

# Migration, Trafficking, and the Greek Economy: A comment on ‘the trafficker next-door’

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In the early 2000s, Greece’s response to the question of migration took a distinctively punitive direction.<sup>1</sup> In alignment with the global prohibition regime established with the UN *Convention on Transnational Organized Crime* and its associated protocols on human trafficking and migrant smuggling, the Greek government undertook two key legislative initiatives: firstly, a new law on organised crime (OC), Law 2928/2001, whose primary focus had previously been terrorism; secondly, a law specifically targeting human trafficking, Law 3064/2003, echoing the wording of the UN Trafficking Protocol. The latter law associated human trafficking with OC by inserting trafficking in the list of crimes included in the former, consolidating the connection between migration and OC in public discourses that had gradually emerged throughout the 1990s.

This development has arguably had a twin effect: firstly, by bringing the question of migration under the conceptual umbrella of OC, it reinforced the nationalist overtones of the related policy debates; secondly, by endorsing this overtly punitive framework, it effectively prevented the development of more humane policy approaches towards irregular migration, including approaches focused on cases of exploitation involving violence and extreme abuse in the context of human trafficking itself.

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<sup>1</sup> G Papanicolaou, ‘The Sex Industry, Human Trafficking and the Global Prohibition Regime: A cautionary tale from Greece’, *Trends in Organised Crime*, vol. 11, no. 4, 2008, pp. 379–409, <https://doi.org/10.1007/s12117-008-9048-7>.

Greece's case has been made more complex by the fact that the country was suddenly transformed to a destination country for migrants only in the early 1990s. Prior to that, it had traditionally been a source country, largely unfamiliar with the presence of migrants beyond small numbers of mostly EU citizens settling in its territory. Significantly, the country lacked a legislative framework for the receipt and integration of migrants, as it suddenly began to receive large numbers of predominantly irregular migrants, initially from neighbouring Albania and then from other Balkan and eastern European countries.

The influx of migrant workers provided a unique opportunity to satisfy demand for cheap labour in several productive sectors of the Greek economy. This was particularly true for agriculture, where migrants formed a waged-labour workforce for the first time. Migrant labour also assumed a key role in manufacturing, construction, and services, as low wages enabled enterprises in these sectors to sustain competitiveness under conditions of Greece's increasing exposure to international economic pressure.<sup>2</sup>

In the absence of a robust migration policy, the question of how migrants were becoming available as a workforce remained largely unasked by both Greek authorities and the general population. For the better part of the 1990s, the accepted stereotypical narrative of migrants simply crossing Greece's porous borders was complemented by the lack of acknowledgement of both human trafficking and smuggling issues. At the time, even the scholarly study of migration revolved around the question of the contribution of the new migrants to the economy—overall, a positive net effect: for example, studies suggested migration had a neutral effect on unemployment and wage levels, and a positive effect on real disposable income for better-off Greek households.<sup>3</sup>

The invisibility of the situation of migrants and blindness to their exploitation may arguably be attributed to the extent of the shadow economy in Greece, estimates of which have ranged between 25 and 30 per cent of its GDP.<sup>4</sup> Important in this context is the structure of particular economic sectors, such as small manufacturing, entertainment (bars, night-clubs, etc.), and agriculture, where the extent of the informal economy is significant. Enterprises in these sectors are also characterised by illegal practices related to terms of employment, minimum

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<sup>2</sup> P Linardos-Rylmon, 'Forms of Internationalization and Issues in Immigration Policy', in K Kasimatis (ed.), *Immigration Policies and Strategies of Integration*, Gutenberg, Athens, 2003, pp. 283–305.

<sup>3</sup> A Sarris and S Zografakis, 'A Computable Equilibrium Assessment of the Impact of Illegal Immigration on the Greek Economy', *Journal of Population Economics*, vol. 12, issue 1, 1999, pp. 155–182, <https://doi.org/10.1007/s001480050095>.

<sup>4</sup> M Baldwin-Edwards, *Southern European Labour Markets and Immigration: A structural and functional analysis*, MMO Working Paper 5, Panteion University, Athens, 2002.

wages, and social security contributions. In this respect, migrants were added to, or replaced, the Greek workforce experiencing these practices.<sup>5</sup>

These circumstances largely explain Greece's prolonged indifference to trafficking and exploitation of migrant labour. The principle of least regulation made sense at a time when intensive exploitation of migrant workers was instrumental to revitalising sectors of the economy that suffered most from the economic downturn of the 1980s and the restructuring of the 1990s. At the beginning of the 2000s, the advent of the OC and irregular migration nexus, and the subsequent growth of research focus on this basis, had the net effect of making visible how extensive and diffused the exploitation of migrant labour had become.

Our research in the past fifteen years has been concerned with the social organisation of illicit markets and the investigation of how illicit entrepreneurship meshes with legitimate economic practices.<sup>6</sup> While not denying the very real possibility of severe harm to migrants, in much of our research, the key issue that emerges is precisely the pervasive exploitation of migrant labour in the context of common economic practices, and *not* the presence of OC structures: the OC framework, by instituting a higher threshold for constructing a 'human trafficking case', effectively obscures situations that would naturally fall within the sphere of labour market and social policies rather than criminal law enforcement. Consider the following indicative cases, which would be highly unlikely to be prosecuted, yet very clearly demonstrate exploitation on the basis of the migrant's position of vulnerability:

- **The Greek part-time farmer:** Alex<sup>7</sup> is a 60-year-old retired police officer living in Peloponnese. Since the beginning of the 1990s, he has employed undocumented migrants primarily from Albania to pick olives from his olive grove. He employs them because 'the Albanians are very hard-working, there are no Greeks who would work on the olive trees...'. Alex pays his employees EUR 40 a day and provides a meal for them at the end of the day. He accepts that the workers should be paid more, but nevertheless considers the amount of EUR 40 quite large. Whether the workers are undocumented or not is irrelevant to Alex.
- **The Romanian intermediary:** Livi is a 35-year-old Romanian who has been living with seven of his compatriots in a village in Peloponnese. Livi uses his better grasp of the Greek language and better relationship with the local farmers to act as an intermediary between Greek

<sup>5</sup> S Sakellariopoulos, *Greece After the Political Changeover*, Livanis, Athens, 2001.

<sup>6</sup> G A Antonopoulos and G Papanicolaou, *Unlicensed Capitalism, Greek style: Illegal markets and 'organised crime' in Greece*, Wolf Legal Publishers, Nijmegen, 2014.

<sup>7</sup> In these examples, we do not use the real names of the individuals involved.

employers and his compatriots. He arranges employment contracts and receives a percentage of the payment from each of his compatriots for the 'brokerage'. When work is abundant, he selects the job depending on payment and the effort required. As a result, his earning from this activity can be as much as four times higher than those of his fellow Romanians.

- **The Greek public construction subcontractor:** Costas is a 29-year-old who works with his father, a public construction subcontractor. In the summer of 2009, Costas and his father worked on the construction of a public road employing Albanian workers on an ad hoc basis. They paid them EUR 40 a day for their work. According to Costas, 'this is an extremely low payment for the work they do since they work for much longer than 8 hours a day and they work under extremely harsh conditions with the temperature on the tarmac reaching as high as 60°C'.

It is important to note that the situations seen in the examples above could all be legally construed as cases of human trafficking under Law 3064/2003. Yet, clearly, there is a discrepancy between the certainty with which the law and official discourses refer to the threat OC presents and the bulk of situations that could be construed as cases of OC. Our point is that current approaches towards human trafficking view these phenomena in isolation from the context in which they occur. Traffickers (real or not) are active in the wider processes linking migration and labour markets, and it is imperative to examine the objective significance of (clandestine) migratory movements for the destination contexts to assess their role and the impact of their activities. Additionally, the fact that these individuals often rationalise their activities as a service<sup>8</sup> is perhaps an indicator of the objective role they play in channelling migrant labour. In some respects, and contrary to the idea that their role is largely parasitic, they make a functional contribution to both migrants and the economy, as far as they represent a factor of organisation in an otherwise chaotic process.

Human trafficking, and the role of the trafficker in particular, must be approached within the context of a political economy framework. Understanding the role 'traffickers' play for particular sectors of the economy in destination countries for migrant labour is a requisite for interventions to prevent and address not only criminal conduct where it exists, but also harmful situations emerging from economic structures, power relations in the labour market, and deficient social policies.

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<sup>8</sup> J A Winterdyk and G A Antonopoulos, 'Techniques of Neutralizing the Trafficking of Women: A case study of an active trafficker in Greece', *European Journal of Crime, Criminal Law & Criminal Justice*, vol. 13, no. 2, 2005, pp. 136–147, <https://doi.org/10.1163/1571817054300602>.

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