a curfew and prohibited from spending the night outside the facilities. The feeling of imprisonment is linked to the remote location of the camp, far from the town where people can access better services autonomously, receive support from various NGOs and access the safe spaces they provide in the town centre.

#### *Identification of and support for victims of trafficking*

According to the Greek National Referral Mechanism, identification of a presumed victim of trafficking may be carried out in a Reception and Identification Service or Closed Control Access Centre by the police, the

Medical Examination and Psychosocial Support Unit, the Reception and Identification Service and the Asylum Service, the Detention authorities and staff supporting Reception and Identification Centres. The low numbers of survivors of trafficking identified and referred to the NRM across Greece could indicate inadequate identification processes for victims of trafficking. According to the 2020 Annual Report of the Greek NRM,<sup>4</sup> 167 Reporting Forms were submitted to the NRM, 45 of which were submitted by State agencies.

According to the information received, as per current practice no identification is performed by the police during the first screening for those entering the CCAC. Staff of the National Public Health Organisation are responsible for medical examination and psychosocial evaluations. Only four of the fourteen women were designated as victims/survivors of trafficking following the medical examination and psychosocial evaluation.

In addition, victims/survivors or possible victims/survivors of trafficking were not provided with a recovery period, early and comprehensive legal information regarding their trafficking experience and the asylum procedure, specialized medical and psychosocial care, nor procedural guarantees during their interview, such as extra support, investigation with a sensitive approach, or leniency to inaccuracies, contradictions or the inability to recall traumatic memories and facts, related to their special condition due to the suffered trauma. None of the survivors were asked about their experience of trafficking during their registration or in their 'pre-interview'.

The Samos Greek Asylum Service does not appear to take into consideration incidents of trafficking and other forms of violence when assessing the eligibility of applicants for international protection, unless they occurred inside the applicants' country of origin. Assessments of asylum claims are generally exclusively focused on the reasons that made applicants flee their country of origin without taking into consideration incidents of violence or exploitation that may have occurred during the applicant's voyage.

All 14 women mentioned in this letter have asylum claims inextricably linked to their experiences of trafficking, given the risk of re-trafficking they face upon return to their countries of origin. According to the information received, none of the women at any point from registration, vulnerability assessment, interview, to asylum decision were recognised as a survivor/victim of trafficking by the Greek authorities.

While I do not wish to prejudge the accuracy of these allegations, I express my concern for the physical and psychological integrity of women and girls who are victims of trafficking and other forms of sexual exploitation, as they face the risk of refoulement to their countries of origin, in violation of international law. I would like to express concern related to your Excellency's Government's reported failure to identify women and girls seeking asylum who have been trafficked through transit countries. This includes failure to recognize them as victims of trafficking by assisting and protecting them, including from forced return to their countries of origin and from refoulement.

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<sup>4</sup> [Annual Report](#) of the Greek National Referral mechanism for the protection of Human, January -December 2021

I would further like to express concern that restrictions on liberty are particularly unsuitable for survivors of trafficking who were likely held in environments where their liberty had been severely restricted by their traffickers. The prison-like architecture and management of the facility, including its geographic and time restrictions that limit the residents' basic freedom of movement, could impact the ability of survivors of trafficking who are accommodated in the CCAC to integrate into society. Survivors of trafficking require supportive and nurturing environments, such as safe houses.

Furthermore, I would like to express grave concern that for victims of trafficking to be subject to intense surveillance and tracking infrastructure risks re-traumatising them and strip them of their dignity. The highly securitised environment of the CCAC, coupled with its isolated location, restrictions on movement, and lack of services, is not conducive to psychological, physical or social recovery of victims of trafficking. It is also critical for survivors of trafficking to be able to access their right to psychological, social and physical recovery and to access NGOs which provide specialised support and are not accessible inside the CCAC. I would like to echo the recommendations from the Committee on the Elimination of Discrimination against Women (CEDAW/C/GRC/CO/8-9) in its concluding observations on the combined eighth and ninth periodic reports of Greece to “(p)rovide capacity-building for judges, prosecutors, police officers and other law enforcement officials, border police, health-care providers and other first responders in order to ensure the early identification of victims of trafficking and their referral to appropriate protection and rehabilitation services; ensure the implementation of the instructions for the police on early identification of trafficking victims and conduct a comprehensive and systematic assessment of the process of early identification of victims of trafficking, in particular women and girls, and their referral to appropriate services and protection, in particular in refugee camps; provide refugees with adequate information on their rights; and allow civil society organizations and other relevant organizations to be present during the identification procedure”. I would also like to highlight the importance of ensuring gender and child-sensitive, trauma-informed and survivor-centric approaches in the prevention and response to the allegations above, without discrimination on any ground such as age, race, ethnicity, nationality, sex, gender, disability, religion, political or other opinion, national or social origin or other status.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is my responsibility, under the mandate provided to me by the Human Rights Council, to seek to clarify all cases brought to my attention, I would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information as to what measures and services are provided to ensure prompt identification, referral for protection and assistance of victims of trafficking and of other human rights violations to prevent them from being re-trafficking. Please provide information

as to how conditions in the CCAC meet the requirements for appropriate accommodation for a victim/survivor or possible victim/survivor of trafficking.

3. Please provide information regarding services and protection measure provided to families and children born from mothers who have been victims of trafficking, including access to appropriate accommodations, access to psychosocial support, access to sufficient medical care, effective remedies, legal assistance and reparation.
4. Please provide information as to measures taken to ensure gender sensitive examination procedures for victims of trafficking during the Asylum Procedure in line with the 2013 EU Asylum Procedures Directive.
5. Please provide information as to what measures are being taken to ensure compliance with Greece's international obligations pursuant to the peremptory norms of international law related to non-refoulement and the prohibition of torture, cruel, degrading and inhuman treatment, arbitrary detention, the relevant provisions of the Universal Declaration on Human Rights, the International Covenant and Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of all Forms of Discrimination against Women and relevant European Conventions on human rights and trafficking ratified by Greece.

I would appreciate receiving a response within 60 days. Past this delay, this communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#). They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, I urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

I may publicly express my concerns in the near future as, in my view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. I also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that I have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please accept, Excellency, the assurances of my highest consideration.

Siobhán Mullally  
Special Rapporteur on trafficking in persons, especially women and children

## **Annex**

### **Reference to international human rights law**

In connection with the above alleged facts and concerns, I would like to refer your Excellency's Government's attention to the relevant international human rights norms and standards that are applicable to the issues brought forth by the situation described above.

I would like to particularly bring your Excellency's attention to the human rights obligations under international human rights instruments and under customary international law binding on Greece.

I wish to recall article 8 of the International Covenant on Civil and Political Rights (ICCPR), acceded to by Greece on 5 August 1997, which prohibits slavery; slavery and the slave-trade in all their forms, servitude and forced or compulsory labour and article 35 of the Convention on the Rights of the Child, ratified by Greece on 11 May 1993, which calls States to "take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form".

I would also wish to recall obligations stemming from the International Covenant on Economic Social and Cultural Rights (ICESCR ratified by your Excellency's Government on 16 August 1985, and in particular to article 10, which preconizes the widest possible protection and assistance to the family, with special protection accorded to mothers during a reasonable period before and after childbirth and special measures on behalf of children without discrimination. Article 11 recognizes the right of all to an adequate standard of living for himself and his family, including adequate food, clothing and housing, while article 12 recognizes the right of all to the enjoyment of the highest attainable standard of physical and mental health. Article 7 of the International Covenant on Economic, Social and Cultural Rights, which recognizes the "right of everyone to the enjoyment of just and favourable conditions of work". Such conditions must ensure, inter alia, remuneration, which provides all workers, as a minimum, a decent living for themselves and their families, safe and healthy working conditions, rest, leisure, and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays. The rights in the Covenant apply to everyone including non-nationals, such as refugees, asylum-seekers, stateless persons, migrant workers and victims of international trafficking, regardless of legal status and documentation (Committee on Economic, Social and Cultural Rights, general comment no 20, para. 30).

I wish to recall your Excellency's Government that the prohibition of refoulement is explicitly included in the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, ratified by Greece. Furthermore, the prohibition of return to a place where individuals are at risk of torture and other ill-treatment is enshrined in article 3 of the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), also ratified by your Excellency's Government on 5 November 1988. This absolute prohibition against refoulement is stronger than that found in refugee law, meaning that persons may not be returned even when they may not otherwise qualify for refugee or asylum status under article 33 of the 1951 Refugee Convention or domestic law. Accordingly, non-refoulement under the CAT must be assessed independently of refugee or asylum

status determinations, so as to ensure that the fundamental right to be free from torture or other ill-treatment is respected even in cases where non-refoulement under refugee law may be circumscribed.

In relation to the State's obligations to prevent and protect victims of trafficking, I would like to recall the obligation of due diligence. In this regard, States have a positive obligation to protect individuals from human rights violations committed by private actors. Due diligence obligations have been articulated in areas applicable to trafficking in persons, including the right to life, violence against women and gender discrimination, along with a number of specific obligations relevant to trafficking. I would like to refer your Excellency to the Report of the Special Rapporteur on Trafficking in persons (A/HRC/50/33) and "on the purpose of human rights due diligence as being prevention of harm, including prevention of the serious human rights violation of trafficking in persons." I would also like to refer your Excellency to the Report of the Special Rapporteur on Trafficking in Persons (A/HRC/53/28) in particular to obligations of due diligence and its application to the prevention of trafficking in the context of refugee movements, internal displacement and statelessness with obligations of due diligence engaged in the reception and protection of refugees, internally displaced persons and stateless persons.

I would also like to remind your Excellency's Government of obligations under articles 2 and 6 of the Convention on the Elimination of All Forms of Discrimination against Women, ratified by your Excellency's Government in 1983, which requires States Parties to take all appropriate measures, including legislation, to suppress all forms of trafficking in women.

I also recall CEDAW General Recommendation 38 on trafficking in women and girls in the context of global migration (CEDAW/C/GC/38). CEDAW General Recommendation no. 38 (2020) on trafficking in women and girls in the context of global migration highlights that refugee women and girls are highly vulnerable to trafficking and are in need of international protection, especially against refoulement. In particular I would also like to recall recommendations regarding victim identification and victims' assistance and protection, as stated in paragraph 38 on the positive obligations on States to identify victims of trafficking, and paragraphs 39 to 41 on the obligations of States to provide victims with high-quality support services with immediate availability, which must be inclusive and accessible, include access to information on their rights, the medical, psychological, social and legal services available to them and how to acquire access to them, as well as to safe and appropriate accommodations.

In addition, I would like to refer to the Recommended Principles and Guidelines on Human Rights and Human Trafficking, issued by the Office of the High Commissioner for Human Rights in July 2002. In particular, I would like to refer to guideline 2, providing that states should ensure that "trafficked persons are not, in any circumstances, held in immigration detention or other forms of custody". Reference is further made to guideline 9 recalling the international legal rights of trafficked persons as victims of human rights violations to adequate and appropriate remedies, including compensation. Finally, principle 13 of the Principles and Guidelines states that "States shall effectively investigate, prosecute and adjudicate trafficking, including its component acts and related conduct, whether committed by governmental or non-State actors".

I would also like to remind your Excellency's Government of article 6 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the 'Palermo Protocol') ratified by your Excellency's Government in 2011. Article 6 enshrines the right to physical, psychological and social recovery, and requires States to assist and provide protection to victims of trafficking in persons with physical, psychological and social recovery of victims of trafficking including for the provision of appropriate housing, counselling and information with regard to their legal rights in a language they can understand as well as medical, psychosocial and material assistance. During the application of article 6, age, gender and special needs of victims of trafficking must be taken into account. Article 7 specifies that in addition to taking measures pursuant to article 6 of this Protocol, each State Party shall consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases. Article 9 requires States to establish policies, programmes and other measures to prevent and combat trafficking in persons and to protect victims of trafficking, especially women and children from revictimization.

I remind your Excellency's Government of articles 3, 4, 5, 8 and Article 14 (read in conjunction with articles 3, 5 and 8) of the European Convention on Human Rights (ECHR), ratified by your Excellency's Government in 1974, and obligations under the Council of Europe Convention on Action against Trafficking in Human Beings (ECAT), ratified by your Excellency's Government in 2015 as well as the Directive (EU) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims. Article 11(5) of the Directive obliges Member States to ensure that assistance and support to victims of trafficking, provide a standard of living capable of ensuring a victim's subsistence, such as "appropriate and safe accommodation, including shelters and other appropriate interim accommodation, and material assistance, as well as necessary medical treatment including psychological assistance, counselling and information, and translation and interpretation services where appropriate".

I wish to draw your Excellency's attention to article 39 of ECAT which states the intention of the convention to enhance protection afforded by the Palermo Protocol and to develop the standards contained in the Protocol. As stated in article 1(b), one of the core purposes of ECAT is to "protect the human rights of the victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, while guaranteeing gender equality, as well as to ensure effective investigation and prosecution".

According to article 10(2) in relation to identification of victims of trafficking, removal of the possible victim of trafficking would not be possible until the completion of the identification process by the competent authorities followed by the provision of services under article 12 which include physical, psychological and social recovery, including but not limited to appropriate and secure accommodation, psychological and material assistance, while taking due account of the victim's safety and protection needs. Article 13(1) refers to the obligation to provide a recovery and reflection period of at least 30 days, when reasonable grounds to believe the person concerned is a victim of trafficking.