

**Complementary  
Data Collection Report 2008**

**Contribution to the FRA Annual Report 2009**

**October 2008**

FRA

Complementary Data Collection  
Contribution to the FRA Annual Report  
2009

RAXEN NFP Greece  
HLHR-KEMO

October 2008

# Contents

<b>CONTENTS.....</b>	<b>3</b>
<b>EQUALITY BODIES AND CASE LAW.....</b>	<b>5</b>
1.1. Equality Bodies - complaints data on racial or ethnic discrimination .....	5
1.2. Case law – Important decisions on racial or ethnic discrimination	5
<b>2. Racist violence and crime.....</b>	<b>8</b>
2.1. Statistical data and tables on racist and related crime.....	8
2.1.1. Official data and information on racist and related crime (criminal justice and government) .....	8
2.1.2. Unofficial data and information.....	8
2.1.3. Exemplary incidents .....	10
2.2. Complaints mechanisms .....	12
2.3. Good practice .....	12
<b>3. Employment .....</b>	<b>13</b>
3.1. Racism and discrimination (incidents and practices).....	13
3.1.1. Statistical data and tables on incidents of discrimination and racism.....	13
3.1.2. Exemplary incidents and cases .....	13
3.1.3. Research findings.....	13
3.1.4. Additional information .....	14
3.1.5. Other related issues.....	14
3.1.6. Good practice.....	14
<b>4. Housing.....</b>	<b>15</b>
4.1. Racism and discrimination (incidents and practices).....	15
4.1.1. Statistical data and tables on incidents of discrimination and racism in housing .....	15
4.1.2. Exemplary incidents and cases .....	15
4.1.3. Research findings.....	16
4.1.4. Legal restrictions to access to housing.....	16
4.2. Good practice .....	16
<b>5. Health care .....</b>	<b>17</b>
5.1. Racism and discrimination (incidents and practices).....	17
5.1.1. Statistical data and tables on incidents of racism and discrimination .....	17
5.1.2. Exemplary incidents and cases .....	17
5.1.3. Additional information .....	17
5.1.4. Research findings.....	18
5.2. Good practice .....	18
<b>6. Education .....</b>	<b>19</b>
6.1. Statistical data and tables on racist incidents .....	19
6.2. Exemplary incidents of discrimination .....	19

6.3.	Restrictions to access to education .....	19
6.4.	Good practices .....	20

**ANNEX 1 – STATISTICAL DATA AND TABLES..... 1**

**ANNEX 2 – COURT, SPECIALISED BODY OR TRIBUNAL  
DECISIONS..... 2**

**ANNEX 3 – POSITIVE INITIATIVES..... 13**

## Equality Bodies and Case Law

### 1.1. Equality Bodies - complaints data on racial or ethnic discrimination

- [1]. The Ombudsman in its 3rd Annual report<sup>1</sup> as Equality Body emphasised the shortcomings of the implementation of anti-discrimination law in Greece. In particular, the Ombudsman highlighted the small number of incoming complaints, low scale of mobilisation by the civil society, and the respective low level of activity of the competent Equality Bodies, such as the Labour Inspection Body.<sup>2</sup>
- [2]. In year 2007 racial or ethnic discrimination cases under the Race and Equality Directive (RED) handled by the Ombudsman (41) were almost twice as many in relation to the previous year (2006, 22 cases). Most of this increase is due to 34 pending cases regarding ethnic/racial discrimination in access to goods and services, especially Roma housing. On the other hand, racial or ethnic discrimination was established in six cases, and in four of them the mediation of the Ombudsman was successful.<sup>3</sup>
- [3]. The Equal Treatment Commission of the Ministry of Justice is currently handling its first handful of complaints under the RED,<sup>4</sup> while the Labour Inspection Body has not received or handled any cases since its foundation until today.

### 1.2. Case law – Important decisions on racial or ethnic discrimination

- [4]. An important decision concerning Roma segregation in education was issued by the European Court for Human Rights on the case Sampanis and others v.

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1 The Greek Ombudsman, 3rd Annual Report as National Equality Body (2007), available at:

[http://www.synigoros.gr/pdf\\_01/annual\\_07/07\\_04.pdf](http://www.synigoros.gr/pdf_01/annual_07/07_04.pdf)

2 Furthermore, the Greek Ombudsman considered funding the actions of support and legal assistance of victims necessary to increase the engagement of civil society and non-governmental organisations in combating discrimination. It also claimed that the competent bodies should review their practice and apply the shift of the burden of proof.

3 The Greek Ombudsman, 3rd Annual Report as National Equality Body (2007), available at:

[http://www.synigoros.gr/pdf\\_01/annual\\_07/07\\_04.pdf](http://www.synigoros.gr/pdf_01/annual_07/07_04.pdf)

4 Notification about the exact number and grounds of discrimination is pending upon request by the RAXEN NFP. It goes noted that such equality body does not publish any report on its operations whatsoever and the access to official data is possible only upon formal request for the provision of information.

Greece.<sup>5</sup> The Strasbourg court held unanimously that there had been a violation of Article 14 (prohibition of discrimination) of the Convention in conjunction with Article 2 of Protocol No. 1 (right to education), on account of a failure to provide schooling for the applicants' children and of their subsequent placement in special classes because of their Roma origin; The Court decision made an extensive reference to the Greek RAXEN NFP Annual Report 2007,<sup>6</sup> as a source of independent and reliable information on the issue.

- [5]. There were two significant judgments of the European Court for Human Rights. One concerned freedom of assembly and association (art.11) regarding associations founded by persons belonging to the Muslim minority of Western Thrace<sup>7</sup>. The other concerned freedom of thought, conscience and religion (art.9), regarding a lawyer who, by taking the oath of office, had had to reveal to the court that he was not an Orthodox Christian.
- [6]. The United Nations Human Rights Committee (HRC) found that Greece violated Article 2 paragraph 3 (right to an effective remedy) read together with Article 7 (prohibition of torture) of the International Covenant on Civil and Political Rights concerning the lack of an effective investigation into the allegations of police brutality against Rom Andreas Kalamiotis, in Aghia Paraskevi (Greater Athens) in 2001.<sup>8</sup>
- [7]. In 2008, the Greek Ombudsman as an Equality Body issued a report about discrimination in scholarships on the grounds of nationality.<sup>9</sup> It proposed the amendment of the current legal framework towards equal treatment of Greeks and foreigners, although it did not establish discrimination under the RED Directive.
- [8]. After the rejection of its recommendations by the Ministry of Finance, the Greek Ombudsman published a report on the tax exemption of political refugees on the purchase of a house as a home residence. The Ombudsman based its argumentation on the spirit of the Geneva Convention on Refugee status although it did establish discrimination on the basis of the RED Directive. The Equality Body argued that as long as tax exemption is provided exclusively to Greeks or third country nationals of Greek ethnic origin, the exclusion of

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5 European Court for Human Rights, *Sampanis et autres C. Grèce*, (5.6.2008)

<http://cmiskp.echr.coe.int/tkp197/view.asp?item=2&portal=hbkm&action=html&highlight=GREECE%20%7C%20sampanis%20%7C%2032526/05&sessionId=14123276&skin=hudoc-pr-en>

6 HLHR-KEMO Annual Report 2007, Miltos Pavlou, Racism and discrimination against immigrants and minorities in Greece: the state of play, April 2007, <http://www.hlhr.gr/hlhr-kemo/docs/HLHR-KEMO%20AR2007.pdf>

7 European Court for Human Rights, *Affaire Tourkiki Enosi Xanthis et autres C. Grèce*, (27.3.2008), <http://cmiskp.echr.coe.int/tkp197/viewhbkm.asp?action=open&table=F69A27FD8FB86142BF01C1166DEA398649&key=69143&sessionId=14123516&skin=hudoc-en&attachment=true>

8 United Nations Human Rights Committee (HRC) Decision, <http://daccessdds.un.org/doc/UNDOC/DER/G08/434/84/PDF/G0843484.pdf>.  
[http://cm.greekhelsinki.gr/uploads/2008\\_files/hrc\\_decision\\_kalamiotis\\_1486-2006.pdf](http://cm.greekhelsinki.gr/uploads/2008_files/hrc_decision_kalamiotis_1486-2006.pdf)

9 The Greek Ombudsman, *iky-yptofies*

foreigners is an inadmissible discriminatory practice on the grounds of their ethnic origin.<sup>10</sup>

- [9]. The Ombudsman established discrimination and published a report on the case of the Special Pedagogic Academy of Thessaloniki and on professional training and status of its graduates, who are exclusively members of the Western Thrace Muslim Minority. The latter become teachers but they get the right to teach exclusively at the special minority schools of Western Thrace. In this way they are treated unequally to other graduates from similar university faculties, who are licensed to teach in all Greek schools.
- [10]. Two Athens courts issued judgments convicting the publisher, the editor and the columnist of a far-right weekly ('Eleftheros Kosmos') for hate speech against Jews<sup>11</sup> and against Roma<sup>12</sup> in application of the anti-racist law n.927/79. It goes noted that these are the second and the third conviction for hate speech in a few months in Greece, the first being the notorious and widely covered by the media 'Plevris' case for publishing an anti-Semitic book. On 18.9.2008 the 1st Court of Appeal of Athens has confirmed the first instance ruling.
- [11]. Finally, a Greek court judged that Shariah law shall not be applicable against national law and constitution. In spring 2008, an important court ruling of the Court of First Instance of Rodopi was issued on the inapplicability of the Shariah Muslim law in Greece in regard to family and heredity law.<sup>13</sup> This legal development concerns greatly the Muslim minority of Western Thrace, and particularly the vulnerable groups such as women and children, heavily penalised by the application of the Shariah law by local religious leaders 'Mufti' who exercised also the role of a judge. It goes noted that Greece was the only EU country allowing until now the application of the anachronistic Shariah Muslim law, even in contrast to the other Muslim countries of the region, such as Turkey. (the relevant private/family law case is not included in the annex, although available as a photocopy by the Greek RAXEN NFP).

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10 The Greek Ombudsman report: [http://www.synigoros.gr/pdfs/\\_porisma\\_prosfuges.pdf](http://www.synigoros.gr/pdfs/_porisma_prosfuges.pdf), Press release: [http://www.synigoros.gr/pdfs/\\_deltio\\_porisma\\_prosfuges.pdf](http://www.synigoros.gr/pdfs/_deltio_porisma_prosfuges.pdf)

11 Greek Helsinki Monitor Press Release, (5.3.2008) <http://cm.greekhelsinki.gr/index.php?sec=194&cid=3253>

12 Greek Helsinki Monitor Press Release, (5.7.2008) <http://cm.greekhelsinki.gr/index.php?sec=194&cid=3315>

13 Ta Nea, in.gr (26.3.2008), [www.in.gr/news/article.asp?IngEntityID=885091&IngDirID=244](http://www.in.gr/news/article.asp?IngEntityID=885091&IngDirID=244).

## 2. Racist violence and crime

### 2.1. Statistical data and tables on racist and related crime

#### 2.1.1. Official data and information on racist and related crime (criminal justice and government)

- [12]. While no official police data on racist and related crimes are available two Athens courts issued judgments in application of the anti-racist law n.927/79. The courts convicted the publisher, the editor and the columnist of a far-right weekly ('Eleftheros Kosmos') for hate speech against Jews<sup>14</sup> and against Roma<sup>15</sup> in application of the anti-racist law n.927/79. It goes noted that these are the second and the third conviction for hate speech in a few months in Greece, the first being the notorious and widely covered by the media 'Plevris' case for publishing an anti-Semitic book. On 18.9.2008 the 1st Court of Appeal of Athens has confirmed the first instance ruling.

#### 2.1.2. Unofficial data and information

- [13]. During 2007-2008 Greece has received more convictions by the European Court of Human Rights for police brutality than any other year. In 2008, violence against immigrants and minorities and allegedly by police officers remained unimpaird according to unofficial sources. It goes noted that in many cases Greek citizens witnessed such incidents and when they protested against ill-treatment, they were either arrested or had their mobile camera-phones confiscated.
- [14]. Last year's increasing trend of Islamophobic offences by organised far-right groups against Muslims has been confirmed in 2008. New aspects are that the attacks have spread from homes of Pakistani immigrants to improvised mosques. Interethnic and intra-group violence (between African communities, Albanians, Romanians) is reported on much larger scale than before especially in downgraded areas of the old Athens centre. Lack of official recording of racially motivated crimes and of relevant statistics render difficult the effective assessment of the recently emerged trends.

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14 Greek Helsinki Monitor Press Release, (5.3.2008) <http://cm.greekhelsinki.gr/index.php?sec=194&cid=3253>

15 Greek Helsinki Monitor Press Release, (5.7.2008) <http://cm.greekhelsinki.gr/index.php?sec=194&cid=3315>

- [15]. During 2008 the offices of Greek Forum of Migrants - the most prominent, generally well accepted and authoritative representative organisation of immigrants in Greece - has been attacked for the first time in its history by unknown perpetrators on three occasions over a few month period.

## Reports

- [16]. The Greek National Commission for Human Rights has issued its observations on the Report of the Foreign Affairs Ministry about the application of the International Convention for the Elimination of any Form of Racial Discrimination.<sup>16</sup> Among other, the NCHR has emphasised the shortcomings in the implementation of the anti-discrimination legislation and the problematic transposition of the Race & Equality Directive (legal tools for representation of victims by civil society, insufficient skills and knowledge by state Equality Bodies).
- [17]. After three European countries (Norway, Germany, and Belgium) decided to suspend the return of asylum-seekers to Greece on the basis of torture and police brutality allegations and relevant reports, a number of national and international organisations criticised the Greece's asylum policy. The UNHCR-Greece issued a report - supplement to the information relating to Greece contained in the UNHCR's Study of the Implementation of the Qualification Directive - advising governments to refrain from returning asylum-seekers to Greece under the Dublin Regulation until further notice.<sup>17</sup> Amnesty International urged EU MS to suspend transfer of asylum seekers as well. The European Council on Refugees and Exiles (ECRE) sent letters to European Union governments on 3.4.2008 calling them to immediately stop returning asylum-seekers to Greece on the grounds that they will be denied access to fair and effective application procedures. European Commission Vice-President Franco Frattini stated that "the European Commission is concerned about the alleged ill-treatment of immigrants in detention centres in Greece and has already raised this issue with the Greek authorities," in a reply to a question tabled by Greek Euro-MP Dimitris Papadimoulis on 29.02.2008.
- [18]. The European Committee for the Prevention of Torture (CPT) issued a report on its 2007 visit in Greece.<sup>18</sup>

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<sup>16</sup> [www.nchr.gr](http://www.nchr.gr)

<sup>17</sup> UNHCR, Asylum in the European Union: A Study of the Implementation of the Qualification Directive, November 2007, available on Refworld at: <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=473050632>  
<http://hosting01.vivodinet.gr/unhcr/protect/UNHCRpositionGreeceDublinII-April2008.pdf>

<sup>18</sup> European Committee for the Prevention of Torture (CPT) , 2007 Country visit report on Greece, (2.2008) <http://www.cpt.coe.int/2008-03-inf-eng.pdf>

- [19]. The Amnesty International (AI) Report 2008 in its part regarding Greece focused on migrants suffering increase of ill-treatment in police custody, and arbitrary and lengthy detention of asylum seekers, including children.<sup>19</sup>

## Surveys

- [20]. According to the latest Eurobarometer Survey (ebs 296, fieldwork: Feb-Mar 2008, published: July 2008)<sup>20</sup>
- All types of discrimination are perceived as widespread by a higher share of Greeks than of Europeans. This is especially true for discrimination on the basis of ethnic origin and sexual orientation. Over 3 in 4 Greeks believe that discrimination on the basis of ethnic origin is widespread in their country: 76%, second highest after Netherlands (77%).
  - Greece marks one of the lower levels of comfort with person from different ethnic origin in the highest elected political position (4,7%)
  - Greeks are more likely to favour measures being adopted to provide equal opportunities, such as monitoring the recruitment procedures to ensure that candidates from ethnic minorities have the same chance of being selected for interview or hired as other candidates with similar skills and qualifications: the most supportive publics are found in Cyprus (78%), Greece (77%).
  - An absolute majority of Greeks would not know their rights if they are the victims of discrimination or harassment (56%) similar to the rate recorded across the EU.

### 2.1.3. Exemplary incidents

- [21]. Here follows a list of exemplary incidents, unofficially reported, though checked for validity by the Greek NFP. In their majority they concerned torture, beatings and ill-treatment by police officers and port police guards sometimes in public, and despite the protests by passersby witnesses, and violent attacks and vandalism by far-right groups of youngsters:
- A young immigrant from Sudan has been allegedly beaten to death by three police officers in the centre of Athens (Omonia). Eyewitnesses report that they asked repeatedly the policemen to stop the deadly violence. Only after six days did the victim's relatives manage to find out that the young man

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19 Amnesty International (AI) Report 2008, (5.2008) <http://thereport.amnesty.org/document/101>

20 [http://ec.europa.eu/public\\_opinion/archives/ebs/ebs\\_296\\_sheet\\_el.pdf](http://ec.europa.eu/public_opinion/archives/ebs/ebs_296_sheet_el.pdf)

was deceased in the hospital the same day the beating took place, while his corps had been received by the same police officers.<sup>21</sup>

- A 22-year-old Pakistani immigrant was beaten by three young Greeks in the Athens city centre. Two of them were arrested and reportedly declared only that ‘their blood is Greek’.<sup>22</sup>
- The Pakistani family who suffered organised racist attacks in 11/2007 have been attacked again by a far-right group in their home. However, this time neighbours and antiracist activists intervened to protect them and keep them safe, while once again the police allegedly arrived on site after a 40’ delay.<sup>23</sup>
- In the centre of Athens (Syntagma square) police officers allegedly treated brutally and arrested a Mauritanian petty street seller. The police officers also arrested two Greek citizens who protested against the violence they witnessed, and they confiscated a camera with which one witness recorded the incident.<sup>24</sup>
- In early July 2008, it was denounced that in view of the lack of detention facilities, and after the massive sweep operation in the port of Patras, the arrested illegal immigrants seeking the passage to Italy, were tied by the port police guards to the benches, trees and street-light poles. They were spending entire nights this way, exposed to public walking into and around the port. This humiliating ill-treatment led to parliamentary questioning of the competent Commercial Marine Minister and to the provision of detention space in the Patras (Ahaia) Police headquarters.<sup>25</sup> The explosive situation in the port of Patras since late 2007 lead to a number of interventions by public authorities and civil society seeking a housing solution, not yet achieved.<sup>26</sup>
- An allegedly blatant racist and discriminatory practice of the Greek Police Headquarters has been reported by the media and further crosschecked and verified as a common practice by the RAXEN NFP: its seems to be a recently adopted common informal procedure of the Greek Police to request from Greek long time naturalised citizens who request a passport renewal, to prove the authenticity of the documentation that led to their naturalisation, on the basis of the colour of their skin.<sup>27</sup>

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21 Eleftherotipia, (01.03.2008), Lawyers’ Group for the Rights of Immigrants and Refugees.

22 Eleftherotipia, (17.01.2008), Greek-Pakistani association.

23 In.gr, (15.1.2008) [http://www.enet.gr/online/online\\_text/c=112,id=73756528](http://www.enet.gr/online/online_text/c=112,id=73756528).

24 Eleftherotipia, (08.01.2008), [http://www.enet.gr/online/online\\_text/c=112,id=73756528](http://www.enet.gr/online/online_text/c=112,id=73756528)

25 Aygi, (10.07.2008), [patranews.gr](http://patranews.gr) (10/07/08)

26 The Greek Ombudsman intervention, press release: [http://www.synigoros.gr/pdfs/\\_deltio\\_stp\\_8\\_2.pdf](http://www.synigoros.gr/pdfs/_deltio_stp_8_2.pdf), recommendation: [http://www.synigoros.gr/pdfs/\\_patra\\_katavlisimos\\_8\\_2.pdf](http://www.synigoros.gr/pdfs/_patra_katavlisimos_8_2.pdf)

The Children Rights Ombudsman: [http://www.synigoros.gr/pdfs/\\_deltio\\_paidiou\\_8\\_2.pdf](http://www.synigoros.gr/pdfs/_deltio_paidiou_8_2.pdf).

27 Kathimerini, 22.6.2008 [http://news.kathimerini.gr/4dcgi/\\_w\\_articles\\_columns\\_1\\_22/06/2008\\_274681](http://news.kathimerini.gr/4dcgi/_w_articles_columns_1_22/06/2008_274681)

## 2.2. Complaints mechanisms

- [22]. There is no specific complaint mechanism to register complaints about abuses of power related to racism and xenophobia perpetrated by the police or other State officials. However, victims may and do submit complaints to the Greek Ombudsman for police brutality, while NGOs active in defending and promoting human rights often denounce violent incidents against immigrants and minorities.

## 2.3. Good practice

- [23]. A number of Antiracist festivals were held in various Greek cities. On 4-6.7.2008 the Athens Antiracist Festival was held for the 13th consecutive year, co-organised by a number of NGOs and coordinated by the Network for Social Support of Immigrants and Refugees.<sup>28</sup>
- [24]. The portal [www.islam.gr](http://www.islam.gr), implemented by a group of Muslims - mostly media professionals living in Greece - constitutes a notable initiative promoting intercultural comprehension and combating Islamophobia. The website provides information on Islam and interculturality in three languages (Greek, Arab, and English).
- [25]. In February 2008 The Hellenic League for Human Rights<sup>29</sup> organised a two-day training seminar on in Athens on the implementation of the Race and Equality Directive for lawyers, activists, trade union officers, NGOs and civil society organisations' members. The training was implemented in the framework of an EU funded project. Among others, the training included participative workshops on the concepts of RED, and tools for strategic litigation and support of discrimination victims.

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<sup>28</sup> [www.tsamadou13.gr](http://www.tsamadou13.gr), [www.diktio.gr](http://www.diktio.gr)

<sup>29</sup> [www.hlhr.gr](http://www.hlhr.gr)

## 3. Employment

### 3.1. Racism and discrimination (incidents and practices)

#### 3.1.1. Statistical data and tables on incidents of discrimination and racism

- [26]. No official data on incidents of discrimination and racism in the area of employment reported to official agencies are available.

#### 3.1.2. Exemplary incidents and cases

- [27]. Two major cases of the employment and housing of immigrants in allegedly inhumane and ‘slavery’ conditions have been at the centre of public discourse and media attention over the past months in Greece. In the first case, the priests in Arta (Northern Greece-Epirus) publicly denounced the inhumane living conditions of immigrant workers in the rural economy and agriculture of the area. In the second case, major news publications and TV reports revealed low wages and deplorable living and housing conditions of the strawberry field workers of Manolada (Ilia area, Peloponnesus)<sup>30</sup>. In both cases, political and civil society reactions have been accompanied by tensions and, in some cases, by violence against activists and immigrants. In the latter case of Manolada, after protests and marches by immigrant workers,<sup>31</sup> the latter reached an agreement with their employers for an increase of the daily wage to 28 €, even though this is 2,4 € less than the minimum daily wage according to the Greek law.<sup>32</sup>

#### 3.1.3. Research findings

- [28]. According to research conducted by Charalambos Kasimis, agriculture is heavily reliant on immigrant labour, while immigrant rural workers receive

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30 The Greek Ombudsman intervention on the issue: Press release: [http://www.synigoros.gr/pdf\\_01/fragola.pdf](http://www.synigoros.gr/pdf_01/fragola.pdf) Official document: [http://www.synigoros.gr/pdf\\_01/eggrafo.pdf](http://www.synigoros.gr/pdf_01/eggrafo.pdf)

31 Athens News, Immigrant farm workers strike out, (25.4.2008),

[http://www.athensnews.gr/athweb/nathens.pnt\\_article?e=C&f=13284&t=11&m=A13&aa=1#top](http://www.athensnews.gr/athweb/nathens.pnt_article?e=C&f=13284&t=11&m=A13&aa=1#top) ,

32 Kathimerini.gr, Fruit picker pay protest gets result, (12.5.2008) [www.ekathimerini.com/4dcgi/\\_w\\_articles\\_ell\\_2\\_12/05/2008\\_96439](http://www.ekathimerini.com/4dcgi/_w_articles_ell_2_12/05/2008_96439)

lower wages and consider racism and discrimination a serious problem of their everyday life in Greece.<sup>33</sup>

### 3.1.4. Additional information

[29]. Not available.

### 3.1.5. Other related issues

[30]. No developments regarding the use of statistics of ethnic/national origin.

[31]. No developments regarding the participation of migrants and ethnic minorities in trade unions

### 3.1.6. Good practice

#### Key policy and practical initiatives by civil society and government

[32]. A bill providing positive measures for the Muslims minority members' recruitment in the public sector passed by the Parliament, albeit not without reactions and tensions, especially by the far right parliamentary party of LAOS. The law provides for a 0.5 percentage of minority members to be hired in the public sector. This constitutes a positive discrimination measure in favour of the Muslim minority of Western Thrace.<sup>34</sup>

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33 Kasimis Ch.- Papadopoulos G.- Pappas C.- Fratsea L.-M., Qualitative Empirical Study of Migrants' Impact on Receiving Local Economies in Greek and Italian Regions, Agricultural University of Athens, (February 2008).  
Methodology: 103 questionnaires were addressed to migrants in Vouprassia (Elia) and 102 in Arkadion (Zakynthos) with the method of 'snow-ball' in October 2007 (Vouprassia) and January 2008 (Arkadion).  
The sample was drawn by the information provided by the data base of migrants' work permits, and was stratified by nationality. A small deviation from the sample was gender related because of the difficulty to approach women immigrants. Therefore women are underrepresented in our sample in both Municipalities and consequently gender analysis is limited.

Additional to the quantitative survey, a number of 18 semi-structured interviews were conducted with opinion makers and local employers. In that research H.Kasimis through 102 interviews to local rural economy migrant workers has examined comparatively the areas of the island of Zakynthos and Patras - Vouprasia where protests and tensions about the wages of strawberry pickers were recorded in spring 2008. Read also: Kathimerini.gr, Migrants 'driving force' on farms, (30.7.2008), [www.ekathimerini.com/4dcgi/\\_w\\_articles\\_politics\\_2\\_30/07/2008\\_99056](http://www.ekathimerini.com/4dcgi/_w_articles_politics_2_30/07/2008_99056)

34 <http://www.in.gr/news/article.asp?lngEntityID=774588>

## 4. Housing

### 4.1. Racism and discrimination (incidents and practices)

#### 4.1.1. Statistical data and tables on incidents of discrimination and racism in housing

- [33]. No official data on incidents of discrimination and racism in the area of housing reported to official agencies are available.

#### 4.1.2. Exemplary incidents and cases

- [34]. The Greek Ombudsman published a report on the tax exemption of political refugees on the purchase of a house as a residence, after the rejection of its recommendations by the Ministry of Finance.(see chapter 1)
- [35]. In some continental Greek regions, migrant workers in rural economy live under inhumane conditions, in makeshift sacks and even under bridges as publicly denounced.<sup>35</sup>
- [36]. The unacceptable conditions of the Mitilini island (Lesvos) detention centre for refugees and illegal aliens, has been the centre of the attention of a number of organisations. The UNHCR expressed serious concerns about the situation of “dozens of unaccompanied minors” being detained at a substandard migrant reception centre on Lesvos. The children started a hunger-strike, which ended only after the deputy Health Minister George Konstantopoulos coordinated their immediate transportation to Athens into a state-run children's camp, assisted by the Greek Red Cross.
- [37]. In autumn 2008, the Attica prefect (prefecture of greater Athens urban complex) sent a letter to the prime minister depicting a picture of downgraded downtown Athens because of accumulation of irregular migrants and marginalised groups such as drug-addicts in informal housing conditions. The prefect announced that he would seek to clean the area from the occupation by migrants of entire old buildings in the old city centre. He asked for the support of the government,

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<sup>35</sup> By a Greek orthodox Church priests of the Epirus region in occasion of Christmas 2007. More in the employment chapter.

especially in view of interethnic and intra-group violence that occurred in late of the summer in that very area (Omonia square).<sup>36</sup>

#### 4.1.3. Research findings

[38]. Not available

#### 4.1.4. Legal restrictions to access to housing

[39]. There are no legal restrictions to housing except the legal residence permit requested from migrants in order to make a rent contract.

### 4.2. Good practice

#### Key policy and practical initiatives by civil society and government

[40]. Not available

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<sup>36</sup> Eleftheri Ora, Ομόνοια=ο απόπατος της δύστηνης Αθήνας ('Omonia=the earth-closet of poor Athens'), (18.9.2008) pp.3-4.

## 5. Health care

### 5.1. Racism and discrimination (incidents and practices)

#### 5.1.1. Statistical data and tables on incidents of racism and discrimination

[41]. Not available

#### 5.1.2. Exemplary incidents and cases

[42]. The director of the Mitilini (Lesvos island) hospital ‘Vostaneio’ has decided that illegal immigrants requesting medical care be examined at a distinct location, separately and away from regular patients, because of the risk of contagious diseases.<sup>37</sup>

[43]. On 25.07.2008, the Medecins Sans Frontieres have signalled a developing humanitarian crisis regarding immigrants in Lesvos, and denounced a lack of medical care, limited access to public health system and degrading living conditions in the detention camp.<sup>38</sup>

#### 5.1.3. Additional information

[44]. In Greece, access to medical care for irregular immigrants, who constitute a large number of third country nationals residing in Greece, is allowed only in urgent emergency cases.<sup>39</sup>

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<sup>37</sup> Avgi, Δεν θέλει μετανάστες στο νοσοκομείο "του"! (He doesn't want immigrants in "his" hospital!) (15.5.2008).

<sup>38</sup> Medecins Sans Frontieres, Press release, (25.7.2008).

[1]. <sup>39</sup> The art.84.1 of the migration bill (law n.3386/2005) obliges public officers and hospital staff not to provide services to irregular immigrants unless they are hospitalised urgently or they are minors. The latter exception is an amendment proposed by the Ombudsman for the Children in 2005. The Greek National Commission for Human Rights has proposed to abolish such restriction as being in conflict with the Greek Constitution and international conventions.

#### 5.1.4. Research findings

[45]. Not available

### 5.2. Good practice

#### Key policy and practical initiatives by civil society and government

- [46]. An interactive webpage (wiki) has been created aiming to collect information on the health of migrants and minorities in Greece in the framework on the MIGHEALTHNET project.<sup>40</sup>
- [47]. An important initiative started operation in 2008. The Babel Day Centre in downtown Athens providing psychological health support to migrants in the first six months assisted more than 100 migrants.<sup>41</sup>

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<sup>40</sup> [http://mighealth.net/index.php/Main\\_Page](http://mighealth.net/index.php/Main_Page).

[http://mighealth.net/el/index.php/%CE%91%CF%81%CF%87%CE%B9%CE%BA%CE%AE\\_%CF%83%CE%B5%CE%BB%CE%AF%CE%B4%CE%B1](http://mighealth.net/el/index.php/%CE%91%CF%81%CF%87%CE%B9%CE%BA%CE%AE_%CF%83%CE%B5%CE%BB%CE%AF%CE%B4%CE%B1)

<sup>41</sup> Eleftherotipia, Psychological support to immigrants, (30.6.2008) [http://www.enet.gr/online/online\\_text/c=112,dt=30.06.2008,id=64172416#top](http://www.enet.gr/online/online_text/c=112,dt=30.06.2008,id=64172416#top)

## 6. Education

### 6.1. Statistical data and tables on racist incidents

[48]. Not available

### 6.2. Exemplary incidents of discrimination

[49]. An important decision concerning Roma segregation in education was issued by the European Court for Human Rights on the case *Sampanis and others v. Greece*.<sup>42</sup> The Strasbourg court held unanimously that there had been a violation of Article 14 (prohibition of discrimination) of the Convention in conjunction with Article 2 of Protocol No. 1 (right to education), on account of a failure to provide schooling for the applicants' children and of their subsequent placement in special classes because of their Roma origin; The Court decision made an extensive reference to the Greek RAXEN NFP Annual Report 2007,<sup>43</sup> as a source of independent and reliable information on the issue.

[50]. Despite the unanimous conviction of Greece last June by the European Court of Human Rights for segregation of Roma children in education, problems with Roma children' access to school are reported by unofficial sources.<sup>44</sup>

### 6.3. Restrictions to access to education

[51]. There are no legal restrictions to access to education for immigrant minors irrespective of their residence status. Legally residing adult migrants have full access to education.

[52]. Despite the provision for intercultural education, special lessons of mother tongue, culture and religion for immigrant pupils have not been put to practice,

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42 European Court for Human Rights, *Sampanis et autres C. Grèce*, (5.6.2008)

<http://cmiskp.echr.coe.int/tkp197/view.asp?item=2&portal=hbkm&action=html&highlight=GREECE%20%7C%20sampanis%20%7C%2032526/05&sessionid=14123276&skin=hudoc-pr-en>

43 HLHR-KEMO Annual Report 2007, Miltos Pavlou, Racism and discrimination against immigrants and minorities in Greece: the state of play, April 2007, <http://www.hlhr.gr/hlhr-kemo/docs/HLHR-KEMO%20AR2007.pdf>

44 Kiriakatiki Eleftherotipia, P.Bouganis, Τα παιδιά του λυόμενου γκέτο (The children of the prefabricated ghetto), (21.9.2008), [http://www.enet.gr/online/online\\_text/c=112,id=70780344](http://www.enet.gr/online/online_text/c=112,id=70780344)

although the migrant associations have raised such claims through formal applications.<sup>45</sup>

## 6.4. Good practices

### Key policy and practical initiatives by civil society and government

- [53]. The Ministry of National Education and Religions issued a circular giving schoolchildren the right not to attend religious education classes without their parents having to provide a reason or to reveal their religion, in an effort to implement the recommendations of the Greek Ombudsman, the Data Protection Authority and the rulings of the European Court of Human Rights.<sup>46</sup> However, after numerous negative reactions on behalf of the Holy Synod of the Church of Greece, two consecutive circulars created confusion. They state that the field of application of the first circular is limited to non-orthodox Christians. The Greek Ombudsman is presently dealing with the case.<sup>47</sup>
- [54]. The municipality of Athens has launched special Greek language courses for mothers of immigrant children enrolled in the municipal day-care centres.<sup>48</sup>

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<sup>45</sup> As provided by art.35 of law n.2413/1996 and art.72.4 of law n.3386/2005 and noted by the Greek National Commission for Human Rights in its observations on the Report of the Foreign Affairs Ministry about the application of the International Convention for the Elimination of any Form of Racial Discrimination. (14.2.2008)

<sup>46</sup> [www.ypepth.gr](http://www.ypepth.gr).

<sup>47</sup> [Kathimerini.gr](http://Kathimerini.gr), Church slams move on religious lessons (27.8.2008)

[www.ekathimerini.com/4dcgi/\\_w\\_articles\\_politics\\_100012\\_27/08/2008\\_99903](http://www.ekathimerini.com/4dcgi/_w_articles_politics_100012_27/08/2008_99903)

<sup>48</sup> Athens News, Mum learns Greek (30.5.2008).

## Annex 1 – Statistical Data and Tables

Please complete the table below

	2007	2008
Complaints regarding ethnic discrimination received by Equality Body	41	Not available
Number of ethnic discrimination established by Equality Body	6	
Follow up activities of Equality Body, once discrimination was established (please disaggregate according to type of follow up activity: settlement, warning issued, opinion issued, sanction issued etc.)	Opinion/recommendations issued 6 Compliance – case resolved 4 Non compliance by the authorities 2	
Number of sanctions and/or compensation payment in ethnic discrimination cases (please disaggregate between court, equality body, other authorities or tribunals etc.) in your country for the thematic areas of Employment, Housing, Healthcare, Education etc. (if possible, disaggregated by gender and age).	Not applicable (no sanctions imposed)	
Range of sanctions and/or compensation in your country (please disaggregate according to type of sanction/compensation)	Not applicable (no sanctions imposed)	

- No official data available on racist violence

## Annex 2 – Court, specialised body or tribunal decisions

Case title	The Greek Ombudsman case n.17817/2005
Decision date	11.2.2008
Reference details (type and title of court/body; in original language and English [official translation, if available])	Συνήγορος του Πολίτη, Αρχή Προώθησης της Ίσης Μεταχείρισης The Greek Ombudsman, Equality Body
Key facts of the case (max. 500 chars)	The Greek Ombudsman mediated upon a complaint submitted by an Albanian student of the Technological Institute (TEI) of Larisa about the denial of the competent authorities to grant him a scholarship on the grounds of his nationality. Scholarships are provided only to students who are either Greek or ethnic Greek third country nationals. In this way both EU citizens and third country nationals are excluded from such student financial support.
Main reasoning/argumentation (max. 500 chars)	<p>Par.4 art.16 of the Greek constitution about students' special support may be broadly interpreted as including all students and not only Greek ones. Furthermore, the integration of third country nationals is based on equal treatment especially for those residing permanently or who were born in Greece. The Long Term Residence status legal framework also provides for equal treatment on education and vocational training.</p> <p>The Greek Ombudsman in its recommendations:</p> <p>a) judged that the Greek state is obliged to initiate the amendment of the regulatory framework for scholarships by the Foundation for State Scholarships towards the direction of equal footing between Greeks and i) long term resident third country nationals ii) EU citizens residing permanently in Greece and their family members,</p> <p>β) proposed to recognize such right also to third country nationals with strong bonds to Greece on the basis of having graduated from a Greek secondary education institution and being Greek University students.</p> <p>The Ombudsman emphasized that it is important to concede such right i) to third country nationals born in Greece ii) to holders of long term residence permits and iii) to long term long term residents' children.</p>

<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>The Greek Ombudsman judged that although discrimination on the grounds of nationality is in principle acceptable under the anti-discrimination legislation in force (law n.3304/2005 transposing RED), equal treatment of students residing permanently in Greece, irrespective of nationality should be pursued through amendment of the legislation currently in force.</p> <p>The Ombudsman based its argumentation on the long term residence status and the general principles for immigrants' integration deriving from the transposition of the respective Directives (2003/109/EC &amp; 2004/38/EC), while it did not establish discrimination on the basis of the RED Directive.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The Greek state has not yet responded to the Ombudsman's recommendations for amendment of the current legislation excluding not Greek University students from being granted scholarships.</p>

Case title	The Greek Ombudsman cases n. 11575/2004, 8976/2005
Decision date	12.2007
Reference details (type and title of court/body; in original language and English [official translation, if available])	Συνήγορος του Πολίτη, Αρχή Προώθησης της Ίσης Μεταχείρισης The Greek Ombudsman, Equality Body
Key facts of the case (max. 500 chars)	The Ombudsman handled the complaints submitted by holders of refugee status in Greece who were denied tax exemptions for purchasing an apartment as home residence ('1st residence') as provided by law n.1078/1980. The Ombudsman, on the basis of the Geneva convention and interpreting the anti-discrimination law n.3304/2005 recommended that they should be also exempted by such transfer-purchase tax . The government refused to comply.
Main reasoning/argumentation (max. 500 chars)	After the rejection of its recommendations by the Ministry of Finance, the Greek Ombudsman published a report on the tax exemption of political refugees on the purchase of a house as a home residence. The Ombudsman argued that, as long as tax exemption is provided exclusively to Greeks or third country nationals of Greek ethnic origin, the exclusion of foreigners is an inadmissible discriminatory practice on the grounds of their ethnic origin.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	The Ombudsman based its argumentation on the spirit of the Geneva Convention on Refugee status although it did establish discrimination on the basis of the RED Directive. The Ombudsman argued that the Ministerial Decision in force constitutes inadmissible discriminatory practice on the grounds of ethnic origin. The tax exemption is provided also to non nationals of Greek ethnic origin, therefore it does not constitute an admissible differentiated treatment on the basis of citizenship.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The Greek state has refused to apply the Ombudsman's recommendations and the Ombudsman published its opinion and the outcome of its investigation without undertaking any further action.

Case title	The Greek Ombudsman cases n.11362/2007 & 12417/2007
Decision date	19.6.2008
Reference details (type and title of court/body; in original language and English [official translation, if available])	Συνήγορος του Πολίτη, Αρχή Προώθησης της Ίσης Μεταχείρισης The Greek Ombudsman, Equality Body
Key facts of the case (max. 500 chars)	The Ombudsman established discrimination and published a report on the case of the Special Pedagogic Academy of Thessaloniki and on professional training and status of its graduates, who are exclusively members of the Western Thrace Muslim Minority. The latter become teachers but they get the right to teach exclusively at the special minority schools of Western Thrace. In this way they are treated unequally to other graduates from similar university faculties, who are licensed to teach in all Greek schools.
Main reasoning/argumentation (max. 500 chars)	Muslim minority members who become teachers as the Special Pedagogic Academy of Thessaloniki graduates, as such they are deprived of any chance to teach outside the Western Thrace Muslim minority schools. This results to de facto discrimination on grounds of ethnic origin or religious beliefs, even if this was not intended by any state authority. The Ombudsman recommended to equate the Special Pedagogic Academy of Thessaloniki graduates to other Pedagogy departments throughout Greece.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	The Ombudsman commented about an eventual unequal treatment of Muslim minority schoolchildren in the case we accept that their teachers have not the necessary skills to teach to any other Greek school outside Western Thrace. The Ombudsman found also problematic the limitation of students' access to the Special Pedagogic Academy of Thessaloniki on the basis of their religion or ethnic origin (they should be members of the Muslim minority). The Ombudsman suggested that this in order to be not discriminatory should be further justified eventually as 'positive action' in favour of the minority in the sense of the RED.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The Ombudsman submitted its report to the co-competent Ministers and awaits for their response in undertaking the necessary actions (law amendments proposed)

Case title	“Eleftheros Kosmos” anti-Semitic hate speech trial
Decision date	5.3.2008
Reference details (type and title of court/body; in original language and English [official translation, if available])	11 <sup>ο</sup> Τριμελές Πλημμελειοδικείο της Αθήνας 11th Three-Member Misdemeanours Court Of Athens
Key facts of the case (max. 500 chars)	On 12.3.2006 Theodoros Hatzigogos as columnist of the weekly newspaper “Eleftheros Kosmos” (‘Free World’), Dimitrios Zafeiropoulos as publisher and Th. Georgiou as editor-in-chief, had published a text including offensive phrases about Jews of Thessaloniki (Greece) ,holocaust victims during WW2. The text expressed, among other, satisfaction about the annihilation of the local Jewish community, such as: “Thank God, not even 1,500 are left in Thessaloniki...” and “...after the supposed ‘soap-making’ of the Jews...”. The case started with a complaint report filed by Greek Helsinki Monitor with the Athens Chief Misdemeanours Prosecutor, on 12.3. 2006
Main reasoning/argumentation (max. 500 chars)	The defendants were found guilty for having violated articles 26§1a, 27 and 45 of the Criminal Code, article 2 of Law 927/1979 (anti-racism law), and charged as liable that in Athens on 12.3. 2006, acting jointly, publicly, through the medium of the press, and through a written text, they expressed ideas that are offensive to a group of individuals because of the national origin and the religion of those individuals, and specifically, in the above time and place, while abusing the press as a medium, filed and published in issue number 142 of the newspaper “Eleftheros Kosmos”, a publication – article with the title “The Jews liven up Thessaloniki”, (...) with undoubtedly offensive phrases, on the one hand they express hatred and contempt against the Jews and a wish that Jews no longer exist in Thessaloniki and in general, and on the other hand they directly deny and deride the fact of the annihilation of thousands of Jews by the Germans in concentrations camps during the Second World War.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	An important element of the trial in contrast to the first Anti-Semitic hate speech trial in late 2007 (‘Plevris’ case), is that Andrea Gilbert, in charge of monitoring anti-Semitism on behalf of Greek Helsinki Monitor and a Jew, constituted herself civil claimant (considering that she was directly offended by the text on trial) through GHM’s legal counsel.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	A sentence of seven months imprisonment was imposed on each of the convicted (suspended for Hatzigogos and Zafeiropoulos and commuted to a fine of ten Euros per day for Georgiou). The execution of the sentences was suspended pending an appeal trial.

Case title	“Eleftheros Kosmos” anti-Semitic hate speech appeal trial
Decision date	18.9.2008
Reference details (type and title of court/body; in original language and English [official translation, if available])	A' Τριμελής Εφετείο Αθηνών (Πλημμελημάτων) First Three-Member Court of Appeal of Athens (Misdemeanours)
Key facts of the case (max. 500 chars)	The court of appeal confirmed the first instance ruling and conviction for anti-Semitic hate speech on the basis of the anti-racist law n.927/1979.
Main reasoning/argumentation (max. 500 chars)	The defendants were found guilty for having violated articles 26§1a, 27 and 45 of the Criminal Code, article 2 of Law 927/1979 (anti-racism law), and charged as liable that in Athens on 12.3. 2006, acting jointly, publicly, through the medium of the press, and through a written text, they expressed ideas that are offensive to a group of individuals because of the national origin and the religion of those individuals, and specifically, in the above time and place, while abusing the press as a medium, filed and published in issue number 142 of the newspaper “Eleftheros Kosmos”, a publication – article with the title “The Jews liven up Thessaloniki”, (...) the defendants made offensive statements expressing hatred and contempt against the Jews. They expressed a wish that Jews no longer existed in Thessaloniki. At the same time, they denied and derided the annihilation of thousands of Jews in concentrations camps during the Second World War.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	Unlike the first instance trial (5.2.2008), the Court of Appeal, on 12.9.2008 when the trial began did not accept civil claimants (Andrea Gilbert from GHM and Moses Konstantinis and Abraham Reitan from the Central Board of Jewish Communities in Greece (KIS).
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	A suspended sentence of five months imprisonment was imposed on each of the convicted who had appealed the first instance court decision (Hatzigogos and Zafeiropoulos).

Case title	“Eleftheros Kosmos” anti-Roma hate speech trial
Decision date	4.7.2008
Reference details (type and title of court/body; in original language and English [official translation, if available])	11 <sup>ο</sup> Τριμελές Πλημμελειοδικείο της Αθήνας 11th Three-Member Misdemeanours Court Of Athens
Key facts of the case (max. 500 chars)	On 18.6.2006 Th. Hatzigogos as columnist of the weekly newspaper “Eleftheros Kosmos” (‘Free World’), D. Zafeiropoulos as publisher and Th. Georgiou as editor-in-chief, had published a text including offensive phrases against Roma. The case was initiated with a complaint report lodged by Greek Helsinki Monitor to the Head Prosecutor of the Athens First Instance Court. Initially, on 29.9.2006, the First Instance Prosecutor erroneously rejected the ex officio case brief, maintaining that a complaint should have been filed by the Roma on the grounds of article 4 of Law 927/79 (abolished since 2001). After an appeal by GHM, the Appeals Court Prosecutor on 8.1.2007, ordered the pressing of criminal charges by the First Instance Prosecutor.
Main reasoning/argumentation (max. 500 chars)	The defendants were charged as liable that through the medium of the press, that is a leaflet produced through print or any other mechanical or chemical medium to identical copies, (...), publicly expressed ideas that are offensive to a group of individuals because of their racial or national origin. The court held that there has been violation of art. 1, 14, 26§1a, 27, 51, 53, 57 of the Criminal Code, art. 2 of Law 927/1979, as amended through art. 72 phrase e and 39 para 4 of Law 2910/01, and art. 71§4 of Law 3386/05, combined with art. 47 of Compulsory Law 1092/1938, as replaced with art. 4 para. 2 of Law 1738/1987 and remained valid through the only art. of Law 2243/1994.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	An important element of the trial in contrast to the first Anti-Semitic hate speech trial in late 2007 (‘Plevris’ case), is that two Roma constituted themselves civil claimants (considering themselves offended by the publication) through GHM’s legal counsel. The court in the previous similar case had rejected the civil claimant status to six Jews.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	A sentence of seven months imprisonment was imposed on each of the convicted (suspended for Hatzigogos and Zafeiropoulos and commuted to a fine of 10 Euros per day for Georgiou). The execution of the sentences was suspended pending a possible appeals trial.

Case title	Sampanis and others v. Greece
Decision date	5.6.2008
Reference details (type and title of court/body; in original language and English [official translation, if available])	European Court of Human Rights
Key facts of the case (max. 500 chars)	The case concerns the failure of the authorities to provide schooling for Roma children during the school year 2004-2005 and their subsequent placement in special classes, in an annexe to the main Aspropyrgos primary school building. This measure - the applicants claimed - was related to their Roma origin. It was, taken with the consent of Roma parents, in view of the intolerant reactions by other non-Roma children' parents of the local school unit.
Main reasoning/argumentation (max. 500 chars)	<p>The Court held unanimously that:</p> <ul style="list-style-type: none"> <li>- in spite of the authorities' willingness to educate Roma children, the conditions of school enrolment for those children and their placement in special preparatory classes – in an annexe to the main school building – ultimately resulted in discrimination against them. Accordingly, there had been a violation of Article 14 of the Convention taken together with Article 2 of Protocol No. 1 in respect of each of the applicants.</li> <li>- there had been a violation of Article 13 since the Greek Government had not adduced evidence of any effective remedy that the applicants could have used in order to secure redress for the alleged violation of Article 14.</li> </ul>
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	The Court stressed the importance of introducing a suitable system for assessing the capacities of children with learning needs, to monitor their progress, especially in the case of children from ethnic minorities, to provide for possible placement in special classes on the basis of non-discriminatory criteria. In view of the racist incidents provoked by the parents of non-Roma children, the setting-up of such a system would have given the applicants the feeling that their children had not been placed in preparatory classes for reasons of segregation. Reiterating the fundamental importance of the prohibition of racial discrimination, the Court considered that the possibility that someone could waive their right not to be the victim of such discrimination was unacceptable.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	Under Article 41 (just satisfaction) of the Convention, the Court awarded each of the applicants 6,000 Euros (EUR) in respect of non-pecuniary damage and EUR 2,000 for costs and expenses.

Case title	Emin And Others V. Greece & Tourkiki Enosi Xanthis And Others V. Greece (2 cases examined)
Decision date	27.3.2008
Reference details (type and title of court/body; in original language and English [official translation, if available])	European Court of Human Rights
Key facts of the case (max. 500 chars)	Both cases concern complaints by the applicants about decisions taken by the Greek courts against associations founded by persons belonging to the Muslim minority of Western Thrace. The European Court of Human Rights ruled that Greece violated the freedom of association of the country's Turkish minority, by dissolving the "Turkish Association of Xanthi" established in 1927, after a 21-year procedure (1983-2005), and by refusing the registration of the "Cultural Association of Turkish Women of the Region of Rodopi" after a four-year procedure (2001-2005).
Main reasoning/argumentation (max. 500 chars)	The Court held unanimously that there had been a violation of Article 11 (freedom of assembly and association) of the European Convention on Human Rights in both cases, which concern associations founded by persons belonging to the Muslim minority of Western Thrace (Greece). In the case of Tourkiki Enosi Xanthis and Others the Court also held, unanimously, that there had been a violation of Article 6 § 1 (right to a fair hearing within a reasonable time) of the Convention.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	In both cases, Greek courts found objectionable the use of the word "Turkish" in the title of the associations to denote the ethnic identity of a minority. The court 'considered that freedom of association involved the right of everyone to express, in a lawful context, their beliefs about their ethnic identity. However shocking and unacceptable certain views or words used might appear to the authorities, their dissemination should not automatically be regarded as a threat to public policy or to the territorial integrity of a country'(...) or 'to constitute a threat to democratic society'. The Court noted further that the Greek courts would have had the power to dissolve the association if in practice it pursued aims that were different from those stated in its statute or if it operated in a manner contrary to the law.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	Under Article 41 (just satisfaction) of the Convention, the Court held that the finding of a violation constituted in itself just satisfaction for the non-pecuniary damage suffered by the applicants in the case of Emin and Others. In the case of Tourkiki Enosi Xanthis and Others the Court awarded the association Tourkiki Enosi Xanthis 8,000 Euros (EUR) in respect of non-pecuniary damage.

Case title	Alexandridis V. Greece
Decision date	21.2.2008
Reference details (type and title of court/body; in original language and English [official translation, if available])	European Court of Human Rights
Key facts of the case (max. 500 chars)	The applicant, admitted to practise as a lawyer at Athens Court of First Instance, had to take the oath of office on 2 November 2005, which was a precondition for practising as a lawyer. Therefore he had to reveal to the court that he was not an Orthodox Christian in order to take a non-religious affirmation rather than an oath to the Gospel. There was no remedy to offer redress for the violation of his freedom of religion.
Main reasoning/argumentation (max. 500 chars)	In the case Alexandridis vs. Greece, the Strasbourg Court ruled that Greece violated the freedom of religion (art.13) and to manifest one's beliefs (art.9) The Court held that the fact that the applicant had had to reveal to the court that he was not an Orthodox Christian had interfered with his freedom not to have to manifest his religious beliefs. The Court considered that the Greek Government had failed to show the existence of any effective remedy by which the applicant could have sought redress for the violation of his freedom of religion. Accordingly, there had been a violation of Article 13.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	The Court observed that the freedom to manifest one's beliefs also contained a negative aspect, namely, the individual's right not to be obliged to manifest his or her religion or religious beliefs and not to be obliged to act in such a way as to enable conclusions to be drawn regarding whether he or she held – or did not hold – such beliefs. The Court observed that the procedure of taking the oath in Greece reflected the existence of a presumption that lawyers going before the court were Orthodox Christians. In that connection the Court also noted that, under Greek law, the oath that any civil servant was invited to take was in principle the religious oath (first paragraph of Article 19 of the Civil Service Code). In order to be allowed to make a solemn declaration, the applicant was obliged to state that he was an atheist or that his religion did not allow him to take the oath.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	Under Article 41 (just satisfaction), the Court awarded the applicant 2,000 Euros (EUR) in respect of non-pecuniary damage.

Case title	Kalamiotis v. Greece
Decision date	24.7.2008
Reference details (type and title of court/body; in original language and English [official translation, if available])	United Nations Human Rights Committee (HRC)
Key facts of the case (max. 500 chars)	The case concerns police brutality against Rom Andreas Kalamiotis on 14.6.2001 examined by the UN-HRC on the basis of the Communication No. 1486/2006 submitted to the HRC by World Organisation Against Torture (OMCT) and Greek Helsinki Monitor (GHM). The HRC then noted that no disciplinary proceedings were ever instituted. The Hellenic Police carried out a preliminary informal investigation without hearing the victim and his witnesses and rejected the Greek Ombudsman's recommendation for a formal Sworn Administrative Investigation. The criminal investigation was concluded with a decision by a Judicial Council of Misdemeanours of Athens to drop charges.
Main reasoning/argumentation (max. 500 chars)	According to the UN HRC, Greece violated Article 2 paragraph 3 (right to an effective remedy) read together with Article 7 (prohibition of torture) of the International Covenant on Civil and Political Rights concerning the lack of an effective investigation into the allegations of police brutality against Rom Andreas Kalamiotis, on 14.6.2001, in Aghia Paraskevi (Greater Athens). Greece must provide the victim with an effective remedy and appropriate reparation, as well as take measures to prevent similar violations in the future.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	This is one of the many police brutality cases, not properly investigated or not investigated at all, despite the recommendations of the Ombudsman and the multiple convictions by the ECHR. The UN HRC observed that Greece should, like every other state, address the problem of police violence. Every allegation should be investigated promptly and impartially, perpetrators must be punished and victims awarded compensation, without having to resort to the HRC or the ECHR
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The UN HRC must be informed within six months about the measures taken by Greece to give effect to the HRC Views and their publication in Greek. So far, the related recommendations of the two Committees' (the UN-HRC and the UN-Committee Against Torture), 22 for HRC and 10 for CAT, have remained unanswered.

## Annex 3 – Positive initiatives

Area <sup>49</sup> :	Islamophobia - Racist Violence & Crime
Title (original language)	Islam.gr
Title (EN)	Web portal islam.gr
Organisation (original language)	-
Organisation (EN)	Informal group of individuals
Government / Civil society	Civil society
Internet link	<a href="http://www.islam.gr">www.islam.gr</a>
Type of initiative <sup>50</sup>	intercultural dialogue awareness raising cultural activity
Main target group <sup>51</sup>	General public
Brief description (max. 1000 chars) <sup>52</sup>	The portal <a href="http://www.islam.gr">www.islam.gr</a> , implemented by a group of Muslims - mostly media professionals living in Greece - constitutes a notable initiative promoting intercultural comprehension and combating Islamophobia. The website provides information on Islam and interculturality in three languages (Greek, Arab, and English).

49 Please indicate: Racist Violence, Employment, Education, Housing, Health and social care, Services and Goods.

50 Please select one or more from the list of categories below

51 Please select one or more from the list of target groups below

52 Please indicate here whether the initiative is a governmental or non-governmental action.

Area:	Racist Violence
Title (original language)	13 <sup>ο</sup> Αντιρατσιστικό Φεστιβάλ Αθήνας
Title (EN)	13th Athens Antiracist Festival
Organisation (original language)	Δίκτυο Κοινωνικής Υποστήριξης Προσφύγων και Μεταναστών
Organisation (EN)	Network for Social Support of Immigrants and Refugees
Government / Civil society	Civil society
Internet link	<a href="http://www.tsamadou13.gr">www.tsamadou13.gr</a>
Type of initiative	cultural activity, intercultural dialogue,
Main target group	general public, women, migrants, asylum seekers, refugees, religious minorities, youth (children, young people, students), ethnic minorities , victims of racist violence
Brief description (max. 1000 chars)	The Antiracist festival gathers most immigrant communities and NGOs dealing with immigrants and minority issues, migration policy, racism and racist violence and intolerance, discrimination, intercultural dialogue and education. It is a widely known event organised every year. An exceptionally large number of immigrants' communities and associations, as well as NGOs and civil society stakeholders cooperate in its implementation and attracts thousands of Greek citizens, mostly young people, to its live concerts, public discussions, ethnic and cultural events and bazaars.

Area:	Anti-Discrimination Legislation - Racist violence
Title (original language)	Καταπολεμώντας τις Διακρίσεις
Title (EN)	Combating Discrimination
Organisation (original language)	ΕΕΔΑΠ - Ελληνική Ένωση για τα Δικαιώματα του Ανθρώπου και του Πολίτη
Organisation (EN)	HLHR - Hellenic League for Human Rights
Government / Civil society	Civil society
Internet link	<a href="http://www.hlhr.gr/hlhr-kemo/hlhr-kemo.htm">www.hlhr.gr/hlhr-kemo/hlhr-kemo.htm</a>
Type of initiative	legal advocacy, awareness raising, support, advice to immigrants/minorities,
Main target group	Women, elderly, ethnic minorities, Roma and Travellers, migrants, asylum seekers, refugees, religious minorities, teachers, justice practitioners, employers and their associations, employers and their associations, employees and their associations, victims of racist violence and discrimination
Brief description (max. 1000 chars)	The Hellenic League for Human Rights organised two-day seminars in the major Greek cities of Athens and Thessaloniki, in November 2007 and February 2008, respectively. The seminars were on the implementation of the Race and Equality Directive, targeting lawyers, activists, trade union officers, NGOs and members of civil society organisations, as well as employers regarding the diversity management. The training was implemented in the framework of an EU funded project. Among other, the training included participative workshops on the RED's concepts and tools for strategic litigation and provision of support to discrimination victims.

Area <sup>53</sup> :	Health Care
Title (original language)	Κέντρο Ημέρας Babel
Title (EN)	Babel Day Centre
Organisation (original language)	Μη Κυβερνητική Οργάνωση "Συν-ειρμός"
Organisation (EN)	Non Governmental Organisation 'Syn-eirmos'
Government / Civil society	Civil society - Government synergy NGO supervised by the Directorate of Psychological health of the Ministry of Health and Social Solidarity, funded by the European Union (Operational Program 'health - care' 2000-2006.
Internet link	<a href="mailto:babel@syn-eirmos.gr">babel@syn-eirmos.gr</a>
Type of initiative <sup>54</sup>	support, advice to immigrants/minorities, training, education, awareness raising
Main target group <sup>55</sup>	migrants asylum seekers, refugees
Brief description (max. 1000 chars) <sup>56</sup>	The Babel Day Centre in the centre of Athens is a psychological health unit serving the needs of migrants residing in Athens. Activities include combating double stigma of mental illness and migrant status, developing contacts with the migrant communities, fostering networks for improving service of the needs of the beneficiaries. The services provided by Babel include diagnosis and psycho-social support of psychological disorders, regular and individual support of persons with relevant disorders, psychological health awareness raising and information, sensitisation of key-persons and organisations of interest to the migrants with psychological health problems.

53 Please indicate: Racist Violence, Employment, Education, Housing, Health and social care, Services and Goods.

54 Please select one or more from the list of categories below

55 Please select one or more from the list of target groups below

56 Please indicate here whether the initiative is a governmental or non-governmental action.

Area <sup>57</sup> :	Health Care
Title (original language)	MIGHEALTHNET "Information Network on Good Practice in Health Care for Migrants and Minorities in Europe".
Title (EN)	MIGHEALTHNET "Information Network on Good Practice in Health Care for Migrants and Minorities in Europe".
Organisation (original language)	Τμήμα Υγιεινής, Επιδημιολογίας και Ιατρικής Στατιστικής, Ιατρική Σχολή του Εθνικού Καποδιστριαίου Πανεπιστημίου Αθηνών
Organisation (EN)	Department of Hygiene, Epidemiology and Medical Statistics, Medical School of the <a href="#">National and Kapodistrian University of Athens</a> ,
Government / Civil society	Civil society (academics + foundation) The project is co-funded by <a href="#">DG SANCO</a> and National and Kapodistrian University of Athens and is also sponsored by the <a href="#">Stavros S. Niarchos Foundation</a>
Internet link	<a href="http://mighealth.net/index.php/Main_Page">http://mighealth.net/index.php/Main_Page</a> , <a href="http://mighealth.net/el/index.php/%CE%91%CF%81%CF%87%CE%B9%CE%BA%CE%AE_%CF%83%CE%B5%CE%BB%CE%AF%CE%B4%CE%B1">http://mighealth.net/el/index.php/%CE%91%CF%81%CF%87%CE%B9%CE%BA%CE%AE_%CF%83%CE%B5%CE%BB%CE%AF%CE%B4%CE%B1</a>
Type of initiative <sup>58</sup>	training, education, awareness raising, improving employment skills
Main target group <sup>59</sup>	researchers, policy makers
Brief description (max. 1000 chars) <sup>60</sup>	An interactive webpage (wiki) has been created aiming at collecting information on the health of migrants and minorities in Greece in the framework on the MIGHEALTHNET project which runs in 17 European countries. This wiki is addressed to all researchers, professionals, stakeholders, and policy makers in the field of migrant and minority health. The wiki was created and is being run by the Department of Hygiene, Epidemiology and Medical Statistics, Medical School of the <a href="#">National and Kapodistrian University of Athens</a> .

57 Please indicate: Racist Violence, Employment, Education, Housing, Health and social care, Services and Goods.

58 Please select one or more from the list of categories below

59 Please select one or more from the list of target groups below

60 Please indicate here whether the initiative is a governmental or non-governmental action.

Area <sup>61</sup> :	Education
Title (original language)	Η μαμά μου μαθαίνει ελληνικά
Title (EN)	My mum is learning Greek
Organisation (original language)	Δήμος Αθηναίων
Organisation (EN)	The Municipality of Athens
Government / Civil society	Government (local administration)
Internet link	<a href="http://www.cityofathens.gr">www.cityofathens.gr</a>
Type of initiative <sup>62</sup>	training, education, intercultural dialogue
Main target group <sup>63</sup>	Women, migrants, asylum seekers, refugees
Brief description (max. 1000 chars) <sup>64</sup>	The municipality of Athens has launched special Greek language courses for mothers of immigrant children enrolled at municipal day-care centres. The courses are held daily in the afternoon hours, while their children are engaged by preschool teachers. Language lessons started on 12.5.2008 at only one municipal day-care centre, near the Metaxourgio metro station. Since September 2008, the language lessons are also offered at two more day-care centres. According to the Deputy Athens Mayor Alexia Evert-Alverti next year, the lessons will be extended further.

61 Please indicate: Racist Violence, Employment, Education, Housing, Health and social care, Services and Goods.

62 Please select one or more from the list of categories below

63 Please select one or more from the list of target groups below

64 Please indicate here whether the initiative is a governmental or non-governmental action.

Positive Initiatives (PI) – Type of initiative	Positive Initiatives (PI) Target groups
<p>           training, education            awareness raising            Holocaust education            support, advice to immigrants/minorities            legal advocacy            cultural activity            media and media training            awards, grants            community cohesion – social integration            intercultural dialogue            codes of ethics, code of conduct            improving employment skills            encouraging political participation         </p>	<p>           Target group are considered those that are directly addressed         </p> <p>           general public            youth (children, young people, students)            women            elderly            ethnic minorities            Roma and Travellers            migrants            asylum seekers, refugees            religious minorities            teachers            public authorities            police            justice practitioners            employers and their associations            employees and their associations            victims of racist violence         </p>