



european network against racism

ENAR Shadow Report 2008

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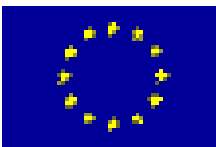
Racism in GREECE

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Racism is a reality in the lives of many ethnic and religious minorities in the EU. However, the extent and manifestations of this reality are often unknown and undocumented, especially in official data sources, meaning that it can be difficult to analyse the situation and to establish solutions to it. Even where there is extensive official data, NGOs offer a vital alternative data source that comes directly from experiences of those individuals and communities experiencing racism on a daily basis.

The ENAR Shadow Reports are produced to fill the gaps in the official and academic data, to offer an alternative to that data and to offer an NGO perspective on the realities of racism with the EU and its Member States. NGO reports are, by their nature, based on many sources of data, official, unofficial, academic and experiential. This allows access to information which, while sometimes not backed up by the rigours of academic standards, provides the vital perspective of those that either are or work directly with those affected by the racism that is the subject of the research. It is this that gives NGO reports their added value, complementing academic and official reporting.

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I. Executive summary

The 2008 shadow report is constituted of four main chapters where the basic issues that concern discrimination and racism in Greece for the year 2008 are developed. Concisely, the chapters are as follows:

Communities vulnerable to racism

These groups are migrants and refugees, Roma, ethnic minorities and conscientious objectors. Moreover there is a special reference to human trafficking and sexual exploitation as Greece remained both a transit and a destination country for women as well as young boys and girls.

Manifestations of racism and religious discrimination

This chapter focuses on the different areas where the above mentioned groups face discrimination. Employment : According to the Hellenic Migration Policy, Institute out of 850,000 – 900,000 immigrants live in Greece and 200.000-250.000 are undocumented workers while NGOs estimate around 500.000. Professors and experts believe that they will be the first victims of the economic crisis which will lead to serious tension between native Greeks and migrants. Housing: Immigrants and especially refugees live in horrible housing conditions in buildings or hotels in the centre of Athens whereby sanitation and health facilities are non-existent. Education: The right of exemption from religious lessons in school without the obligatory reason to declare another faith or none, setting the implementation of a similar constitutional right to religious tolerance. Health: The national health system is non accessible to workers who are not insured or have lost their jobs and the terrible living and health conditions at the refugee camps have been criticized several times by NGOs. Policing and racial profiling: Crime is directly associated with immigration and the increase in unemployment while the majority of public opinion appears to be high on xenophobia and insecurity. Racist violence and crime: 9 out of 10 victims of racist violence or discrimination in Greece are not charged by the courts or the police thereby resulting in so many racist crime cases that are not reported. Access to goods and services: In relation to the Roma community, 55% feel they are discriminated against when it comes to getting access to public and state services and the same goes to the migrants' population regarding their resident and working permits. The situation of migrants from Balkans and East European countries has been somehow normalized with regards to getting access to public and state services.

Media: Most of them play an instigating role when it comes to matters of vulnerable social groups normally presenting the problems that they cause meanwhile they project the Greek right-wing party that has a very dangerous xenophobic and racist profile.

Political and legal context

Anti-discrimination: No mechanism for effective surveillance and recording of discrimination at work exists according to the Group of Labour Inspection when asked about providing statistics and data in relation to discrimination in the work places or violation of labor law in respect to foreigners. Recommendations:

- The laws concerning issues of discrimination should have been completed in such a way as to be strict on racial practices.
- To issue Greek nationality without preconditions and complicated bureaucratic procedures for migrant children who were born in Greece.

Migration and integration: The lack of immigration policy in Greece is still apparent though it has become a recipient country of migrants since the 90s.

Recommendations:

- The right to vote for migrants residing legally in Greece for a period of 3-5 years in municipal and prefecture elections.
- To break the link of resident permit from work permit of migrants.
- To amend and simplify the procedure of issuing asylum to refugees.
- To grant European citizenship to all migrants staying legally in the EU.

Criminal justice: The Supreme Court Prosecutor made racist remarks against women of African origin and the Roma community. Recommendations:

- To be strict on criminal law when the motives are racial or aimed at racial profiling.
- To organize special seminars which will be compulsory to educate all those involved in the judicial system on subjects of racism.

Racism as a crime: During 2008 we had two very important court decisions against racist speech and anti-semitism.

Counter terrorism Greece never encounters terrorist activities even though suspicion against Muslim migrants and refugees is on the rise.

Racial Profiling: NGOs noted that the prosecutor's statements and the police target a specific racial or ethnic group and use ethnic profiling, which violate European and international human rights.

Social Inclusion: In Greece, social inclusion is an issue that is mainly fought for by migrants, NGOs and progressive people who usually take actions when it comes to vulnerable groups. Recommendations:

- In the National Committee for Social Inclusion of Migrants there should be representatives of the migrant communities and NGOs.
- There should be full transparency and information about EU programs on social inclusion.

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III. Introduction

In Greece, there is no standard immigration policy. This is what constantly keeps immigrants in a state of fear and insecurity since every time there is a change of Government; they are exposed to racial discrimination. Furthermore, there are no well organized State structures or mechanisms in place for effective monitoring, coordinating, recording and action-taking action when it comes to racism and discrimination in the work place. Despite the above, there is a huge improvement on the issues of racism and discrimination even though there still is a long way to go compared to other European countries.

It is worth mentioning here that for the first time in Greece there has been a racial conviction which definitely sends a positive message. Also for the first time there are discussions about second generation of immigrants, children who are born in Greece but have foreign parents, who represent a large proportion of the immigrant community and are facing a big problem of insecurity. This will require deciding on introducing legislation for any positive change to take place.

The 2007 shadow report covers the period January 2008 to December 2008 and comprises a total of nine chapters including the executive summary, introduction and conclusion. In chapter IV we look at the vulnerable communities notably immigrants and refugees, Roma, the ethnic minorities and the conscientious objectors and there is a special reference to human trafficking and sexual exploitation. In chapter V we examine specific problematic areas in relation to racism and discrimination such as employment, housing, education, health and the media. Chapter VI reports on the political and the legal context by focusing issues that have to do with anti-discrimination, migration and integration, criminal justice, racism as a crime, counter terrorism, racial profiling and social inclusion. Finally chapter 7 includes the national recommendations made on the above issues.

IV. Communities vulnerable to racism

Migrants and Refugees

There is no official and exact data on the number of immigrants who reside in Greece today.

According to researcher Anna Triadafyllidou their number is estimated at 1.247.000 people. Most of the migrants come from neighbouring countries and the Balkans. About 70% have a valid residence and work permit.

Children who are born in Greece but have foreign parents are exposed to discrimination as they cannot acquire the Greek nationality. These “second generation migrants” are forced to apply for their own residence permits when they reach 18 years of age, like other foreigners. As a result many feel like “second class citizens”.

Human rights violations against migrants, refugees and asylum-seekers continued to be reported at Greece’s borders. Protection for refugees in particular remained minimal. Such violations were consistent with reports received by Amnesty International throughout the year¹. There were frequent reports of individuals attempting to enter Greece by sea, many of whom drowned in the process or were blocked by members of the Coastguard. Those who did manage to reach land were usually returned to their country of origin without legal aid, access to asylum procedures or having their cases individually examined.

The readmission protocol in existence between Greece and Turkey² was used to return citizens mainly from Asian countries like Iraq, Afghanistan etc. from Greece to Turkey in spite of the concerns of the UN’s refugee agency, UNHCR that Turkey often returned them to Iraq.

Roma community

Violations against the Romani community such as forced evictions continued to be reported by the local human rights organizations. Repeatedly the European Roma Rights Centre (ERRC) expressed concern about the eviction of Albanian Romani families from their two settlements in Athens. The evictions appear to have taken place as part of a “cleansing” operation in advance in front of a football stadium. The ERRC was concerned that in none of the cases were even the most rudimentary domestic or international legal standards concerning forced evictions applied. They took place despite the long-term intervention of the Ombudsman, who in October again wrote to the government urging an end to forced evictions³.

¹ Amnesty International, 2008 report, <http://www.amnesty.org.gr/library/reports/2008/report2008/greece.htm>, accessed 2 June 2008.

² In 2001, Greece and Turkey signed a Protocol on detailed co-operation procedures, for the readmission of citizens of either country or of a third country who had entered either country unlawfully.

³ Advocate of the Citizen, newsletter 13, <http://www.synigoros.gr>, accessed 1 November 2008.

Human trafficking for sexual exploitation

Greece remained both a transit and a destination country for women; boys and girls trafficked for sexual exploitation. Nevertheless, the number of trafficked women and girls recognized as such by the Greek authorities remained unacceptably low, and resulted in women being unable to exercise their rights to assistance and protection. The few who were identified were able to exercise these rights only on condition that they agreed to co-operate with the authorities in criminal proceedings brought against their suspected traffickers. This failed to recognize the women's fear of reprisals and was at variance with the Council of Europe Convention on Action against Trafficking in Human Beings, which Greece failed to ratify and implement.

Ethnic Minorities

Greece has recognized only one religious minority officially and that is the Muslim minority in Thrace of which most of its members are of Turkish in origin. The Greek government does not recognize ethnic minorities for political reasons that are linked to the so-called Macedonian community who live in the Northern part of Greece. This community faces prejudice and discrimination not only from the authorities but also from the rest of Greek society. The Greek government views the term "Macedonian" as a geographic term and denies the assertions of the ethnic Macedonians in Greece that they are a minority group. Officially it refers to them as "Slavophone Greeks" or bilinguals.

Conscientious objection to military service

Following the continuing pattern of harassment of conscientious objectors, a fifth attempt to arrest conscientious objector Dimitris Sotiropoulos, board member of the Association of Greek Conscientious Objectors, took place in May. Dimitris Sotiropoulos has declared his conscientious objection since March 1992 when he was first called up for military service and by the end of the year he had not yet been arrested.

While the right to conscientious objection was usually upheld for those objecting on religious grounds, the rate of recognition of conscientious objectors for other convictions remained very low. There were also concerns that conscripts were not being informed of their right to perform an alternative civilian service, a service still punitive in nature and length.

V. Manifestations of racism and religious discrimination

V.i Employment

According to the estimates of the Institute Hellenic Migration Policy Institute⁴, 850,000 – 900,000 immigrants live in Greece which represents 9% of the total population. About 510,000 have resident and work permits and another 100.000 is in the process of legalization. The Institute estimates 200.000-250.000 undocumented workers while NGOs estimate around 500.000 undocumented immigrants in the whole of Greece.

Migrant workers without a doubt are a positive attribute for Greece. Recent studies⁵ by the Institute show that 3% of the Gross National Product (GNP) results from the contribution of migrant workers in the areas of construction, trade, tourism, factories and house-keeping. Their participation in some sectors is extremely high (77% private house-keeping, 37% construction, etc). Discrimination of migrants' workers in the work place should be mentioned and explains why it is so difficult for migrants to find employment in their field of expertise. This in turn explains why their wages are 30-40% lower compared to native Greeks.

Migrants contribute through taxation; and incur expenditure as consumers of national goods and services. The final positive element about their presence relates to the Greek social security fund deficit whereby 87% of migrant workers are insured by one of the funds. In one of the funds, 11% of the contributions are directly from migrant workers, which have improved the relations between the funds and the retirees.

In a nation wide research carried out by the Greek National Centre for Social Research (EKKE), entitled "Women Immigration in Greece"⁶, and presented on 7 May 2008 in Athens city council, a sample of 612 migrant women between the ages of 16-77 indicated that they mostly have problems when confronting bureaucracy when obtaining residence and work permits, as well as many work hours and low wages.

In a forum that took place on the 31 October 2008 that was organized by the Agricultural University of Athens, professors and experts on migration issues presented a bleak future for over one million migrants living in Greece. Immigrants will be the first victims of the economic crisis while the unrest and

⁴ Lianos, Theodoros, Kanellopoulos, Kostas, Gregou Maria, Gemi, Eda and Papakonstantinou Panagiota, Estimate of the illegal immigrant population in Greece (Athens: Hellenic Migration Policy Institute, April 2008).

⁵ Zografakis S., Kontis A., Mitrakos Th. , Economic incidence of migrants' employment during the last decade on Gross National Product, (Athens: Hellenic Migration Policy Institute, 2008).

⁶ Eleftherotypia newspaper, 8 May 2008, p.30.

provocation in the job market will lead to a big social crisis and serious tension between native Greeks and migrants, but also between old and new immigrants. The employment sector is where most violation of rights takes place. The three cases below show the scale of the problem and how foreign workers are affected by these issues in Greece.

1) The case of Manolada. 500 migrants from Bangladesh working in the strawberry fields close to the national highway road of Pirgos- Patras, went on a strike demanding for a wage increase of 23 to 30 Euros per day, descent living conditions since they were living in shelters without water or basic sanitary facilities. One of the strawberry farm owners attacked a journalist of a television channel Antenna simply because he was reporting the incident. Multiple violations were discovered in many companies when the authorities carried out inspections on companies employing foreigners. This ranged from employing teenagers, undocumented migrants and without insuring them etc.

2) The case in Pierias whereby foreign workers from Bulgaria were forced to work for 14hrs a day for just 1.66 Euros⁷. According to the police an organised ring of human trafficking convinced the Bulgarian nationals that they could easily find them jobs in tobacco farms and that they could make about 50 Euros a day. Among the group was a teenager girl who moved in to a stable on the outskirts of Pierias. They all were forced to work from 4:30 am to 1pm and from 4:00pm to 10: 00 pm. As soon as the group reacted and protested, the culprits confiscated their passports and all their legal documents and drove them away leaving them on the edge. The police was notified and discovered the Bulgarian nationals in a very bad mental and psychological condition, especially the teenager girl, who had to follow her parents in the sun for a whole day. The victims were taken to an NGO where they are staying temporarily until they return to their home country. Their Greek employer was arrested together with his Bulgarian associate and arraigned before the public prosecutor.

3) Detention of gypsy workers with racist criterion

According to the complaints by residents of Zakynthos⁸, the police on the 22 August 2008 embarked on detaining small traders without trade permits in such a selective manner targeting only Roma people who are in that specific trade.

On the other hand good practice is worth mentioning here:

- 1) The Immigration Committee of Piraeus municipality. The municipal of Piraeus announced in February that it will try to engage immigrants individually through their communities in order to realise specific programs on social tolerance and harmonic co-existence. The mayor Panayiotis Fasoulas, emphasises that the municipality will encourage the participation of migrants in all sectors of society.
- 2) Free transportation for migrants who are victims of job related accidents. Extension of the right to free transportation both urban and city transport and also within Greece by train, to non EU citizens of the European Union who are

⁷ <http://www.in.gr>, accessed 28 June 2008.

⁸ http://athens.indymedia.org/front.php3?lang=el&article_id=902538, accessed 01 September 2008.

incapacitated to work due to accidents they suffered on their jobs in Greece. This derives from the joint decision of the Ministry of Finance and the Ministry of Health.

Example of NGO Good Practice

"Socrates" has developed many activities during the last decade concerning the offer of help to migrants in Greece.

Since 1997 has its head office in Athens for the support of migrants. Socrates provides, for free, useful information for the integration of migrants, and especially helps those finding jobs and a place to live.

V.ii Housing

According to the Institute of Migration Policy, the average monthly income of a migrant house-keeper is 1.538 Euros, 600 Euros less than his Greek counter part. Athens Polytechnic research indicates that migrants prefer underground, basements, and lower floors in buildings, rooms that will probably remain empty. Anyway, it contributed to the explosion of housing- rent and buying of buildings or flats in the centre of Athens. Even after three programs of legalizing undocumented migrants (1998, 2001 and 2005), half of the migrants in the country (600.000 from 1.25 million) are yet in the state of illegality. Out of 47, 6% of migrant population in the country is equivalent to the migrants in the Attica region- 37, 6% possessed resident permits⁹.

In 2008 the Head of Prefecture of Athens, Giannis Sgouros, have sent a letter to the Prime Minister of Greece after inspections that were carried out by the prefecture inspectors. He characterises the situation in the centre of Athens as a health hazard that is prevailing in most neighbourhoods of Athens that migrants reside. These exhibits clearly expose a high level of real anxiety around Omonia square which is in the centre of Athens and the surrounding streets. Hundreds of immigrants and refugees live in horrible situations in abounding buildings or hotels whereby sanitation and health facilities are non-existent. 10-20 persons live in rooms of 15 square metres whiles 150-200 immigrants live in buildings of few flats under absolute poverty.

The Head of Prefecture of Athens is requesting for a temporary housing facility in appropriate areas outside the centre of Athens for thousands of economic migrants. In conclusion, Mr Sgouros emphasized with full consciousness that there is already a huge health hazard in the centre of the city. Thousands of people live in a state of poverty. Tens of foreign women practice prostitution without being inspected.

⁹ Lianos, Theodoros, Kanellopoulos, Kostas, Gregou Maria, Gemi, Eda and Papakonstantinou Panagiota, Estimate of the illegal immigrant population in Greece (Athens: Hellenic Migration Policy Institute, April 2008).

Revealing the situation that is prevailing in the centre of Athens is the direct results of the reports of the inspectors from the Athens's prefecture as is stated in the two reports¹⁰.

Specifically for the streets around Omonia square the inspectors found that:

1. Homeless and marginalised persons sleep on sideways and on the pavements.
2. Ravaged pavements and side walks have resulted in the accumulation of garbage.
3. Foreigners and drug addicts find residence in abundant buildings.

As Moawia Ahmed, coordinator of the Greek Migrant's Forum pointed out "Foreigners in Omonia square are refugees and not illegal immigrants in their majority. The weakness of the legislative framework, the shortage of staff in the political asylum section of the police, the refusal of the government to increase the number of asylum recognition to the average number of member countries of the EU is the real problem. The absence of any kind of caring for these people as declared in the international Geneva convention of 1951 for refugees of which Greece has signed (food and accommodation) drives almost all the refugees within Attica to find by themselves accommodation and find a way to hung on to life".

As such there is no office to be informing them of anything (except few NGOs) which exposes them to all kinds of exploitation. Consequently they are easy targets for narcotic rings and prostitution.

V.iii Education

The right of exemption from religious classes in primary-middle-college, without the obligatory justification to declare another faith or none, as entailed in 10-7-2008 Circular of the Ministry of Education gives way to the implementation of a similar constitutional right to religious tolerance. This was delayed for 33 years even though many complaints were filed by parents, educationist, even from politicians who on several occasions presented the issue in parliament but to formulate a genuine as much as trying to convince thousands of other religious pupils in Greek schools rather than dominating which is obvious.

In today's reality there are thousands of school pupils who belong to other religious denominations or other Christian dogma. High- and Secondary school pupils account for 15% of the overall population, while the majority of foreign pupils are in the primary schools and represent around 10-11% of the total number of the pupil's population. The President of Teachers Association Kostas Maniatis declared that "the religious tuition should and must contain more

¹⁰ "Bid to tackle needs of immigrants", Kathimerini newspaper, English Edition, 19 December 2008, p.1.

substance of religious issues so as to include others who are not of the Christian orthodox faith»¹¹.

The circular includes yet another amendment which paves the way for pupils of foreign origin to enrol in Greek schools and «all those who cannot provide birth certificates can enrol with birth registration issued by the hospital». Even holders of specific identity cards of Greek descent do not need to provide any kind of certificate to prove their personal details.

As such the recent statement of the Minister of education stirs confusion when he said that the amendment to religious tuition applies only to pupils who do not belong to the orthodox Christian faith. The reaction of the Greek ombudsman was very swift. In a press conference he stressed that this kind of action was against the constitution and international conventions¹².

Examples of NGO Good Practice

Social and Educational Action maintains the **Support Center for Children and Family** since 1997. The center focuses, mainly, on the support of socially excluded children who belong to ethnic and religious minorities and face psychological and family problems.

The Center illustrates a pilot program aiming to support the Greek Muslim and Turkish speaking families of western Thrace and children from Roma Albanian families as well.

The Center offers its services through the Day Center for young children, the Youth Center and the Family Center.

V.iv Health

The terrible living and sanitary conditions within the refugee centres or camps have been criticized several times by Greek and international human rights organisations: According to recent remarks to Reuters¹³ by the head of the Office of the United Nations High Commissioner for Refugees (UNHCR) in Greece, the country is in breach of the international conventions on refugees. The Government not only accepts that there is a problem but does not acknowledge its responsibilities and even claims that the camps are exemplary ones, sympathies of the state and the rest whiles continuously denying the reality.

Doctors Without Borders claim that 800 persons in the refugee camp of Paganis-Mytilini are sleeping in warehouses that are not suitable for humans, full of water leakages, dirt and of foul smell for three months without been cleaned, sleeping on dirty mattresses with broken toilets and showers, with no heating and yard.

¹¹ Ethnos, 31 July 2008, p. 25.

¹² Greek Ombudsman's Office, http://www.synigoros.gr/pdf_01/7086_1_pr_thrisk17_11_08.pdf, accessed 30 January 2009.

¹³ Greek Ombudsman's Office, http://www.synigoros.gr/pdf_01/7086_1_pr_thrisk17_11_08.pdf, accessed 30 January 2009.

Human rights organisations suspended their activities in the camp as a sign of protest to the Government's insensitivity to the refugees' plight.

Actually in October 2008, the unacceptable health conditions of the centre led to very serious group poisoning, 80% of the 800 migrants that were kept in Mytilini at the temporary holding centres for illegal immigrants were suffering from food poisoning according to police reports. Difficult living conditions in camps that hold undocumented migrants in Patras are ascertained by Doctors Without Borders¹⁴.

As Greece located at the external border of the EU, many migrants and asylum seekers come in the country via Turkey. One of the two main routes into Greece from Turkey is across the Turkish-Greek borders in the Evros Region. On 19 April 2008 a group of lawyers for migrants and refugees rights visited the detention centre at Peplo in Evros, which in reality was a former warehouse with horrible living conditions and where inhuman, degrading and humiliating treatment was taking place. Hundreds of people lived in wards full of stagnant waters and the access was difficult to shower and latrines and there was only one functioning latrine per 100 people. Provision of medical care to people in need, especially to vulnerable groups, was insufficient at the diagnosis process, the follow-up and the referral system. The group of lawyers and other NGOs¹⁵ addressed to the authorities and asked for the immediate improvement of reception conditions of migrants in accordance with international conventions and for their access to the national healthcare system. As an answer the authorities stopped functioning this particular centre.

The national health system (i.e. the hospitals) in 2008 was non accessible to workers who were not insured or who had lost their jobs and without paying their national insurance contributions¹⁶. As is pointed out in the report «of obstacles and difficulties of access for third country nationals» by J. Antipas, President of the organisation « PRAKSIS», “necessary requirements for the access to health care require a job contract based on law 3386/2005”. It is obvious, as mentioned in the report that 2.173 patients who visited their organisation's health centre had no documents, 3.199 had applied for political asylum and are waiting for the outcome, 36 refugees, 189 migrants. Out of this, 3.417 were unemployed many due to their diseases and because they are not insured.

In the health sector good practices or deeds can be mentioned of:

- 1) “Vavel” Day care which provides psychological health services for migrants¹⁷. Running for few months, 100 migrants have sought for help there. Almost one in ten of those who visited the centre are children. The biggest stress of migrants lies in their legalization.
- 2) The Mayor of Trikala is preparing to apply a pilot program in which electronic health cards will be issued to gypsies. «The aim of the

¹⁴ <http://www.in.gr/news/article.asp?IngEntityID=958051&IngDtrID=244>, accessed 30 January 2009.

¹⁵ Medecins Sans Frontieres Greece, www.msf.gr/index.php, accessed 30 November 2008.

¹⁶ Eleptherotypia newspaper 13 January 2008, p. 32.

¹⁷ Eleptherotypia newspaper 30 June 2008, p. 30.

program is for faster and safer diagnose by the medical officer and also the card will contain all the medical history of the patient. Later the program will be applied to all the Prefecture of Thessaly.

V.v Policing and racial profiling

Unfortunately there are no official statistics for the number of complaints of minorities who were victims of “stop and search” practices. The victims used to report incidents to NGOs or attorneys at law but they hesitate to address especially to the police departments because of the bad behaviour they face.

The most common expression in Greece is «I am not racist but foreigners...» and then usually mention Albanians or asylum seekers who have no place to stay in Greece, live in abandon buildings in the city and get into trouble. Crime is directly associated with immigration and the increase in unemployment (there is an indication that the situation will worsen in 2009). The majority of public opinion appears to be high on xenophobia and insecurity, and Greece is high in numbers according to the statistics presented.

According to research carried out by the Institute of Migration Policy in 2008, 48% of those questioned about the consequences of immigration believes that it is a phenomenon that threatens national identity and 71% consider it to be the cause of increase in crime.

Only 23% of Greeks asked under the same research believe that immigration is an asset. These are the younger generation or people with a high level of education as opposed to those who expressed negative opinion on the same subject.

Another vulnerable group that is subject to prejudice and discrimination is the Roma. They are almost automatically treated as thieves, liars and suspects of illegal transactions by the general population and by the police, which in many occasions precautionary without any proof make arrests. A good example is the complaint of the residents of Zakynthos¹⁸: On the 22 August 2008 the police embarked in detaining small traders without trade permits targeting only the Roma persons who are in that specific trade.

The media to a large extent is responsible for the racist atmosphere by presenting migrants and other vulnerable social groups on television as law violators and mostly presenting a negative image.

¹⁸ http://athens.indymedia.org/front.php3?lang=el&article_id=902538, accessed 01 September 2008.

Examples of NGO Good Practice

The Group of Lawyers for the Rights of Migrants and Refugees is a team of lawyers working on a purely voluntary basis which strives for the promotion of the rights of migrants and refugees. The Group was established in February 2006 and has been active ever since, offering actual solidarity to migrants and refugees.

The Group pursues the following objectives: a) providing legal counselling to migrants and refugees in all matters relating to their legal status; b) providing legal representation in urgent cases; c) intervening in the public debate concerning migrant and refugee matters.

V.vi Racist violence and crime

As recorded, 9 out of 10 victims of racist violence or discriminations in Greece are not charged by the courts or the police, as a result in so many racist crime cases are not reported¹⁹.

Recently the EU Agency for Fundamental Rights (FRA) concluded a research²⁰, the results of which are not good for Greece. Discrimination against the Roma as reported is the highest number in the European Union. 55% says that they have been victims of discrimination in several public or private services while 69% believes that police use racial profiling in targeting them for arrests.

The year 2008 has been a year full of activities by international organizations in Greece about racist violence: 1) In February 2008, the Committee for the prevention of torture of the Council of Europe published its findings «Report to the Government of Greece on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment from 20 to 27 February 2007»²¹. The findings uncovered many human rights violations in Greece mentioning the unacceptable conditions of detention centres for foreigners as well as Greeks in prisons and cells. 2) The report of Amnesty International on human rights that was published in May 2008 brought once again the issue of mistreatment of mainly foreigners by the Greek security officers on the agenda²².

The events of racist violence that was recorded were many and were not only against migrant groups but also against organisations that represent them. In July 2008 the Greek Migrants Forum was a target of self made explosive bomb attacks. At the time only one person was in the building. Another incident occurred while there was a discussion in the building when bottles were thrown

¹⁹ Eleptherotypia newspaper 23 Apr. 2009, p. 27.

²⁰ EU Agency for Fundamental Rights, EU-MIDIS Minorities and Discrimination Survey" 2009 Data in Focus Report 1: The Roma, (Vienna 2009).

²¹ Question of Parliamentarian F. Kouvelis to Greek Parliament, 19 February 2008.

²² Question of Parliamentarians F. Kouvelis and N. Tsoukalis to Greek Parliament, 26 May 2008.

into the building resulting in the injury of a young lady. The cases of violence recorded in the western neighbourhood of Athens by neo-nazis who brutally attacked migrants from Pakistan. It is worth mentioning the support and help that Anti-racist organisations and neighbours rendered to them.

Many NGOs like SOS Racism, Group of Lawyers for Migrants and Refugee Rights, and the Greek Migrants Forum have been receiving complaints concerning discrimination against sensitive social groups.

Examples of NGO Good Practice

Centre of Information and Documentation of racism «Antigone», and its yearly documentation reports²³ is a good source of information with regards to racism and antiracist.

Greek Helsinki Watch²⁴ brings mostly cases of discrimination and molestation of migrants, refugees and Roma to justice.

V.vii Access to goods and services in the public and private sector

Under the Constitution and Greek legislation, every person should have access to goods and services, but this is not the case in practice especially for vulnerable groups that face suspicion, terrible treatment and on some occasion violence from state and government employees.

In relation to the Roma community, as reported by the Fundamental Rights Agency 55% feel they are discriminated against when it come to getting access to public and state services, 23% in health, 20% in housing and 10% in judging their personal behaviour. It is extremely important to mention the fact that 86% is ignorant about the law against discrimination on the bases of national orientation, a fact that is more than twice in any other country with large population of Roma²⁵.

In the migrant population regarding resident working permits, the issue is somehow normalizing for those from Balkans and East European countries whiles its much more difficult for those from Asian and African countries.

In banking sector, the average balance of migrant's deposit account stands at about 15.000 Euros compared to 8.000 Euros for a Greek's account. Economic migrants have about 250.000 bank accounts with total deposits estimated at 3-4 billion Euros. Migrants have also started using credit cards for housing and cars. Banks see in migrants a market with great potential for growth²⁶.

²³ Antigone NGO, [http:// www.antigone.gr](http://www.antigone.gr), accessed 30 March 2009.

²⁴ Greek Helsinki Monitor, <http://cm.greekhelsinki.gr>, accessed 30 Jan. 2009.

²⁵ EU Agency for Fundamental Rights, EU-MIDIS Minorities and Discrimination Survey" 2009 Data in Focus Report 1: The Roma, (Vienna 2009).

²⁶ Kathimerini English edition, 24 September 2008, p. 15.

In 27 March 2008, the City of Athens and the United Nations Development Programme (UNDP) co-organized the 6th Forum of the World Alliance of Cities Against Poverty (WASAP). During conference proceedings Deputy Mayor for Innovation and New Technologies Vasilis Koromantzios noted that migrants have access to municipal health free of charge and City of Athens established a special section to facilitate migrants, which promotes research, training and monitoring of social welfare. He added that Greek-language lessons and basic computer skill seminars are conducted for the asylum seekers and migrants.

V.v iii Media, including the internet

The media in large plays an instigating role when it comes to matters of vulnerable social groups or communities by normally presenting the problems that they cause and not mentioning anything positive about them and projecting extreme right-wing party-LAOS (Popular Orthodox Party), that has a very dangerous xenophobic and racist profile. The other small parties that have democratic views are hardly ever presented and also the NGOs when invited by the media is mostly to play a very minor role and give the wrong impression by portraying clashes and are then perceived as anti Greek and putting national identity in danger.

In the media, newspapers and other publications are better in the sense that they will cover positive or negative issues of discrimination and social exclusion depending on their political orientation. Conservative newspapers are taking a step forward in progressive writing by calmly analysing the facts objectively. Special reference should go to a group of journalist of «Ioú -meaning virus» of the Eleftherotypia newspaper²⁷. Their articles are an exceptional source of information, composed and are above all substantiated reporting.

While the internet has a lot of fascist, nationalistic and neo-nazi websites many websites owned by NGOs and migrants organisations still exists. It is worth mentioning the website of Greek-Albanian Friendship Union «Socrates»²⁸, which continuously provides information on matters of migrants and is a good source of information.

²⁷ Eleftherotypia newspaper, www.enet.gr, accessed 27 December 2008.

²⁸ "Socrates NGO, www.diavatirio.net , accessed 30 Jan. 2009.

VI. Political and legal context

VI.i Anti discrimination

Greece has ratified without observations the UN “International Convention on the Elimination of All Forms of Racial Discrimination”, which came into force in 4 January 1969. Due to Article 9 of the Convention, Greece submitted periodic reports to the Committee on the Elimination of Racial Discrimination. The country also had a positive and constructive participation in the consultations between the 15 EU member states, within the framework of the World Conference against Racism, which was held in Durban, South Africa, in September 2001.

The Economic and Social Committee of Greece²⁹ (O.K.E.) issues yearly reports of developments concerning the implementation of the law³⁰ and also makes recommendations towards uplifting the principles of equal treatment and taking measures against discrimination. In compiling this report, the views of the ombudsman, Group of labour inspectors, Committee of Equal Treatment of the Ministry of Justice were taken into consideration. NGOs are also consulted to present their views too. Until now they have issued three reports which are not radical but constitute an additional tool for issues of this kind.

Essentially there is a non-existing mechanism for effective surveillance and recording of discrimination in the work places. This is obvious in the official answer of the Group of Labour Inspectors to the Antigone Centre when asked to provide statistics and data on discrimination in the work place or on violation of labour law with respect to foreigners. The Group stressed that for the year 2007 and 2008 there were no reported cases of violating the Law 3304/05 and as such no comments on the matter were made. In relation to the labour law violations regarding each sector of the economy that was presented by the Group, the charts did not separate Greek and Foreign workers which makes it difficult to draw some conclusions about the number of violations against foreigners.

The problem is particularly important when it comes to the second generation of immigrants in Greece, children who are now turning eighteen years old. In summer 2008, the media brought to light the report of the Process Simplification Committee that explains the changes in matters of immigration and mainly issues the concerns regarding the legislation on second generation migrants. According to these explanations, all migrant children who were born in Greece, as long as their parents remain legal in the country, will be granted a “long-stay” status after their 18th birthday and when they complete the mandatory nine years of education. They can travel freely within the European Union for studies or employment, they have all the security, social and educational rights that Greek citizen has. As called for by all NGOs these children ought to be given Greek

²⁹ Economic and Social Committee of Greece, [http:// www.oke-esc.eu](http://www.oke-esc.eu), accessed 03 March 2009.

³⁰ With reference to article 18, Law 3304/2005 «to apply the principle of equal treatment independent of racial and national orientation, religious or other faith, disability, age or sexual orientation».

citizenship without any preconditions. Giving them a resident permit is substantially turning them into second class citizens and the State is denying the bond between the country and the individual who was either born in Greece or who arrived at a very young age.

VI.ii Migration and integration

Greece has recognized the 11 Common Basic Principles on Integration but unfortunately the government does not have an immigration policy though it has become an important recipient country of migrants since the 1990s.

On 21 January 2008 the European Commission found that Greece had not implemented the Asylum Procedures Directive (Council Directive 2005/85/EC of 1 December 2005), on minimum standards on procedures in Member States for granting and withdrawing refugee status, as the deadline for the transfer of the relative directive having expired on the 1 December 2007)³¹. According to the document an answer of the Commission to the Greeks European parliamentarians S. Lambrinidis and M. Koppa, the Greek government has not yet informed the European Union what kind of measures had be taken to legally specify the issuing of asylum.

On the agenda of the Council of State, the Supreme Court, which investigates the constitutionality of the laws and decisions of the courts, supports a legislative amendment that limits the right of refugee children to education³². The Greek Council for Refugees filed an appeal arguing that this amendment is in violation of international agreements, leading to a presidential decree, arguing for the prohibition of refugee children from enrolling into State schools as long as there is a court or administrative case is pending against them or their parents have deportation order. According to Directive Π.Δ. 220/2007, which lays down the minimum standards for the reception of asylum seekers in the European Union "The teenagers of an applicant and matured applicants have access to the educational system under conditions that are proportional to those valid for Greek citizens, as long as there is no pending decision of deportation against them or their parents".

The access to education of a minor depends on the limitation of their legal stay and that of their parents in the country especially when there is a pending case of deportation against them. This is tantamount to the violation of the rights of the child and is contrary to the UN "Convention on the Rights of the Child" (1989) which was ratified by Greece in 1992 that recognizes the right of a child to education and embodies education as obligatory and free for all. The Geneva Convention of 1951 and also the founding treaty of the European Union is the legal status of refugees that foresees that refugees must have equal treatment in education.

³¹ Eleptherotypia newspaper 22 Feb. 2008.

³² Eleptherotypia newspaper 17 Jan. 2008, p.28.

The positive element about Greek legislation is mentioned in the circular 91109/Γ2/10.7.2008, of the Ministry of Education entitled «pupil issue amendment», it stresses that foreign pupils who cannot present a birth certificate when enrolling at primary school can enroll with birth registration issued by the hospital³³.

VI.iii Criminal justice

Criminal justice should be fair, unbiased and should remain objective. On 6 February 2008, Human Rights Organizations charged the Supreme Court Prosecutor of making racist remarks that implied that some nationals were involved in criminal activities³⁴. The Organizations demanded that he withdrew his remarks and rendered an apology. The General Prosecutor, who made some remarks in December 2007 describing criminal activities in the centre of Athens, referred to the perpetrators as “foreign ladies of African or other origins”³⁵. The term «athigani» is usually used to demerit the Roma. Mr. Sanidas, the prosecutor never amended, withdrew or apologised for his remarks.

Mr. Sanidas made this remark when he asked the head of the Greek police to fight crime in the historic centre of Athens. The term «athigani» is considered generally demeaning so the police instructions are that all officers should refrain from using that term.

«It is unethical and unforgivable for a leading prosecutor of a country to level criminal charges that members of a particular nationality is involved in criminal activities,» a statement made by the director of the Organization of Social Justice Initiative (OSJI), Mr. Robert O. Varenik.

VI.iii.i Racism as a crime

A new bill that was voted in the Greek parliament in early November, 2008, with the title «Reform for the family, the child, society and other directives», contemplates clearly that racial motives for a crime can be taken into account by the courts as an aggravating circumstance when determining the sentence³⁶. The enactment of this law into the Greek criminal code was done through the directives of the European Commission against Racism and Intolerance, so as not to portray Greece before the Council of Europe that it is a country that is delaying in the protection of human rights. As such, in the criminal code, a

³³ Ta Nea newspaper, <http://www.tanea.gr//Article.aspx?d=20080731&nid=9352676&sn=&spid=876>, accessed 15 July 2008.

³⁴ Greek Helsinki Monitor, Press Release, 6 February 2008.

³⁵ <http://www.in.gr/news/article.asp?IngEntityID=856638&IngDtrlID=244>], accessed 27 December 2008.

³⁶ Greek Parliament, <http://www.parliament.gr/ergasies/nomosxedia/Tropologies/626/M-SYMBIOSI.347.pdf>, accessed 30 November 2008.

directive was included «the commission of this directive by national, racial or religious hatred against the victims constitutes an incriminating evidence».

A very important decision, sending a clear message against racism and anti-Semitism was issued on the 16 January 2008. With decision 396/08 of Athens circuit court, the president of the court Dionisia Nika rejected the application of Mr. Plevris against Jews and indicted him for violation of antiracist law 927/79 based on extra ordinary grounds³⁷. In this case, it is pointed out that when Mr. Andrea Gilbert charged Mr. Kostas Plevris «he did not have in mind to insult his honour but did that from justifiable interest without exceeding the necessary limit with the only aim of protecting her interest as a member of the Jewish community, judging from the expression and the usage of phrases , there is no indication of deliberate intension to insult the applicant since he repeated exactly the content of his book that has been evaluated as anti-Semitism.

Also in September 2008, the third circuit court had its first hearing on anti-Semitism charges(violation of article 2, law 927/79) with reference to publications of executives of «Free World» Dimitriou Zafeiropoubu and Theodorou Hatzigogou remarked that «*Thanks to God, not even 1.500 Jews did not remain in Thessalonica...*»³⁸. This guilty decision is the first of second degree with the antiracist law 927/79 of almost thirty years history.

VI.iii.ii Counter terrorism

Greece never encounters terrorist activities even though suspicion against Muslim migrants and refugees is on the rise. As it has been mentioned in previous reports, foreign secret agents have illegally kidnapped Pakistani migrants living in Greece and interrogated them about terrorist attacks thereby violating all their rights,

In relation to this, it seems that the Pakistani Embassy in Greece at the end of December 2006 presented a list of “potential dangerous Pakistani migrants” and it was entitled: “List of Pakistanis Recommended for Blacklisting”. This Black list contained about 280 Pakistani migrants, despite the law the list was shared with authorities and workers responsible for issuing and renewing of resident permits and was claimed to be “very urgent” which resulted in the rejection of hundreds of resident permit applications.

According to law 3386/05, article 10 resident permits are not issued to applicants considered to be dangerous to public order and safety of the host Country.

³⁷ Greek Helsinki Monitor, Press Release, 15 March 2008.

³⁸ Greek Helsinki Monitor, <http://cm.greekhelsinki.gr/index.php?sec=192&cid=3341> , accessed 30 November 2008.

VI.iii.iii Racial profiling

As mentioned above, a top prosecutor describing crime in the centre of Athens named the suspect as «foreign African women and other nationalities» και «αθίγγανους»³⁹. The term «athigani» implies demeriting the Roma. Despite many complains from many human rights organizations the prosecutor did not change or withdraw his statements of the weeks before. Despite all the public outrage, the prosecutor did not withdraw his statement or apologise about it. As a result women from Africa and Roma small traders have been subject to racial profiling and have been a target of police harassment.

Human rights organisations noted that the prosecutor's statements are the last ring of a chain of statements against the Roma by the Greek authorities. Adding that, the police targeting a specific racial or ethnic group is involving ethnic profiling, which violate European and international human rights.

Another incident of profiling Muslim students is the following: On April 2008 a circular was given to all the secretariats of the departments of the University of Thessaly with the signature of the Chancellor Mr. Bayianti asking for the names, family names and country of origin of all the Muslim students of each department: «The document is confidential and must be sent straight to the Chancellor in person, by mail or through the postal box of the University without main protocol number»⁴⁰. Through an intense questioning, the secretariat answered that a State institution asked the details but he refused to discover those persons and their motives. The Greek parliament got involved in the issue and charged that it is violation of the basic rights, a separation based on religion and that it seriously insinuates profiling of Moslem students,

VI.iv Social inclusion

The Ministry of Employment and Social Protection is the coordinator of the Greek National Action Plan of Social Inclusion 2008 – 2010. Moreover 22 public agencies and 24 social partners took part in the preparation procedure and their positions are taken into consideration.

The National Action Plan for Social Inclusion Priority Policy 4 central objective is to implement actions for vulnerable groups. The “Integrated Action Plan for smooth adaptation and social inclusion of citizens of third countries who legally reside in the Greek Territory – Program Estia” has been activated and coordinated by the Ministry of Internal Affairs. The program aims to equal participation of immigrants in all social sections such as employment, education, health, housing services, culture and other public goods.

³⁹ <http://www.in.gr/news/article.asp?IngEntityID=856638&IngDtrID=244>, accessed 30 November 2008.

⁴⁰ Question of Parliamentarian T. Kourakis to Greek Parliament, 26 May 2008.

The social inclusion of Roma promoted via actions of the “Integrated Action Program for Social Inclusion of Greek Roma” coordinated by the Ministry of Internal Affairs. Main actions that included are housing, education, training, employment and counselling for families.

More social incorporation that is to be funded by the European Community is aim at many Programs. Meanwhile the Ministry of Internal affairs is laying down the action program «Focus» whiles the funds that was secured from the newly established European funds for the incorporation of third country citizens is very important.

One other big program that needs to be mentioned here is the «ODYSSEUS» program that aims at teaching migrants the Greek language, history and Greek culture and is opened to 16years old and above, European Union citizens and Third country nationals irrespective of their country of origin without any kind of discrimination, in accordance with the principle of equal treatment in the framework of securing equal access to opportunities and the incorporation into learning. The aim is that all teachers will acquire social skills, social practice and also intercultural ability that require the achievement of language and cultural understanding. These are necessary elements for social accession to work for themselves and their families.

But, as the mayor of Agia Varvara, Mr. Lambros Mixos said “social inclusion is one stream”. In Greece, migrants, NGOs and also progressive people either politicians, judges or others advocate for social inclusion despite the organised policy of the State, which usually take actions after the problem surpasses the policy of social inclusion and what it embodies.

Efforts are made as mentioned about the embodiment of migrants of second generation with one first step, which is to provide them with resident permits of indefinite period and the possibility or enrolling their children in schools with registration of birth.

VII. National recommendations

VII.i Anti discrimination

- The laws concerning issues of discrimination and the relevant European directives should have been completed in such a way as to be strict on racial practices and to secure all the rights of vulnerable social groups and not only in the sector of employment.
- To issue Greek nationality without preconditions and complicated bureaucratic procedures for migrant children that were born in Greece and those who came to Greece when they were minors, have followed the educational system and have incorporated at early ages without knowing any other home country except Greece.

VII.ii Migration and integration

- Migrants residing legally in Greece for a period of three to five years should acquire the right to vote in municipal and prefecture elections.
- To break the link between resident permits and work permits for migrants.
- To amend and simplify the procedure of granting asylum to refugees and permit them to work during their stay and grant them the right to choose whether is no more danger if they want to remain on European territory when there is no longer any danger.
- To grant European citizenship to all migrants staying in European Union member states.

VII.iii Criminal justice

VII.iii.i Racism as a crime

- To organise mandatory trainings to educate judges, prosecutors, judicial employees, prison guards and generally all those involved in the judicial system on subjects of racism, discrimination and information about international agreements for the protection of human rights. The same should be done in the police force and all those people whose jobs are related to vulnerable social groups.

VII.iv.ii Racial profiling

- To be strict on criminal law when the motives are racial or aimed at racial discrimination (racial profiling).

VII.v Social inclusion

- In the National Committee for Social Inclusion of Migrants there should be representatives of migrant communities and NGOs that support human rights.

- There must be full transparency and information about European Union programs on social inclusion and the need to specifically ease the migrant communities' access to information and their participation in such programs.
- In all civil services, there should be informative materials in foreign languages that will refer to the rights and obligations of citizens irrespective of their origin.
- To make the necessary recommendations to the media to be objective without bias of vulnerable social groups and on timely issues, all views should be projected.
- The State and the Municipals should deal with the problem of housing especially all those who are unemployed or homeless in order to avoid the phenomenon of ghetto specifically in the big cities.

VIII. Conclusion

The year 2008 was a year of antagonism. In the judicial sector, for the first time important criminal decisions were taken condemning racist remarks due of judges which creates legal precedent, and is a very useful tool for the supporters of human rights. On the other hand the public remarks of the top prosecutor of the country shows the deep prejudice that remains in Greek society irrespective of the degree of education or other aspects, the danger of people associating the prosecutor's remarks as incitement towards the people of state organs and few private.

It still remains that almost all the applications filed for political asylum are rejected. As a result Greece is condemned many times has also become the reason for countries like Norway not to return people to Greece in order not to be victims of torture and severe mistreatment. .

A positive step is also the discussion surrounding second generation migrants and the debate between Greek nationals and a large group of migrants like those from the Balkan countries who now live in Greece for a long period.

As the economic crisis gets worse from the second semester of 2008 it will be the vulnerable social groups which will face crucial problems of unemployment, housing, discrimination and poverty.

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X. Annex 1: List of abbreviations and terminology

EKKE - Greek national Centre for Social Research.

ERRC - Europeans Roma Rights Centre

FRA - Fundamental Rights Agency

GNP - Gross National Product

IMEPO - Institute of Migration Policy

LAOS - Popular Orthodox Party

OKE - Economic and Social Committee of Greece

OSJI - Organization of Social Justice Initiative

UNICERD – United Nations International Convention on the Elimination of All Forms of Racial Discrimination

UNHCR - United Nations High Commissioner for Refugees

UNDP - United Nations Development Programme

WASAP - World Alliance of Cities against Poverty



european network against racism

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