



ENAR

SHADOW REPORT

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GREECE

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Message from the President

ENAR's 2004 European Shadow Reports cover a period of 12 months. They are not a scientific study of the state of racism or discriminatory practices in EU Member States, but a compilation of information and data collected and provided by a vast network of NGOs working with antiracism, protection of human rights and provision of legal help and moral support to victims of discrimination, unequal treatment and marginalisation in the European Union.

This commendable work is done by many dedicated individuals, groups and organisations, who every year put a lot of effort in piecing together vital information in preparing reports from each EU country. Since official reports often paint a rosier picture of the local situation by excluding what NGOs say or experience, ENAR's reports have the added value of providing an overall picture from the ground.

EU institutions can use this information to check the performance of Member States and ask them to live up to the letter and spirit of Directives and Guidelines. In 2003, many international organizations, journalists, institutions of higher learning, European and non-European students and sister NGO networks utilized these reports.

ENAR wishes to highlight the fact that a number of diverse groups who live in the EU do not enjoy the socio-economic rights, equal opportunities and even legal protection they are entitled to. This lack of equality is not only a strong barrier in the process of mutual integration of these communities in society, but is also a tremendous financial loss to local economies.

Situations vary from country to country. Some have a long tradition of living with ethnic minorities, while others have only a few years experience. Some countries have good and functional anti-discrimination legislation in place, while others are still hesitant to comply.

Populist political statements and distorted media coverage has not helped to better the situation. Politicians hide behind "freedom of speech" to get away with the most hateful propaganda against certain groups, while the media holds the microphone. Mainstream media not only indulge in the generalisation of minorities but are also

steadfast in denying any responsibility in creating an atmosphere in which racism thrives.

EU institutions have taken many important steps to rectify this situation through directives, information campaigns and even legal steps against some countries have been taken. ENAR is hopeful that by being a bridge between ethnic minorities, NGOs and EU institutions, it can help to create a Europe where all its inhabitants can live in harmony. Our expertise is there as well as our resolve. We are here to help because we believe in truth, justice and even-handedness.

I was pleasantly surprised when I was introduced to a prominent journalist from India at a conference in Brussels recently. When he was told that I was the Chair of ENAR, he smiled and said, “I wish we also had such an organisation in Asia that can bring civil society’s wishes to the decision makers.”

Bashy Quraishy
President – ENAR

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1. Executive Summary

The 2004 shadow report is constituted of 12 chapters where the most basic issues are developed, issues that concern discrimination and racism in Greece for the year 2004. Concisely the chapters are the following:

Description of victim groups

This chapter introduces groups that are the object of discrimination such as immigrants and refugees. Particular accent is put on the Roma community that faces suspicion and scorn from their fellow-citizens but also manipulative treatment from public services and municipalities. Moreover, there is reference to Islamophobia, which is also developing in Greece and is influencing the minority of Thrace and Muslim immigrants.

Specific areas in which racism is visible/hidden in the national context

Public services are once again the most problematic sector with regards to bureaucracy, which affects everyone, but also the behaviour of civil servants. Problems also exist in the employment sector, education and housing specifically with regard to immigrants and refugees.

New legislative developments

Greece is finally harmonising, with enormous delay, its legislation with EU Directives concerning the fight against discrimination. There is analysis of the provisions of the Project of Law as well as its Recommendatory Report that has been submitted for discussion and voting to the Greek Parliament.

Activities of the Government and NGOs carried out under "national action plans"

In this chapter we explore whether or not there is a plan of action for the fight against discrimination from the Government. Moreover, there is a presentation of the annual activities from NGO's and also from organised migrant communities.

The victims' perception of racism and racial violence

The victims themselves describe the behaviour of their Greek fellow-citizens and their own feelings. Focus is given to the statement of a young woman from Albania describing her experience in a Greek school. There is also a report on the subject of violence inside the family, which seems to become crueller when it concerns migrant women.

Specific problematic areas in relation to racial discrimination

Public services, particularly those that are compelled to serve immigrants, create particular problems. This year, police are accused of mistreating immigrants with particularly hideous methods and with the participation of leadership to cover guilty police officers and to downgrade incidents. Another serious problem appeared in the area of football, more specifically concerning the relations of Greeks with Albanians. Finally, Greek schools become a field of terrifying reactions of Greek parents and students against mainly foreign students.

Data collection: reliable data on discrimination cases and description of the process of collecting such data

The collection of data is a big weakness. On the one hand there is the unwillingness of authorities to collect such data, and on the other hand there are certain institutes or NGOs that make efforts of collection of such elements without economic or other support.

Discrimination cases and/or serious cases of racist attacks or attitudes

This chapter contains an introduction to only two cases but their impact is one that can widely describe the seriousness of the situation in general. The first one concerns the torture of Afghan and Iraqi immigrants by police during three days and the other the incidents between Greeks and Albanians on the occasion of a football match between their national teams, that led to the murder of an Albanian immigrant.

Media coverage of discrimination

This chapter examines how the phenomena of discrimination appear in the media. There is a particular focus on the way private television presents the facts and on the behaviour of many TV journalists and their guests.

Ethnic and racial discrimination in migration laws/policies

For months now we have been expecting a new law with stricter provisions for immigration according to the Ministry for Internal Affairs. This chapter contains an analysis of how the existing law contains a lot of restrictive provisions while it does not facilitate the process of integration of immigrants in Greek society.

Services available for victims of racism

In this chapter there is a report of those services that Roma can refer to when they face problems. These are services that have not only been created by the State but also by non-Governmental organisations that collect reports of discriminatory facts. There are also organisations that have been created by the Roma community for the defence of their rights.

Good/best practices of NGO work against racism

In this chapter we point out that each year victims of discrimination become more active, they get organised and claim their own rights. Still in collaboration with antiracist NGOs, but also with human rights organisations acting to sensitise public opinion and confront serious or direct problems.

2. Introduction

Greece twice risked to be sued in court over EU Law: first for the Employment Framework Directive and secondly for the Racial Equality Directive because the State missed the deadline of July 2003. This proves that Greece has failed to turn the rhetoric into reality. Finally, in November 2004 after a lot of pressure, the Greek parliament started to examine the law that incorporates in Greek law the directives 43/2000 and 78/2000 of the European Union.

All Greek NGOs stated that problems of racism and discrimination are persisting. Immigrants, refugees, minority groups and Roma still face a lot of problems and do not feel that they are treated equally to other Greek citizens.

It is sad that no official office exists to record discrimination cases. There has never been a single conviction on the basis of the existing antiracist law for any reason.

The Olympic Games were a good opportunity for Greece to express the so called “Greek Hospitality” but it seems that this was a privilege accorded only to visitors who intended to attend the Games and spent a lot of money as tourists.

Among other NGOs, SOS Racism – Greece demands the Government take active steps concerning racial discrimination as a criminal act and make proposals aiming at improving Greek legislation so that any form of racism can be dealt with effectively.

3. Description of victims groups

The Olympic Games 2004 in Athens were the most important event for Greece. The official motto was “Olympic Games are returning to the city of their revival and their country of origin.” This was a message for successful Games but many Greek NGOs were very much concerned about the protection of human rights when Greek officials announced that a disused military camp in Athens was being transformed into a detention centre for non-Greek visitors who would break the law.

Amnesty International expressed its concern about reports that refugees, migrants, asylum-seekers and the homeless were being rounded up and detained as the Greek Government mounted its biggest security operation in the history of the Olympic Games:

“There is a real danger that the security measures around the Games will also undermine further the social and economic rights of vulnerable minorities such as the Roma.”¹

3.1 The Roma community

Groups of Roma live in many different parts of the country or move around according to seasonal jobs (mainly in the agriculture sector). Many of them live in municipalities around Athens and in the western part of the city, which is in fact the poorest area. They live under a great deal of social exclusion and discrimination.

Even though the great majority of them are Greek citizens, many do not have identity cards or birth certificates for them or their children. This brings about difficulties in education, public welfare and relations with the police. Certainly the negative attitude of public servants does not help in any way the solving of these difficulties.

Before and during the Olympic Games 2004, many Roma people suffered. In the following case it is very interesting to see how the central and local authorities did not show any respect for their rights:

A group of 50 Roma families had lived in the area near the Olympic Stadium for 30 years. In August 2002, the Mayor of Marousi, P. Tzanikos and the representative of the Roma families signed an agreement for the families to leave their home because

¹ Amnesty International, Press Release 12-7-2004.

of preparations for the Olympic Games. The agreement stated that they would receive subsidies to rent new accommodation, on temporary basis, as the local Municipality had the obligation to find a new area and relocate the Roma there. But from the beginning, these Roma families had a lot of problems because it was very difficult to find and rent a house as owners did not want them and moreover because the Municipality was not making payments properly. Many Roma filed a criminal complaint with the support of Greek Helsinki Monitor, a Greek NGO, about the situation. In February 2004 the Mayor admitted to the Greek Ombudsman that he had paid only 14 families and he couldn't pay the others because he did not have sufficient funds... The only positive development was that in June 2004 the Mayor paid three months subsidies to all the Roma families and promised to pay the rest as soon as possible.

Furthermore it should be noted that the Greek Government not only had to protect athletes, journalists, officials and others visitors from all over the world but also the human and civil rights of Greek citizens and especially of the poorest and most sensitive groups of society.

Another group of 22 Roma families were living under very bad conditions in a settlement near the city of Spata without electricity or running water. In October 2000 the authorities referred to this place as a "model settlement" but until today there are no basic provisions.

The following article from the Greek newspaper "Avghi" describes the impressions that members of the European Parliament and the ERRC organization who visited Greece had of this situation:

Following the visit to the Romani settlements, the member of the European Parliament, Livia Jaroka, elected on the FIDESZ list for Hungary, a party that belongs to the European People's Party like Greece's governing party 'New Democracy', stated that she was shocked by what she saw.

"I am really shocked," she stated, "by what I saw, especially because the conditions are the same as three years ago when I had visited Greece. Romani people in Greece along with those in Bulgaria are in the worst situation in the European countries I have visited up to now. It is indeed a great contradiction for a country that is organizing the Olympic Games and spends huge amounts of money on infrastructure and development projects, to have social groups like the Romani people living in dust and garbage."

Ms Jaroka pledged to do her best in order to push forward the issue in the European Union.

ERRC programmes director Mr Claude Chan was also shocked and stated that

“The Centre (ERRC) has been dealing with the Romani people in Greece since 1996 but unfortunately little has been improved in the last eight years. This raises many questions as to where the money coming to Greece with the European programs for the improvement of the situation of Romani people is being spent, as these programs actually appear to remain in paper form.”

Vasilis Paiteris, who is also a member of the newly formed Committee for the Social Integration of Gypsies, also wonders where the money coming from the European funds is going and added :

“Even a small part of the ‘European billions’ that are being allocated would suffice for so many thousands of Roma to live in dignity.”²

3.2 Immigrants

There are thousand of immigrants who are undocumented. Hundreds of thousands of them live in Greece waiting as long as a year for their one or two years permit to be issued. All these people scramble from one administrative service to the other in order to obtain authorization to be legally in the country.

The Government (New Democracy, a conservative party in power since March 2004) has stressed the need for a new immigration legislation. They intend to introduce a better procedure and the new law should be in force from March 2005.

3.3 Muslim Minority

Greece officially recognises the Muslim minority in Thrace as a religious minority. The situation has improved tremendously in the last years even though all the problems are not solved.

Other minority groups in Greece are Pomaki, who also live in Northern Thrace and are Muslim and the Macedonian community. The latter is looked at suspiciously both by the Government and the rest of the Greek population and they are targets of prejudice and discrimination.

² N. Morfonios, “ The time of the Gypsies in the era of the Olympic Games,” Avghi, 3-8-2004, Athens.

Greece has not ratified the Convention on the rights of minorities. The Greek state has refused to recognize their rights despite the wish of the people of Greece.

Two Greek professors describe how the Greek state deals with minorities' rights:

“In this context, Greek national ideology came face to face with regulating the fate of its minorities, i.e. to protect the non-orthodox faith and non-Greek-speaking populations... Attempts to regulate the criterion for defining citizenship date back to the very establishment of the Greek State. In the beginning, defined as “Greeks” were the Christian Orthodox inhabitants of Greece. However, Greek citizenship was also acquired by people of other religions whose status was legally established in 1830.

Since that time, the issue of minorities has been either regulated or ignored, depending on the circumstances. In general, the respective legal regulations have primarily dealt with other religions, whereas any minority languages have been treated as consequences of religious beliefs. There since, the actual treatment of the Turkish speaking population of Thrace and the Ladino speaking Jews, exclusively as religious groups, is the relic of such a state pattern ...”³

3.4 Refugees

In November 2004, the UNHCR made a number of recommendations to the Greek Government. The UNHCR considers that there is a need for action in the following four areas:

- Improving the national asylum system;
- Advancing Greek asylum and migration law;
- Facilitating durable solutions for refugees and other persons;
- Supporting asylum in Greece and UNHCR’s work for refugees in other parts of the world.

Moreover, the Organization was very critical for asylum procedures and the Greek practices for refugees’ recognition:

“Access to the asylum procedure remains a matter of concern for persons seeking to register as asylum-seekers with the competent authorities in the greater Attica

³ D. Christopoulos – K. Tsitselikis: Treatment of minorities and *homogeneis* in Greece: relics and challenges.

region. Frequently, registration of claims is postponed repeatedly or appointments for an interview are given for very distant dates, in some cases exceeding six months. As a consequence, documents regularising persons as asylum-seekers cannot be issued, and they experience difficulties inter alia in accessing medical treatment.

Concerning refugee recognition practice in Greece, it must be noted that few persons are granted asylum in Greece, in comparison with other European countries. During the first six months of 2004, the Government granted refugee status to eight (or 0.3%) out of 2,423 applicants, whereas the overall recognition rate, including humanitarian status (granted to 18 persons), stood at 1.07 %. These results are to a large extent due to the fact that all decisions taken by the Ministry of Public Order at first instance are negative, whereas in the second instance positive recommendations made by the Refugee Appeals Board are often not followed by the Minister. Furthermore, persons who according to international principles as well as the Greek national law (Presidential Decree No. 61/99) should be granted complementary protection (humanitarian status), such as persons who would be at serious risk of torture, inhumane or degrading treatment or generalised violence in a conflict situation, are generally denied this protection.”⁴

3.5 Conscientious Objectors

Greece is one of the least advanced European countries with regards to the treatment it gives to those who do not wish to bear arms. Lazaros Petromelides has for instance already been repeatedly imprisoned for refusing to serve either in the Army or under the grossly unfair “alternative” civilian service that the Ministry for Defence wanted to impose on him.

3.6 Trafficked persons

In November 2004, the “Centre for Research and Action on Piece,” a Greek NGO, made an important statement to the UN Committee against Torture on trafficking in human beings in Greece. This NGO coordinates a network on combating trafficking in persons. In June 2004, the network submitted a 26-point memorandum to the Greek authorities concerning the little effectiveness of the new legislation. Since then however they have noted improvement in only two points.

Furthermore the statement refers to:

⁴ UNHCR “position on important aspects of refugees’ protection in Greece,” November 2004.

“...relevant new legislation is being prepared without prior consultation with NGOs. Only eight victims have valid residence and work permits, as the country’s two main regions of Attica (Athens) and Thessaloniki have refused to issue law-mandated permits to victims who are waiting for in some cases over a year.

The courts, with some exceptions, do not seem to show particular interest in prosecuting traffickers properly and within reasonable time. In our alternative report submitted to your Committee, we have provided details on Greece’s two high profile cases, concerning Olga B. and Gina M. Both date from 1998 and have not led to irrevocable judgments nearly seven years later: in the meantime, traffickers have fled; many trafficking-related charges misdemeanours at the time were or are being dropped for reasons of statutory limitation; bailiffs serve summons to irrelevant addresses...

From media stories, we are aware that, in a handful of cases, under new legislation, there have been some notable convictions in first instance for traffickers arrested in 2003. Yet, we would like to mention the most recent ruling by a Three-Member Appeals Felony Court of Thessaloniki on November 9 2004, leading to a six-and-a-half year prison sentence for only two of the six defendants (Ta Nea, 10-11-2004). The victim even though reportedly given the new law’s protection did not appear in court making it impossible to prove some of the charges.

At the same time, a few days earlier, it was reported that traffickers briefly arrested in Thessaloniki for one case in June 2004 (a young Ukrainian victim jumped from the window to escape and injured herself very seriously) were not remanded in custody, only to be arrested again for running another trafficking operation in November 2004 [Ta Nea, 4-11-2004]. In another June 2004 case in Veroia (of a young Lithuanian jumping from the window to escape and seriously injuring herself), the traffickers, despite having similar prior charges against them, were not remanded in custody either. While two Russian victims, who escaped their traffickers in Syros in December 2003, live in fear as, eleven months on, the judicial investigation is still at the preliminary inquiry stage: no charges have been pressed and thus the traffickers continue to walk and work freely at a known address ...”⁵

⁵ Zoe Alahouzou, KEDE, 19-11-2004, Athens.

4. Specific areas in which racism is visible/hidden in the national context

4.1 Authorities

Migrants, refugees, Roma and NGO's often accuse the authorities of not only refusing to explain their rights to them but also of treating them as if they were guilty. Authorities are not looking for ways to solve the contradictions of the laws, especially in areas of their jurisdiction, but rather interpret them in a strict way which finally discourages these people.

Laws like the immigration law contain many obligations and are very complicated for migrants to understand instead of solving the problems and giving them more rights.

4.2 Labour market

For years a large part of Greek public opinion believed that migrants were the cause of high unemployment and that they were taking away jobs meant for Greeks. All surveys carried out essentially indicate however that migrants are in jobs that Greeks do not want, such as farm jobs, nursing and housekeeping. In these areas they work more than is stipulated by the law, they are paid less than the lowest wages, they work overtime, on weekends and on public holidays without additional wages and often without any insurance coverage. Many employers try to hire foreigners for jobs with bad working conditions and treat them badly.

Many migrants are well educated but it is not possible for them to find a proper job. The most important thing is that their work permit is fully dependent on their residence permit which means that they cannot leave their work because they risk losing their residence permit, which in turn might oblige them to leave the country.

Moreover there are problems linked to their situation in the case of unemployment and entitlement to a retirement pension.

4.3 Education

All children must have access to all levels of schooling. Migrant children have more difficulties than others and special classes are needed for them to learn the Greek language and to obtain help with their studies. Roma children usually leave school to work or because they do not feel accepted by other children.

4.4 Housing

Accommodation is another crucial issue. The owners who rent their houses are often very suspicious and are not very willing to accept migrants, refugees or Roma. Many Roma especially live under bad conditions without access to hot water, electricity or an inside toilet.

5. New legislative developments

In November 2004, the law transposing directives 43/2000 and 78/2000 of the European Union which concern the fight against discrimination was finally introduced in the Greek Parliament.

It is worth pointing out the delay of the Greek state to vote on this particular law and also the unwillingness of the Government to bring it forward to the Parliament for discussion even if the deadline for transposition was in 2003.

In the Recommendatory Report of the Drawing of the Law and in its General Part we read:

“With the present law we establish the general framework of regulations for the fight against and the suppression of discrimination on grounds of racial or national origin, as well as for the fight against and the suppression of discrimination on grounds of religious or other beliefs, special needs, age or sexual orientation in the sector of employment and work according to the Directives (...) that are based on articles 6 par. 1 and 13 of the Treaty of the EU in order to ensure equal treatment.”

The above extract indicates the intention of the legislator to harmonise the law with the Directives but it also provides only the minimum legal protection that is required while it could have established regulations more favourable than the mere obligation foreseen in the text of the Directives.

On the other hand, we should point out that this law, even if it comes late, will empower the Greek institutional framework and become a useful tool for the victims of discrimination for antiracist organisations and organisations defending human rights in general.

Concerning the Draft law submitted to the Greek parliament and expected to be voted in the beginning of 2005, we point out the following elements...

For the first time there is a clear definition of discrimination and this concerns both direct and indirect discrimination as well as definition of the term harassment.

Another very important aspect is the person responsible for proving the offence (charge of the proof). In the case of racist behaviour it is not the victim/applicant who has to prove that he/she has been a victim of discrimination, but the defendant who should prove that he/she did not infringe the right of equal treatment.

Another important fact is the existence of an institution called “Advocate of the Citizen,” specifically for phenomena of discrimination in the employment sector.

Even if the law imposes the right of equal treatment in the access to goods and services, it does not refer to employers who discriminate against their employees in industrial relations but only imposes limited administrative fines. This law could also provide more legal protection in areas such as education, social insurance and health.

Another disadvantage of this law is the definition of persons other than the victims of discrimination themselves who have the right to defend them and submit their case to a court. The law expressly states that only those legal persons that have as a constitutive aim to ensure the right of equal treatment are capable to defend the rights of a victim of a racist behaviour or action. The law does not state if these legal persons (and this concerns the antiracist organizations and human rights organisations in general) can represent not only the victim but also act on their own behalf, unless the victim clearly refuses, as stated in the Directive of the E.U.

So, even if they have worked for years in the fight against all forms of discrimination, many NGOs do not have the right to defend victims because their role is very limited. On the other hand there are certain institutions that are reported as “Institutions for Promotion of Equal Treatment.” However they do not have the possibility of going to court if necessary and their role clearly appears as advisory.

6. Activities carried out by the government and NGOs under the 'National Action Plans' concerning racism

The Greek Government does not have a complete programme or action plan for the fight against racism. The new Government is however working on a new law, which they plan to put to vote at the end of March 2005. This new law will give the opportunity to the large majority of migrants to be legalised. Another positive fact is that the EU Directives have now been integrated into Greek law but nothing guarantees that this will assure the creation of a complete action plan. Whatever happens in terms of discrimination issues only occurs because of pressure from the EU to apply the Directives.

The Union of human rights plays the role of consultant to the Greek Government in all questions concerning issues of discrimination. But their role is only advisory, limited to watching and consulting the acts of the Government. There is no fruitful co-operation between NGOs and the Government. Unfortunately the phenomena of racism and discrimination are not dealt with as being core problems. Instead, they are put aside in order to face another, so wrongly put, "problem", which is migration.

During 2004 the State took advantage of the different European community programmes and put into place some activities dealing with the issues of discrimination and social exclusion. Most of them involved the employment sector and the education system. The OAED (The Organization for the occupation of the working force) has put forward a number of programmes which involved seminars, training and information regarding employment vacancies for the socially excluded. However most of these programs actually excluded migrants, who were obliged to have a valid residence permit in order to be eligible. The problem lies in the fact that residence permits were given very late and under very tough conditions, notably because of the numerous documents that the migrant had to submit. Besides, in order to get such a permit migrants had to prove that they were working and the programs that the OAED was implementing were only for the unemployed.

Many efforts are made on other levels also, such as at municipality and prefecture level. Those authorities also had local programs in connection with social exclusion, persons with special needs and migrants. Contrary to the Government, they are working closely with many NGOs in holding seminars and offering staff training concerning mostly migrants and Roma.

Despite the fact that 99% of NGOs that deal with human rights and antiracism do not have funding, numerous efforts were made by them regarding the issues of

racism and discrimination. Most of the NGOs give information on legalization issues for free and also offer Greek language classes to migrants. They give psychological support for people who belong to socially excluded groups and to victims of racial or other types of discrimination. NGOs that deal with medical issues sometimes organise free visits to areas which are mostly inhabited by socially excluded groups.

As already pointed out, most of the victims who suffered or suffer from discrimination fortunately managed over the past years to get organised and actually claim for their rights. Among them is the Greek Forum of Migrants, that started to operate with nine migrant communities in September 2002 and is nowadays constituted of 35 migrant communities and organizations. Last year a number of meetings were held with associations, institutes, ministries, municipalities and prefectures in order to draft statements on the situation of migrants in Greece and to claim their legal rights. During the last months of 2004, the Greek Forum of Migrants organised a conference in cooperation with the General Secretariat of Labour and the Institute of migration about the legal rights of the migrants in Greece. After this conference, together with the help of NGOs working on human rights and antiracist issues, a document was drafted with 21 proposals on migration law. The document was submitted to all political parties and to the Government in order to have a say on the preparation of the new law. Unfortunately, from the first draft of the new law that the Greek Government has announced, it seems that almost nothing of that document was taken into consideration. Until now social groups facing discrimination did not participate in any way in the decisions that were taken for them, but actually without them.

7. Victims' perception of racism and racial violence

What the victims of discrimination continuously report is how much they suffer from the treatment that the State services have to offer. Immigrants report that they not only have to cope with bureaucracy, but also with the behaviour of employees, even of those who work in services specifically targeted at foreigners, such as the Prefecture and Municipalities issuing authorisations of residence and working permits.

The Greek capital, Athens, has become a multicultural megalopolis where people of different origin, religion, language and habit meet. In the downgraded districts of the city, abandoned by Greek citizens, one can see a lot of immigrants and refugees who keep the area alive. What is remarkable is that today, contrary to what happened some years ago, they express the problems they face more easily. Many have a certain type of short term work and residence permit. Their complaints are turned mainly against the Greek State. The Chairman of the Bangladeshi community states:

“...the politics opposite the immigrants is unfair. They are asked to pay 150 Euros for ‘paravolo’ (fee), without even knowing the meaning of this word.”

People from Pakistan report that even if they did not have up to now particular problems with the Greek population, during the last year they observed certain cases of racism. Certain people were brutally hit by Greeks while in other cases gangs of Greeks caused damage to their shops. They also report countless problems they face with the public services.

The community with the most difficulties is still the Albanian community. Immigrants from Albania are faced with suspicion and scorn. The words of a 16-year-old girl from Albania prove that biases do not stop even between small children. Schools are other places where stereotypes and biases are dominant:

“The children did not accept me and they treated me as a small dirty weakling that does not know how to speak and think. Each day that passed I cried in the toilets (I did not want them to feel pity for me) and many times I wondered why they do this to me, besides I didn’t do something bad, why they don't love me like I love them?”⁶

Another serious subject that up to today has not been given particular attention concerns violence inside the home, which is experienced mostly by migrant women.

⁶ A. Peloni, “ a small dirty weakling ...” TA NEA, 29-4-2004.

Of course this is a phenomenon that concerns all women regardless of their nationality. In the case however of migrant women, they are also threatened by deportation. Mrs P. from Romania, submits her tragic personal story, and it should be said that it is exceptionally infrequent for a migrant woman to find the courage to speak about such a tragic experience. She was married with a Greek.

“He drank and became a beast. He was hitting me wherever he could: in the face, in the ribs, in the legs. He reached the point to threaten that he will kill me.... After five years we separated. The nightmare however does not finish here. Now he blackmails me that if I bother him, he says he will throw me out of the country.”

This threat is the most widespread. After keeping her residence permit at first, the man threatens the woman, so that she does not go to the police. The Greek spouse also oftentimes enjoys the support his family:

“His brothers and his parents were opposed from the first moment for this relation. The first comment of his mother was: what are you doing with such a woman. While when she heard that her son was mistreating me, she only said: you will not go to jail for a Rumanian woman.”⁷

⁷ M. Kaitanidi, “ He was hitting me ...” TA NEA, 8-3-2004.

8. Specific problematic areas in relation to racial discrimination

8.1 Legalisation/Civil Rights

The first and more crucial thing for victim groups is to feel secure. It is not possible for a person to combat for better working conditions or access to the health system if he has no residence or work permit. Only when the question of legal status has been successfully solved can a person go on to fight for other important issues. The aim of a migration law should be to help immigrants to integrate but it contains so many obligations for immigrants that it is rather impossible for them to be accepted and that leads to discrimination.

8.2 The Police

The police have been criticized for ill-treatment and brutal behaviour towards immigrants and Roma. One example is mentioned under point 10 (discrimination cases) from December 13-15. The charges concerned attacks and beatings at the expense of asylum-seekers from Afghanistan that took place in a building in the region of Aharnon, where the Afghans reside.

It has been ascertained that police officers carry out more checks on immigrants than on any other social groups. From research by law professor Vasilis Karidis, it has been established that the number of arrests of migrants, without taking into account those arrested for illegal stay in the country, is about twenty times higher than that of Greek citizens. Consequently, the emphasis on this group gives a deformed image of the responsibility of migrants in crimes and it contributes to maintaining the impression of criminality. It is not by chance that a special police unit has been formed (border guards) whose duty is to make patrols inside cities with the exclusive aim of checking the legal status of migrants.

Certainly, cases of maltreatment have been charged inside police stations but victims often refuse to sue the police officers. It is obvious that a small section of the Greek police force is trained on matters of human rights and a longstanding demand of many NGOs is to incorporate human rights instruction in the police academy so that the rights of all citizens will be respected and treated with dignity.

8.3 Greek School System

School is unfortunately an area creating many problems and most of all in secondary and high school. Children appear to be more tolerant towards their foreign schoolmates. Many parents' associations have expressed their concern about the

quality of lessons, which they believe is below standard due to the presence of migrant children. In other cases they react to the presence of migrant or Gypsy children in the same classroom as their own children. On many occasions teachers do not like the situation but cannot react and that results in continuing discrimination at the expense of vulnerable children.

8.4. The Greek Orthodox Church

The church in Greece has always been deeply involved in public issues. The Archbishop Christodoulos of Athens and Greece, in his October 31 2004 sermon, fully supported failed EU Commissioner Mr Buttiglione, interfering in political matters. The Lesbian and Gay Community of Greece (OLKE) condemns his statement:

“We express our anger and rage each time the Archbishop of the Greek Orthodox Church indulged into conclusions judging us as imperfect and deficient because of our sexual orientation, defining what is normal and what is not. In doing so he invites the creation of exclusion groups, reinforces attitudes of discrimination and violates basic human rights and personal freedoms. Sexual orientation is an integral part of the personality of a person and is protected by the Greek Constitution.

We condemn any discrimination due to gender, race, ethnic origin, religion, disability, age, or sexual orientation and believe that any discriminatory action undermines social relations and threatens society.

We advise Mr Christodoulos that next time he try to give a European dimension to his sermon by making any scornful hint about us or our sexual orientation, he should read Article 13 of the Amsterdam Treaty, that is approved by Greece.”⁸

⁸ “Lesbian and Gay Community of Greece,” Press Release, 8-12004, Athens.

9. Data collection: reliable data on discrimination cases

There is no special official office to record racist or discrimination cases. In spite of that there are several official sources that give a picture of the problems.

The Ministry of Justice is responsible for providing information on the definition and monitoring of racist crime and the maintenance and publishing of relevant statistics.⁹

The Attorney General's Office provides information on prosecutions and court decisions regarding racist crime.¹⁰

The Greek Ombudsman has as his mission to mediate between public administration and private individuals to protect citizens' rights and to observe the adjustment of law and to combat maladministration. The Human Rights Department of the Ombudsman Office accepts complains from anyone and most of the cases refer to migrants and Roma discrimination by the public authorities.¹¹

It is also very useful to pay attention to the statistics, which at first sight do not seem to be directly relevant to discrimination. From January to June 2004 for instance there have been 3,030 asylum applications. 2,813 of them were rejected and only 8 persons were granted political asylum (1 from Ethiopia, 1 from Afghanistan, 4 from Iran, 1 from Congo and 1 from Pakistan).¹² There is no need to be an expert to see that Greece accepted less than 1% of the applications. The conclusion is that the Greek authorities are very suspicious about asylum-seekers and believe that almost no refugee has the right to be granted political asylum.

On the other hand, it's very difficult for the Greek NGOs to collect data because most of them do not have financial resources to do so. Nevertheless they do make efforts to record at least the most serious cases.

Very often racial discrimination is difficult to recognize or can be hidden. Statistics and surveys give a strong picture of how the Greek citizens see and feel about immigrants, Roma and other minority groups.

⁹ Ministry of Justice, www.ministryofjustice.gr

¹⁰ Attorney General's Office, Alexandras Avenue 121, Athens 115 20.

¹¹ The Greek Ombudsman, Hadziyanni Mexi 5, Athens 115 28, www.synigoros.gr 4. Ministry of Public Order, Asylum Bureau, 9-9-2004.

10. Discrimination cases and serious cases of racist attacks or attitudes

A leading incident that deserves to be reported is the one that happened in December 2004 and caused the rage of not only NGOs but also other institutions, politicians, lawyers and some sectors of the press. From the December 13-15 police officers from an Athens police department, with the excuse that they were seeking fugitives, allegedly attacked Afghan refugees. This happened with the presence, if not the encouragement, of officers of the Greek Police. Here is the personal testimony of lawyer Nasos Theodoridis, member of NGO “Antigone” and member of SOS Racism:

“The evening of Wednesday December 15 2004 was shocking. During a regular meeting of the ‘Network’ there was a briefing on an urgent incident of racist violence (where the perpetrator was the Police) reported by Afghan and Iranian refugees members of ‘Network’, the Medical Centre of Reestablishment of Victims of Torture and the Greek section of Amnesty International. The charges concerned attacks and beatings of asylum-seekers from Afghanistan that took place in a sordid building in the area of Aharnon where the Afghans resided (roughly 50 individuals, living in a two-bedroom apartment). Most had returned to Greece coming from other European countries according to the Dublin Regulation, which states that the responsibly for the examination of an asylum request is in the first country of arrival (that is to say Greece).

We made an appointment with a translator and two Afghans in Omonia and they led us all to the abandoned block of flats. (Pipinou 94, in the centre of Athens). In the apartment with the two empty spacious rooms one could see dozens of homeless asylum applicants, no furniture, only rags. Naturally, they were all afraid and they asked us not to record their names.

Three young men that had been tortured in the neighbouring police station (in the basement of Aharnon) and showed us their injuries. The bruises and scratches were the most obvious. Apart from kicks and punches, they had tied them up with ropes and were spinning them on the floor.

The above happened during one of the frequent visits from police officers in this block of flats. The reason why this happened is unknown.

In the framework of their “interrogative duties”, police officers were searching for a specific person from Afghanistan. They pinned his photograph on the wall of the apartment and asked whether any of the residents knew him or knew where to find

him. No one knew, therefore the police officers, because they were not convinced by the answers, considered appropriate to lock them all in a room and begin to hit them so that they would admit. Twelve police officers interrogated and hit the Afghan asylum applicants in order to find the particular Afghan fugitive. Two of the asylum seekers reported that the police also robbed the provisional identity cards that they had as asylum seekers.

Afterwards they left the apartment and returned in the evenings in order to beat them again, taking one or two young men each time in order to continue the beating in the police station. The last time the police officers wore their uniforms and there was always a police car waiting in the entrance of the block of flats.

We explained to the Afghans (and they understood) that they would have the certainty that the incident would not be repeated only if they publicly denounced it. We left the place at midnight with a sense of disgust for what we heard.”

The police and in particular the Minister for Public Order stressed that the incident was an individual case while the police officers asserted that they could not find anyone to testify for torture.

In September 2004 a football game between the national teams of Greece and Albania in Tirana became a cause of war. The defeat of the Greek team was followed by an escalation of racist violence against Albanian immigrants having as a climax the murder of an Albanian immigrant on the island of Zakynthos. In this case the media played a decisive role before the match. The atmosphere was such before the match because of the fact that nationalistic statements were held and accepted in various talk shows, which meant that trouble was expected in advance.

The word Albanian continues to be for the majority of Greeks synonymous with the word criminal, while Greek society continues to ignore that it is actually multicultural.

11. The role of the media in cases of discrimination

One might suggest that media coverage in Greece has improved. It is indeed obvious that most journalists are very careful when covering news about minority groups and at the same time there is a lot of reporting and programmes that refer with sensitivity to socially excluded groups. The united efforts of many non-governmental organisations that deal with human rights and antiracist issues, of individuals as well as the awareness-raising by a number of journalists and media people who have been covering issues concerning minorities, migrants and refugees without prejudice, have improved the situation of media reporting which prevailed in Greece previously.

In 2004, cases involving attacks on migrants were presented as headlines, especially the attack against the Afghani refugees. The press was very strict and gave special emphasis to the brutal treatment of the asylum-seekers by the entire police force. Besides newspapers and the media in general, a large majority of people specifically criticised this type of discrimination and many journalists publicly supported the victims of racist behavior.

However, one can also characterise the role of the media as negative on the other hand because it continues to publicise the nationality of crime suspects and still reports the fact that an unknown perpetrator is a foreigner, without having the decency to correct the information when it is found out that the real perpetrator was a Greek. Certainly we may suggest that there is a different approach even though it still happens that in newspaper articles or television news journalists refer to the accused or the offender suggesting to the public that he/she a migrant or that the police has made such a suggestion. It is unfortunately still quite common for a large part of the Greek media to manipulate news stories in line with their subjective opinions.

The negative representation and stereotypical approach of socially excluded groups lie mostly in the way they are represented on private television channels. It often seems that ratings are more valuable to journalists than human dignity. Statements of racist belief and xenophobic opinions are always welcomed and provoked in order to make the appropriate impression for the television viewer. The viewer is actually advised by capable but dangerous speakers while private television channels introduce and make far-right believers acceptable because they invite them so often to state their opinion. These television channels invite no real representation from the socially excluded groups and there is no debate.

What is quite positive is the fact that a lot of communities now have more access to the media. Many socially excluded groups have been broadcasting on the radio over the last year and national radio and television have generally offered opportunities to migrant communities to become a little more visible. There are a number of websites such as the one launched by the Greek Forum of Migrants, www.migrant.gr, which inform the public on issues concerning migrant communities and also WebPages like the page of cultural organisation Cosmos of Culture, www.cosmosofculture.org about multiculturalism in Greece.

There are a number of migrant newspapers that play the role of the state in terms of providing complete columns in favour of the legalisation process. There are also good efforts from the Athenian news agency together with other institutes and migrant communities to publish the magazine Metikos. Metikos is a bimonthly magazine with issues that concern multiculturalism and is written by migrants and Greeks. It was funded by the Equal program and became a useful source for both Greeks and migrants. Four issues have been published so far and there is now a possibility and a will to continue with other means of funding. The magazine itself was a source of information for students who wanted to research multiculturalism and also a window for the migrant communities and associations to state their existence, their culture and their abilities to the Greek public. It is a good example of how one can actually integrate different opinions, cultures and languages into a fruitful dialogue.

12. Ethnic and racial discrimination in migration laws/policies

On December 18 2004 a statement from the Ministry of Interior announced that a new draft legislation would be tabled in the coming months as immigration reform is high on the Government's 2005 agenda.

The existing immigration law (2910/2001) was drafted on a temporary basis and this indicates how little respect the State has for immigrants. It is a very complicated and difficult to apply law.

It contains many negative points, such as the dependency of a migrant on his/her employer or the lengthy administrative procedures required from migrants when applying to obtain or renew a residence or work permit.

The required procedure is very difficult and time consuming, the exchange of information between departments in the form of written documents for instance. Preconditions for a migrant to get a residence permit is to have a valid passport or other travel document, therefore creating problems for those who have to obtain these documents from their embassies, which takes a long period of time and can be tricky for example for many African citizens whose countries do not have embassies in Greece. Documents must be addressed to other countries outside Greece therefore.

This law was actually supposed to fully complete other supplementary decrees, but it has increased worries and insecurity for migrants. They are obliged to present documents, their social security contribution contract with an employer and their health book, which is difficult even for Greek citizens who in many cases find it difficult to fulfil some of the conditions. The result from this is that the majority of migrants are found in a grey area between legality and illegality.

Many complaints are made not only to NGOs but also to migrant communities, the Greek Ombudsman or the National Committee of Human Rights. NGOs who are closely following migration issues believe that all these problems come from a very complex and unclear law that considers migrants as the bottom class of society, thereby allowing their employers to exploit them. Middlemen become wealthy at their expense and the Ministry of Public Order carries out constant checks and as a result cultivating racism and xenophobia.

In this context the interpretation of law by the courts is fundamental:

“The minority of Thrace has been the object of an unorthodox conflict. The war of names has become a major problem, as Greece and Turkey insist on the religious or ethnic character of the minority in a totally static way. The obvious manifestation of Turkish national affiliation has been ignored and even persecuted by the Greek side. On the other hand, Muslim faith has been played-down by the Turkish side.

Indicative of the situation is the transfer of the diplomatic controversy to the Greek courtrooms, which makes an ideological use of the term Turk/Turkish, or Macedonian, distorting the legal content related to the right to association. Thus, the war of the names, apart from its symbolic value, reinforces the extreme tendencies of both sides. The respective judgements of the Greek courts are (...) indicative of a really astonishing and persistent ideological use of law. In some cases, these judgements have even caused the conviction of Greece by the European Court of Human Rights, indicating the future of any such judgements issued by Greek judges. In one case, the use of the term “Turkish minority” was penalised, while in most cases respective trials concerned the right to set up an association.

In one other case the three-member Penal Court of Athens denied the existence of any lesser-used language in Greece, despite of the officially institutionalised use of Turkish in Thrace. The court on its session dated February 2 2001 found the accused guilty of dissemination of false information. The accused had distributed leaflets of the European Bureau of Lesser Used Languages, mentioning the minority languages used in Greece. The Court of Appeal examined the case on December 18 2001 and finally found the accused not guilty.”¹³

¹³ D. Christopoulos-K. Tsitselikis: Treatment of minorities and *homogeneis* in Greece: relics and challenges.

13. Services available for victims of racism

No official body records racist violence against Roma people. Many NGOs like Amnesty International have criticised the Greek authorities and especially the police for discrimination.

Some Roma associations, non-Governmental and non-profit organizations operate in Greece, but these are not strong enough to support their members and their purpose is more cultural or educational.

A Roma victim could address the Greek Ombudsman or several Greek NGOs for support in order to protect his/her rights.

“The Greek Ombudsman investigates individual administrative actions or omissions or material actions taken by Government departments or public services that infringe upon the personal rights or violate the legal interests of individuals or legal entities.”¹⁴

But the difficulty is that the offices are located in Athens so it is very hard for people to visit them and explain the problem. It is often the NGOs that offer help to the victims therefore, the Greek Helsinki Monitor (GHM) for example. This NGO publishes detailed annual reports and collaborates closely with the European Roma Right Center and runs Roma project¹⁵.

¹⁴ Greek Ombudsman, “What is the Greek Ombudsman?”, www.synigoros.gr

¹⁵ GHM, <http://www.greekhelsinki.gr>

14. Good/best practice of NGO work against racism

There may not be so many examples of good practice but the important thing is that the cooperation between human rights, antiracist ones and migrant community organisations is effective.

Greek Migrants Forum

Emphasis has to be put especially on the Greek Migrant Forum because it was created by immigrant communities themselves. This organisation developed and incorporated many activities like solving the practical difficulties of migrants and is a reflection of the cultural heritage of all the participating communities.

Annual Antiracist Festival

Another good practice is the antiracist Festival in Athens. This festival took place in July and was organized by anti-racist NGOs and the Greek Migrant Forum. This festival presents a series of events that last for three days: speeches, exhibitions, theatre, music and cultural dances, cuisine from the communities and all kinds of cultural exhibitions which attracted thousands of people from the capital. Similar events were organised in Thessalonica and in Crete. The Festival definitely helped in showing visitors that Greece is now a multicultural society.

European Network of Women (ENOW)

Last year, ENOW established an emergency telephone line for abused women. It offers all kind of support provided by properly trained volunteers, like psychological support, ethics and legal aid. This year, ENOW has established another hotline against trafficking, focusing on the problem of aliens, mainly women, who fall victim to sexual abuse and exportation.

Migrants in Greece

“Migrants in Greece” is an Online Observatory focusing on migrant and refugee issues. Developed by the Lambrakis Research Foundation in cooperation with its partners from the Equal Project *Forum for Social Cohesion*, the Observatory provides a wide selection of practical information and background documentation. The website should be of interest not only to migrant communities and refugee groups, but also to anyone with an interest in immigration to Greece (NGOs, journalists, researchers, lawyers, students, local administrators, Government employees etc). In order to make the website’s content accessible to as many people as possible, an English-language version has been developed in tandem with the Greek version.

15. Conclusion

The most usual question asked by journalists to immigrants and NGOs is: “Are Greeks racists?,” to immediately afterwards declare in a hurry that they are not and that all the racist attacks that happen are individual cases and should be considered as such. Most politicians, especially from conservative and centre parties, agree on the above. There are even cases where what we call the progressive parties would also agree. As there is no extreme-right party in the Greek Parliament, we consider that this happens because up to now extreme-right opinions could be heard in all the parties. This however does not exclude changes, as shown in the European elections in 2004 when a far-right candidate with a xenophobic and nationalistic profile was elected.

A deplorable fact is that if no one admits that there are numerous cases of racism in Greece, the problem cannot even be discussed and even less solved. Information from EUROSTAT shows however that the Greeks are the population with the highest rates of xenophobia, which actually exceeds the rate of 80% of the total population.

Greece, which became a country of reception of immigrants in the 1990's, cannot ignore, after 15 years, the phenomenon of immigration and the fact that its society is multicultural. We cannot be blind in front of discrimination that concern groups with different religions, sexual preferences or special needs.

Athens is a multicultural megalopolis where the highest percentage of immigrants and refugees live and work and are exposed to discrimination issues. Thousands of immigrants are still without residence and working permits. This is largely due to laws that are difficult in their application and require numerous documents for the legalisation process. Moreover, civil servant often show unwillingness to provide migrants with the appropriate insurance, that constitutes the essential condition for legalisation. More specifically, migrant women experience a higher degree of insecurity and are less informed about their rights as most are alone in Greece for work or are isolated caring for children at home.

Particular attention must be given to the period before and during the Olympic Games in Athens, in August 2004. There were efforts made by the authorities to create a camp outside the city for immigrants, refugees, homeless people and beggars. With a general outcry from all sensitised citizens, this plan was not put into practice. There was however a cleaning operation in the city and in the neighbouring

municipalities. A lot of beggar children disappeared and Gypsy families were moved without compensation because they were living near the big stadiums.

It is therefore those citizens who need more care and support who, according to the Government and municipal bodies but also many citizens, should “disappear” in order to keep the beautiful atmosphere of the city unspoilt in the eyes of tourists who would be visiting Athens. The most vulnerable people were excluded and could not take part in the joy of the Olympics.

The conclusion can be drawn that much should be done in order for Greek society to realise that it has become multicultural and to face the xenophobia that is the root of insecurity but also becomes, with the fear of unemployment, a powerful weapon for dangerous racists who have an easy access to the media and have a negative influence on the majority of Greek public opinion.

With regards to the media, one should underline in particular the fact that while columnists in many newspapers give serious analyses of the phenomenon of racism, very few do something similar on television where the first aim is to impress the television viewer. The viewer is actually influenced by competent but dangerous speakers while television journalists are those who open the door and popularise far-right believers, who up to now had only been able to express themselves with smaller broadcasters.

Finally, non-governmental organisations still have a long way to go. One positive is the fact that migrant communities and like-minded groups are organising themselves into associations to claim their rights. On the other hand however, antiracist organisations have no funding and are not popular because of their aim, which is not only to support and help victims of racism but also to survive with the support of volunteer members. Unfortunately, as time has passed, one can affirm that problems are being accentuated rather than solved.