



# ENAR Shadow Report 2003

# Greece

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## 1. Description of victim groups

### **Immigrants**

Thousands of economic migrants entering and living in Greece have brought a lot of changes and this is easily identified in the increase of population and the labour market. Until today, there has not been any systematic effort to censor the exact number of migrants living in the country. It is very difficult to censor simply because of the country's borders with non-E.E.C. countries many migrants use these routes and the vast sea shelf and not always through checkpoints. Also from 1999 there is an ongoing legalisation of undocumented migrants and the process is not completed because of the bureaucracy and the bunch of documents that are requested and this is the main characteristic of Greek management. It's stated that more than one million migrants are living and working in Greece of which half of this number has filled in applications to be issued resident and work permits.

A large number of migrants live and work in the big cities and a great majority live in Athens. The Greek capital has become a multicultural city whereby different races, nationalities and cultures coexist. The largest groups of the immigrant communities are the Albanians followed by the Egyptians, Philippines, Pakistanis, Bangladesh, and Nigerians and from other eastern European countries such as Russia, Ukraine, Georgia, Bulgaria and from the old communities, such as Polish, while the new community in Greece is the Chinese.

Therefore, Greek society has become a multicultural society and yet the Greek government does not have any concrete emigrational policy. The government has passed a series of inadequate corrupt laws and attempts to address the problems that emerge afterwards, thereby permitting migrants to work and face the consequences of temporary residence in the country. Typically, the first legalisation process of undocumented migrants started in 1999 although the majority of these people have not yet been issued their resident and work permits. Furthermore, migrants have to face the inhumane treatment by the civil servants of the municipality, who instead of making it easier for them, discourage them from the whole process.

Certainly, beside the institutional discrimination, direct or indirect, the majority of Greek society is suspicious of migrants, in particular a large majority of the youth sector, and as such feel insecure. These insecurities are easily identified in the survey that was carried out by the European Union as well as the universities.

Specifically, below are two surveys that were carried out from the beginning and towards the end of 2003.

A survey carried out by the national foundation of social research between the periods of 21st January till 15<sup>th</sup> March 2003<sup>1</sup> under the auspices of the European Union was also carried out at the same period, similar same questionnaires were used in the other member states. The result was a very cautious attitude towards migrants. 24 per cent of those surveyed stated that migrants should not be allowed to stay in the country (the highest percentage within the EU), while 58,1 per cent would welcome some migrants but under very severe preconditions. Thus bringing the total number to 82,7 per cent and Portugal coming second with 56,7 per cent, followed by the UK, Spain and the Netherlands. Furthermore, 79,2 per cent supported the deportation of migrants who committing a crime. At the same time 78,4 per cent believe that the influx of migrants is the cause of low wages. Therefore, Greeks appear to be the most xenophobic society among their European Union counterparts.

A national survey carried out by the University of Crete between the periods of 24th till 29th November 2003<sup>2</sup> shows a different attitude of Greeks towards migrants. 33,4 per cent would like to see migrants obtaining Greek citizenship after 5 years of living and working legally in Greece and 22,1 per cent is absolutely against it. The question of if migrants should have the right to vote or to run for elections, 59.53 per cent answered negatively. In this survey, 39.6 per cent want the immediate deportation of a migrant who commits a crime and 47.94 per cent believe that they should be treated like Greek citizens. These findings seems to show some positive attitude towards migrants yet we continue to observe the phenomena of xenophobia.

## Minority

Greece officially recognises the Muslim minority in Thrace as religious minority. For the last years the situation has improved tremendously even though all the problems are not resolved yet, there is a suspicion within the local society whereby the Christian residents in the area believe that the Muslim minority is a lever of pressure of the official Turkish government policy in the region. It is also observed that the contradiction not to be referred to by their fellow citizens as 'Muslims' but as 'Turks' goes back to their national origin.

Other minority groups in Greece are the gypsies (this will be mentioned in a special paragraph), Pomaki, Muslims who also live in Northern Thrace and the group of Macedonian community as they call themselves. 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. Greece has not ratified the treaty on Minorities rights. The Greek State has refused to recognise their rights despite the wishes of many Greeks.

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<sup>1</sup> National Foundation of Social Research-EKKE, "Social Parameters for the Development of Athens", 2003, Athens.

<sup>2</sup> University of Crete, "Political Change and Globalization", 2003, Rethymno.

## Gypsies

This is another group living under a lot of social exclusion. Additionally, they themselves do not hope that their living standard will improve. Groups of gypsies live in different parts of the country or move around according to the seasonal jobs (mainly agriculture), which they are allowed to do. Gypsies live in municipalities around Athens and mainly in the western part of the city and they total around 10.000. They also have many disputes amongst themselves, bringing their own share of problems.

They hardly have any contact with the public services even though they are Greek citizens. Neither they nor their children have identity cards or birth certificates. This brings about problems in education, public welfare and with the law enforcement agencies. Certainly, the negative attitude of public servants does not help in solving these tormenting problems of the minority. In October 2003, the Minister of Internal Affairs announced some new measures such as the establishment of people's services centres in the areas that gypsies live providing job and education opportunities for people willing to communicate in their dialect, thereby helping them to resolve many of their immediate problems.

## Refugees

According to the records of the Ministry of Public Order, Greece in 2003, asylum was granted in only three cases, from a total of 4.838 applications that were filed with the authorities. Certainly, Greece comes in granting asylum last with a poor 0,1% in the European Union. More importantly, this percentage is slowly decreasing each year: 2002 was 0, 3% while 2001 and 2002 was 11, 2%.

In the report of the Greek office of Amnesty International, June 2002-November 2003<sup>3</sup>, mentions: Greece remains the only negative country in the European Union in granting asylum, a violation of not only the national asylum law but international asylum law as well. Paradoxically, we appear to have satisfactory laws but not put into practice.

The report presented a lot of irregularities and illegal activities by the Greek authorities on violation and infringement of international treaties on matters concerning refugees, of which Greece is a signatory. These conclusions were drawn from the testimonies given to Amnesty International by refugees themselves about their living conditions and the kind of treatment that they received from the Greek authorities

The main points that the report focuses on are:

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<sup>3</sup> Amnesty International (Greek Office), "Greek Politics against Refugees", 2003, Athens.

### **Border Control**

Many refugees who succeed in passing through the borders, especially in the Evros area of Greek land are found and arrested. In many of these instances, the Greek authorities have been accused of using forceful repatriation to Turkey, normally done on the spot or within a few days, to deal with these refugees. This practice is a huge violation of the basic principles of the Geneva Convention of the protection of refugees.

### **Repatriation based on Greek-Turkish Agreement**

Greece and Turkey in 2001, signed an agreement (the fight against crime especially terrorism, organised crime, illegal movement of drugs and human beings). Despite this agreement, in practice, many foreigners who wish to apply for political asylum are repatriated to Turkey as illegal immigrants. This happens because usually foreigners under arrest do not have access to legal assistance and they are never informed about their rights, therefore, they do not have the slightest possibility of defending their right to asylum.

### **Refusal to accept applications for asylum**

According to complaints, refugees who try to file applications for asylum or declare that they have fears of reprisals in their own countries (for reasons that are foreseen by the Geneva convention) with authorities (military, border guards, police) their applications are not always but forward as demanded by the law. Refugees, never file for asylum despite their verbal declaration so according to the law they should be considered asylum candidates.

### **Classifying Refugees under law 2910/2001-issue of Administrative deportation.**

The authorities of this country treat all persons coming into Greece as illegal immigrants. Therefore, all those who are arrested or present themselves as asylum seekers are normally charged with illegal entry and are kept in police cells waiting to be deported. This action is based on article 44, law 2910/2001 and it has affected many asylum seekers or refugees.

### **Court Deportation –Indefinite detention**

Some immigrants who enter the country intending to apply for political asylum are arrested and charged with illegal entry and are sentenced to imprisonment, the courts then pass an order of suspended sentence to enforce the deportation order immediately.

### **Denial to consult with a lawyer, NGO, family and telephone call-conditions of isolation detention.**

In the border regions of Greece, it's a usual phenomenon of the police authorities to forbid detained refugees to communicate with lawyers, non-governmental organisations and

relatives. Detention under such conditions essentially denies a potential refugee from the process of asylum.

#### **Time consuming and non-functionality of asylum procedure.**

It is characteristic that in the case of asylum applications in Athens, usually it takes 12-18 months before a special identity card (pink card) is issued to the refugees. This is a time consuming procedure, which results in the denial of their basic rights such as the right to work, free medicine and medical treatment. In addition, it takes 2-3 years to examine asylum seekers' applications.

#### **Suspension of asylum procedure**

The lack of translators and the lack of progress in the departments responsible for asylum seekers, result in the asylum seekers left uninformed of their situation. The asylum seekers are not informed about their responsibilities and the decisions that affect them, instead the authorities unreasonably and unlawful deny them asylum status, meaning the majority are deported to the very countries that they are fleeing from.

#### **Irregular examination of the right to asylum**

The Ministry of Public Order is hands down negative decisions of first degree without elaborating on the reasons thereby violating the essential aspects of the asylum procedure. According to the basic principles of civil law, a Minister's decision should at least be fully justified. But in practice, the Ministers' decisions are usually rejections based on common sense with no explanations, which hardly conforms to those of the committee and the Minister does not give any reasons for his/her disagreements with the committee.

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

### **Civil Service**

First the state looks down on migrants, refugees, and gypsies and this in general shows a lack of respect. They and the people that assist them, such as lawyers and members of NGO's, often accuse the State that the authorities not only refuse to explain their rights to them but treat them as criminal suspects. The state is not looking for ways to solve the contradictions of the laws, but rather interpret them in a very severe way that finally does not serve these people.

The many laws of the Greek state are a big problem that is generally plaguing the Greek citizens. The situation becomes more difficult when these laws concern groups that have difficulty in understanding the language, not having the right to education, or are been treated with suspicion. Laws such as immigration have presented many obligations and very complicated procedures for migrants rather than solving the problems and giving them more human rights. Essentially, all the laws that were voted last year and the so call interpretation memos have only succeeded in increasing the insecurity of migrants, in many cases becoming illegal, thereby subjecting them to huge exploitation especially by their employers.

### **Labour Market**

The labour section is where the phenomenon of exploitation is widely observed. On the other hand a large group of the Greek public opinion believes that migrants are the cause of high unemployment, taking away the jobs that were supposed to be for the Greeks. However, surveys carried out essentially indicate that migrants are in jobs that Greeks do not want to do such as farm jobs, nursing, and housekeeping. In these areas they work more than is stipulated by the law, they are paid less money than the lowest wages, working on weekends, overtime, and public holidays without additional wages, many uninsured. Many employers prefer foreigners, providing lower wages and taking advantage of them.

Special reference has to be made to work related accidents whereby the number of deaths of foreigners is high. A survey carried out by the union of job supervisors for the year 2003, says that because of violation of labour laws, common rules of hygiene, safety regulations, and the refusal of companies to abide by the authority's directives has brought the death of 26 migrants and in total 145 deaths in job related accidents

With the Olympics taking place in summer 2004 in Athens, 50-70% are foreigners working in the Olympic construction sites. Unfortunately, there are no official figures of deaths on the job from the authorities. One letter from the construction union to the work

supervisors says exactly that; when safety is considered an expense then human life is worth very little. As many workers union leaders who visit factories observe, there is a lack of safety measures resulting in an unknown number of foreign workers seriously injured or left handicapped.

The main reasons are falls from a height, bad machinery operations and electrocution. Here we must also mention those working as housekeepers. A large majority of them are women, who mainly come from the Philippines, Albania and the countries of Eastern Europe such as Russia, Ukraine, Bulgaria, Georgia, and few from African countries. Complaints and interview by SOS Racism in 2003 from the women themselves indicates that many are alone in Greece but have families and children (mainly from eastern European countries) that are left behind. Thus, this shows that these women generally work for an unlimited number of hours, they have to be available at any hour of the day and night and hardly take a day off, unless the occasional Sunday. They are paid the basic salary without overtime or bonuses and many of these women must also pay their social security contributions, which under normal circumstance is the responsibility of their employers. The majority of their employers are not willing to pay their social security contributions for them. In addition, they may be treated unfairly or sexually harassed by their employers who also illegally confiscate their passports thereby turning them into hostages in the hands of their employers. Unfortunately, the victims willing to come forward are few because they are afraid that they will lose their jobs especially when they do not have resident or work permits, possibly leading to deportation.

## **Education**

An accusation by a group of educationist called “behind the desk” shows the extent of the problem in the area of education. The accusation is about an internal memo of the Ministry of Internal Affairs to the Ministry of Education, requesting that children of migrant parents who do not have a passport and a valid resident permit should not be enrolled in government schools. The issue never proceeded due to the media attention that followed and the Ministries played ignorant, their usual tactic in such situations. It is recorded that 7 out of 100 pupils who study in Greek schools are foreigners. Out of the total, a large number is within the elementary school thus 55,5% while a decrease can be seen in higher education reaching 23,1%.

Education is not multicultural for all the pupils. The State believes that its duty to teach migrant children the Greek language is too exhausting. The policy of the State, despite the declarations and the laws, is aimed at marginalising second generation migrants and meanwhile there is no possibility of educating the first generation. This has resulted in many children dropping out of school.

Certainly, this is not the only reason; there is the additional matter over the way they are treated by the parents of the Greek pupils, many teachers and also to a small degree by

their schoolmates. When asked why they do not send their children to school, the parents of gypsy children, respond usual response is that the children themselves do not want to attend school because they are targets of mockery by their fellow pupils, they are isolated from the groups and the teachers ignore these problems or find it difficult to help them. In October 2003, a UNICEF survey<sup>4</sup> indicates that the pupils are more tolerable than their parents about the presence of migrants children in their school, this difference is reducing as the children become of age and subsequently accepting a lot of influence from their environment.

## **Housing**

Foreigners and gypsies have problems in finding houses to rent. Many apartment owners are refusing to rent their apartments to foreigners and in the past it was mentioned clearly in the advertisement, 'no foreigners', but this was stopped after the complaints and criticism of many NGOs. On the other hand, many apartment owners have found a way of extorting money from foreigners by renting them unsuitable apartments or storerooms at very high prices.

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<sup>4</sup> Unicef, "An answer to xenophobia and racism", 2003, Athens.

### 3. New legislative developments under Article 13

On 6<sup>th</sup> November 2003, the Minister of Labour and the Minister of Justice gave a joint press conference whereby a series of measures were announced, which included cases of racism and xenophobia that form the bases of European Union directives of equal treatment of persons independent of their race or national identity

These amendments apply to all sectors such as employment or access to the labour market, social insurance, health coverage, education, social welfare and any kind of services that are provided by the State and other Public entities to the citizens. Some mentioned examples that have daily contact with the public are the police, municipalities, banks etc.

The other important side of this amendment is that it does not concern only the State establishment but the private sector as well and every person should be treated on the bases of equality. It is also important to mention here that equal treatment is categorically mentioned in the Greek constitution and it is the main precondition of democracy.

More specifically, the penalties that will be imposed on whosoever discriminates will be criminal as well as civil. Jail sentences up to one (1) year is stipulated and also fines, as the victims have the right to compensation. It is very important that the victim of discrimination is not obliged to prove the accusation, on the contrary, it is the accused that has to prove his/her innocence.

In addition, at the Ministry of Justice, a committee of equal treatment is being set up that will be responsible for looking into allegations of discrimination. Furthermore, this committee will act as a mediator for the opposing parties involved in cases of racial behavior. If the efforts of the committee fail, then the committee will be obliged to forward the file to the public prosecutor's office

This law that will be voted, categorically forbids any kind of direct or indirect discrimination and it emphasizes the application of this law of equal treatment when it comes to distribution of goods and services without regards to racial or national identity, age and sexual orientation.

It's mentioned in the new law that apart from the victims filing charges, there will be committee responsible for suing and intervening in these cases of discrimination. The bodies are:

The office of the ombudsman that will be in charge of matters that concern the state and in general the state establishments.

Labour approval committee, which is responsible for labour relations, employment and professional development in general.

The new established committee of equal treatment will be responsible in accepting and examining all allegations pertaining to racial discrimination in all sectors of social life that concern the private citizens.

As mentioned above, this committee can also negotiate to bring about a compromise to the parties involved before reaching the public prosecutor's office or the court.

Certainly, this law is without exception as mentioned above. For example, disabled persons who are not accepted in the military in positions of battle or generally in the public sector such as the police, where structural ability plays a major role and the readiness to serve, is not a form of discrimination. A number of rules and records of business activities, related to church issues or associations that have religious or other beliefs, are recorded. Also it is not clearly stated what the actions are when they have a racial issue, such as a Greek citizen reacting against an Albanian neighbour. This example shows the need to be very cautious so that there will be no loop holes in the law thereby allowing perpetrators to get away with their actions.

#### 4. Activities under 'National Action Plans' concerning racism

This draft law was supposed to be passed as soon as possible but until today that has not happened. One of the reasons why this was not possible is because of the national elections that were declared on 7th March 2004, therefore, leaving the vote in suspense.

The Greek State does not have a complete programme of fighting against racism. The phenomenon is faced as the problems develop with directives of silencing or resolving whatever issues that crop up and has been published

The State is taking advantage of the different community programmes like 'Equal' and within this, there are some relative activities that deal with discrimination and social exclusion. Furthermore, there is no long-term plan or programme of training or some kind of educating the civil service employees especially those who deal with migrants and refugees in order to treat them accordingly. In addition, the training of the police force through seminars and other means concerning human rights, which has been the proposal and demand of many non-governmental organisations for years, has still no complete plan despite the interest shown by the State.

There are many efforts made on the level of local administrations whereby many Municipalities are applying or implementing programmes in connection with social exclusion, persons of special needs and migrants. Also, they are working closely with many non-governmental organisations in holding seminars, staff training of information concerning mostly migrants and gypsies.

## 5. The victims' perception of racism and racial violence

The main complaint from the minorities is the way they are treated by the State. The impression among migrants is that they are considered as second-class human beings. The State itself has voted a law to document all undocumented migrants living in the country but this has not been fully implemented after 5 years. The impression is that the government does not intend to legalise them all but just a few. The civil service employees have been reported as rude, in particular if documents are missing, instead of assisting migrants to understand the process. They are normally driven away without explaining anything to them. This is how the atmosphere of insecurity and uncertainty is preserved for thousands of working migrants and their families.

What everybody agrees on is that the suffering from many other problems will never end even if one migrant or one refugee is staying in the country legally.

One of the continuing problems been mentioned by migrants is the frequent police checks to determine their status. From their testimonies it shows that they are checked 14-25 times more than Greeks and while the whole procedure for Greeks takes about half hour, migrants can be held in police cells for hours and in many cases have been tortured and maltreated while in police custody. In the newspaper "TA NEA"<sup>5</sup>, there are two distinctive interviews by an actor of Greek origin from Albania and the President of the Sudanese community Ahmed Moavia. Even though the above two presented their legal documents to the police who stopped them for checks, they were taken to the police station and the second was detained for 2 hours, the first was never believed only about his Greek origin but was maltreated by the officer on duty at the station. Both said that it was not the first time that they are targets of police control. The focus is on the behavior of the police, who show no courtesy as towards the migrants. The insecurity of migrants is on the rise as a result of the police behavior. Similar complaints coming from the members of the Pakistani community mention incidents whereby they were detained for about 6 hours at the station.

In conversations with the members of the migrant organisations and from reports of the Greek migrant forum, the day-to-day life of migrants is not easy at all. Most Philippines workers go to the parks of Athens with their children to play, on Sundays, their day off. On many occasions the neighbours around complained that they are been disturbed and they try to drive the Philippines away, occasionally through violence. Other migrants also admit the fact that it is very difficult in renting houses, in particular by telephone. Landlords are known to refuse rental to foreigners, for this very reason. In general they feel they are constantly been treated with disrespect and mostly with suspicion, some even feel that they are been treated like criminals. The elderly appear to be more distrustful while the youth appear to have more tolerance, according to the migrants.

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<sup>5</sup> M. Xaralabakis, "Legal but always suspects", newspaper "Ta Nea", 2003, Athens.

One of the major grievances of Muslims refugees or migrants, living in Athens, is that they do not have a mosque to pray in and are need to rent basement, warehouses and rooms in hotels so that they can worship. on many occasion the police have raided these locations with the pretence of checking their documents, especially after 11<sup>th</sup> September 2001. Others find it hard to get time off work to pray, forcing them to fulfil their religious duties on Saturday or Sunday, or whenever they are not working.

Those who are also feeling social exclusion are the gypsies. They have as many grievances against the State as against their fellow citizens. They believe that they are stereotyped such as thieves, cheats and that they are unkempt. The majority of these people complain that there is nowhere for them to live, especially as they are constantly moving in search of work. The best type of employment is usually agricultural and they move according to the jobs availability. Their children also miss school because other kids and their parents isolate them or do not easily accept them and many are not able to complete even primary school level.

East European and Balkan women are driven into prostitution by organised rings. They are often victims of abuse and their complaints are normally anonymous because of fears of deportation or beatings. The people who are taking advantage of them usually confiscate their passports so that they cannot escape. Even when they are able to escape, it is very difficult to find support because the police is part of those exploiting them. Some women have committed suicide to relieve themselves of the burden of their daily lives and nobody was charged of perpetrating these deaths. This is exactly what the women themselves described but always as anonymous and without publicity. Very few dare to bring up charges of violence against their bosses and are really living a nightmare. A 25 year old Ukrainian lady was raped by a police officer in the city of Peloponnesian in 1998 and until present day she has still not got over the terrible incident and it is very difficult to find people to help her while she awaits the court trial.

The other groups of people who are socially excluded are those on drug rehabilitation programmes. Firstly, they say that they face hostility especially of not being wanted in the area by those who live close to the drug rehabilitation centres. Even when they do finish the programme, they find it hard to find employment as they are treated with suspicion. The majority of those in the drug rehabilitation programme come from the youth sector.

## 6. Which are the specific problematic areas in Greece in relation to racial discrimination?

### **Civil service**

The State with its complicated laws and the practical aspect is really a problematic department. Even when there are laws that have good intention of solving a problem such as the legalisation of migrants without legal documents, the law is essentially undermined by the complicated procedure, bureaucracy and many confusing articles. Certainly for the latter, we have to admit that it is one of the main essentials of the Greek public administration. When the Greeks have difficulty in dealing with the State, then we can understand how difficult it is for foreigners living in this country. These laws propose few solutions requiring the introduction of different Presidential decrees and Ministerial decisions to rectify them. Consequently, it is difficult to evaluate the current situation even for the lawyers who deal with such matters. Many lawyers from different departments have ascertained that in municipalities and prefectures whereby the employees themselves, without been in charge or having the relative training, interprets the laws the way they understand it and more often than not to the detriment of the victims.

As emphasised in other areas, the employees of these departments do not have the appropriate training to deal with developing problems but in addition the attitude of a large number of them is the total disregard of some group of people that need their services. The complaints against State employees are many and the picture is that they do not want to serve the public but to get rid of as many people as they can.

### **The Police**

It is been ascertained that its organs carry out more checks than any other social groups. From research, as mentioned by the professor of law-Vasilis Karidis that the number of arrest of migrants brought forward, without taken into account those arrested on illegal stay in the country, which also constitute a crime is about twenty times higher than that of the Greeks. Consequently, the emphasis on this group gives a bad image of the participation of migrants in crimes and it helps to maintain the impression of criminality of late. It is not by chance that a special police unit has been formed, called the border guards and their duty is to make patrols inside the cities with the exclusive aim of checking the legality of migrants.

Certainly, cases of maltreatment have been reported inside police stations where victims refuse to file suits against the police officers but prefer to proceed to anonymous charges. It is obvious that a small section of the Greek police force is trained on matters of human rights and the old demand of many non-governmental organisations (NGO) is to incorporate relative lessons in the police academy so that the rights of all citizens will be respected and treated with dignity

When it comes to crimes where the perpetrator is not yet found, the usual practice of Greek police is to state that the suspect is possibly a foreigner. Upon criticism the media about such publicity, the journalists explained that they simply present the press release from the police unedited. Furthermore, in many cases the perpetrators tend not to be foreigners but the police certainly omit to retract their original statement, tarnishing the image of specific minority groups

## **Greek School**

The school is unfortunately an area of creating many problems and most of all in secondary and high schools. The children appear to be more tolerable towards their foreign schoolmates. Many parent associations have expressed their concern about the quality of the lessons, which they believe is below standard due to the presence of migrant children and in other cases they react to coexisting of their children with those of the migrants or the gypsy children in the same classroom. On many occasions the teachers do not like the situation but cannot react and that results in the continuing discrimination at the expense of vulnerable groups of children.

The other problem is the reluctance of school principals to organise symposia and seminars on human rights and more specific on racism even though the teachers and pupils express their desire for symposia and seminars

According to SOS Racism, teachers of a school in the Attica region proposed to organise a symposium with the help of SOS racism which in the end never took place. In another case, a school principal refused to allow the school to organise conferences about racism as it would create too much 'trouble'.

## **Greek Orthodox Church**

The church in Greece has deeply involved itself in public issues and it is the main body with which the State discusses subjects relating to religious freedom. Certainly the church has an influence on a great majority of the Greek public opinion and a very intense presence on other issues that are not within its jurisdiction. The power of the church is to such an extent that if any religious body decides to establish a place of worship, they do not need only the permit from the State but also the approval of the Greek Church. This is the reason why until today, despite the large number of Muslims (Greek and Migrants) living in Athens they do not have an official of worship.

## 7. Data on discrimination cases

Until today there have not been systematic efforts by the State authorities to record cases of discrimination. Contrary, the State is eager to publicise figures that indicate for an example crimes committed by foreigners

On the other hand, the Non-governmental Organisations (NGO) has not made any remarkable efforts to record these related events either from the press or from the complaints that they received. Most of their effort was in trying to deal with the immediate problems such as the large number of migrants who are still illegal and only recently that the NGOs have started to record regularly all cases of discrimination. The Greek branch of Youth against Racism (YRE) has begun a characteristic effort of recording all cases of discriminations.

## 8. The role of the Media in cases of discrimination

A general observation is that the media has improved and it is very careful in covering news about minority groups and at the same time has a lot of reporting and programmes that favor the sensitive groups.

In 2003, cases that involved attacks on migrants were not presented as headlines but as supplementary news. The issue that actually dominated the year was the special emphasis of pupils' parents to eliminate a top class migrant pupil from the parade march. Besides the newspapers and the media in general, a large majority of people specifically criticised these types of discriminations and many journalists more than ever publicly supported this pupil who was a victim of real racist behavior

One can also characterise the role of the media as negative on the other hand because it continues to publicise the nationality of a suspect of some crimes, continuing to report of an unknown perpetrator as a foreigner without having the decency to correct the reporting when the real perpetrator is found to be a Greek.

## 9. Serious cases of racist attacks or attitudes

In October 2003, we had a very serious and dangerous case of racist perception and behavior in the municipality of Neas Mihanionas of Thessalonica. The parents of a district secondary school reacted deeply and forced pupil in the whole school, who is an Albanian not to carry the Greek flag in the parade march of the school to commemorate the anniversary of the day (28<sup>th</sup> October 1940) that fascist Italy, allied of Nazis Germany declared war on Greece. The pupils with the leadership of their parents and the support of the Governor of Thessalonica, Members of Parliament of the right wing party and other local bodies occupied the school and threatened to stop the event from taking place. The first pupil surrendered his right of being the flag bearer due to the heavy atmosphere that was created. Similar cases were also reported in other areas of Greece while there were no problems at all in some regions.

The positive side of this issue is that it stems from the President of the Republic, the Government, a majority of progressive citizens and also newspapers and a big part of the media supported pupil and condemned the unacceptable decision of the district parents and pupils union.

A group of 30 young motorcyclists in November 2003, organised, attacked and beat any Pakistanis they found on the street in the Piraeus suburb. After beating six migrants, they ended up in a video club that belonged to a Pakistani and beat up the owner of the club and caused a lot of material damages.

The reason being was that a driver of a vehicle involved in a traffic accident left the victim helpless and according to a witness report, the driver was an Asian by origin. The migrants who were beaten have filed a lawsuit against the perpetrators and acknowledged that apart from the crowd that watched the incident, the police also witnessed it and did nothing to intervene at all even though the perpetrators are well known in the neighbourhood. Instead, the police suggested to the injured migrants to go home quietly.

Furthermore, in December 2003, for the second time the court of Florinas rejected the application of an organisation with the name "Centre of Macedonian culture", when after so many years of legal battles it ended up in the European human rights court which then justified the issue in favor of the centre. The problem is that the members of the organisation are expressing their minority "Macedonian" identity and for this reason, they are subjected to not only the negative behavior of the Greek courts but also the enormity of the entire population.

During 2003, Jewish monuments in different Greek cities were vandalised. Specifically, in February 2003, in Thessalonica an unidentified person wrote insulting sentiments and

drew Nazi symbols on the Jewish monuments of the city of the holocaust. Similar attacks of vandalism were recorded in Ioannina on the month of August, where anti-Semitism sentiments were written on the synagogue of the city. In the month of November, the Jewish cemetery in the town was damaged and bad words like “Jews should leave” and “death to the Jews” was written all over. It needs to be mentioned that in the past Jewish monuments have been targets of unknown assailants in different parts of Greece.

Also with a decision of the Ministry of Internal Affairs<sup>6</sup>, the performance of marriages by the Imam of Thrace is considered illegal between:

- n A Muslim with a non Muslim
- n A Greek citizen with a foreigner
- n Muslims who live outside Thrace

This decision according to known legal experts is contrary to the constitution and limits religious freedom, the right to choose a wife/ husband and the right to free movement of people. It should be noted here that similar limitations are not foreseen for other marriages of Christians and believers of other religions or dogma.

Finally, it is important to mention that for the last three years, the number of Greek websites of a neo-Nazi nature has increased dramatically. Already 10 of these sites are on the police target list but what is more disturbing is the number of visits especially by young people and the attention that is given to their electronic voting events, which they organise from time to time. There is a lot of degradation sentiment against the Jews, Albanians, Communists and any other groups that they consider to be traitor and enemies of the country.

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<sup>6</sup>Ministry of Internal Affairs, Decision of the Deputy Minister, No F97920/20138/31.10.2003, Athens.

## 10. An analysis of possible discrimination in migration laws

Until 2001 when the latest immigration law (2910/2001) was voted, the Ministry of Public Order was responsible for immigration issues and obviously it was the police that was handling these related issues. The first efforts of legalisation of migrants was in 1997 and without completing this process in 2001, then came the second legalisation process and in 2003 the process is still not yet completed. This is an indication that migrants are treated by the State as second-class citizens and even the particular law that is supposed to solve migrants' problems; they are rather creating many more problems.

Some excerpts from the yearly report of the ombudsman office are characteristic example of the way the State handles complicated social problems. The state has accepted the illegal entry of thousands of migrant workers in the country for so many years and the public service has been called upon in one night to transform the illegal into legal. The problem passed onto the migrants.

The law is constituted in such a temporary way that indicates how little respect the State have for an immigrant. It is a law that is difficult to apply and very complicated. It adjusts the residential and working requirements for migrants in Greece. There are so many negative points in it such as the dependency of migrants on his/her employer, the lengthy bureaucracy that demands a migrant to file many documents when applying to get or renew a residence or work permit. The required process is very difficult and time consuming due to the exchange of information between departments by written documents. The preconditions for a migrant to get a residence permit is to have a valid passport or other travel documents. Those who will have to get these documents from their embassies, takes a long period of time and for example, many African countries do not even have embassies in Greece, delaying the procedure somewhat more. Migrants from Ghana have to send their passports to the Ghana embassy in Italy for renewal. A major problem is that the authorities in these departments do not give the migrant any proof of the period that he/she is been waiting for the approval of his/her permit and as long as the migrant does not have it, he/she cannot travel, cannot get a health book, cannot start a business activity, almost a hostage.

This law was actually supposed to complete other supplementary decrees and as a result it has rather increased worries and insecurity for migrants because the process is time consuming and costly. Migrants are obliged to present documents, their social security contributions (ensima), and an employer contract letter, health book, which is difficult and in many cases the Greek citizens find it difficult to fulfill some of these conditions. The majority of migrants find themselves in between the legal and illegal status.

There are so many complaints made not only to the NGOs but also to the migrant communities, Greek Ombudsman, National Committee of Human Rights which is an

organ of the state. Members of NGOs who are closely following the events of migrants, believe that all these problems are created from a very difficult and unclear law that has subjected migrants to the bottom of society thereby allowing employers to exploit them, middlemen becoming wealthy at their expense and giving the opportunity to the ministry of Public Order to carry out constant checks thus cultivating a racist and xenophobic environment.

## 11. Services available for victims of racism

Migrants and Refugees normally report or complain about discrimination to Non-Governmental Organisations asking for their support. The support could be in the form of legal, medical, psychological, which are the immediate needs of these people. The State has not set up any office or department whereby these people could address their fundamental or immediate problems. Except not having a centre of information for migrants, there is a lack of trust on the part of the victims of getting necessary attention and the care that they deserve. The organisations that are mentioned below are the ones that pay attention to the complaints and needs of migrants and are often called upon to assist and provide solutions to very serious and complicated problems

### **Greek Migrants Forum (site: [www.migrant.gr](http://www.migrant.gr))**

This organisation was established two years ago by the initiative of the migrant communities in Greece. This is a form of network that consists of organisations of migrant communities, anti-racists organisations and also human rights NGOs. Therefore it is natural that migrants who have some problems, addresses then first to the Greek Migrant Forum.

### **Greek branch of SOS Racism (Tel: +30 210 36 19 164)**

The above is an anti-racist organisation that receives records, intervenes and tries to publicise complaints of racist behavior and other forms of discrimination. These services are not limited only to migrants but to all the groups that are targets such as homosexuality, lesbians, aid patients etc. It also offers free legal advices on matters relating to the right and the legal procedure to follow in case of violations

### **Network of the Support of Migrants and Refugees (Tel: +30 210 38 40 390)**

This is also an antiracist organisation that supports and assists victims of racism. It provides legal assistance, intervenes in cases of discrimination especially against migrants and refugees and fights to give immediate and effective solutions to such problems.

### **European Network of Women (Emergency Line SOS: +30 800 11 88 881)**

This network has established an emergency telephone line for abused women to be using for any kind of support needed like psychologically, ethics, legal, that are provided by suitable trained volunteers. Even though this line is newly operating from 2003, it has already received until today a lot of complaints

Apart from the above-mentioned organisations, there are others that play an important role in antiracist activities and offer assistance in matters of discrimination. Such organisations are “Doctors without borders”, “Doctors of the World”, “Amnesty International”, “Centre of Tortured Victims” etc.

## 12. Good/best practice of NGO work against racism

The important point is that cooperation between human rights organisations, antiracist ones and migrant communities is affective. This practice maintained in 2003, provides us with direct and quick solutions to many problems

Emphasis has to be put especially on the Greek Migrant Forum because it was formed solely by the immigrant communities themselves. This organisation developed and incorporated so many activities rather than finding solutions or dealing with the problems of migrants and in projecting the cultural heritage of all the participating immigrant communities.

Another best practice is the antiracist Festival in Athens. This festival, took place in July 2003 and was organised by the anti-racist NGOs and the Greek Migrant Forum. This festival entails a series of events that lasts for 3 days. Within three days, speeches, exhibitions of paintings, theatre, music and cultural dances, cuisines from the communities and all kinds of cultural exhibitions that attracted thousands of people from all corners of the capital. Similar events were organised in Thessalonica and in Crete. The festival has helped in a very long way in making the visitors to know that we are now living in a multicultural society.