EXTORTION IN GREECE

THE RISE OF ORGANISED CRIME, EXTORTION AND RACKETEERING IN THE LATE 20TH CENTURY

Organised crime had not been an issue in the public discourse and academic debate in Greece until the middle of the 1990s. Although in the beginning of the decade some family based groups of Greeks extorters were formed, organised crime was recognised and recorded mostly as a problem connected to the presence of migrants (Vidali, 2014: 178). A look at reports of the Hellenic Police on organised crime shows that it was in the 1990s that organised crime began to be highlighted as a problem in the Greek context (Antonopoulos, 2009; see also Xenakis, 2006). These reports constitute the first official documents which referred to the presence and the involvement of criminal organisations in the Greek market and emphasised a clear link between organised crime and the influx of immigrants. In particular, the reports of the Hellenic Police for the years 1995 – 1999 noted a serious threat from "national criminal groups", and at the same time stressed the involvement of foreigners in organised criminal activities.¹

Another factor for the under-representation of racketeering and extortion among the priorities of the Hellenic Police has been the growth of the shadow (informal) economy. Its large size made it difficult to distinguish organised crime from other forms of illegality, because it contributed to blurring the boundaries between organised crime and typical economic crimes of entrepreneurs (Vidali, 2007/I: 912). In the 1990s, typical organised crime seemed to be a marginal phenomenon, which began to be investigated thoroughly and independently because of international commitments undertaken by Greece to prepare special reports on the state of organised crime (Rizava, 2012: 77).² In particular, police data for the years 1995 and 1996 show that organised crime had not been established in Greece during that period. The activity of criminal organisations in that period was considered limited, while the authorities predicted the increase of migration flows and cross-border criminality.

¹ The 1998 Hellenic Police report on organised crime in Greece, for example, states: "the continuing critical financial situa-tion, the fragile political balance of almost all countries neighbouring Greece and the constant influx of refugees and so-called economic migrants from neighbouring Balkan countries constitute an excellent aggravating factor for an increase of crime rates in certain areas of criminal activity" (Hellenic Police, 1999: 2). Later, in the 2003 and 2004 reports the role of ethnicity in shaping domestic organised crime is clearly emphasised.

² Lambropoulou (2003: 82) points out that the reports for 1995 and 1996 differ in several respects from the reports of 1997, 1998 and 1999, mainly due to the pressure to present a report based on the EU Council's requirements (1997b) document 35 (rev. II, Doc. 6204/2/1997). It is worth noting that the conclusions of the 1999 report are almost the same as in the previous report and appear incompatible with the presented situation (Hellenic Police, 2000: 3).

THE CONSOLIDATION AND EXPANSION OF ORGANISED CRIME

The gradual consolidation of criminal organisations in Greece in the period 2000-2005 (Bi $\delta\dot{\alpha}\lambda\eta$, 2007/I: 912) was related mainly to the structural changes at the end of the twentieth century, especially the expansion of the free market economy and its consequences. New labour markets, consumerism and free markets, including in sectors such as leisure and entertainment, which had not been regulated by the government (Bi $\delta\dot{\alpha}\lambda\eta$, 2014: 178), in combination with the increase of social inequalities contributed to the emergence of groups of people with low professional qualifications who were excluded from the legal economy and could easily be employed in the illicit markets (Ruggiero, 2000: 15-27).

This consideration changed in the annual reports on organised crime for the years 2011 and 2012, which provide more data and information than previous ones. According to these, individuals of Greek nationality are over-represented in most criminal activities.³ The conclusions of the 2011 report state that "in general, there is a strengthening of the role of residents in most criminal activities, and foreigners seem to predominate only in the smuggling of migrants, organised robberies and thefts" (Hellenic Police, 2012: 48).

The increased involvement of Greeks in organised crime is reflected in the report for 2012, which finds an increase in their role in most criminal activities (Hellenic Police, 2013: 49). Without an explicit reference to the causes of increasing domestic engagement with organised crime we estimate that it may be the result of the financial crisis, which is considered a key factor influencing the growth of organised criminal activities ($\Sigma \tau \alpha \mu o \dot{\nu} \lambda \eta$, 2015: 1212-1213).

Recent reports of the Hellenic Police point out that the geographical position of Greece as a passage between East and West in conjunction with the consequences of the economic crisis (especially the high level of unemployment) are two main factors which reinforce illegal activities such as trafficking, smuggling of tobacco products and drugs trade. In the latest Europol report on serious and organised crime in Europe, the economic crisis is also emerging as the primary reinforcing agent (enabler) (Europol, 2013: 11), which creates new opportunities for the growth of organised crime and changes the modus operandi of criminal organisations. However, this does not necessarily imply an increase in organised crime but could mean significant changes in the modus operandi trends of criminal organisations.

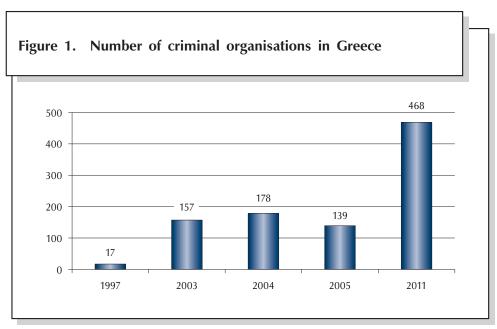
THE IMPACT OF THE ECONOMIC CRISIS

The economic crisis is framed by two essential social conditions in Greece, which reinforce the growth of organised crime: the first of which is a consequence of the crisis, and the second are structural conditions including high unemployment

The 2011 report for the first time referring to domestic criminal groups that cultivate cannabis and even noted that "these groups consist of nationals usually connected by family ties, friendship or business relations" (Hellenic Police, 2012: 19). Also, it notes the primary role of nationals in criminal activities such as metal theft, vehicle theft, trafficking in people, fraud, extortion and cyber-crime.

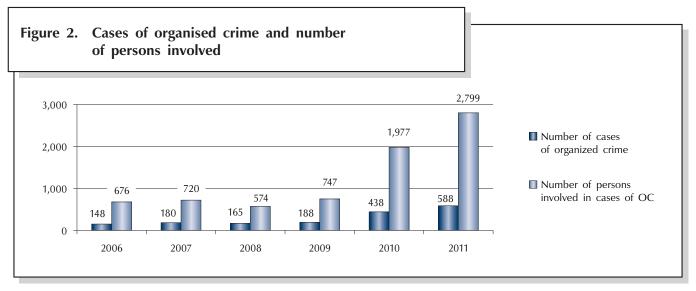
and the shadow economy. According to Eurostat, in August 2015 Greece had the highest unemployment rate (24.6 %) among the 28 member states of European Union. The unemployment rate is higher for youth under 25 years (52.4 %, 2014) and for women (30.2 %, 2014).⁴ Furthermore, Greece has one of the higher rates of shadow economy in Europe. The existing data for the year 2013 shows that Greece ranks 8th among the European member states with high levels of shadow economy after Romania, Lithuania, Estonia, Latvia, Cyprus, Malta and Poland (Schneider, 2013: 23). In particular, the shadow economy is estimated at about €43,170 millions out of a GDP of €182,924 million, meaning that 23.6 % of the Greek economy is channelled in the informal sectors (Ibid.). The growth of the shadow economy is a strong factor that favours criminal organisations activities development.

The impact of the economic crisis on organised crime is documented by the 2011 and 2012 Hellenic Police reports. There, the crisis is considered an essential condition for the expansion of organised crime activities. In particular, according to the 2011 Hellenic Police Report, the economic crisis creates conditions for easy recruiting of people, mainly foreigners facing hardship (Hellenic Police, 2012: 50). Indeed, the annual numbers of cases of criminal organisations investigated by the Hellenic Police has increased over time (see Figure 1). However, these changes could be related also to changes in the Hellenic Police's priority targets or to changes in the modus operandi of the criminal groups (involving criminals who are not professionals, conflicts between organised crime groups). There is also a clear increase in the number of involved persons in the criminal organisations (see Figure 1 and Figure 2) ($\Sigma \tau \alpha \mu o \dot{\nu} \lambda \eta$, 2015: 1214-1215).



Source: Hellenic Police 1998, 2004, 2005, 2006, 2012, elaborated by Irene Stamouli.

http://ec.europa.eu/eurostat/statistics-explained/inex.php/Unemployment



Source: Hellenic Police, 2013, elaborated by Irene Stamouli.

PROBLEMS WITH THE QUALITY OF DATA ON ORGANISED CRIME

The Hellenic Police report on organised crime for the year 2012 did record the total of cases of organised crime, but described its specific aspects, such as: illicit trafficking of migrants; distribution of drugs; robberies and thefts; human smuggling; extortion; kidnapping; fraud; forgery; tobacco and cigarette smuggling; counterfeiting of goods; and trade in cultural products and antiquities.

The methodology of reporting statistical data, however, is different for each specific aspect of organised crime. In most cases, the report indicates the total number of cases and persons charged by the police regarding the specific offenses. In other cases, the data shows the number of criminal groups apprehended (and not the number of organised crime cases). According to the 2012 report, the Greek Police investigated 664 criminal groups, corresponding more or less to the same number of organised crime cases. Out of all criminal groups, 9 groups committed extortion and racketeering offences (4 in Athens, Thessaloniki 4 and one in western Greece). The absence of a solid and valid measurement and reporting on organised crime and its variations on qualitative and quantitative aspects, leads to vaguely general and confusing evaluations about its extent and about the concrete impact of the economic crisis on these criminal activities. However, there are some data which allow gauging the qualitative changes regarding extortions and racketeering in Greece within the economic crisis.

The structural changes in the Greek society and economy in the recent decades had determined also qualitative changes in criminality and crime rates increase. While attention was on street criminality and fear of crime, various forms of serious financial, corporate and organised crime expanded also. Up to now, organised crime has mainly been linked to cross-border criminality such as smuggling, drugs, human trafficking. In the internal illegal market extortion, racketeering, drugs, corruption and sex workers' exploitation are typical organised groups businesses. Official data are, however, very poor, so low statistical figures of these crimes

cannot be said to correspond to high levels of social harm. Specifically, corporate and economic crime data are marginal in comparison with other common crimes. The cases registered by the police annually are not indicative of the expansion of these crimes. Our research showed that the cases of organised crime according to Hellenic Police data for 2012 are less than 7 for each region. Extortion cases, in particular, are not easily identified outside big urban areas.

CORRUPTION AS A KEY FACTOR LINKED TO ORGANISED CRIME

According to the Corruption Perception Index for 2015 by Transparency International, Greece is ranked 58th among 168 countries, having improved its position by almost 10 points (69th in 2014, 94th in 2012), having 46 points on a scale from 0 (highly corrupt countries) to 100 (no corruption) (Transparency International, 2015). Furthermore, according to the 2010/2011 Global Corruption Barometer of Transparency International the 66 % of Greeks who participated to the survey consider the government ineffective in fighting corruption, and 75 % believe that the level of corruption in the country has increased during the period 2007 – 2010. Eighteen percent of Greek people reported paying a bribe.⁵ However, it should be noted that these surveys are measuring perceptions about corruption and not the quantitative or qualitative extent of corruption. Additionally, the levels of corruption measured by Transparency International are rather related to political and public sector corruption in its relation to the private sector but do not provide a measure of organised crime's infiltration in the legal economy.

LEGISLATIVE AND INSTITUTIONAL ASPECTS

Greece has adopted a series of legislative measures against organised crime, in the context of the Convention of the United Nations and initiatives of the European Union, related to the concept of criminal organisation, to the European Arrest Warrant, to collaboration among police and judicial systems, to transnational crime and terrorism, to human trafficking, etc. Independent authorities and special services for the monitoring, control, and investigation of organised crime have also been institutionalised. With respect to legislation Greece follows the international and European trends against organised crime. Applicable laws on this issue are laws 2928/2001 and 3251/2004.⁶ The competences of control and market protection are vested in the Hellenic Competition Commission (HCC) which is responsible for the enforcement of the law 3959/2011 on protecting fair competition. HCC is an Independent Administrative Authority with procedural and decision-making autonomy, and performs all the enforcement actions with respect to national and EU competition rules. It has broad enforcement powers in the area of collusive

http://www.transparency.org/country/#GRC_Data

⁶ L. 2928/2001, Gazette of Government vol. A, n. 141/27.6.2001 "Amendment of the provisions of the *Penal Code and the Penal Procedure Code*, and other provisions for the protection of citizens from punishable acts of criminal organizations". L. 3251/2004, Gazette of Government, vol. A', n. 127/9.7.2004: "European arrest warrant, modification of the Law 2928/2001 on criminal organizations and other provisions".

practices/cartels, abuses of dominance and merger control. In this context, the HCC may take decisions finding an infringement of the *Competition Act* and the *Treaty on the Functioning of the European Union* (collusive agreements and/or concerted practices between undertakings that have as their object or effect the restriction of competition) and impose administrative fines, launch investigations and conduct raids for the enforcement of antitrust and merger control rules, conduct sector inquiries.⁷ The HCC has no jurisdiction over the application of the provisions of law *146/1914* on unfair competition, the application of which is in the competence of civil courts.

The Greek Criminal Code incriminates extortion as an offence included among the crimes against property. Article 385 of the Code defines it as the act of someone who "in order to earn for himself or others an unjust profit, forces someone with violence or threat of an act, omission or forbearance as a result of which damage occurs to the property of another." The crime is constituted when it is committed with physical violence against a person or threats combined with imminent danger body or life b) if the offender exercised violence or threat of damage to the business, profession, his position, or other activity carried out by forcing or else or offered to provide or provides protection to avoid causing such damage by a third party shall be punished with imprisonment of at least two years and may not convert or suspension of sentence. The provision is further qualified in cases when the acts are committed by a person who commits such acts habitually or as profession (or if the circumstances show that the perpetrator is especially dangerous). If the act results in the death of a person or in serious physical harm or if the transaction was executed with particular cruelty against a person, then life Imprisonment is imposed.

In Greek penal legislation there is no specific provision against racketeering. Racketeering is considered one of the acts which constitute the modus operandi of extortion. Usually these offenses are compounded with other offenses, such as setting up an organised crime group (criminal association, art. 187 *Criminal Code*), illegal possession of weapons, illegal profession, supply and trafficking of drugs, etc.

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www.epant.gr/content.php?Lang=en&id=85

EXTORTION IN THE AGRICULTURAL SECTOR

BACKGROUND

For the purpose of this report "agricultural sector" includes all the activities of land cultivation, animal feed and production, as well as the promotion of agricultural products in the wholesale and retail markets by the producers or the sale of the primary produce to the wholesalers or to agricultural/animal products' processing industries. The process of agricultural/animals production includes also the rural equipment, the supply of animal feed and plant seeds, the maintenance of rural lands and facilities, livestock, etc. All these processes and specific needs in the supply and possession of goods are included in the primary sector production.

Extortion in the agricultural sector is not a typical form of crime. The various forms of extortion or racketeering which are committed against agricultural producers within the cycle of agricultural production are included in this term. This particular type of crime has not been researched of identified specifically in this sector in Greece. This report, therefore, covers cases which have not been identified by the Greek authorities as typical forms of crime, and consequently are in the grey zone of criminality. Up to now, extortion has been a form of crime related to interpersonal violence or threats of violence or to the operation of OCGs mainly in the urban context. By this perspective, extortions have typically been related to the consumer economy and mainly to the night-time economy (NTE) and leisure industries. However, as just mentioned, they have not been committed typically within the tertiary sector, between contracting parts in legal enterprises. As will be analysed below, rural extortions by contrast are committed within the cycle of rural production between contracting parts of entrepreneurs. This is probably a key reason why there has been an invisibility of rural extortions.

The analysis in section is based on the research of 12 cases of extortion in the agricultural sector in Greece for the years 2004 – 2015. In this type of extortion (hereinafter referred to as rural extortions), there are three categories of perpetrators. First, a large number of corporations of agricultural supplies and processing of agricultural products organised to violate laws on competition and rights on property disposal of the agricultural producers. Second, there are the livestock breeders and agricultural producers who transited from legal primary sector to organised criminal activities as drug trafficking, extortions, etc. Third, rural extortions involve a limited number of offenders coming from marginalised Roma groups, who belonged to OCGs. The victims in the researched cases include a large but indeterminable number of villagers, livestock farmers and agricultural producers. The sources used in the research include the decisions of the Hellenic Competition Commission (HCC), publications in newspapers and magazines, publications on websites of rural associations and cooperatives, parliamentary questions to the Minister within Parliamentary Control, and interviews with farmers who were victims of rural extortion.

THE AGRICULTURAL SECTOR AND EXTORTIONS IN GREECE: A CORPORATE CRIME?

Dominance and crisis of the agricultural sector

Greece is a country of mixed capitalist economy, in which the agricultural sector is very important for the Gross Domestic Product (GDP). Throughout the 20th century the primary economic sector in Greece developed as mainly small scale family owned agricultural enterprises and breeding units, the secondary included medium scale manufacture industries and the tertiary sector commercial private enterprises and public services. Up to now, self-employment and family business have been typical of the Greek economic structure ($B_I\delta\dot{\alpha}\lambda\eta$, 2011, $N_{IK}\delta\lambda\ddot{\alpha}\bar{\delta}\eta\varsigma$, 2005: 116, $X\dot{\alpha}\lambda\alpha\rho\eta\varsigma$, 2005: 49).

In 2012, the value of primary sector in Greece was estimated at €10.8 billion, the number of employed in it was about 500,000 people, namely 12.2 % of the total employed workforce. According to European Commission reports, the agricultural areas in Greece occupy 82 % of the total land of the country. However since the 1990s, under the Common Agricultural Policy of EU (CAP) the primary sector had increasingly shrunk. The Utilised Agricultural Areas (UAA) in Greece during 2007 – 2010 decreased by 15 %. In the years 2007 – 2012 the average of employed in primary sector decreased by 1.3 % per year (European Commission, 2013 and 2012).

In the last 30 years, in the context of the expansion of free market economy in combination with the CAP and structural variables typical of the Greek political and institutional system (such as political clientelism, corruption, economic deregulation), a number of structural changes occurred in Greece, which involved also agricultural sector. The concurrence of these factors had, among other things, the effect of disintegrating the small industries in the processing of agricultural products, while favouring the expansion of industrial consortiums in this sector, and dismantling the state protected agricultural credit system (loans to farmers); the unique Agricultural Bank was also privatised in 2012. These events enhanced the vulnerability of the agricultural producers and their dependence on corporations' financing (Λ ov λ ov δ o η c, 2012: 10 and Λ p γ eí τ qc, 2005: 30). On the other hand, industries processing agricultural products began to move to horizontal agreements, responding to the increasing competition within the primary sector because of industrial concentration and the entrance of large foreign companies in the Greek market.

Organised corporate crime in Greece and research findings summary

According to findings of this research, rural extortions in Greece can be classified in three types: (a) cartel rural extortions (CRE) are related to the production cycle of agricultural produce and livestock, and their sale to processing industries and to wholesale distribution companies. In particular, extortions are committed as part of the development of cartel agreements between industries supplying and those processing agricultural produce; (b) The second type – agricultural OCGs

(AOCG) – are related to the effect of breeders and farmers switching to illegality (GR-A2). (c) The third is related to crimes committed by typical OCGs against farmers' markets (GR-A11). From these three types of rural extortion, the first (CRE) is the most common within the primary sector in Greece (10 cases found in the research).

The **cartel practice** is a form of white-collar crime or at least of corporate/ economic crime. In Greece, only some aspects of cartel practices are incriminated under specific conditions. However, according to our research, an aspect (or side effect, but constitutive condition of cartel process in the specific sector) of cartel crimes is the extortion in rural areas, which has not been studied as such up to now. The fact that until now cartels have been mainly studied in the context of commercial, consumption processes, has contributed to the undervaluation of its extortive aspect regarding agriculture. This practice constitutes extortion for a number of reasons (also elaborated in more detail in the following subsections).⁸

First, it is not related only to competition but to proper extortions on the level of contracts on agricultural produce prices, which are conditioned according to the relations formed between the producers and the agricultural produce industries/traders, on the basis of loans for agricultural supplies, of allocations of storage areas and transport vehicles, etc. So there is a relation which forms a basis for *forced* and mostly *informal* contracts: this is a very important condition, which constitutes the very purpose of extortion.

Second, the cartel agreements include a "ban" on farmers' "movement" from one corporation to another and therefore limit their choice and distort fair competition.

Third, threats against the producers are related to damage of properties in a particular form: not as physical violence against property but as damage to actual and future agricultural produce. Therefore, there is coercion related to the lack of choice for the producers.

Fourth, this type of extortion is related to organised crime because the cartel practices are developed in forms of loose ties between cartel agreements companies (networks), on the basis of a concrete illegal project (unfair competition) and therefore a cartel of such type constitutes a criminal enterprise network.

Fifth, those involved in this practice have described the experience as being one of extortion. Additionally, in 2013 the special prosecutor against corruption in Greece has opened an inquiry for extortion regarding milk cartel representatives. In this context there is also evidence of corrupt practices by some politicians.

An agricultural OCG, the second type, was found in only one case (GR-A2) but there has been involvement of a large number of fellow villagers in a region of Crete Island. An established cultural attitude toward cannabis cultivation, in combination with the livestock crisis in their area, increasing consumerism, intense

See also HCC, Decision n. 1 369/V/2007 (inquiry on milk products process industries). HCC Decision 563/VII/2013 (inquiry on market of broilers husbandry). HCC Decision1 531 /VI/2011 (obstruction of inquiry in the company Kaplanidis Mills and in the association of the Greek Flour Industrialists).

local social inequalities and local political corruption determined the transition of this group of breeders to organised crime business and specifically, cultivation and trafficking of drugs, arms trafficking, extortions of traders in tourist areas and armed robberies. For some of them, their involvement with organised crime was also related to their addiction to drugs (as cocaine addicts to finance their need to buy cocaine). Extortions were committed as coercive control of their village and its inhabitants in order to maintain power and ensure revenue.

The **third type of extortion** is also unique and found only in one case (GR-A11). It was related to extortions committed by an OCG against the farmers' markets in the region of Peloponnese (in Argos Town). The perpetrators extorted sellers in street/farmers' markets for a share of their profits on sales of vegetables. In some cases extorters destroyed the vegetables on sale. Usually, extortion related to organised crime and street markets is related to illegal permits for street markets and is a fully urban type of crime in the tertiary sector. The uniqueness of this case was that the organised crime group had recruited Roma – persons from one of the most marginalised social groups in Greece – to execute the criminal plan.

It seems that cartel rural extortions are not rare cases within the primary sector according to the data collected for this research but included among white collar and corporate crime. Criminologists who study white-collar crime generally agree that it: a) occurs in a legitimate occupational context; b) is motivated by the objective of economic gain or occupational success; and c) is not characterised by direct, intentional violence (Friedrichts, 2010: 5). In fact, these features are present in the cartel cases identified in our research. Corporate crimes could not have a single meaning or definition but their typical feature is the violation of private or public trust (Ibid.: 8). Criminal entrepreneurship can develop within organisations: corporate crimes are illegal activities or harms related to the entrepreneurial development process. Since Edwin Sutherland (1945) "discovered" it, white-collar/corporate crime has been considered a form of organised crime: it is rational, deliberate, persistent, and much more extensive than its official registrations within criminal justice system reflect. Their illegal practices are covered by administrative law, which protects the conditions of fair competition in the market.

Geographical distribution of organised corporate crime (cartel) extortions and socio-economic context

As mentioned above, extortion rates and rates of organised crime in Greece are very low. Rural extortion is developed in relation to the specific kinds of products, in the context of commercial relations between producers and corporations in the agricultural sector. Compared with other kinds of extortion on a regional level in Greece, rural extortion is different as to its object (the product) and also its modus operandi. Within the same type of extortion there are also further differences regarding the specific kind of extortion products and the spread of such practice on a regional level.

The data collected suggests that most cartel agricultural extortions cases take place in the northern and north-western parts of the country, namely in the regions of Macedonia and Epirus, followed by Crete and Peloponnese. However, the distribution of these cases does not lead to general conclusions of a possible correlation between the development of the agricultural sector, population size and the spread of cartel agricultural extortion on a regional level, because of the specific local socio-economic structure and conditions of development. These regions and their urban centres are of various population sizes: Chania in Crete has more than 100,000 inhabitants, while Thessaloniki in Macedonia has more than 700,000. The area of Preveza and the close to it Arta have less than 50,000. However, all those interviewed in Preveza confirmed the cartel extortive agreements in their region.

The data indicate some contradictions regarding the development of the primary sector, which will only be briefly mentioned here. Macedonia, where the cartel agricultural extortion seems to have consistent presence, produces 73.1 % of the milk in the country but its primary sector contributes only 11 % to GDP, while in Epirus its contribution to GDP is at 8.9 %, in Peloponnese is at 32.8 % and in Crete at 5.4 %. In comparison with the other regions, the primary sector is dominant on at the local level only in Crete. Still, despite this dominance, the labour force of that sector has decreased at 36.43 % during the years 2000 - 2008 (Περιφέρεια Κρήτης, n.d.), but the decrease of the labour force does not correspond to changes in the unemployment rates. For example, despite the fact that Rethymno Regional Unit is one of the poorest in Greece, in 2013 (2nd trimester) it was the Macedonia regional unit with the higher rates of unemployment (32.9 %) in comparison to Crete and the national average. Further, according to the Labour Force Survey final (corrected) data, the rates of unemployment in Western and Central Macedonia for the 3rd trimester of 2013 were at 32.1 % and 30.2 % respectively, and for the 3rd trimester of 2014 were at 26.7 % and 27.8 %. At the same time, unemployment in the Crete Regional Unit was at 22.9 % (3rd trimester 2013) and 20.9 % (3rd trimester 2014) respectively (ΕΛΣΤΑΤ, 2014; Περιφέρεια Δυτικής Μακεδονίας, 2013: 4).9

Generally, unemployment, part-time employment and underemployment rates could not be correlated to extortions in the agricultural sector, because of shadow labour and, recently, because of the economic crisis effects: unemployment in Greece was at 9.7 % of the total work force in 2003, 17 % in 2011 and 27.3 % in 2013. Youth unemployment in 2011 was at 44.7 %, in 2013 at 58.3 % and in 2014 at 52.4 %; since then, there has been a massive migration of active work force toward other countries.¹⁰

Furthermore, in Epirus the primary sector contributes 8.9 % to GDP, but a vital agricultural production in "new" cultivations is forming there. In all the regions, the primary sector constitutes less than 1/3 of the regional economy. It can therefore be argued that it is neither the specific socio- economic conditions nor the actual expansion of the primary sector, but the organisation and financing of the whole chain of production that is a significant factor contributing to the development of cartel rural extortion.

ΕΛΣΤΑΤ, "Ερευνα Εργατικού Δυναμικού, Δελτίο Τύπου". 18.12.2014. Περιφέρεια Δυτικής Μακεδονίας Σχέδιο Πρότασης Περιφέρειας Δυτικής Μακεδονίας για την διαμόρφωση των Κατευθύνσεων Εθνικής Αναπτυξιακής Στρατηγικής 2014 – 2020, 2^η Εγκύκλιος, 28/11/2013, σελ. 4.

¹⁰ Eustostat, "Unemployment and beyond", Statistics Explained, 2014.

THE PERPETRATORS

White-collar criminals and corporate crime

The cases of cartel rural extortions classified as white collar/corporate crimes should be analysed in the context of the characteristics of such crimes. Specific caveats apply to the extension of the concept of white-collar and corporate crime to social harms, or its determination by criminal or by other laws (civil, administrative, etc.). Beyond the various conceptual disputes over corporate crime, its causes are linked also to various perceptions. The structural functions of capitalist economy and power relations, opportunity for more profit or adaptation to crises of various kinds are some of the explanations regarding the causes of corporate crimes. In this context, the causal conditions "can be understood as necessary responses to changing social phenomena, within increasingly complex relations between legitimate and illegitimate organizations" (Tombs and Whyte, 2001).

The perpetrators of corporate crimes are institutions and individuals with legitimate, respectable status, often high professional expertise, whose aims are financial gains or the maintenance and extension of power and privilege. Therefore, they are socially different in comparison with common criminal offenders (Friedrichts, 2010: 8). It is generally accepted that white-collar crimes are crimes committed by corporations and their personnel to obtain market power and profit (see, indicatively, cases GR-A1, GR-A9, GR-A10). They are perpetrated in different forms (cartel is one of them) following the structure of the market in specific sectors and are committed with less violence. They do suffer from social stigma (labelling) and loss of peer status (Sutherland, 1945: 132-139). However, according to Weisburd, Waring and Piquero (2004) corporate crimes offenders are people who have moderate income, belong to middle-class strata, get involved in criminal business more than once and are older than common criminals. Some of them are involved in crime as a response to a crisis, exploiting the advantage position of trust they occupy (see all identified cartel cases). Another group among them, called "opportunity takers," are ordinary people whose criminality is linked to unexpected and unusual opportunities in their career (GR-A4, GR-A12). Their involvement is favoured by their attitude of not recognising their practices as crimes or harms, but treating them as usual business. Nevertheless, as Paunch (2008) suggests, a strong factor is the loss of choice because of the organisational power's dominance over professional and personal life and choices (company man), which provide the motives for deviance, the rationalisation of law breaking, obedience, etc. These general characteristics have been found in the researched cases of cartel rural extortions. The extortive practices against agricultural producers had been realised in the context of corporate crimes of the companies mentioned above, which acted as organised criminal networks (Minkes and Minkes, 2008: 10-12; Paunch, 2008: 117: Weisburd, Waring and Piquero, 2004: 51).

Some general findings regarding the profiles of perpetrators, their basic sociodemographic data and the **general structure of these criminal businesses** can be summarised as follows. **Extortions of the first type (CRE)** were committed by executives and technical advisors of corporations, thus realising the corporation's "shadow" policy. In particular these were personnel of 10 milk products elaboration companies (GR-A1), of a flour production company (GR-A9), of 7 flour production/wholesales of cereals companies (GR- A10), and of 14 retailers/wholesale import companies of potatoes and other vegetables (GR-A12), animal feed suppliers (GR-A4), retailers/wholesale traders of agricultural supplies and/or produce, owners of small/medium scale enterprises or staff of big enterprises of agricultural supplies (GR-A6, GR-A7, GR-A8), staff of a corporation of foods retail chains along Greece (GR-A5), ten to fifteen (10-15) employees of kiwi production export trade companies (Greeks and Italians) (GR-A9). In this category all the persons involved were aged about 50 years.

Some cases of cartel agreements also involved representatives of industries associations, agricultural associations and, in one case, (GR-A1) politicians in order to ensure (under commission) that the HCC would not inquire into the case.

The second type (AOCG) of extortion (criminal business as reactions to local area crisis) was committed by breeders who were charged with setting up a criminal organisation (some of them have been found not guilty for this specific charge) (GR-A2). In this category all the persons involved were aged 20-40 years old.

The third type of extortion (common organised crime) was committed by ten (10) Roma, members of a wider criminal organisation (GR-A11); they were younger than 30 years.

Structure and modus operandi

In all the cartel cases the purpose was to control the market and eliminate competition in order to increase their profits. In this context the extortions against producers have been committed to gain the lower price fix of agricultural products. In the case of the transition to a criminal business (GR-A2), the breeders have been transformed into a typical OCG. Extortions were committed in order to reassure the "omertà" of fellow villagers and avoid investigation by the police in their village, and of course for profit. In the case of the Roma (GR-A11), in addition to profit, there was the involvement with crime as cultural and socially cultivated "job" (problem solving): since the 1990s when the traditional occupations of the Roma began to appear, they, not having access to the new labour market due to low qualifications, began to become involved with illegality (drugs, black market, etc.).

The loose bonds between the members of the cartels determined that they operated as criminal networks but for achieving their purpose they adopted practices typical of OCGs: some corporations had a dominant position, the cartels adopted security/surveillance measures to enforce the agreement, and followed concrete rules regarding the control of territory and clients. In some cases the agreements were also written.

The implementation of a concrete criminal plan and awareness of crime

Apart from the cases GR-A2 and GR-A11, which are typical cases of extortion included among the illegal business (extortion, racketeering) of common criminal organisations, the cartel agricultural extortions are classified as side effects of corporations' cartel agreements (usual business) regarding agricultural production (Weisburd, Waring and Piquero, 2004: 66-67). However, as mentioned above, these are substantial forms of extortion. The cartel agreements have been developed according to concrete plans and rules – written or oral – regarding the enforcement of agreements and consolidation. These in fact constituted organised crime plans and included:

- a) the recognition of the dominant positions of certain companies in the cartel, which had the initiative of setting up the agreement;
- b) the conclusion of criminal agreements (harmonising practices) under which the cartel members dealt with the producers. Such agreements are prohibited (are banned but are not criminal offences) under EU and Greek laws. The harmonised practices concerned the fixing¹¹ of prices of agricultural produce, the distribution of clients (producers) and the prohibition to change clients between cartel members, the supervision/control of the cartel members for the enforcement of the agreement.
- c) the implementation of an agreement with the producers was a **deliberate act although not perceived as a form of extortion**: the corporation's staff denied the criminal nature of the deal by considering it business as usual. The prohibition to change clients, the fixing of prices, the widely known complications of the financial ties between the corporations and the producers are some of the criminal aspects of these deals which were considered usual business. Thus, the implementation of the agreement was conditioned by the efficiency of extortive threats on risks addressed against the producers.

There is no information about the duration of the third type of extortion (common OCG, GR-A11). For the other cases, their length is documented by all sources used in the research: for the cartels it was between 2 and 10 years; in the case GR-A2, the criminal activity was implemented within 5-6 years.

Structural changes in the agricultural sector, general denial of the extortive criminal nature of these practices, the vulnerability of the victims and acquiescence caused by fear, positions of power and trust of the perpetrators, inertia of the competent authorities (police, criminal justice), political corruption are some of the reasons (in varying proportions in the different cases), which favoured the longevity of the cartel and the extortive practices.

Extortive practices in the agricultural sector in the context of unfair agreements of powerful intermediaries and the manipulation of farmers and breeders production relations have been long established, and are related to the vulnerability of the victims and to the lack of incrimination of these practices. The special influence that

[&]quot;...Much of fixing prices does not involve a specific conspiracy but rather takes the form of parallel pricing, wherein industry 'leaders' set inflated prices and supposed competitors adjust their own prices accordingly... Parallel pricing, which is virtually beyond the reach of law, has been estimated to cost consumers more than \$100 million annually...:" (Friedrichts, 2010: 81).

white-collar classes and corporations have on law-making, especially criminal law, and the high level of recidivism of these perpetrators/corporations are well known to the scholars on criminology (GR-A1, GR-A12) (Sutherland, 1945: 132-139).

Today, even if the range of incriminated offences is expanding in Greece and the EU, cartels in the agricultural sector constitute violations or harms committed by organisations which remain outside the scope of criminal law (Friedrichts , 2010: 9). Such *under-criminalisation* of corporate crimes (in this case cartel agreements) and their suppression by anti-cartel *administrative* legislation contributes to the shadowing of more serious criminal side effects, namely the cover up of extortions.

Extortions: the penal law view

As pointed out in the Introduction, according to the Greek *Criminal Code*, in order to qualify as crime of extortion the offence should include the intention of gaining profit by forcing someone (the victim) through violence or threat of violence to commit or omit or tolerate an act of omission from which results in property damage. There are thus four premises of extortion related to the perpetrator's attitude: an illegal intention, coercion, the use of violence or threat of violence and the damage to the property of the victim.

Specifically, extortion is directly bound up with the coercion of the victim, i.e. the use of force or threat, after the exercise of which the victim (the one forced) can no longer voluntarily decide for the act or omission, and therefore acts under the duress of such violence or threat, and takes a decision damaging his/her or another person's property. The act is considered intentionally committed, when the perpetrator knows that the asset advantage he requires is not a legal title or when the act or omission of the forced person is not an expression of the free will, as recognised by the Constitution and the laws, nor an expression of the right of freedom to transactions. Therefore, apart from the illegality of his demand, it is alternatively recognised that the perpetrator has intentionally committed the act, when its commission provoked the violation of the right to the free expression of someone's will, of the right of freedom to trade and to free disposal of assets (Papathanassiou, 2011: 1977). Various Decisions of the Hellenic Competition Commission did not accept that the perpetrators ignored the prohibition of the horizontal agreements and also that their acts provoked damage to producers and to other competitors.

In the researched cases, the illegality of the perpetrators' demands is proved by the fact that prior to the corporations' deals with the agricultural producers there have been illegal cartel agreements between corporations: these are considered coercive practices and are banned by the competition laws of EU and Greece.

In the cases under research, **compelling** took place on the basis of existing commercial relations between the perpetrators (corporations) and the victims (producers) and was manifested in the contracts between these parties for purchasing of the produce. The questions that arise are related to the possible choice of contracting party for the producers and to the violation of the expression of free will and the right to assets disposal.

The relations between corporations and producers were founded on the need for producers to finance the production of the next year, and in particular to buy agricultural supplies (tools, animal feeds, seeds), to store or transport their products. These needs were met through loans and facilities granted by the same corporations which buy the agricultural produce (GR-A1, GR-A4, GR-A9, GR-A10). Under such conditions breeders and farmers have up to now been continuously in debt to the companies and had no alternative (GR-A6, GR-A7, GR-A8). Therefore, at the annual negotiations between producers and corporations about the prices of agricultural products, the companies were in a position of power towards the producers, and were able to impose their demands, i.e. to buy at the lowest possible price, even departing from the initial (oral) agreement. The producers were compelled to oblige because of the abovementioned collapse of the agricultural credit system, which deprived farmers of the ability to borrow under suitable terms, leaving them almost no other option but to finance their production through loans from these companies.

By force of horizontal agreements, the perpetrators (processing companies, wholesalers, etc.) agreed to parcel out the producers-clients and banned the participating companies from accepting each other's clients, thus preventing the producers from approaching another company to sell their produce. These conditions determined directly the violation of the expression of free will and the right to property disposal for the agricultural producers, and thus meet the penal definition of extortion. Furthermore, these deals were not transient or symptomatic states of extortion. In many cases, the extortion was repeated every year.

Another crucial issue is related to corporate violence in the cases of cartel agreements. Analysing the nature of corporate violence Friedrichts argues that in comparison to conventional interpersonal violent crime, corporate violence is indirect and temporary in the sense that the effects of corporate violence are typically quite removed in time from the implementation of the corporate policies and actions which cause harm, and there could not easily be established a causal relation between the corporate action and the injury or harm. According to Friedrichts corporate violence is collective and is motivated by profit maximisation. It is a consequence rather than a specifically intended outcome of such motivations and it has not been an issue of serious reactions and debate within the criminal justice system (Friedrichts, 2010: 65).

Coercion differs from violence as it is accepted that it can occur without exercising physical or psychological force (e.g. by omission) or it can occur at the level of the expression of the will. Beyond perceptions of violence as a physical force, there is the psychological dimension of violence which alters someone's will on the material not only on psychological effect. In the researched cases, the effect of the psychological violence against producers was their compliance with the corporations' demands. It is argued that psychological violence (*vis compulsiva*) consists of two wills confronting and becoming subordinated to the other $(M\pi o\nu p\mu \acute{\alpha}\varsigma, 2011: 1902)$. It is also assumed that in the case of the crime of extortion the threat must be explicit and direct, oral or written, direct or indirect, and this includes the threat implied by offender's expressions and his/her overall behaviour (Papathanassiou, 2011: 1978). In the cases of the examined cartels, the corporations compelled the producers to accept lower prices by employing

a number of tactics for intimidation, such as discrediting the quality of their products, requiring the decrease of prices by reneging on the (oral) agreements, etc. All these practices create an immediate risk of damage to agricultural property, of loss the annual production and, consequently, of producers' financial collapse in the case of unsold production.

In sum, these cases constitute extortion and, in some aspects, racketeering because the background of the relations between producers and companies involved in the cartels constituted a condition of *compelling force* of which the will of the producers is bent to will of the corporations. The producers had no other choice to save their production (property) in the present and in the future.

THE VICTIMS

Corporate crime victims, as those of organized crime, are "often quite impotent to respond effectively to corporate crimes, which were difficult to prove, and corporations were well positioned to 'fix' cases against them" (Friedrichts, 2010: 8). In all the cartel cases the victims were agricultural producers and livestock breeders. It is difficult to discuss the individual victims' profiles because this particular kind of extortion was collective, which was reflected in the sources that have been used, and the way by which these cases became known to public (it is possible to describe the profile of the victims only at average level for each group). Considering this limitation it is nevertheless obvious that in their majority the victims were about 40-50 years old, owners of small/medium agricultural (or livestock) family companies legally classified as sole proprietorship (cases GR-A1-12). The victims were heads of households and beyond members of their families they employed other labour force (seasonal or long-term) depending on type of their production. A characteristic of the Greek agricultural sector is that the sheep and goat breeders and milk producers are usually inhabitants of mountainous areas, which are least developed in Greece for various reasons (historical, economic, social, etc.). Therefore the type of the product under extortion leads to some conclusions, regarding the development conditions of the specific geographic areas.

In their majority, victims were members of agricultural associations active on local, regional or national level. Agriculture was a core business of the producers in the researched cases – a fact of significance regarding extortions, because it is considered part of the entrepreneurial activity protected by criminal law. It was their profession that was put at risk by the extortions. In particular, the concept of "enterprise" (art. 385 of the *Criminal Code*) includes all the elements of an economic activity of an agent acting for profit. Beyond "enterprise" as an economic activity, art. 385 also protects "the profession" as an intangible asset, independently from profit-making. "Profession" is considered any activity of a person which is directed (aims) to earn a living ($\Pi\alpha\pi\alpha\theta\alpha\nu\alpha\sigma$ oiov, 2011: 1983 – 1984).

There was no information in the researched cases of contracts with private security companies, or about insurance against risks of extortion, or to any other insurance against risks of the specific productive activity. The law provides only that in cases of various types natural disasters producers are compensated from the state budget.

The structural changes mentioned above had further specific effects on producers' social status. They contributed to undermining the ability of farmers/breeders to finance their production, to the degeneration of power of agricultural cooperatives and associations (linked also to cases or corruption), and to the increased power of agricultural industries to determine the supply conditions in the agricultural sector in many areas of Greece.

Victims coped in various ways with the cartel agricultural extortions. In many cases the victims complied with the demands of the perpetrators for several years, depending on the type of production, the vulnerability of the victims or their confidence that justice could or could not be obtained (GR-A6, GR-A7, GR-A8). The relations between corporations and producers complicated the whole issue. In many other cases victims understood the extortions as problems of politics (GR-A4, GR-A9, GR-A12) (Minister of Economy, Competitiveness and Shipping, 2011), to be resolved by the government, rather than violations of their property rights to be redeemed by criminal justice. Corporations' attitudes toward victims constituted part of a long-standing political dispute at the local level, as the producers used to address the local politicians or to the minister of agriculture via their associations, and ask for government's mediation/intervention for a better price of their products, instead of addressing the justice system and denounce their extortion/ exploitation.

Nevertheless, in many cases, the extortive cartel practices have been publicly denounced on the initiative of these associations.¹² Because of their complaints, in some cases the Hellenic Competition Commission has undertaken to investigate and then reveal the concerted practice of companies (GR-A9, GR-A10); that, however, did not concern the extorted farmers.

For years, **corruption** had favoured the cartel practices. The mismanagement of many agricultural cooperatives, corruption in the administrative boards of cooperatives, and the political clienteles undermined the contractual power of the agricultural associations. These trends victimised further the producers, who were even subject to a "double" victimisation by their very representatives and by corporations.

CONCLUSION

It is evident from the researched cases that the agricultural and the primary sector in general are vulnerable to the demands of organised corporate crime on specific aspects of production. This issue should be explored further and in comparison with other subsectors of the primary sector (e.g. fisheries), and in taking into consideration the effects of the economic crisis on potential criminal trends within legal business.

¹² Resolution of the General Assembly of kiwi cultivation, production and trade Agricultural Cooperative of Arta. 13.10.2010. "Cartel on kiwi denounce the producers in Arta", *Eleftherotypia*, 29.11.2010. "Cartel on kiwi denounce the GCP (KKE *in Greek*)", *Agronews*, 12.10.2015.

The vulnerability of the victims is linked to various reasons: the processing of agricultural produce and its delivery to consumption markets is controlled by networks of powerful intermediary companies. The supply of agricultural equipment, provisions and feeds depends on farmers' ability to borrow from the private sector. The state controlled agricultural bank has closed. Furthermore, the professional association of the farmers has been problematic for years, politicised and fragmented. The restructuring of the primary sector in the last 30 years has failed to modernise it and to create preconditions of primary sector enforcement. Considering these factors, it could be argued that the vulnerability of the victims is linked rather to structural factors of primary sector organisation and development rather to local or individual factors. Moreover, it should open a discussion about the specific risks of criminal nature which are linked to the primary sector, about possible legislative provisions against rural extortion, and about the empowerment of farmers to recognise and denounce the illegal entrepreneurial practices against them.

EXTORTION IN THE HOSPITALITY SECTOR

BACKGROUND

The hospitality sector in Greece includes all the services related to enterprises in tourism, leisure time, hotel accommodation, cultural enterprises and theatres. Significant among them is the sub-sector of leisure time and the night-time economy (NTE), which includes bars/pubs, night clubs, restaurants, taverns, cafés, music halls, etc. A large number of small enterprises of self-employment or family businesses are typical of the structure of this sub-sector. There are also big chains of leisure time and entertainment enterprises, which are usually established in various urban areas. More recently, they have increasingly been located in city districts characterised by high concentration of related leisure and entertainment services.

Extortion and racketeering are some of the typical offences committed in the hospitality sector and in particular, in the night-time and entertainment sectors (Vidali, 2009: 185-186). Until the late 1970s, NTE in Greece was linked to petty criminality and small size local gangs with sporadic action, for which there has been no systematic research to date. Night-time enterprises have been identified with places frequented by illegal groups of smugglers, pimps, prostitutes, blackmailers, etc., rather than places coercively controlled by extortionists. The model of economic development of the country and the structure of Greek society did not favour the development of organised crime as it is presented today. Factors such as widespread self-employment, the small size of land plots and industries, family industrial enterprises, structural poverty, large scale immigration of Greek youth to developed countries, informal ties of powerful economic and political groups to the political system (which promoted political patronage, clientelism, and provided services that usually associated with organised crime) are some of the main factors that contributed to a limited growth of criminal organisations and to the lack of mafia type groups until the fall of the military dictatorship in 1974 (Βιδάλη, 2007/Ι: 315-329, 405-410 and Βιδάλη, 2007/ΙΙ: 615-635, 856-865). Furthermore, the dominance of the Greek army in politics until 1974, the five wars in which Greece had been involved during the 20th century, including the long civil war, are some other parameters which explain the absence of typical criminal organisations. It was not before the 1980s that structural changes in economy and society (free market, consumerism, etc.) in combination with the effects of economic globalisation contributed to the restructuring of illegal economies and their organisation beyond the family (Ibid).

Extortion and racketeering in the hospitality sector became connected to the development of consumerism and the NTE in Greece by the late 1980s. At that time, the first large-scale entertainment enterprises were created. As in other post-industrial economies, the deregulation of traditional controls and the rise of

free market forces transformed leisure into a key sector of the economy (Taylor, 1999). At the same time, the association of the sector with crime was increasingly marked by the rise of protection rackets and infiltration of the leisure industry by criminal organisations (B $\delta \Delta \eta$, 2007/II: 856 seg., 910 seg.).

In terms of the methodology of data collection for this report, fifteen cases of extortion in hospitality sector were collected and examined in total. Of these, twelve were collected at the stage of police interrogation. Since the police interrogation is completed, the file cases go to the prosecutor, who is supposed to submit the indictment of the perpetrators. For three cases, we collected data from newspapers.

Economic crisis and changes in extortion-racketeering

The 2012 Hellenic Police report on organised crime registered a decrease of extortion and racketeering in NTE and hospitality enterprises due to the financial crisis. The apparent decrease in this criminal activity is associated with the reduction of criminal groups involved in extortions and the decrease in profits.¹³ The decrease in consumption and the number of visitors in night clubs has resulted in a corresponding reduction in business profits. According to the only research conducted by the National Centre of Social Research on urban consumption in Athens, the expenses for cultural consumption are in decline at 15 % (2014) in all areas of the Greek capital city (Εμμανουήλ, 2014). The decrease in consumption has resulted in respective reductions of revenue for entrepreneurs and further into a decrease of the amounts of money paid to the racketeering groups. According to the report of the Hellenic police, the amounts of money paid for protection now range from €100 to €150 per week and may be up to €1,000. These amounts are below the levels of previous years and have mainly a symbolic character: they are a method adopted by criminal organisations to reaffirm the control in a specific geographical area. Furthermore, such trends indicate the restructuring

¹³ As it was reported in the newspapers: "...the economic crisis and the 'slack' lead most store owners to report *en masse* to the Hellenic Police networks of the 'godfathers' of the night (νονοί της νύχτας), who skimmed large amounts of money every month for 'protection'" (Λαμπρόπουλος, 2015).

and changes in the extortion market – the reduction of the revenue of large night clubs have led to a transition to other activities, such as extortion of smaller stores, shops and kiosks and coercive debt collection (extortion of businessmen for collecting debts to third parties) (Σουλιώτη, 2012).¹⁴

Another effect of the economic crisis on extortionist OCGs is related to changes in their membership. Many members are no longer permanent but are usually assigned to carry out a specific task for a limited period of time (Hellenic Police, 2012: 33), and they are allowed to cooperate with other criminal groups. This practice is similar to the changes in the labour market and the new forms of employment (flexible labour relations, temporary employment contracts, part-time employment, etc.) ($B\iota\delta\dot{\alpha}\lambda\eta$, 2014: 202. $\Sigma\tau\alpha\mu\circ\dot{\nu}\lambda\eta$, 2015: 1214-1215). This fact is in line with the theoretical model suggested by Ruggiero according to which organised crime develops as a division of labour system and follows the changes in the dominant type of legal economy and labour relations (Ruggiero, 2000: 64-74; Ruggiero, 1996). The above data should be treated with caution, however, since the extended dark number of cases of extortion. In any case, we argue that the economy of organised crime is in a symbiotic relationship with the legal economy (in particular the shadow economy), following its changes and trends in a kind of interactive relations.

THE PERPETRATORS

Drawing on the case studies collected, some basic features of the structure and modus operandi of OCGS involved in extortions in the hospitality sector can be highlighted.

Type of OCGs

In a couple of cases, the groups were structured in a hierarchical order (GRH8, GRH9, GRH13, GRH15) or were acting as a wider network through subgroups (GR-H11, GR-H12, GR-H14). The average number of perpetrators in each criminal group was about 6 persons. About 60 % of them were Greeks, 30 % were Albanians and the rest were persons mainly from the Balkans (Romanians, Kosovars, etc.). In four cases, the OCGs were heterogeneous – Greeks and other

Souliotis states that bodyguards became gradually "tax collectors" in Attica and other regions, confirming the assumption that the economic crisis created opportunities for some. He also points out that officers of the police who have been involved in investigations to dismantle "local" extortionists networks argue that, amid the crisis, a profitable activity for "bodyguards" was debt collection and "check breaking" (when an individual is unable to cash a bank check from a third person, he gives the check to someone (a "bodyguard"), who completes the mission and charges a percentage of the collected amount).

¹⁵ The dominant model of the era of Fordism was steady work, specialisation and the production chain. This corresponded to a specific type of division of labour and organised crime. Today, this pattern has changed in proportion to changes in the predominant type of economy (globalisation) and industrial relations (Cressey, 2008: 50; Vidali, 2014: 200; Ruggiero, V., 1996; Chambliss, 1998: 35).

¹⁶ Chambliss, Ibid.; Ruggiero, 1997; Ruggiero, 2007.

nationalities, mainly Albanians (GR-H1, GR-H5, GR-H11, GR-H15). In some cases, there was not enough information (GR-H2, GR-H4, GR-H5, GR-H10) in order to determine the type of OCG involved.

It should be mentioned that traditionally extortion in the NTE has been controlled by Greeks. Usually, it is perpetrated by small OCGs, sometimes family-based, which collaborate with each other and in some cases fight.¹⁷ The age of the perpetrators is between 25-50 years. The extortionists (the individuals who "visit" and "protect" the companies-victims) are mainly young persons between 24-40 years old, while the leaders of the OCGs are between 40-55 years old.

An important point to be noted is the relations of the OCGs with their members in prison (GR-H3, GR-H8). According to the police file, in case GR-H3 the leader of the OCG was a prisoner convicted of being a member of a criminal group and for attempted murders and contract killings. Also in case GR-H8, core members of the OCG were in prison. This point is important, because shows that the organised criminal activity can continue despite the leader being in prison.

Modus operandi

In the majority of the cases, the OCGs attempted to exert control over the entertainment industry (coffee shops, music clubs, restaurants, etc.) in specific regions. According to the police files and media reports, the groups involved in extortion usually divide the zones of their territorial control. It is not rare different OCGs to come to violent "turf" conflicts over a disputed territory ($\Lambda \alpha \mu \pi \rho \acute{o} \pi o \nu \lambda o \varsigma$, 2008 and $\Lambda \alpha \mu \pi \rho \acute{o} \pi o \nu \lambda o \varsigma$, 2001) but sometimes crime groups can cooperate.

According to media reports, the OCGs try to obtain control in four areas (Bραδέλης, 2009): a) the zone of the suburbs of West Attica, which consists of municipalities of Chaidari, Peristeri, Ilion, Agious Anargirous; b) the zone of Piraeus and the southern suburbs, such as Kalithea, Nea Smirni, Palaio Faliro, Glyfada; c) the northern suburbs, e.g. Agia Paraskeui, Chalandri; d) the zone of Athens (city centre, Gazi, Psiri, etc). Drawing on the selected case studies, the most affected zones are the suburbs of West Attica, the centre and the southern suburbs of Athens. All these areas have been developed over the last twenty years as entertainment agglomerations in the region of Attica, as they have gathered a very large proportion of night clubs, bars and cafes. Moreover, these zones, except of the West Attica zone, are considered as prosperous and "posh" areas. Most of the neighbourhoods in the southern suburbs are newly built and host - apart from fancy housing - businesses in the maritime sector, finance and real estate. Furthermore, most neighbourhoods in the centre of Athens had undergone a process of urban regeneration before the 2004 Olympic Games that altered the human geography of the areas and sparked a boom of real estate prices. The latter was further sustained by the creation of entertainment districts in city centre areas such as Thyssio, Psiri, Gazi, Metaxourgeio-Kerameikos, etc.

¹⁷ In some cases, operating as owners of nightclubs Greek crime groups are able to operate their illegal businesses from there. Most of them are centred in Athens but some sub-groups operate in other cities in Greece.

The selection of the victims is proceeding according to geographical criteria. This means that the most significant parameter is the location of the enterprise-victim. If an OCG wants to obtain the control over a particular night entertainment area, it tries to extort the majority of the enterprises. The extortions researched were committed in order to obtain money from business owners under the pretext of providing protection, mainly to owners of cafes, bars, nightclubs, etc. Moreover, in some cases the perpetrators attempted to acquire equity in the firms.

The case GR-H1 is typical because it reflects a general picture of the modus operandi of the crime groups involved in extortion in the hospitality sector in Greece. The case refers to the criminal activity of an OCG with 38 members and a hierarchical structure, which aimed to control specific regions through the provision of "protection" to places of entertainment. The modus operandi was: a) selection of the company, b) warnings through phone calls, c) demand of the money (according to the revenue of each company), d) appearance of members of the group at the shop, d) psychological and physical violence, e) infliction of damages, f) robbery (acquiring the money by physical violence). According to the police files, the particular OCG had also adopted the following methods: a) acting as an intermediary for the return of stolen goods; b) appearance at music events with the purpose of provoking fear; c) appearance in trade union elections with the purpose of provoking fear; d) appearance in elections of student unions with the purpose of provoking fear.

The most frequently used method by the OCGs involves: a) selection of the victim according geographical and economic criteria; b) demand of the money in weekly or monthly payments; c) use of psychological violence (mainly threats of owner's life of the lives of his family). In some cases, the extortionists appeared as clients, refusing to pay the bill. Causing trouble or in some cases the provocation of fights with other clients constitute methods to inform the owner of the company that "you need protection." The basic tool is violence either by threats against the victim's life and property or by physical injuries, attempted murder, shootings, explosions, arson and destruction of their property. The form of violence varies according to the reaction of the victims (Hellenic Police, 2005: 19). According to the cases studied, the amount of the monthly rates varies between €200-€1,500, depending on the economic capacity of the victimised company (see cases GR-H1, GR-H4, GR-H6, GR-H7, GR-H8, GR-H9, GR-H10, and GR-H15). The amount of the weekly payments is between €125-€500, which means that in some cases the monthly rate reaches €2,000.

Other organised crime activities

According to the police files, the core business of the majority of the crime groups is extortion. The most frequent other activities of the crime groups involved in extortion are drug trafficking, loan-sharking, robbery and money-laundering. In some cases, the enforced illegal placement of electronic devices for lotteries and other criminal activity related to gambling and casinos are reported as secondary crime activities. Also, in the majority of the cases, the members of the crime groups were charged with illegal possession of weapons.

Involvement of public servants

According to the data of the cases examined, there was no involvement of public servants in any case. It should be noted, however, that the involvement of public servants, mainly of police officers, in organised crime activities is not a rare phenomenon in Greece (Antonopoulos, 2012: 135-141). Most characteristic examples concern three big cases of organised criminal activity related to extortion, black mail and loan-sharking, where police officers (acting and retired) were involved.¹⁸ In 2011, 217 persons faced charges for extortion. The case concerned the criminal activity of four groups controlling the entertainment industry in Athens, in Piraeus, in Halkida (Evoia Island) and in Agrinio (Wets Greece). According to the police file, in the above case there was involvement of police officers and several civil servants, including employees of the country's central bank.¹⁹

Use of violence and intimidation

In the majority of the selected cases, the usual methods were verbal threats against the life of the owners and some damage to property. Only in three cases we found use of physical violence against the owners. It is important to highlight case GR-H3, in which the OCG inflicted injuries to an owner who in the past had testified against the head of the OCG. Also in the cases GR-H4, GR-H9, explosive mechanisms were used.

 $^{^{18}}$ http://policenews.eu/archives/2571, see also Σουλιωτη, 2011; Γεραφέντης, 2015.

¹⁹ This case has not been included among our sample of cases, because there are extremely poor data regarding the victims. According to an online article, in 2011, "after two years of investigation the police officers smashed four large gangs that bullied shop owners in the form of providing security and organised arson, attempted murders and human trafficking. The police investigation began after the start of the clash between the leaders of two of the gangs which resulted in 19 of their members killed, several arson, bombings in restaurants and other crimes between 2006 and 2009. The Greek police department dealing with extortionists made a file for 217 people 70 of whom were members of the four gangs. 22 were arrested on warrants issued against them, while the rest were detained. Much of the file and a long list of names were sent to the prosecutor in Piraeus, as most of the interceptions acted in the suburbs of the port city. The criminal activity of the captured was highly diverse. The biggest night clubs in Athens became the subject of their attacks. One of the captured was a retired police lieutenant from northern Greece. It is believed that he was involved in money laundering, delivering weapons to the gangs and in the extortion of the nightclubs' owners. He also 'authorised' the gang members to beat the persons with whom he had quarrel. Seven police officers currently working in the National Bank who participated in the counterfeit money laundering worth €1.5 million as well as government officials were also charged for involvement in the criminal groups. The list of the criminals' 'heroisms' is long. They blackmailed the owners of restaurants and shops in Attica, Thessaloniki, Agrinio, Navpaktos, Corinth, Loutraki, Halkida and other cities in the region of Ilia and the island of Crete, the amounts ranging from one to three thousand euros. Only from this activity of theirs they gained half a million euros per month. According to the police, they collected that amount from 268 sites in total. Arson, placing of explosive devices, attempted murders, trafficking of people, sale of drugs, weapons and ammunition, supply and possession of explosives, robbery, fraud, extortion of money from debtors, production and circulation of counterfeit banknotes, counterfeit and legalisation of money from criminal activities are part of the 'exploits' of the criminals" (GRReporter, 2011).

THE VICTIMS

Characteristics of the main affected regions

The majority of researched cases of extortion in the hospitality sector were committed in the region of Attica, namely in the municipality of Athens and its suburban areas, specifically in the municipalities in the south, west and southeast of Athens. The perpetrators targeted prosperous leisure and entertainment enterprises (bars, restaurants, night clubs, etc.) regardless of the socio-economic characteristics of the wider area. Specifically, the 15 case studies concerned incidents of extortion in the entertainment industry (coffee shops, music clubs, restaurants etc.) mainly in the region of Attica (see above cases GR-H1, GR-H2, GR-H4, GR-H5, GR-H6, GR-H7, GR-H8, GR-H9, GR-H10, GR-H12, GR-H13, GR-H15), the region of Peloponnese (Xylokastro – GR-H11, Kalamata City – GR-H3) and in the region of Central Macedonia (Municipality of Thessaloniki, GR-H4).

Attica is the largest residential region of Greece with 3,827,624 residents. There is an intense development of the tertiary sector in this region (79.8 % of GDP of the region of Attica) including trade, finance, real estate, telecommunications, transport, publishing, hospitality and leisure. A significant part of the secondary sector is also concentrated there (18.8 % of GDP of the region). The primary sector is less developed in this region (3.6 % GDP of the region). The region of Attica hosts 36 % of tertiary sector enterprises at the national level (Περιφερειακό Επιχειρησιακό Πρόγραμμα Αττικής, 2007 – 2013: 2007 p. 22). In 2005 (the year of Attica's high growth rates), Attica was at 84.6 % a region of tertiary sector services (Ιωάννου, 2010: 9).

In Attica, the NTE is concentrated within the de-industrialised areas of the centre of Athens and in the suburban centres just mentioned, as well as in the seaside areas. Local municipal authorities have encouraged such concentration through policies of urban regeneration, land-use planning, licensing of entertainment venues and through marketing of the coasts and beaches as tourist and leisure destinations. Similar processes have taken place in other cities in Greece (Vidali, 2009: 185). The majority of the examined cases shows that criminal organisations act particularly in southern coastal areas (Piraeus, Glyfada, Palaio Faliro) and western suburbs of Attica (Chaidari, Peristeri, Sepolia, Ilion). The massive growth of hospitality and NTE in these areas (especially in south and west suburbs) of Athens has taken place during the last 20 years, since the 1990s.

Demographic, social and economic characteristics of the victims

The average age of the victims is in the range of 40-55 years, mainly male (only one female victim). The usual number of victims per case is one, only in six cases we found two victims per case. The sole proprietorship and family business are the usual business structure in Greece and the victims usually fall in those types. The core business activity is in the hospitality sector, mainly cafes, bars,

²⁰ Calculated by Irene Stamouli on the basis of data from the Hellenic Statistical Authority, available at http://www.statistics.gr/el/statistics/-/publication/SEL57/-

restaurants and music clubs. The majority of them continue to operate after the incidents of extortion, whereas in two cases the damages to the business resulted in the bankruptcy of the owners. The data that was used in this report was mainly derived from police files that describe the incidents reported, which did not contain sufficient information about the profiles of the victims (economic capacity, educational level, etc.) and their vulnerabilities.

Behavioural patterns of the victims

Two types of behavioural patterns of the victims can be distinguished. The first group of victims reported the incidents of extortion to the police, while the second group didn't ask for the help of the authorities. Unfortunately, in the majority of cases the victims did not report the incidents of extortion to the police because of fear for their lives, the lives of their family members and their property; therefore they complied with the demands. For example, in case GR-H8, the owner of the victimised company claimed that he was giving money to the perpetrator as a "loan." He did not want to admit that this practice constituted extortion, because he was afraid of losing his life and his property. Most of the times, the victims reported the incidents of extortion to the police because they could not afford to pay. In the majority of the cases, the victims who decided to report to the police collaborated with the police and were asked to aid an operation with marked banknotes.

In general, most of the times the victims of extortion were reluctant to report incidents of extortion to the police and to cooperate with the authorities, because there is fear of retaliation from the criminal groups (Hellenic Police, 2013: 34).

Protective measures adopted by the government, business associations and owners themselves

There are no specific data about protective/security measures adopted by the government, business associations and owners themselves. Usually, night clubs take protective measures by hiring bodyguards (private security), who provide protection and take care of the place (e.g. restrain drunk persons who provoke scandals, etc.). This practice does not always prevent the incidents of extortion. Instead, in most of the cases the extortionists impose forced contracts for private security protection to the victimised company.

CONCLUSION

The finding of our research is that **extortion in the hospitality sector is a common phenomenon in Greece.** The OCGs involved in such incidents can be heterogeneous, but most often are groups comprising of Greek citizens. They commit extortions in order to obtain money from business owners under the pretext of providing protection, mainly to owners of coffee shops, bars, nightclubs, etc. Most of the groups operate as networks (sub-groups which cooperate) and their basic tool is violence either by threats against the victims' life and property or by physical force, homicide attempts, shootings, explosions, arsons and destructions of their property. The victimised companies are most of the times small family-based companies, which do not report the incidents to the police. It is a common consideration in Greece – especially through the representations of media – that the extortion related to the NTE constitutes a widespread phenomenon, even an integral part of the particular business activity, which appears to have a consistent social tolerance linked to the fear of the victims. However, there is a need for further research to prove these observations.

Anti-extortion should be made a priority in the criminal policy in Greece, in order to reinforce the public confidence in police and to encourage the victims to report criminal activities to the authorities. As long as the NTE is being covered by a veil of silence and unemployment in a time of economic crisis is increasing, extortion and racketeering will expand.

Therefore, policies against organised crime should prioritise:

- a) The effective protection of victims.
- b) The control of money laundering inside Greece. Up to now, the focus on the offshore companies and human and drug trafficking has contributed to the obfuscation and mystification of extortions of such type as a regular business of organised crime of mainly Greek groups.
- c) The rupture of the networks between prisoners, criminals at large and corrupt police departments. A strategy is need to deal with a triangle of corruption which has developed within the prison system (prisoners and prison personnel), NTE, the leisure business and the police. In this regard, the anticorruption measures should include specific educational and recreational programmes for the organisation of prisoners' everyday life.
- d) A strategy of social crime prevention which should target the most vulnerable part of youths by developing programs within secondary schools. Such programmes should be related to the leisure time and recreation activities of the youth.
- e) Measures are needed to prevent the involvement of ex-members of OCGs in further illegal activities and in other more serious sectors of criminality (e.g. contracts of death).
- f) Optimisation of the regulations of private security agencies and the control of these agencies.

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APPENDIX 1. LIST OF CASE STUDIES FOR EXTORTION IN THE AGRICULTURAL SECTOR

Case ID	Case Name	Sources			
GR-A1	Milk Cartel	HCC, Decision n. 1 369/V/2007 (inquiry on milk products process industries)			
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		"How erected the Greek 'Milk Cartel". Charontakis Dimitris, <i>To Vima</i> , 11.03.2007, http://www.tovima.gr/PrintArticle/?aid=179611			
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GR-A2	Zoniana Cannabis case	Vidali, Sofia. The Social reaction to crime and its limits: drugs and organized crime in Greece". In The Contemporary Criminality, it's Confrontation and the Science of Criminology – Essays in Honour of Professor James Farsedakis, 1751-1784. Athens: Nomiki Vivliothiki, 2011.			
		"With coca sell the 'trump'", "Kathierini", Kampylis Takis, 11/11/2007.			
		"From agricultural subsidies to hashish plantations," To Vima, Chatizidis, Takis, 25/11/2007.			
GR-A3	Manolada Case	Cancelled			
GR-A4	Animal Feeds Cartel	Minister of Economy, Competitiveness and Shipping, <i>Reply to the Greek Parliament</i> . Direction of Parliamentary Control, Department of Questions, Athens, 21.02.2011, No. Orig.: B13-64, Question Ref.: 10093/31-01-2011: "Increased prices for the purchase of feed paid by breeders'.			
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Case ID	Case Name	Sources			
GR-A4	Animal Feeds Cartel	 Geotechnical Chamber of Greece, The Greek dairy cattle farming, Thessaloniki, 2011. 			
		 "Without feeding the flocks without supplies fields", by Tsatsakis John, Agronews, 24.7.2015 			
		 "Livestock wiped out by rising feed", 03.10.2012, Agonas Kritis, http://agonaskritis.gr/ 			
		 "Complaints of Breeders Association of Chania Prefecture: "cartel" in the marketing of livestock", Haniotika Nea, 03.05.2013, http://www.haniotika-nea.gr/120665-kartel-stin-emporia-zwotrofwn/#ixzz3nBO8xz00 			
GR-A5	Marinopoulos Super Market Chain Case	 Ministry of Agricultural Development and Food: G. D. of animal's production, Livestock – Animal production. Athens, 2011. 			
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		Πουλακίδας, Κ. (2014, April 18). Τα σούπερ μάρκετ "Μαρινόπουλος" εκβιάζουν τους αγρότες – παραγωγούς. Η Αυγή Online. Retrieved from: http://www.avgi.gr/article/2325988/ta-souper-market-marinopoulos-ekbiazoun-tous-agrotes-paragogous			
GR-A6	Tomato Producer Agricult. Suppies Case	Interviews with victims (GR- A6, GR- A7, GR-A8)			
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GR-A7	Tomato Pepper Prod. Agricult. Suppies Cartel	 "Without feeding the flocks without supplies fields", by Tsatsakis John, Agronews, 24.7.2015. 			
GR-A8	Corn Producer – Agricultural Supplies Cartel				
GR-A9	Kiwi Cartel	 HCC Sectoral Research in fresh fruit and vegetables: summary of key findings and conclusions 1, 2012. http://www.epant.gr/img/File/perilipsi%20kladiki %20oporokipeytika.pdf 			
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		 Resolution of the General Assembly of kiwi cultivation, production and trade Agricultural Cooperative of Arta. 13 October 2010. http://www.mindev.gov.gr/el/index.php/προκηρυξεισ-προσκλησεισ/505- 			
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Case ID	Case Name	Sources			
GR-A10	Cereal Cartel	Region of Central Macedonia Agricultural Development Business Plan "Agricultural Products Basket", 2013, http://www.pkm.gov.gr/inst/pkm/gallery/PKM%20files/Regional%20News/2012_04_27_			
		HCC Decision 559/VII/2013 Deciding on exploring possible impairment – hindrance to Competition Commission investigation under the provisions of Article 26 of <i>Law. 703/1977</i>			
GR-A11	Argos/Nafplion Roma Org. Crime	"Dismantled a criminal organization involved in extortion traders in Argolida". Hellenic Police, Press Release, 03.13.2015.			
		http://www.astynomia.gr//index2.php?option=ozo_content⟨=&perform =view&id=51435&			
		"Mafia blackmailing for 'protection' merchants in farmers markets". Agro24.gr, http://www.agro24.gr/print/4103, 5.3.2015.			
GR-A12	Potato Import Cartel	 Minister of Rural Development and Food, Reply to the Hellenic Parliament. Direction of Parliamentary Control, Department of Questions, Athens 22.05. 2014. No Orig. 785, Question Ref: 7916/04.30.2014, "Requests of potato producers of Messinia". 			

APPENDIX 2. LIST OF CASE STUDIES FOR EXTORTION IN THE HOSPITALITY SECTOR

Case ID	Case Name	Year	Source
GR-H1	Extortion, OCG, Municipality of Palaio Faliro. Attica Region.	2012	Police
GR-H2	Extortion, One person, municipality of Agios Dimitrios. Attica Region.	2007	Police
GR-H3	Extortion, OCG, Kalamata City, Region of Peloponnese.	2014	Police
GR-H4	Extortion, OCG, Municipality of Agia Paraskeui. Attica Region.	2010	Police
GR-H5	Extortion, Municipality of Nea Smirni. Attica Region.	2013	Police
GR-H6	Extortion, OCG, Municipality of Glyfada & Piraeus. Attica Region.	2008	Police
GR-H7	Extortion, OCG, Municipality of Athens. Attica Region.	2007	Police
GR-H8	Extortion, OCG, Municipality of Chaidari. Attica Region.	2007	Police
GR-H9	Extortion, OCG, Municipality of Chaidari. Attica Region.	2012	Newspaper
GR-H10	Extortion, OCG, Municipality of Peristeri. Attica Region.	2007	Police
GR-H11	Extortion, OCG, Municipality of Sepolia. Attica Region.	2014	Police
GR-H12	Extortion, OCG, Municipality of Athens, Historic Centre. Attica Region	2011	Police
GR-H13	Extortion, OCG, Municipality of Glyfada. Attica Region	2013	Newspaper
GR-H14	Extortion, Municipality of Thessaloniki, Central Macedonia Region	2015	Newspaper
GR-H15	Extortion, OCG, Municipality of Ilion. Attica Region.	2013	Police