EUROPEAN COMMITTEE OF SOCIAL RIGHTS COMITE EUROPEEN DES DROITS SOCIAUX



5 November 2004

Collective Complaint No. 15/2003 European Roma Rights Center v. Greece Case Document No. 12

OBSERVATIONS FROM THE GREEK GOVERNMENT ON THE MERITS

registered at the Secretariat on 5 November 2004



HELLENIC REPUBLIC MINISTRY OF EMPLOYMENT AND SOCIAL WELFARE GENERAL DIRECTORATE OF ADMINISTRATIVE SUPPORT DEPARTMENT OF INTERNATIONAL RELATIONS SECTION II

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Athens: 05/11/04 Ref. No: 70545

TO:

Council of Europe General Directorate of Human Rights –GD II Secretariat of the European Social Charter F-67075 Strasbourg Cedex Tel. 0033 3 88412208 Fax. 0033 3 88413700 To the attention of Mr Regis Brillat, Secretary General of the ESC

COMM.:

1)Permanent Delegation of Greece in the Council of Europe 21 Place Broglie 67000 STRASBOURG tel. 0033 3 88328818 fax. 0033 3 88231246

2)Ministry of Foreign Affairs Directorate for the Council of Europe Vas. Sofias 1 100 27 ATHENS tel. 0030 210 3684150/1 fax. 0030 210 3684146

Collective Complaint 15/2003 "European Roma Rights Center" against Greece

We have the honour to inform you that we forward you with the attached written observations of the Greek Government on the merits of the allegations contained in the documents which were handed to them on the 11/10/04, during the hearing of the parties on the Collective Complaint 15/2003 lodged against Greece by the International NGO "European Roma Rights Center" within the set deadline, and we kindly ask you to transmit them to the European Committee of Social Rights.

In addition, we hereby notify you that we kindly request that all documentation concerning the said Complaint 15/2003 is sent directly also to the

Department of International Relations of the Ministry of Employment and Social Welfare and in particular to the following address:

MINISTRY OF LABOUR AND SOCIAL SECURITY GENERAL DIRECTORATE OF ADMINISTRATIVE SUPPORT DEPARTMENT OF INTERNATIONAL RELATIONS SECTION II Pireos 40 101 82 ATHENS

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Maria Laiou – Spanopoulou,

Director, Department of Int. Relations Ministry of Employment and Social Welfare

Documents attached:1

Observations of the Hellenic Government

on the documents handed to them by the complainant organisation during the 11/10/04 hearing on the collective complaint 15/2003 "European Roma Rights Center v. Greece"

As decided in the private meeting of the representatives of the Greek Government and of the complainant organisation (hereafter ERRC) with the honourable President of the European Committee of Social Rights in the 11/10/04, before the public hearing on the said complaint, we hereby submit this document with our written observations on the merits of the allegations contained in the documents handed to the representatives of the Greek Government during that meeting, namely "Answers by ERRC Partner Organisation Greek Helsinki Monitor (GHM) and Coordinated Organisations and Communities for Roma Human Rights in Greece (SOKADRE) to the questions addressed to the ERRC and to the Greek Government by the European Committee of Human Rights, 08/10/04», a statement by MEP Livia Jaroka to the European Committee of Social Rights, 06/10/04, "Proposed Conclusions in *ERRC v. Greece* by the ERRC", supported by COHRE and GHM, and observations of the non governmental organisation Centre on Housing Rights and Evictions – COHRE.

The observations of the Greek Government on the above mentioned documents are included in the main body of our answer while the following attachements are submitted: a letter of the Secretary General of the Ministry of Interior, Public Administration and Decentralization (hereafter MIPAD) to the European Committee of Social Rights, a detailed and analytical document of the MIPAD titled "Collective Complaint 15/2003, ERRC v. Greece", a document of the MIPAD titled "Integrated Action Plan on the Social Integration of Greek Roma: Best Practices" and three tables of the MIPAD and the Ministry of Helath and Social Solidarity. These documents form part of our answer and should be equally taken into account by the honourable members of the European Committee of Social Rights.

General Comment

The Greek government would like to declare its respect to the spirit and context of the Charter of Social Rights and hereby to point out beyond any doubt the importance as well as the link of the right to housing to the Human Rights Law. In conformity with the Greek Constitution and the Greek Law the directives and the acts of the Administration means to promote such right on the basis of a constitutional principle upon which the State assists those who are unable to take care of their own housing¹. During the public hearing the Greek delegation referred in concrete details to the Programs that have been adopted by the State and gave out a quantitative report on the actions implemented so far, two years after the establishment of the Integrated Action Plan on the social integration of the Greek Roma. It is fact thus that since the IAP is in progress it shouldn't be assessed on the overall aim to be achieved but to the results achieved within the

¹ Article 21§4 of the Greek Constitution.

period of its operation. Furthermore, non-attainment of the overall aim should not be considered as ill-performance neither as triggering of the Charter or as lack of political will.

Comments on the statements of Ms. Livia Jaroka

According to the statements made on a number of Roma temporary settlements in the Attica region, precisely in Aspropyrgos and Spata we would like to note the following:

With reference to the **Spata settlement** we recall of the relative section of the Greek Statements (pages 8-9):

Till October 2000 the Roma families concerned resided at a public area of the Municipality. The need for relocation was necessitated by a decision of the Municipal Authority to construct a public park at the area. It is worth mentioned that: (a) although it was not about eviction since the Roma concerned did not own the particular tract of land, however, even in cases of private property eviction for purposes of public interest is legal upon proper compensation; (b) the Roma concerned agreed (October 2000) on their relocation to an alternative settlement. On the basis of that agreement the Municipal Authority determined an alternative temporary settlement till the finding of Municipal or Public tracts of land for the establishment of a permanent settlement. In terms of developing the living conditions in the temporary settlement the MIPAD funded the Municipality with the amount of 102.714 euros for infrastructure works and in cooperation with the Ministry of Environment, Physical Planning and Public Works delivered 22 prefabricated houses to the families of the area. In terms of further improving the conditions in the existing settlement, till the submission of a permanent rehabilitation proposal, the MIPAD subsidizes the Municipality for the transportation of water by water-wagons (the construction of a water supply network was rejected in terms of the temporary settlement given of the disproportionate to the project viability cost); financed the construction of a playground for the children of the area (29.000 euros); and the establishment of cultural infrastructures (7.000 euros). The competent Prefecture of Eastern Attica transports the students of the settlement to school by a school bus. Upon communication with the Municipal Authorities in charge, the permanent settlement of the Roma is not yet finalized however, serious efforts are been made to improve the living conditions in the exiting settlement.

With reference to the **Aspropyrgos settlements** we recall of the relative section of the Greek Statements (page 9):

The MIPAD acknowledging the Aspropyrgos case has repeatedly pointed out to the Mayor the need for an immediate rehabilitation settlement as well as for the facilitation of the living conditions in the settlements². Within the context of the program on the improvement of Roma living conditions, the Ministry financed the Municipality (Decision No. 5672 16-2-99) with the sum of 29.347 euros, explicitly for the improvement of the quality life of the Roma of the area. The Municipality had to proceed to all necessary actions in the existing settlements in order to facilitate healthy living conditions (potable water, sewerage network) whereas it was assured that the MIPAD would assist it financially on any measure upheld within the context of the Program. Additionally, the Ministry granted the Municipality³ with the sum of 25.000 euros to deal with problems raised by a fire set in the Roma' huts.

² Document Ref. No.25853/28-6-2002.

³ The letter of the municipality informs that the sum was spent for the construction of infrastructure works and asks for prefabricated houses. A Committee of the Ministry of the Interior, Public Administration and Decentralization will examine the request.

Also, bearing in mind that (a) an IAP is in progress providing the Roma population all over the Country with organized settlements; prefabricated houses; cultural and other basic development infrastructures (p.2-4 of the Greek Statements) and that (b) a housing loans program is implemented too throughout the Country (refer to attached loans' list) which already tracks 4.797 housing loans, upon ingratiatory terms of payment, for Roma who live in shacks, tents or any other construction that doesn't meet the conditions on human habitation, we hereby strongly believe that:

The claim made that *"the situation of Roma in Greece lacks of any basic dignity"*⁴ is inconsistent to those mentioned above as well as during the public hearing, since those settlements do not witness the case in Greece in general and cannot be considered as indicative of the situation in other Municipalities such as in Agia Varvara, Marousi, or Koridalos, which are located in Attica too, not to mention settlements all over Greece such as in Sofades, Didimoticho, Komotini, Serres, Trikala, Evosmos etc. Any such claim seems to neglect the effort and progress made so far and discourages all attempts for a constructive dialogue to the best of Roma.

Incidents of selling over used-stuff⁵ picked up from the local garbage and pilled next to their settlements are discouraged by the State by all possible means (either by removing rubbles and garbage, or by adopting training programs that help the Roma people to engage in the labor market⁶). However they should be regarded as well as a lifestyle and habit resembling to nomadic life that is met in that group of the population that if to be eradicated by the Society needs the active and unanimous cooperation of that population too. Pursuant to the Chapman Case any group of the society, precisely the Roma, should be granted their right to nomadic life.

Also, the fact that vaccinations have been administered by the competent Medical Authorities (as stated by the MEP too) proves that an integrated effort is made in more than the housing field. This by no doubt testifies that political will in Greece is arranged on a multiple-folded Program (IAP) that aims at facilitating all aspects of human living. Detailed reference is made in pages 2-3 of the attached document "IAP – Best Practices in Greece".

A change in the education field is witnessed too by fact of the school bus that is taking Roma children to school. Such practice applies with reference to remote areas regardless of color or race or of the particular group that these children come from.

Finally, the use of parallelisms and translations as to the name of particular settlements (as made in the case of Nea Zoe residential area⁷) is unlawfully used while evaluating any member-state's actions. Even if translation over Names is not met technically, however we should point out that Greece is a Country hosting numerous refugees who upon leaving their Country of origin – precisely from Constantinople - came in Greece and settled in several areas, which were named after their settlements of origin implying their effort to make a new start. Thus, any such phrasal resemblance is irrelevant to the right to housing and is considered unfair and discriminatory on purpose against the Greek State and its deliberate efforts to integrate the Roma people into the society.

⁴ See p.2 of the MEP statement, last paragraph.

⁵ Such habit is considered irrelevant to the right to housing.

⁶ See attached document "IAP – Best Practices in Greece": Employment Section, p.3.

⁷ See p.2, para.2 of the MEP statement ("Nea Zoe" is translated to "New Life").

Comments on the material submitted by the COHRE

The COHRE though not entitled to submit collective complaints and comment on these too, nevertheless wishes to highlight for Greece statements and comments that consist views of the parties that participated to the public hearing (the ERRC and the ETUC) and had the opportunity to present those themselves to the Committee and the Greek Government.

Nevertheless, regarding the very essence of the comments made by the COHRE the Greek Government would like to point out the following:

Public Administration in Greece is well aware of the Conventional framework regarding the right to housing. On the basis of the ratified by the State Conventions there is no further need to prove the evident interrelationship among the right to housing and the international and regional legal framework, forced evictions as well as the link to article 16 of the Charter (COHRE, point 5.1). The establishment and implementation of special housing programs in Greece (IAP, housing loans etc)⁸ illustrates in the best possible way the active interest of the Hellenic Society towards the Roma population. With reference to the sanitary provision (COHRE, point 5.2) of the 1983 Joint Ministerial Decision (JMD) and the references to the Roma population that initiated this dispute in the first place we would like to point out the following: Finally, the amended⁹ provision is titled "Amendment of the Sanitary Provision on organized settlement of itinerants" and in article 1 reads (in paragraph 1) "unauthorized settlement of itinerants, at any area, is prohibited in absence of the decision set by this Provision" (and in paragraph 2) "till the facilitation of issues of itinerants' permanent settlement, their temporary settlement is allowed upon qualification of the preconditions set in the articles below". Therefore, we consider that the amendment of the 1983 sanitary provision was reasonable and fair concerning the Roma population. On the same time it managed at eliminating any reference (discriminatory or not) to the Roma population establishing further discriminatory attitudes against the Roma people. On the other hand, as long as a persistent demand to strike down the above mentioned provision is observed, we believe that such demand does not refer to the point, even more it means to ignore the subject matter of the provision as such. During the public hearing the Greek delegation made explicit reference to the determination of evictions (COHRE, point 5.3). It was made crystal clear thus that this is not about evictions not to mention "forced evictions" as claimed by the COHRE, given that the Roma in question are moved from properties they do not own and they have encroached at. According to the claims of the COHRE the State and thus the legislation is unreasonably asked to foresee the right to property (of those whose property is encroached) in order to create positive discrimination towards the Roma people. Such a claim contradicts to article 17

⁸ See attached documents (i) "Greek Statements" as presented by the Greek Delegation during the Public Hearing, p.2-3, (ii) "IAP – Best Practices in Greece", p.1-2.

⁹ Regarding the amendment of the sanitary provision refer to pages 11-15 of the original Greek statements as presented by the Greek delegation during the public hearing.

of the Greek Constitution that reads in paragraph 1 "property is protected by the State however the right to property may not be implemented against public interest", in paragraph 2 "nobody is deprived from its property but for purposes of public interest ... justified by Law and ultimately upon prior proper compensation of the property as defined by the competent Courts...". The Courts' practice in Greece¹⁰ has also testified that family housing is indeed safeguarded by the Constitution in as much as the protection of the natural, residential and cultural environment (article 24, Hellenic Constitution). The claim made contravenes also to the first Additional Protocol to the European Convention on Human Rights and Fundamental Freedoms, which reads in article 1 "Any individual or legal entity is entitled to the right to property ... nobody may be deprived from its right to property unless for purposes of public interest according to the Law and the general principles of International Law ... the provision does not prohibit the State from establishing the necessary laws fro the facilitation of the use of products pursuant to the public interest ...". Additionally, we recall of the Chapman v. UK case (2001) judgment: "Where a dwelling has been established without the planning permission which is needed under the national law, there is a conflict of interest between the right of the individual under Article 8 of the Convention to respect for his or her home and the right of others in the community to environmental protection". Apparently, any claim on the right to property and housing for the Roma irrespectively of the right to property of others (whose property has been triggered by the Roma) is considered groundless. Suffice it to mention that any such attempt by the State would succeed but establishing all those denounced shacks as well as preserving further improper unsuitable conditions for human habitation¹¹. Finally, regarding the criticism made by the COHRE against the Greek housing policy upheld towards the Roma people (COHRE, point 5.4) with particular reference to the living conditions attained through such policy, we consider that the housing loans program as well as the creation of integrated permanent settlements consist actions of great importance and of best practice for States with Roma population too. In terms of a productive dialogue to the best of the Roma population, such actions should be acknowledged and further encouraged rather than criticized unfairly. The Greek State has repeatedly explained that such Programs are in progress, however it has already provided the international community with quantitative data of the work made so far¹². Additionally, it has been stressed - even during the public hearing - that the legal framework to host such actions is constantly reviewed to meet the needs arisen¹³. Lastly, it has been emphasized that the cases mentioned by the COHRE (as well as by the NGO's participating at this dialogue) are acknowledged by the Greek State. However, these refer to temporary or even unauthorized Roma settlements that in no way are dealt as permanent settlements and thus as having been facilitated by the State, implying in other words that the State is still

¹⁰ Case 550/1999 decided by the Grand Chamber of the Council of the State. On the grounds of that case exceptional family housing may be permitted in contradiction to the rules applying for town building upon qualification of special requirements set for the proper compensation of the side effects (resulting from the exceptional housing arrangement to the rule of building) to the environment. ¹¹ For any further information please refer to p.7§2 and 8§3-4 of the original Greek statements as

¹¹ For any further information please refer to p.7§2 and 8§3-4 of the original Greek statements as presented by the Greek delegation during the public hearing.

¹² Once more we recall of the data presented in p.2-3 of the "Greek Statements" document, as well as of the attached lists on "Roma settlements per Region" and on the "Housing Loans Program per Municipality".

¹³ Op.cit.8(i), p.1-3.

working out their successful address in terms of the necessary actions to be undertaken (whether the authority in charge is the Local Government Organizations or the Central Government).

Comments on the ERRC's replies to the Committee's questionnaire Regarding the replies by the ERRC to the questionnaire addressed by the Committee the Greek Government would like to comment on the following: <u>Reply to questions 1, 2, 4</u>: as long as an estimate on the number of the Roma population is concerned, as well as relevant percentages on settled Roma etc we kindly recall of the undisputable fact that the Roma population is an integral part of the Greek population and therefore is registered in the same way as any other Greek citizen¹⁴. It is thus evident that any such data in terms of absolute numbers could not be available except for estimates on the beneficiaries upon assessment of the Programs implemented¹⁵ (e.g. beneficiaries of the housing loans program, of integrated settlements etc). Therefore, ERRC's reference on the number of 300.000-350.000 people means to neglect on purpose the fact that it is about one vague approach among others, resulting by a number of studies held by the Greek State upon drafting of the IAP¹⁶.

Reply to question 3: the IAP provides for the construction of permanent settlements for itinerant people. However, no such demand has been forwarded to the Ministry of Interior, Public Administration & Decentralization (MIPAD). **Reply to question 4: the GHM - who investigates on ERRC's behalf – has** already been informed on the available statistical evaluation of the housing loans program held by the MIPAD. They should acknowledge thus receipt of 4.797 housing loans by the Roma people (out of a total of 9.000 housing loans according to the relevant legal framework¹⁷). Additionally, we would like to recall of the 14.154 applications that have been received by the MIPAD till today, since the program is in progress. We would also like to draw your attention to the greatly ingratiatory terms of payment - upon which the program run - which provide for a 100% State guarantee for the total amount of the loan, as well as for a subsidy of 80% of the interests to be paid to the Bank. Taking these into consideration, as well as the fact that the application deadline has been extended thrice, we regard ERRC's claim on application-forced-inability by numerous Roma¹⁸, upon terms of payment, as groundless and extremely negative-cited against the Greek State. Furthermore, it would be rather interesting to find out how many the term "numerous" are among the total of the applications received, even if the program is still in progress and the Authority in charge (MIPAD) lacks final data.

<u>Reply to question 5</u>: given that the IAP is in progress no evaluation is possible except of the results' achieved till now that this dialogue is taking place. The actions undertaken in the Municipalities of Komotini, Amarousion, Sofades, Serres, Menemeni, Didimoticho, Mesologgi offer an example of best practice (in terms of organized town planning) whereas housing rehabilitation is permanently addressed throughout the Country in terms of the housing loans granted. Therefore, reference on unique cases seems to neglect the effort and the

¹⁴ Op.cit.8(i), p.1§2.

¹⁵ Indeed such data were released during the public hearing. Op.cit.8(i), p.1, 2\$2,3(1),(3).

¹⁶ Op.cit.8(i), p.1, ft.2.

¹⁷ JMD 18830 (OG 609/B/17-5-2002), JMD 13576 (OG 306/B/2003), JMD 6035 (OG 170/B/30-1-2004), JMD 28807 (OG 812/B/1-6-2004).

¹⁸ For further details see the attached list on "Housing Loans Program per Municipality".

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progress made so far regarding a number of municipalities other than those cited in the complaint.

Reply to question 6: regarding quote by ERRC of the ECRI report we would like to state that the attached Greek statement refers explicitly to the determination of evictions and to their legality. Further, as to the cases cited by ERRC we would like to point out the following: in the <u>Amarousion Municipality case¹⁹</u>, the Roma people were moved from a public property near the Olympic Stadium, due to necessary infrastructure works for the 2004 Olympic Games. Prior to the relocation, upon agreement of the Roma concerned and the Local Authority in charge (Municipality of Amarousion), the Roma of the area were relocated to contemporary houses the rent of which is paid by the Municipality. In the case of Aspropyrgos²⁰ it should be made clear that this is not about settlements constructed by the State but about shacks set by the Roma themselves. Apparently such tents may not meet the criteria set by the Conventional Law. Even though, the State has been funding all possible infrastructure works in order to ease habitation in those settlements, till the Municipality in charge arranges the permanent housing settlement of the Roma residing there. In the case of Spata²¹ the Roma concerned agreed on the relocation area till the permanent facilitation of their housing. Since then the MIPAD assists the competent Municipality by funding infrastructure works to the development of the existing settlement. In the case of Evosmos the MIPAD has administered (5/8/04) the funding of infrastructure works for development of the habitation in the existing settlements (such as road constructions, lighting, drainage and water supply network). The total project is now under auctioning (leading to the funding of the project too). As long as the Kalamaria area is concerned (residential area in the Municipality of Thessalonica) it should be stated that within the framework of the housing loans program the MIPAD has already tracked 1.674 applications - within the greater Thessalonica area - among which only 7 come from Kalamaria. Given of the ingratiatory terms of payment of the program the number of the applications is considered unreasonably minor. In order to assist you to the best possible way, we would like to inform you that among the applications received till now (1.674) 540 loans have already been successfully processed. Finally, as long as the Riganokampos residential area is concerned, the Municipality in competence (Patra) is aware of the matter and has processed the following actions to its facilitation:

- Development of the existing settlements (road construction, sanitary infrastructures (4 potable water fountains, 2 showers), 1 permanent sociomedical center under process).

- Regular medical care and vaccinations (through mobile medical units).

- Social care treatment (feeding, clothing, toys for the children, family programming)

- Placement of refusal bins and sewage removal.

- Removal of rubbles from the settlements.

- Implementation of a program for the Roma's induction into the job market.

Finally, the families residing at the area has been reduced to 13 (from 19).

¹⁹ Op.cit.8(i), p.9.

²⁰ Op.cit.8(i), p.9.

²¹ Op.cit.8(i), p.8.

Also, a total of 44 loans have already been issued within the housing loans program of the MIPAD (among 340 applications received till today).

<u>Reply to question 7</u>: as long as the MIPAD is concerned, alternative housing applies prior to relocation mandated in cases of unauthorized settlement (upon encroaching at property) or of infrastructure works of public interest, which are considered necessary according to the relevant legal framework. It is crucial to state that alternative housing is facilitated upon agreement of the Roma concerned (or their representatives) and the competent Local Authorities. Aside to mention that Central Government supports by all possible means the actions proposed either by financing these, or even by facilitating the necessary legal redress.

<u>Reply to question 8</u>: regarding the 2003 sanitary provision, precisely the subject matter, the duties mandated and the competent authorities detailed reference was made during the public hearing²².

<u>Reply to question 10</u>: we kindly recall of the relevant section of the original Greek statements²³.

<u>Reply to question 11</u>: we kindly recall of the relevant section of the original Greek statements²⁴.

<u>Reply to question 12</u>: no special sanctions are predicted. For further information refer to pages 11-15 of the original Greek statements as presented by the Greek delegation during the public hearing.

We would also like to recall of paragraphs 98 and 99 of the Chapman v. UK case judgment: "The Court does not... accept the argument that, because statistically the number of Gypsies is greater than the number of places available on authorised Gypsy sites, the decision not to allow the applicant Gypsy family to occupy land where they wished in order to install their caravan in itself, and without more, constituted a violation.... This would be tantamount to imposing ... as on all the other Contracting States, an obligation ... to make available to the Gypsy community an adequate number of suitably equipped sites". After all, "While it is clearly desirable that every human being have a place where he or she can live in dignity and which he or she can call home, there are unfortunately in the Contracting States many persons who have no home. Whether the State provides funds to enable everyone to have a home is a matter for political... decision" which has been witnessed already within the Hellenic Domain.

The complainant organisation also raised many important issues (both during the process of the hearing as well as in the documents under review) and made several remarks regarding the Greek judicial system and legislation in a very vague, general and unsubstantiated manner. They are also evoking case – law of the European Court of Human Rights which, apart from being irrelevant to the present case from a legal point of view (as now we are dealing with the social right of the family to social, legal and economic protection, art.16 of the ESC, and not with the individual right to respect for private and family life, art.8 of the European Convention for the Protection of Human Rights and Fundamental

²² op.cit.8(i), p.11-15.

²³ Op.cit.8(i), p.2-4.

²⁴ Op.cit.8(i), p.3-4.

Freedoms), concerns several unequal and dissimilar individual cases.

We furthermore oppose to any hint, statement or open allegation included in the observations of the complainant organisation on the function and the principles of our legal system and we repeat the self-evident remark that our laws are the same for everyone within the Greek territory. The Romas, as Greek citizens, fall under the same laws and procedures.

In order to avoid any misunderstanding or misinterpretation of our legislation on discriminations and administrative expulsions we inform you that as far as the **Antidiscrimination Legislation** is concerned:

A. **On the level of the national law** are prohibited, discriminations due to racial or national origin, religious or other beliefs, incapability, age and sexual orientation from the **Constitution** in effect (articles 2 par. 1, 4 par. 1, 5 par. 2, 13, 21 and 22 par. 1 section b) in public and private legal relations (article 25 par. 1)

Furthermore, Act 927/1979 (O.G. A'139) on "punishment of actions or activities aiming at racial discrimination" regulates the penal suppression of racial, national and religious discrimination and establishes four cases of legally standard types of offences and in particular:

1.Incitement to acts that may create discrimination, hate or violence (article 1 par.1)

2.the establishment or participation in organization in favor of racial etc. discriminations (article 1 par. 2)

3.the expression of insulting ideas due to racial or national origin or due to religion, article 2 and

4.the denial of supply of goods or rendering of services due to racial or national origin or due to religion (article 3).

The right protected pursuant to the provisions of the Law 927/1979 is the constitutionally established (article 5 par. 2 in combination with article 4, par. 1 of the Constitution), right of any Greek or non Greek citizen who stays in Greece to the equal treatment and avoidance of any racial, national and religious discriminations. Otherwise, the right for anyone to live in Greece without discrimination due to his/her race, nationality or religion. The discriminations that the legislator wishes to be avoided regard a) exclusion, b) restrictions and c) preference based on racial or national origin or religion and imply the abolition or the limitation of recognition,

enjoyment or exercise of personal rights and fundamental freedoms in the frame of civil, financial, political, social and cultural live.

In its initial wording, the Act had been limited to discrimination on the grounds of racial or national extraction. Later, however, by article 24 of Act 1419/1984 (O.G. A'28), the Act was supplemented as follows: "where, in Act 927/1979, racial or national extraction is mentioned, the case of religion is also added". Since then, the demerit of discrimination also refers to discrimination on the grounds of the religion practiced by the offended person or group.

Act 927/1979 lays down four cases of offenses according to the letter of law; in particular:

1.Incitement to actions that may cause discrimination, hatred or violence (article 1 para1). The incitement of another person or persons to actions or activities that may cause discrimination, hatred or violence against individuals or groups of persons only on the grounds of their racial or national extraction or their religious belief constitutes an offence. The "incitement" must take place in public and entails exhortation, impulse, stimulation, encouragement and inducement in order to initiate an action or carry out an activity. The offence is very similar to that of article 186 of the Penal Code (instigation to commit a crime, etc). Subjectively it constitutes the offence (article 27 para1 of the Penal Code), while the penalty provided for is up to two years' imprisonment or a fine or both.

2. The setting up of or the participation in an organization in favour of racial, etc, discrimination (article 1 para2). The offence is committed objectively with the – initial – setting up of the organization or the – following – participation of a person in an organization set up by someone else, which (organization) aims at organized propaganda or any type of activities resulting in racial discrimination. Although the letter of law refers only to racial discrimination, the objective of the legislator, which is the prevention of any type of discrimination, imposes the expansive interpretation of the provision and the inclusion in the types of discrimination of the cases of national extraction and religious belief. Subjectively this also constitutes an offence when committed by fraud and the penalty provided for is up to two years' imprisonment or a fine or both.

3.Expression of offensive ideas on the grounds of racial or national extraction or on the grounds of religion (article 2). Objectively only the public expression of ideas about an individual or a group of persons, which are offensive on the grounds of their racial or national extraction or on the grounds of their religion, constitutes an offence. Subjectively this also constitutes an offence when committed by fraud, although it is not expressively mentioned in the Act, because the delinquencies are punished as committed by negligence only when it is expressively stipulated by law (article 26 paral of the Penal Code). The penalty provided for is up to one-year imprisonment or a fine or both.

4.Refusal to supply goods or to provide services on the grounds of racial or national extraction or religious belief (article 3). Objectively this constitutes an offence when: (a) somebody refuses to supply goods or provide services to someone else exclusively

and solely on the grounds of the person's racial or national extraction or religion and (b) when the said supply or provision (which is initially accepted by the person concerned) depends on a precondition relating to the person's racial or national extraction or religion. Subjectively this also constitutes an offence when committed by fraud, although it is not expressively mentioned in the Act, because the delinquencies are punished as committed by negligence only when it is expressively stipulated by law (article 26 paral of the Penal Code). The penalty provided for is up to one-year imprisonment or a fine or both.

The procedural provision of article 4 of Act 927/1979, which provided for the prosecution for the crimes laid down by this Act following the filing of a complaint, was abolished by article 72 section e' of Act 2910/2001 (O.G. A'91). These crimes are already prosecuted *ex officio* in accordance with article 39 para4 of the same Act 2910/2001, too.

B. a) As far as the issue raised by the complainant organization of the **integration of the Council Directive** 2000/43/EU "on the application of equal treatment to persons irrespective of national or ethnic origin" as well as the Council Directive 2000/78/EU dated 27.11.2000 "about the formation of the general framework for the equal treatment in employment and labor" in the interior legal order, we inform you that the legislative committees of the jointly competent Ministries of Employment and Social Welfare (former Ministry of Labor) and Justice, drafted a unified bill, that came to the attention of the legislative committee after the parliamentary elections of March 7th 2004. The said committee was established by virtue of the decision of the Minister of Justice No 60413/11.5.2004 (Official Gazette 793B/27.5.2004) and rendered its works on the 23d of July 2004. The new draft of law will be submitted to the Parliament after the convocation of the plenary session of the Parliament in October, as due to its nature (human rights) it could not be submitted to a summer session (as provided by art.72 of our Constitution).

This bill establishes the general regulative frame regarding the fighting of discriminations, due to racial or national origin, as well as the fighting of discriminations due to religious or other beliefs, incapability, age or sexual orientation in the employment field, in order for the implementation of the principle of equal treatment to be ensured. The regulations cover particular aspects of the issue, introduce legal protection means, anticipate effective punishments, so that any discrimination can be avoided and in parallel is created an institutional frame for the promotion of equal treatment independently of racial or national origin, religious or other beliefs, incapability, age and sexual orientation.

Since we are still referring to a Bill (a draft law) and not an Act, a Law voted by our Parliament, a law in force, we consider it neither proper nor useful to comment on its content and substance. As soon as the Greek Parliament discusses the exact form and content the Law shall take, decides about it and votes for it, then we will have an official and binding text.

We also underline that Greek Courts, in the frame of legality, face particularly sensitively cases regarding violations of the law 927/1979 and take into account any racist motives of the executed offences.

As far as the procedure to be followed on **expulsions** (rather than evictions) is concerned :

The occupation of land is legal when its legal owner consents to the occupation in the form prescribed by the law (in writing). The occupation of land, on the other hand is illegal, when done without the consent of its legal owner.

When the owner is a private individual, s/he is protected by the provisions of the Civil Code on possession and ownership.

When the owner is the Greek State, the competent authorities issue a Protocol of Administrative Expulsion.

In case a **protocol**²⁵ of administrative expulsion from a public land, a public forest land and a municipal or community land is issued, the person against whom the protocol has been issued is entitled to enter a caveat against this protocol before the Magistrate's Court situated at the location of the property in question, within 30 days from his receiving notification on the issuing of the protocol. An appeal may be lodged before the One-Member Court of First Instance against the decision of the Magistrate's Court within 30 days from the notification of the said decision. On the field of temporary judicial protection the said person is entitled to ask for the issuing of an interim/interlocutory injunction and more specifically to file an application to suspend the implementation of the protocol according to the provisions of the Code of Civil Procedure (arts. 682following, in particular art.733-734) until the issuing of an irrevocable decision on the person's entered caveat.

As far as the provision of legal aid is concerned, by Act 3226/2004 "**provision of legal aid to citizens of low income**" (O.G. A' 24), an integrated legal aid system for citizens of low income is organized to implement the constitutional requirements (articles 20 para1 and 25 para1 of the Constitution) and to fulfill international obligations. More specifically, this Act includes general provisions, which prescribe mainly the beneficiaries and the procedure to be followed. The provision of legal aid in cases of penal, civil and commercial character is also provided for.

Beneficiaries are: the low income citizens of a state – member of the EU or low income citizens of a third country or non citizens, as long as they reside lawfully or usually stay in the EU.

²⁵ A Protocol of Administrative Expulsion is issued according to the Legislative Decree 86/1969 with the title "Forest Code – Code on Forests" and according to the (obligatory) act 263/1968 "about the protection of public estates/land". In the first case, on the Forest Code, it is being issued by the competent Director of Forests or the Chief Forester when we have clearing, woodcutting, seeding or any other act of possession on public, municipal, community, monastery or belonging to institutions forests in general, reforest able land, grassland and on land partly covered by forest or grasslands partly covered by forest. In the case of the (Obligatory) 1968 Act "about the protection of public estate" a protocol of administrative expulsion is issued by the competent economic inspector against the one who is arbitrarily undertaking a public land. Regarding municipal or community land the protocol is issued by the mayor after a decision is taken by the city council. Remedies, deadlines and judicial procedure are the same on both cases.

Law income citizens are those whom the annual family income does not exceed the 2/3 of the minimum annual income as regulated by the National General Collective Labor Convention.

Legal aid is provided after an application from the person in need of it.

In case of an appointment of a lawyer the choice is made based on a list issued by the (Lawyers) Bar. Lawyers are appointed in alphabetical order from this list.

The Romas are Greek citizens and as a consequence they have the same rights and obligations as all the other Greek citizens. They have the right of free access to all the public services; therefore they enjoy free access to all health services.

According to the laws 1910/44 and 860/79 concerning parents who have many children and according to the law 1892/90 on the provision of many-children family benefits, any mother or father having more than three children is considered to be a many-children parent and the many-children family benefits are provided to at least three children who have lost their parents and belong to the same family. The Ministry of Health and Social Solidarity provides, through the Agricultural Insurance Fund (OGA) according to article 63 of the law 1892/90, to the mothers who have many children the following allowances: the allowance for the third child, the many-children family allowance and the lifelong pension.

The decision No Γ 4a/ Φ 225/161 concerning the integration of programs for the financial support of people with disabilities, put into force from 1/5/1989 an integrated program for the financial support of people with disabilities, regardless their age, who are not insured or are insured indirectly and because of a physical or mental disease or disability they are incapable of working (disability percentage at least 67%).

The Ministry of Health and Social Solidarity in order to deal effectively with the problems caused by extreme physical phenomena in the framework of the legislation decree 57/73 and the law 2646/98, has issued the joint Ministerial Decision No II2/0ix2673 (Official Gazette 1185///11-9-02 τ B) according to which the local government should provide immediately:

- 1. Tents and blankets for temporary accommodation
- 2.A cash benefit of 586,94 euros to every family for the coverage of their emergency needs
- 3.Besides the aforementioned cash benefit of 586,94 euros, those families who have suffered damages and have three or more children receive an extra cash benefit of 586,94 euros.
- 4.An extra cash benefit of 586,94 euros is also provided to families who have suffered damages for each disabled member that receives welfare support.
- 5.A cash benefit of up to 5.869,41 euros per household for the repair of the main house or the replacement of household items.
- 6.A cash benefit of 4.402,05 euros to persons who were disabled due to disastercaused injury.

7.In addition, by virtue of Law 2768/99 and a Joint Ministerial Decision, the families of those who have lost their lives because of earthquake or other natural disaster are allowed to receive a special cash benefit.

A cash benefit of up to 586,94 euros is provided to persons who have suffered damages in their residence due to short-circuit, electrical appliance, heater etc.

Since 2002, Greece has implemented the Integrated Action Plan for the social inclusion of Greek Roma people, aiming at creating Medical and Social Centres in the organized camps and making visits with Mobile Units at the camps of the moving population

In the context of Measure 3.1, Operational Program "Health-Welfare" of the 3rd Community Support Framework, local governments have employed social scientists in order to create a Social Service Network aiming at providing support services to individuals threatened by exclusion or excluded mainly from the labour market as well as to individuals who have no access to services.

The Roma people are included in the people who receive these services (Attached you can find a table listing the Municipalities who have already approved the creation of a Medical-Social Centre, the operation of Social Support Services of Measure 3.1 and the visits of the Mobile Units).

As concerns the request of the complainant organisation for the reimbursment of costs related to the complaint by the Greek Government, we are stating the following:

The collective complaints procedure in the framework of the European Social Charter is totally different to the one of submitting inividual or interstate applications to the European Court of Human Rights (ECHR) for violations of the European Convention for the Protection of Human Rights and Fundamental Freedoms. These two conventions are two separate legal texts which establish different mechanisms, bodies and procedure. The aim of the present Protocol, as described in its Preamble, is to improve the effective enforcement of the social rights guaranteed by the Charter through the establishment of a collective complaints procedure which will strenghten the participation of management and labor and of non governmental organisations. Any attempt of the complainant organisation to identify this procedure, whose aim is to examine the compliance of the contracting parties to the European Social Charter, to the one before the European Court of Human Rights is unforunate. Besides, as stated by the European Committee on Social Rights in its decision on the merits of the collective complaints 2/1999 and 4/1999 (European Federation of Employees in Public Services v. France, para.33, and European Federation of Employees in Public Services v. Italy, para.32 respectively): "the role of the Committee as defined in the 1995 Protocol providing for a system of collective complaints is, solely, to assess whether a Contracting Party concerned by a complaint has ensured the satisfactory application of the provision of the Charter referred to in the complaint". Furthermore, in its decision on the merits of the collective complaint 9/2000 (Confederation Francaise de l' Encadrement CFE - CGC v. France, para.58) the Committee had rejected the request of the complainant organisation for compensation of a category of workers by the defendant state (France). In any case, nowhere in the said Protocol provision is made for such an issue (contrary to the European Convention on the Protection of Human Rights and Fundamental Freedoms, on art.50 of which the reimbursement of judicial expenses is explicitly provided for). For all the above reasons we request that the claim of the complainant organisation on the reimbursement of its costs by the Greek Government be rejected.

For all the above reasons we request the aknowledgement of the fact that there is no issue of violation by Greece of art.16 of the European Social Charter in conjuction with the non-discrimination clause of its Preamble and to declare the complaint lodged by the international non governmental organisation "European Roma Rights Center" against Greece unfounded.

Maria Laiou – Spanopoulou,

Director, Department of International Relations

Attached Documents

- 1. letter of the Secretary General of the Ministry of Interior, Public Administration and Decentralization - MIPAD to the European Committee of Social Rights
- 2. document of the MIPAD titled "Collective Complaint 15/2003, ERRC v. Greece"
- **3.** document of the MIPAD titled "Integrated Action Plan on the Social Integration of Greek Roma: Best Practices"
- 4. table of the MIPAD on the applications received and accepted per organization of local government on the housing loans programms
- 5. table of the MIPAD on the Roma settlements per region
- 6. table of the Ministry of Helath and Social Solidarity on the socio medical centers, visits of mobile units and social supportive services

& International Organizations

To the Members of the European Committee of Social Rights

November 1, 2004

Honorable Members of the Committee,

The Greek Government would like to express once more its sincere condolences for being offered with the opportunity to participate at a comprehensive dialogue regarding Roma issues.

We hereby kindly ask the distinguished members of this Committee to take under strong consideration our comments on the issues set in the Collective Complaint 15/2003, as discussed during the public hearing in Strasbourg in October 11th. We should notice that those mentioned below consist nothing but the comments already made by the Greek Delegation during the Hearing.

However, given of the limited duration of the hearing we would like to grasp of the opportunity and present our statements in written too. The answers to the questionnaire forwarded by the Committee were also included in the "Greek Statements" document in the relevant sections. Furthermore, please find attached the "Greek Comments" on the statements made by the MEP Ms. Livia Jaroka, by the COHRE and by the ERRC, as well as detailed quantitative data (list of Roma Settlements per Region and a Housing Loans Program list per Municipality) as available up to date regarding the projects implemented in Greece towards Roma.

We thank you in advance for your cooperation and we believe that the material presented will assist you in your effort to understand the situation in Greece.

Kind Regards,

The Secretary General Athanasios Vezyrgiannis

Attached documents:

Greek Statements.

- Greek Comments on the Supplementary Material submitted by the ERRC.
- IAP Best Practices in Greece.
- List on Housing Loans Program per Municipality (quantitative data).
- List on Roma Settlements per Region (quantitative data).

Complaint 15/2003 ERRC v. Greece

General Comment

The Greek Constitution manages the compliance of the Greek State to the provisions of the European Social Charter; in as far as the right of the family to housing is concerned. Thus, in article 21§1 the Hellenic Constitution – that preserves to any other opposite legal provision - acknowledges family as of principal importance to the maintenance and development of the State. Further on, the same article²⁶ establishes the right to housing for homeless people and delivers the State with the responsibility to take special care of it. The provision places great importance to the right to housing irrespectively of race, color, sex or any other personal status, such as being married or not. Therefore, the right to housing is established exclusively as to individual's ability to reassure for itself proper housing, whereas in accordance with the wording of the first paragraph the family right to housing is established in compliance with the Charter.

National Census

Greek Roma constitute an integral part of the Greek population therefore they aren't registered separately during the national census, neither are they registered separately with the municipal rolls. Thus, there cannot be a precise number of their population except for a vague approach of it. The figures presented so far in a number of studies²⁷ for the drafting of social actions and plans are not to be disputed since, in absence of identical to their race registries, none of them can exclude statistical bias. The only chance for liable records necessitates the insertion of relevant identity data, which unless implemented for all social groups of the Greek population, abuses the principles of equality, safeguarding of personal data etc of the Greek Constitution and discriminates against Roma²⁸.

Civic Status of Greek Roma

Non-civic status incidents were raised due to Romas' inability to provide the administrative authorities with important identification documents (i.e. identity cards, birth certificates etc) resulted by non-existence or destruction of such documents in relation to a particular lifestyle that did not necessitate such issuance, or even sometimes due to some municipalities' ineffective co-operation.

It must be made clear that no special arrangements apply for the enrollment of Greek Roma in the municipal rolls given the fact that they are Greek citizens in as much as any other Greek citizen. Therefore, their registration with the municipal rolls falls within the same provisions applying for any Greek citizen, ruling that "citizen of a municipality or of a community is any Greek citizen" (art.17 of the Municipal & Communal Code-MCC). Besides those general rules (e.g. issuance of birth certificate upon judicial

²⁶ Article 21§4 reads: "acquisition of housing for those that do not have one or who are inefficiently housed is a matter of State's special care".

²⁷ According to a national registration of the Roma settlement areas, in 1998, the population of the Roma amounted to 63.000 people, including itinerant as well as permanently settled people. The number of 250.000-300.000 comes from a study of the Greek Enterprise on Local Government in Attica (EETAA) on behalf of the IAP for the social integration of Greek Roma, of the Ministry of Interior. Upon initialisation of the IAP, in 2002, the Municipalities in the domain of which Roma reside at, held specific registries in order to configure, as precisely as possible, the Roma population with regard to the submission of proposals on actions to be undertaken to their benefit. According to this census, concerning the period from late 2001 to 2002, the Roma population amounted between 70.000 to 80.000 people.

²⁸ Besides any other technical issue that such a decision would raise, we should take under strong consideration that the majority of the Roma population move throughout the Greek Domain e.g. due to seasonal occupational purposes. Such a condition renders any registration effort unsuccessful and ineffective as to its primary goal.

decision²⁹ which on the same time may estimate the age of the one concerned) special arrangements were introduced by the Ministry of Interior, Public Administration & Decentralization (MIPAD) (1979) in order to address the citizenship issue³⁰ (that is a

prerequisite to the enrollment) and thus, the enrollment in the municipal rolls in cases of lack of the required identification documents. Such arrangements provided for communication with the administrative authorities concerned, for supplementary documents in absence of those required etc.

As long as ineffective cooperation with the municipalities concerned was witnessed, the MIPAD addressed the problem either through special supplementary directives or through parallel actions, precisely the *housing loans program* for Greek Roma. In fact the program links to the issue of the Roma civic-status and its facilitation on the basis of the prerequisite set, for potential Roma applicants, to submit specific certificates such as identity card, certificate of municipal roll proving their family status, tax denotation, and optionally, certificates on permanent physical diseases etc. In terms of legal status, the importance of the housing program is reflected by the submission of up-to-date 14.151 applications³¹. Although the principal aim of the program was to facilitate the Roma peoples' housing rehabilitation, on the same time it managed at dealing effectively with the settlement of their civic status. With respect to those referred so far it is evident that the civic and thus legal status of the Roma people has been addressed by the State effectively and in conformity with the Charter, with view to safeguarding their access to social services and their equal participation in social and in general public life. Thus. explicit figures on the population do not exist, contrary to the surveys held which offer rather a discussion context than a point to criticize.

Housing Rehabilitation: an Integrated Action Plan

Upon implementation of the will of the Charter and the constitutional legislator the State adopted a number of actions aiming at the social integration of the Greek Roma in the Hellenic society. To this end, since 2002 an Integrated Action Plan (IAP) is established and implemented. The IAP is coordinated by the MIPAD and supervised by an Inter-ministerial Committee established to this end. It is structured on two priority axes aiming under the 1st priority axe at the housing rehabilitation of the Greek Roma (construction of infrastructures) and under the 2nd priority axe (services), at the provision of services in the fields of education, health, employment, civilization and sports. Under this axe priority is given to areas of organized town planning of the program. In particular, the actions undertaken in the field of housing are as follows:

8. Finance of 9.000 housing loans of 60.000 euros each for Greek Roma who live in tents, shacks or any other construction that does not meet the requirements on permanent habitation³². In terms of repayment the loans are guaranteed by the Greek State whereas favorable conditions³³ apply too. Successful applicants are entitled to buy a house, to purchase tracts of land and construct a house, to conclude with the construction of a house or even - upon their own initiative - to engage in programs of organized town-planning held by Local Authorities or other bodies upon

²⁹ Relevant legal framework: L.344/1976, PD 497/1991, MCC as amended with L.3013/2002.

³⁰ General Ruling 69468/212/20-10-1979, Gn.R 51/12-3-1979 which determines the citizenship preconditions and the enrolment in the municipal rolls (PD 570/1963, PD 6-10/1951) as well as age determination in absence of the required documents. ³¹ The average of a Roma family is estimated to 6 percent. According to the relation in the second second

³¹ The average of a Roma family is estimated to 6 persons. According to this, the housing loans database tracks an average of 84.906 persons who are already registered and thus meet civic status criteria.

³² Joint Ministerial Decision 18830 (Official Gazette 609/B/17-5-2002), JMD 13576 (OG 306/B/2003), JMD 6035 (OG 170/B/30-1-2004), JMD 28807 (OG 812/B/1-6-2004).

³³ Repayments can be spread over 22 years, the banks engaged in the program are guaranteed for 100% of the total amount of the loan and the borrowers are financed by the State for 80% of the loans' interest.

granting of tracts of land by the Local Authorities in jurisdiction, the State or any other Public Body. To the effective implementation of the program, the MIPAD cooperates on a regular basis with Local Authorities and the Banks engaged in. Till today 14.150 applications have been received by a Special Evaluation Committee established to that end. Up to now, successful applications amount to 4.797. Bearing in mind that this action offers a best practice, it is worth mentioned that the program was drafted in such a manner to have parallel effects on the basis of the requirements set for the applicants to engage in the program (as mentioned above in the civic status section as to the necessary documents). So far the implementation of the program has led to its amendment in order to conform to the circumstances that necessitated it in the very begin. In particular, the number of the loans has increased thrice from 3.500 to 4.500 and to 9.000 loans. The amount of the loan has increased from 45.000 euros each to 60.000 euros. The deadline for the submission of the applications was extended thrice too to enable the total of the population to take advantage of the program. Finally, the MIPAD is already considering any possible modification of the legal framework in force for the safeguarding of the primary aim of the housing loans program.

- **9.** "Gratuitous of public, municipal or communal tracts of land to Roma who are engaged in programs of housing rehabilitation financed or guaranteed by the State"³⁴. Currently the MIPAD is considering the amendment of the legal framework in force so as to meet efficiently the needs arisen.
- 10.In the context of a comprehensive housing rehabilitation approach, under priority axe 1 of the IAP, the MIPAD finances the:
- 11.Construction of settlements in 53 Municipalities (Didimotiho, Sofades, Serres, Menemeni³⁵, Agrinio, Naupaktos, Tyxero, Chrisoupoli, Mytilene, Parelion, Trikkaion, Komotini, Nea Ionia Magnhsias etc). The following infrastructures have been constructed up to now:
 - 12.185 houses within the context of integrated permanent settlements,
 - 13.1712 prefabricated houses (for the rehabilitation of about 6000 people),
- 14.Purchase of tracts of land in terms of organized town planning held by the Municipalities (for families who are already engaged in housing programs financed by the MIPAD) (Serres, Amaliada, Nea Ionia Magnisias etc).
- 15.Development infrastructures for the enhancement of Roma's living conditions.
 - 16.Relocation of temporary settlements e.g. Municipalities of Amarousion, Mesologgi, Evosmos.
 - 17.Construction of playgrounds. Infrastructures have been completed in 31 settlements (e.g. Municipalities of Megara, Alexandria, Zefyri).
 - 18.Construction of cultural infrastructures (e.g. Municipalities of Agia Varvara, Axarnes, Ilion).

Up to date a total of 29.4 million euros have been granted for the financing of development infrastructures.

Finally, the IAP is implemented upon cooperation of a number of bodies depending on the nature of the project upheld. With reference to the housing loans program, this engages Local Government Organizations (receipt of applications and finalization of the documentation upon authorization of the MIPAD); a Special Evaluation Committee (evaluation of the applications submitted to the MIPAD by the LGO); the MIPAD (issue of authorization for the finance of the loan) and the Banks associated with the Program

³⁴ PD 410/1995 (art.247), as amended by L.3146/2003 (art. 7§1) and L.3156/2003 (art.26§5).

³⁵ Houses constructed: 52, 84, 25 and 24 in Didimoticho, Sofades, Serres and Menemeni respectively.

(issue of the loan). In all stages of the program the procedure is coordinated by the MIPAD. As far as organized town planning is concerned this is coordinated too by the MIPAD. Depending on the project upheld (prefabricated houses; integrated settlements; cultural and health infrastructures etc) the bodies associated could be LGO, the Ministry of the Environment, Physical Planning and Public Works, the Ministry of Health & Social Solidarity, the Ministry of Culture, the General Secretariat of Sports, the Ministry of National Education as well as Public and Private Law Legal Bodies. An Inter-Ministerial Committee coordinates the implementation of the IAP. The Committee consists of all the Ministries engaged in any stage of the IAP and the Rom-network and meets on regular basis to assess the progress of the program and evaluate the applications received (mainly by the LGO). Given that the Program is in progress it wouldn't be fair to evaluate but the results achieved till today that this conversation takes place. The actions undertaken in the Municipalities of Komotini, Amarousion, Sofades, Serres, Menemeni, Didimoticho, Mesologgi offer an example of best practices (in terms of organized town building) whereas housing rehabilitation is permanently addressed throughout the country in terms of the housing loans granted on the amount of 60.000 euros each. Therefore, reference on unique cases seems to neglect the effort and the progress made so far regarding all municipalities mentioned above.

Let us now assume the following. It is true that the basic result of racism as well as of any racist state policy is the infringement of human rights. If this is so, in close relation to the figures and data referred above, we should reasonably conclude that any racial policy is not announced publicly, neither is assessed by figures and funds. <u>Secondly</u>, a racist policy cannot aim at the promotion of human rights and fundamental freedoms. <u>Thirdly</u>, the policy under criticism refers to a program that is still in progress – 2 years since its establishment – thus it should be evaluated as to the results achieved so far and not as to the overall aim to be witnessed in due time. In other words, the argument set in the complaint that Greece means to violate Roma's rights by implementing segregating racial policies seems to be extravagant and groundless.

Therefore, since racism and social policy contravene on definition and scope we would like to state that Greece has never established and implemented racial housing policies against Roma people. Obviously, the argument made regarding State violation of human rights is negativecited and we hereby ask to omit such characterizations while commenting on Greece's policies towards Roma.

A point made quite often by ERRC, even while adopting and publishing studies³⁶, is that Greece needs to review its policies and the relevant legal framework. However, the systematic consideration of the framework that hosts the policies implemented (including the decisions of the administration in Greece as well as of the amendments of the policies mentioned above), proves that such a framework has been and is still examined and reviewed in order not only to conform to the Charter but to meet the needs arisen. To conclude on this, we would like to state that no Law or action undertaken so far means to infringe Roma's rights. On the contrary, it is evident that the Hellenic society assists the Roma people, as obliged to do, by adopting and implementing actions and policies and by reviewing those when necessary to the efficient achievement of the overall aim of the Greek policy on the social integration of the Greek Roma. As for the proper assurances necessitated by ERRC for the implementation of the Charter, as well as of the domestic law, we should point out that judicial power in Greece is independent and consists one of the three fundamental powers upon which the State is constituted and operates (art.26 C). Even more, the Greek Constitution

³⁶ We refer to the European Roma Rights Center – Greek Helsinki Monitor, "Cleaning Operations: Excluding Roma in Greece", Country Reports Series, No.12, September 2003.

establishes the fundamental right <u>of each one³⁷</u> to access justice and be provided for legal assistance by the Greek Courts (art.20).

Discriminatory and Segregating Housing Rehabilitation Policy

General Comment

A comment made in the complaint refers to the enforcement of a discriminatory housing rehabilitation policy. However, the issue should be examined in view of the unauthorized settlement of some Roma at non-private tracts of land. It is then obvious that unauthorized settlement cannot fall within the Law as far as legal assurances and administrative benefits are concerned. The opposite would necessitate the infringement of the right to property of those whose property is encroached (on)³⁸. Thus, it must be made clear that domestic law doesn't provide for exceptions to the rule of settlement neither for conditions applying exclusively to the population of Roma. The legal framework in force applies for all Greek citizens irrespectively of race, color or sex. As for housing settlement as such this has to oblige by the relevant Law who address it. Finally, the necessary provisions and the manner in general to address the issue in question are bound by the legislative and judiciary power³⁹. The comments expressed therefore by the ERRC refer to some cases, which are dealt by the State, and thus they should not be interpreted as permanent or indicative for the total of the Roma population living conditions.

With all the respect to the members of this Committee as well as to the project undertaken by ERRC we believe that the argument set in the complaint according to which Greek Roma are condemned to living in conditions of "apartheid" is extravagant and in any case seems to neglect on purpose the effort made so far by the State regarding the social integration of Greek Roma into the society by establishing and implementing a number of projects such as the housing loans program, the construction of organized settlements or the construction of other development infrastructures. We definitely wont argue on the existence of some problematic Roma settlements⁴⁰. But these are cases, which are addressed by the State in order to facilitate as soon as possible

³⁷ By interpreting the wording of the article, precisely the term "each one" we conclude that such a right is established with reference to anybody in the Greek domain. However, even if the above mentioned provision aimed exclusively at Greek citizens the Roma people would still fall within the scope of this provision too since they are Greek citizens. ³⁸ Such a claim contradicts to article 17 of the Greek Constitution that reads in paragraph 1 "*property is*

³⁸ Such a claim contradicts to article 17 of the Greek Constitution that reads in paragraph 1 "property is protected by the State however the right to property may not be implemented against public interest", in paragraph 2 "nobody is deprived from its property but for purposes of public interest ...justified by Law and ultimately upon prior proper compensation of the property as defined by the competent Courts...". The Courts' practice in Greece has also testified that family housing is indeed safeguarded by the Constitution in as much as the protection of the natural, residential and cultural environment (article 24, Hellenic Constitution). The claim made contravenes also to the first Additional Protocol to the European Convention on Human Rights and Fundamental Freedoms, which reads in article 1 "Any individual or legal entity is entitled to the right to property ...nobody may be deprived from its right to property unless for purposes of public interest according to the Law and the general principles of International Law ...the provision does not prohibit the State from establishing the necessary laws fro the facilitation of the use of products pursuant to the public interest ...".

³⁹ Taking into account the regime in Greece as well as the autonomy of the fundamental constitutional powers of the State (legislative, judiciary, executive) we state that the legislation means to safeguards human rights for all.

⁴⁰ According to the latest information received (personal communication of the Secretary General with the mayors on 7/10/04). Also, the rubbles in the Aspropyrgos settlement were cleaned by the MIPAD as agreed with the ERRC and the GHM in August; the Municipalities of Tegea, Korithia and Tripolis agreed on the proper tract of land for the construction of a settlement and a technical study is now processed by the Municipalities for the proposal to be financed by the MIPAD. These are some of the actions undertaken by the State. Actions, which should be recognized and encouraged rather than criticised or neglected.

their effective and viable settlement⁴¹. We regret thus that such cases are considered to be indicative of the situation of Roma in Greece in general; or even to ground a catholic argument on substandard in general housing conditions and thus on the widespread infringement of human rights in Greece.

Housing policy of discrimination: results from Local Authorities' actions

Pursuant to the 2003 amended Sanitary Provision, the settlement decision lies with the Secretary General of the Region, upon proposal of the municipal and communal councils involved and on the basis of a report drawn up by a Committee composed by representatives of Central and Local Administration. It should be noted that the participation of Local Authorities in the decision-making and implementation process, as well as their autonomy, is legal (art.24§1 MCC⁴²) and safeguarded by the Constitution $(art.102\$1)^{43}$. It is also compatible with the compliance of public administration with the prerequisites of the international community⁴⁴. Therefore, it results that it is neither a question of arbitrary action taken by Local Authorities nor the result of the action itself. Firstly, Local Authorities - as well as any other public authority or citizen within the Hellenic territory - are obliged to implement the Law and the relevant administrative decisions. Secondly, Local Authorities are the competent bodies for the management of local affairs⁴⁵. Thirdly, the control on the implementation of the Law belongs to the judicial authorities and the Courts and fourthly, citizens are safeguarded by the Constitution⁴⁶ itself as far as the equality of citizens and the respect of the Law is concerned, as well as by the provisions of

⁴¹ In particular we recall the Chapman v. UK case judgment: "The Court does not... accept the argument that, because statistically the number of Gypsies is greater than the number of places available on authorised Gypsy sites, the decision not to allow the applicant Gypsy family to occupy land where they wished in order to install their caravan in itself, and without more, constituted a violation.... This would be tantamount to imposing ... as on all the other Contracting States, an obligation ... to make available to the Gypsy community an adequate number of suitably equipped sites". After all, "While it is clearly desirable that every human being have a place where he or she can live in dignity and which he or she can call home, there are unfortunately in the Contracting States many persons who have no home. Whether the State provides funds to enable everyone to have a home is a matter for political... decision" which has been witnessed already within the Hellenic Domain.

⁴² The management of local affairs lies with the responsibility of Municipalities and Communities, which care for the promotion of social and financial interests, as well as the cultural and spiritual interests of their citizens. Municipalities and communities are responsible for: the construction, maintenance and function of irrigation systems, water supply and sewerage, municipal and communal road building, electric lighting of places of public use etc, cleaning, waste disposal, construction, maintenance and function of water-closets, the creation and function of day nurseries, kindergartens, disabled men's support and rehabilitation centers, the study and implementation of programs of social and cultural character, the creation of resorts, the study, management and implementation of urban development programs, the protection of life and health of their citizens and the setting up of specific prevention, emergency and recovery programs, the construction and maintenance of school buildings etc.

⁴³ The management of local affairs belongs to Local Authorities of first and second tier.

⁴⁴ The European Convention on Local Administration (OECD) provides that the enhancement of Local Democracy is realized through the transfer of competences, powers and the relative resources (from the central government to local authorities).

⁴⁵ Op.cit.17.

⁴⁶ "All Greeks are equal before the law" (article 4). According to article 20 "every person shall be entitled to receive legal protection by the courts…"The use of "every person" leads to the reasonable conclusion –based on a wider interpretation- lack of any other reference that could lead to a strict interpretation resulting to negative consequences-that the Constitution does not refer to Greek citizens but to any person who lives in the Hellenic territory. Even in case of a specific reference the gypsies should be under the same provision.

the Code of Administrative Procedure⁴⁷ on appeals against decisions in case of justified legal interest⁴⁸. Furthermore, from the cases referred in the remarks of ERRC on the Greek answers it results that the Roma have rights and can go to law and the judicial authorities, which judge by taking into account the given circumstances (on the merits). Regardless of the judicial decision, which has not always been negative for Roma- the argument of ERRC⁴⁹ is demolished that no legal guarantees have been provided for Roma to defend their rights and that legislation discriminates against them. Thus, it becomes clear that **legal guarantees are provided and ensured by the acts of the administration since the exercise of the right is not subject to any prerequisite other than the existence of legal interest defined by the provisions themselves. Finally, Central Authorities may intervene in the LGO's actions on the base of the subsidiary principle without interfering though, pursuant to the Constitution which reserves for Local Authorities "pledge of competence" on matters of local interest.**

Concerning the **unsuitability of living conditions** of Roma and in general the question of their housing, we would like to note the following:

Lack of basic infrastructure and non-access to public services is witnessed in cases of illegal settlement at non-private tracts of land, in absence of the required decision from the responsible authorities, or in some cases of temporary settlement, as it is the case in the Municipalities of Aspropyrgos and Spata. On the other hand, the decision making to ensure basic infrastructure presupposes the submission of an integrated proposal (from the responsible authorities), which involves providing an appropriate reception place, infrastructure works and services as well as the necessary resources. What can be seen in practice is that the aim is to find a permanent solution to the housing problem, despite the fact that the creation of temporary settlements as well as permanent camps for travelers⁵⁰ is also provided. In any case the interested local authorities have to submit a proposal. It becomes obvious that illegal settlement in non-private tracts of land does not fulfill the requirements of decent living conditions, so as to ensure the legality and permanence condition of housing, healthy living conditions (basic infrastructure) and access to services. In conclusion, the essential interrelation must be looked for, from the part of the state and the interested NGOs, not between installation and lack of infrastructure or installation and installation in isolated areas but between installation and legality. The proposed solution to legalize the arbitrary constructions (their majority being tents or other jerry buildings) in addition to being unrealistic since it does not care to protect property, is not be considered to be a solution to the problem. On the contrary, it will protract their unsuitability and provide the conditions for a systematic land grabbing Consequently, the question of unsuitability of living conditions in the form of an offence is completely unfounded in cases of illegal constructions wherever these can be found⁵¹.

The provision of temporary solutions on housing, for cases, which do not fulfill the requirement of a permanent settlement, while thinking out a permanent solution, has already been mentioned before. The temporary solutions are related to the lack of an

⁴⁷ Whether citizens make use or not of the rights given to them by law and in particular their rights to appeal against the decisions of the administration in case they have a legal interest (damages) is not the responsibility of the state. On the contrary what it is objectionable for someone is to avoid exercising one's right and non- making extensive use of all judicial proceedings.

⁴⁸ For the judicial reference books on the repeal of personal decisions (lodge an appeal, compliance of the administration with the judicial decisions,) see relative provisions of the Code of Administrative Procedure art.64, 98, art.95par 9 and Spiliotopoulos "Handbook on Administrative Law" Sakkoulas publications par. 596-99^a, 613-14,616.

⁴⁹ And EPSE that carries out on behalf of ERRC the relative surveys.

⁵⁰ In the frame of the IAP.

⁵¹ An important question on different mentality, which can be seen mainly in the international nongovernmental organs that represent Roma, is that in case of similar arbitrary behaviors from other Greek citizens, not any charge has been brought for the non-existence of electricity, or sewerage system or any other service.

integrated viable proposal or the immediate need to cope with extraordinary conditions the temporary character of housing cannot justify the cost that will finally change the temporary solution into a permanent one. This concerns infrastructure works and rendering of services only for cases of permanent housing settlement. In any case, temporary rehabilitation, as long as the State is concerned, is followed by all necessary "temporary"⁵² measures and supplies. Such a temporary case, until the definite solution, is the case of the Municipality of Aspropyrgos⁵³.

Discriminatory Housing Policy: forced evictions

The so claimed evictions concern the settlement in non-private tracts of land in absence of the required decision of the local authority in charge, which by definition doesn't constitute an eviction. Even if this was not so the Law on compulsory evictions would be implemented. The relevant legislation applies to all Greek citizens, with the Roma being part of them. Nevertheless, in cases of infringement of law, or in cases of construction of public utility works, relocation⁵⁴ can take place in cooperation with the local authorities involved and the Roma representatives in order to find out a commonly accepted solution (process of alternative housing), till the finding of a permanent solution to the housing problem. The Municipality of Amarousio made use of the practice, taking advantage of the NCHR proposals⁵⁵. It should be noted that the Central Government supports the actions proposed either by offering a financial support or through the necessary institutional arrangements.

The right to appeal against decisions that order the eviction is provided by the Constitution itself⁵⁶. All citizens can appeal against the decisions of the government in case of justified legal interest⁵⁷. The right is exercised in case of damage caused and it is not related to the content of the Law, on the basis of which a regulatory act is pronounced.

Finally, the claim that evictions deprive Roma from their right to suitable housing is inconsistent, since the majority of the cases concerns arbitrary constructions, which do not fulfill the requirement of decent and healthy living conditions.

Consequently, evictions should be considered on the base of the legality of the settlements, nor linked with lack of infrastructures. **In particular we recall the Chapman v. UK judgment** *"Where a dwelling has been established without the planning permission which is needed under the national law, there is a conflict of interest between the right of the individual... to respect for his or her home and the right of others in the community to environmental protection".* Apparently, in light of illegal settlement it is not about eviction not to mention forced eviction.

For cases of arbitrary and illegal settlement at non-private tracts of land, sanctions have been provided by law and applied against offenders. For those cases further reassurances by the State could not be ensured, such as access to public services etc. This would not safeguard the legal rights of Roma; instead it would legalize the lack of legal guarantees (legality of housing, protection of property etc). Concerning the housing question of the Roma, the concern of the state is not the legalization of the arbitrary constructions and settlements, which do not fulfill the prerequisites for a settlement, instead, the option is mainly centered on the development of the conditions that will lead to a viable rehabilitation settlement. Such conditions are fulfilled through integrated proposals submitted

⁵² Such measures cannot fulfill the permanence prerequisites on a cost effective basis, which is an important and undeniable administrative criterion at the international level.

⁵³ See section "Specific cases of Local Authorities".

⁵⁴ For other cases see the section entitled "Special Local Authorities cases".

⁵⁵ Concerning the pretext of the Olympic Games, the example of AMAROUSIO is not valid, since the families that lived in the area have agreed to move into houses (within the limits of the municipality) the rent of which is paid by the Municipality till the finding of a permanent solution. The MIPAD supported the municipality in its financial obligations.

⁵⁶ Articles 20,26.

⁵⁷ Op.cit.22.

by the responsible authorities in cooperation with local authorities and the representatives of the parties at stake.

Special Cases of Local Authorities

Municipality of Spata

Till October 2000 the Roma families concerned resided at a public area of the Municipality. The need for relocation was necessitated by a decision of the Municipal Authority to construct a public park at the area. It is worth mentioned that: (a) although it was not about eviction since the Roma concerned did not own the particular tract of land, however, even in cases of private property eviction for purposes of public interest is legal upon proper compensation; (b) the Roma concerned agreed (October 2000) on their relocation to an alternative settlement. On the basis of that agreement the Municipal Authority determined an alternative temporary settlement till the finding of Municipal or Public tracts of land for the establishment of a permanent settlement. In terms of developing the living conditions in the temporary settlement the MIPAD funded the Municipality with the amount of 102.714 euros for infrastructure works and in cooperation with the Ministry of Environment, Physical Planning and Public Works delivered 22 prefabricated houses to the families of the area. In terms of further improving the conditions in the existing settlement, till the submission of a permanent rehabilitation proposal, the MIPAD subsidizes the Municipality for the transportation of water by water-wagons (the construction of a water supply network was rejected in terms of the temporary settlement given of the disproportionate to the project viability cost); financed the construction of a playground for the children of the area (29,000 euros); and the establishment of cultural infrastructures (7.000 euros). The competent Prefecture of Eastern Attica transports the students of the settlement to school by a mini-bus. Upon communication with the Municipal Authorities in charge, the permanent settlement of the Roma is not yet finalized however, serious efforts are been made to improve the living conditions in the exiting settlement.

Municipality of Aspropyrgos

The MIPAD acknowledging the Aspropyrgos case has repeatedly pointed out to the Mayor the need for an immediate rehabilitation settlement as well as for the facilitation of the living conditions in the settlements⁵⁸. Within the context of the program on the improvement of Roma living conditions, the Ministry financed the Municipality (Decision No. 5672 16-2-99) with the sum of 29.347 euros, explicitly for the improvement of the quality life of the Roma of the area. The Municipality had to proceed to all necessary actions in the existing settlements in order to facilitate healthy living conditions (potable water, sewerage network) whereas it was assured that the MIPAD would assist it financially on any measure decided within the context of the Program. Additionally, the Ministry granted the Municipality⁵⁹ with the sum of 25.000 euros to deal with problems raised by a fire set in the Roma' huts.

Municipality of Amarousio

In view of the 2004 Olympic Games, for the construction of Olympic infrastructure works, the Municipality of Amarousio proceeded to an agreement and cooperation protocol with the Roma of the municipality. The municipality undertook to finance the rent so as to resettle Roma in conventional houses, till the finding of a permanent housing solution. Because of fiscal administration problems in the Municipality (9/2003) the MIPAD subsidized the rents, giving the municipality the sum of 50.000 euro. Within the framework of IAP, the Municipality of Amaroussion submitted to the Ministry of Interior, Public Administration and Decentralization a proposal for the resettlement of Roma. An amount of 880.410,00 euro has

⁵⁸ Document Ref. No.25853/28-6-2002.

⁵⁹ The letter of the municipality informs that the sum was spent for the construction of infrastructure works and asks for prefabricated houses. A Committee of the Ministry of the Interior, Public Administration and Decentralization will examine the request.

been approved on the basis of this proposal. The Municipal Authority was bound to accelerate the procedure of finding a land within its administrative boundaries for the permanent housing of Roma. The MIPAD is awaiting the final proposal of the Municipality concerning the chosen land in order to proceed to the disbursement of the amount approved.

Municipality of Zefyri

The MIPAD has approved (1997 till today) the following financing for the Municipality of Zefyri:

- 19.674.982 euro and 90 prefabricated houses for the improvement of the conditions of life of Roma
- 20.7.000 euro for the construction of infrastructure for cultural centres and clubs
- 21.58.000 euro for the construction of 2 playgrounds within the Roma' settlement
- 22.200.000 euro for reformation and cleanness
- 23.340.000 euro for the construction of a municipal antiques centre and the development of the square. The financing will take place according to the works in progress.

Municipality of Komotini

In the Municipality of Komotini, there are approximately 3.050 Roma settled in the city of Komotini and around it. The main bulk of the population – about 2.200 persons – are settled in the northeast part of the town⁶⁰, in conventional houses of one or two floors, in privatelyowned lands or allotted by the State. The rest of the population (approximately 210 to 230 families) are settled within the town boundaries (north-east part), in encroached «rural lands of high productivity", in which a modification of the institutional framework in force was necessary for any housing intervention. By the Common Ministerial Decision No 44549 between the Minister of Interior, Public Administration & Decentralization and the Minister of Agricultural Development and Foods, the housing of the population in the northeast part of the city and northern of the present location of «Alan Koyu» settlement, has been qualified as a huge development work of the Municipality for the declassification of the land and the completion of the actions required. Furthermore, the Ministry of Interior, Public Administration and Decentralization has financed the Municipality with the amount of 38.077 euro for the rendering of medical and social services in the settlement of Alan Koyu and with the amount of 7.000 euro for the implementation of the project for the information and sensitization of Roma (visits to theatres and museums).

Discriminatory Legislation: the 1983 Sanitary Provision

Regarding the **sanitary provision on the organized settlement of itinerants** (A5/696/ OG 243/B/11-5-1983), ERRC denounces the enactment of discriminatory and segregating policies. It is true that the above-mentioned sanitary provision has been disputed while evaluating the actions of the State for the protection of Greek Roma rights and their integration in the Hellenic society of which they constitute an integral part of the population.

Without doubting the reality Roma are faced with worldwide, thus in certain areas of Greece too, we should point out the following regarding the so claimed effort to isolate and exclude Greek Roma from the Hellenic society, on the strength of the 1983 sanitary provision:

it is not about a Presidential Decree but about a Ministerial Decision (A5/696/25-4-1983) of the Ministers of Interior and Health & Social Solidarity. The decision in question, named «Sanitary Provision for the organized settlement of itinerants» is not in force any longer since modified by the JMD 23641 (OG B/973/15-7-2003) of the Ministers of Interior, Public Administration & Decentralization, Environment, Planning & Public Works and Health & Social Welfare. The legal basis of the provision is referred to the Forced Law 2520/1940 (OG

⁶⁰ In Ifaistos, in the way out of the town to the University campus.

A 273) on sanitary provisions⁶¹. In application of the above mentioned Law the sanitary provision in question was issued in order to respond to the necessity of taking measures for the protection of public health from the uncontrolled settlement of nomads (Roma or other itinerant persons in tents). To this end, it prohibits the unauthorized settlement of itinerants anywhere in absence of a prior to the settlement authorization (art. 2, A5/696/25-4-1983) and not where the settlement is forbidden as set in the complaint (1:6). The provision aimed at protecting public health for all and therefore, at ensuring the necessary living conditions provided for by the Law on the basis of the needs resulted from the organized settlement of itinerant people, which had not been addressed till then by national legislation. Therefore, the issuance of the 1983 sanitary provision for the protection of public health and apparently, of the conditions on healthy living for itinerant people as well as for any other - whose settlement is determined by the relevant Law - must not be considered as an effort to exclude and isolate the groups in question. The reference to the term «gypsies» and to those living in tents should not be attributed to any discriminatory intention of the State neither to the bodies determining the State's will. On the contrary, the subject matter of the provision in question is raised and indeed necessitated by fact of temporary habitation, which still has to comply with the qualifications set by the competent Minister, as determined in the Forced Law 2520/1940. Besides, Roma are not the only group of population to adopt this way of living, either from birth or as a result of special conditions of work requiring the continuous movement within the Greek territory and thus change of residence. Furthermore, temporary residence does not constitute a condition imposed by the state but a way of living including the element of choice and, therefore, its adoption or rejection⁶². It should be made clear thus that the protection of public health constitutes an obligation of the State towards its citizens and that taking of the necessary legislative measures is not an offense against what is provided by the Greek and international Law. Finally, it should be stressed that legal obligations, even negative ones, do not arise from the denounced sanitary provision regarding citizenship but only regarding the organized settlement of itinerants. Under no circumstances, the fact that in this group of itinerant people Roma are also included, is not enough to substantiate the argument of ERRC on deliberate effort of the State to exclude Roma from the society. According to those mentioned above, we consider that the claims of ERRC on violation of articles 2, 3 and 5 of ICERD⁶³ regarding discriminations of race, color, free movement, etc and violation of art. 28(1) of the Greek Constitution⁶⁴ are unfounded.

Regarding the content of the sanitary provision and the obligations attaching to it, the State has never doubted the fact that certain parts of the provision in question could operate after all as a factor of social exclusion, weakening in practice the policy established for the social integration of Greek Roma. For this reason, it proceeded to the substantial modification of the provision, in order to ensure the protection of public health from the uncontrolled settlement of itinerant people⁶⁵ (para. b) and to serve the needs of the above mentioned (para. c). The competent Ministries of Interior, Health & Social Solidarity and Environment, Physical Planning & Public Works proceeded to the modification of the above mentioned sanitary provision by a JMD 23641/3-7-2003 (OG 973 B/15-7-2003), according to which:

⁶¹ Forced Law 2520/1940, article 1, § 1,2 «...in general taking of all measures for the prevention and fight against epidemic diseases and protection of public health».

⁶² Apart from the group of gypsies, in the moving populations for professional reasons and for periods that do not allow a permanent residence in one or more regions, are also included other population groups such as Russians originated from the Black Sea, Albanians and other Greek citizens working in open-air markets or agricultural works within the territory.

⁶³ International Covenant on the Elimination of all forms of Racial Discrimination.

⁶⁴ On the integration, in the national law and order, of international conventional texts ratified and been in force.

⁶⁵ Which could threaten public health and therefore was brought under more specific provisions (of the provision in question).

- 24. The terms «Roma» and «nomads» are eliminated, while the term «itinerants» remains, since as a condition of living necessitates the provision in relation to the conditions that must be met during itinerants' organized settlement. Thus, unauthorized settlement of itinerant persons in any region without the necessary license is forbidden. Temporary settlement is also provided for - till a permanent solution is reached – upon fulfillment of the requirements set in the same provision (art.1, par.1-2 in 23641/3-7-2003).
- 25.As long as areas of organized settlement is concerned the precondition of distance in kilometers regarding settlement at inhabited areas, within the approved building plan or in relation to the adjacent houses is omitted (art. 3, A5/696/1983)
- 26. The suitable spaces, whether public, municipal or private ones, for the temporary settlement of itinerants is determined upon decision of the Secretary General of the Region following a specific proposal of the competent municipal or communal councils and a report of a Committee composed of representatives of the Central and Local Government at local level (formulation of the decision) (art. 2, par.1, in 23641/3-7-2003). An important development to the matter is the time limit (one-month) set for the submission of proposals by the competent Local Authority. Therefore, the claims of ERRC regarding immunity of Local Authorities are unfounded.
- 27. The capacity of each space regarding the number of houses and persons is defined upon decision of the SGR aiming at healthy and decent human living (art. 3, par.1 in 23641/3-7-2003).
- 28. The provision on permanent camps for the temporary settlement of itinerant persons constitutes an argument to ERRC's claims regarding violation of free movement, as it provides for conditions of permanent movement without any interrelation to nationality etc.
- 29. Another part of the complaint refers to the content of art. 3, par.3 of A5/696/25-4-1983. It concerns the exceptions⁶⁶ from the sphere of application of the above mentioned provision, which are still in force (modified sanitary provision, art. 3, par.2 and art. 2, par.3, in 23641/3-7-2003) given that: firstly, as for the sphere of application of art. 3, it concerns a general prohibition, secondly, as for art. 6, the exception to the rule in question does not result from the reference to a certain part of the population but from the validity of more specific provisions.

Summarizing all relevant data on the sanitary provision, we would like to emphasize on the following:

It is not about an interrelation between itinerants and Roma on the basis of tribe or color, but on the basis of the way of living of those residing occasionally throughout the Greek territory for reasons (mainly professional ones) that do not concern the denounced sanitary provision⁶⁷. That claim creates important issues regarding citizenship of Roma on the one hand and the object of the sanitary provision on the other hand. Regarding citizenship, any similar claim is groundless given that the Hellenic State has recognized the above-mentioned group as an integral and legal part of its population. Therefore, any claim for racial discrimination discriminates against the Hellenic State in an effort to undermine any action undertaken till now. Regarding the object of the provision in question, this is not for the purpose of the movement and the residence but for the preconditions to be

⁶⁶ Article 3: archeological sites, beaches, landscapes of natural beauty or regions that could influence public health. Otherwise, Greece would not be before its obligations for the protection of environment (e.g. Ramsar Treaty, Hellenic Constitution (art.24) etc). Article 6: organized camps supervised by the National Greek Organization, popular resorts and summer camps, which fall within the jurisdiction of special laws.

The opposite would be a violation of freedom in the movement of persons.

fulfilled for those moving and therefore for their living as well as for the protection of the spaces hosting them⁶⁸. In addition, the object of the JMD in question is the organized settlement of itinerant people. On that basis, the argument set as to the enactment of a discriminatory and segregating policy against Roma is rendered groundless.

ERRC's statement on **«a category of people with criminal twist»**, **«for which (category of people) government action is required in order to protect normal people**», given that nothing such results from the provisions in question renders the claim as such groundless. Further, it constitutes a prejudiced interpretation of the provisions in question.

The claim on the **«arbitrary application» of the sanitary provision to the Romas**' detriment, or the «arbitrary imposition of sanctions» in violation of what is provided for in the provision in question, is contradictory too since firstly, the question of the application of Law and of the decisions of the government constitute a question of internal jurisdiction of the State and of the National Authorities. The Chapman v. UK (2001) case judgment reads: "While it is for the national authorities to make the initial assessment of necessity, the final evaluation as to whether the reasons cited for the interference are relevant and sufficient remains subject to review by the Court for conformity with the requirements of the Convention..". "In this regard, a margin of appreciation must, inevitably, be left to the national authorities, who by reason of their direct and continuous contact with the vital forces of their countries are in principle better placed than an international court to evaluate local needs and conditions. This margin will vary according to the nature of the Convention right in issue, its importance for the individual and the nature of the activities restricted, as well as the nature of the aim pursued by the restrictions.". Secondly, the same provision as amended is absolutely clear regarding the intention, the bodies of application and of control of what is provided for, as well as of the sanctions in case of violation, something that make us wonder on the guarantees required by ERRC during the application of the provision. Thirdly, the imposition of sanctions does not concern Roma but the violation of the provisions. Therefore, the claim on arbitrary deprivation of the Roma by their freedom is considered unfounded as well as the speculation on who of the Roma remains in or out of the sphere of application of the regulation in question (given of the scope of application of the provision it should concern citizens, not Roma). Fourthly, the right to appeal against the decisions of Administrative Courts within the domestic law deprives the appeal on prejudiced or arbitrary application of the provision in question from any validity. Fifthly, the modification of the JMD in question offers legal support and testifies the will to safeguard citizens regarding the legality of the actions of the government.

* * *

Concluding, we would like to recall of paragraphs 98 and 99 of the Chapman v. UK case judgment: "The Court does not... accept the argument that, because statistically the number of Gypsies is greater than the number of places available on authorised Gypsy sites, the decision not to allow the applicant Gypsy family to occupy land where they wished in order to install their caravan in itself, and without more, constituted a violation.... This would be tantamount to imposing ... as on all the other Contracting States, an obligation ... to make available to the Gypsy community an adequate number of suitably equipped sites". After all, "While it is clearly desirable that every human being have a place where he or she can live in dignity and which he or she can call home, there are unfortunately in the Contracting States many persons who have no home. Whether the State provides funds to enable everyone to have a

⁶⁸ The State is obliged to protect health for all and thus not only for those moving but also for those residing already at an area where housing is going to take place.

home is a matter for political... decision" which has been witnessed already within the Hellenic Domain.

Abbreviations

Charter	European Charter of Social Rights
ERRC	European Roma Rights Center
Gn.R	General Ruling
IAP	Integrated Action Plan
JMD	Joint Ministerial Decision
LGO	Organizations of Local Government
MCC	Municipal & Communal Code
MIPAD	Ministry of Interior, Public Administration & Decentralization
OG	Official Gazette
PD	Presidential Decree
SGR	Secretary General of the Region

37

Integrated Action Plan for the social integration of Greek Roma: Best Practices

Roma in Greece constitute an integral part of the Greek population thereby they fall within the Constitution and the Laws of the State. Given of a distinguished lifestyle adopted by them they are considered by the State as a vulnerable social group entitled nevertheless, to an equal standing within the society. To this end, the society implements a number of actions to deal with the problems they are faced with, as well as to address efficiently their social and economic integration into the society.

An Integrated Action Plan is already in progress for the social integration of Greek Roma. The IAP is managed by an Inter-Ministerial Committee, upon coordination of the Minister of Interior, Public Administration & Decentralization. The primary aim of the Program is to facilitate social integration of Greek Roma and on the same time to preserve and promote their history and culture.

The IAP gathers numerous measures (which upon proposal conclude into actions implemented by a number of bodies). The actions are structured upon two priority axes depending on their nature. The first one deals with the construction of infrastructures and a housing rehabilitation policy, whereas the second one provides with services.

Taking into account that social integration for Roma is a rather complicated issue the implementation of the proposed actions is drafted in a multidimensional manner in order to facilitate a comprehensive approach of the matter. Furthermore, having realized that there is more than one actor to be activated, the IAP is addressed not only to the Roma people but also to the society that hosts them. In other words, the IAP addresses in as much the whole cultural and institutional background of the society.

The interventions undertaken address the following fields:

30.Housing

In order to deal with the housing rehabilitation issue of Roma living in shacks, huts, tents etc the IAP hosts the construction of settlements as well as the construction of infrastructures for the development of existing settlements. Among the Municipalities where Roma reside at, constructions for permanent houses have been completed or they are under construction in 53 Municipalities and a total of 1712 prefabricated houses have been delivered (in cooperation with the Ministry of Environment, Town Planning and Public Works) to about 6000 Roma (e.g. Municipalities of Didimotiho, Sofades, Serres, Menemeni, Exedoros, Agrinio Nafpaktos, Tyxero, Chrisoupoli, Mytilene, Parelion, Trikkaion etc). More prefabricated houses are going to be delivered in areas where the construction of infrastructures is processed or upon finalization.

Since 1997 the Ministry of Interior, Public Administration & Decentralization has funded Organizations of Local Government with a total of 29,4 million euros on development infrastructures for the improvement of existing settlements; the construction of infrastructure networks; the construction of playgrounds; the acquisition of land for constructing new settlements; and for financing supplementary interventions.

The IAP is currently focusing on Municipalities with aggregated living conditions in order to assist local authorities at facilitating effectively Roma rehabilitation issues. For example we refer to the relocation of the temporary Roma settlement in Mesologgi; to the construction of development infrastructures in the settlements of Evosmos; to the construction of a new settlement in Nea Ionia Magnisias; to the housing rehabilitation and improvement of the living conditions of the Roma in Komotini (Alan Koyu area).

On the same time housing rehabilitation is processed throughout the Country on the basis of the housing loans program directed by the MIPAD according to which 9.000 housing loans of 60.000 euro each are being granted to Greek Roma. The loans are guaranteed by the Greek State at the total of the amount whereas the borrowers are subsidized by the State on 80% of

the loan interest. Successful applicants are entitled to buy a house; to purchase tracts of land and construct a house; to conclude with the construction of a house or even - upon their own initiative - to engage in programs of organized housing held by Local Authorities or other bodies. In cases where Local Authorities are engaged in organized housing (bestowal of use or possession title upon purchase of tracts of land) the competent LGO is obliged to construct houses of a minimum of 85 m² each.

31.Education – Training

The primary aim under this field of the IAP is the acceleration of Roma school attendance in elementary and higher education.

During 1998 to 2001 an education program was implemented in 30 regions of the Country where Roma resided. The program supported the following actions:

32. Training of 3.100 teachers with special focus on Romas' culture,

33.Issue of special teaching material,

34. Assistance to Roma children to enable them to follow the normal curriculum,

35.Development of intensive courses to bridge educational gaps,

36.Awareness of local authorities and the society in general.

Since 2002, the program was further enriched and developed to enable participation of adults too. In cooperation with the University of Ioannina the Program expanded in application to all regions hosting Roma people.

37.**Health**

From 1997 to 2001, the Ministry of Health and Social Solidarity in cooperation with the Prefectures hosting Roma within their territory and with non-governmental organizations administered vaccinations in the Roma encampments. Ever since the establishment of the IAP (2002) an intervention plan is implemented on public health, preventive medicine and vaccination.

Precisely, since August 2002, the Ministry of Health and Social Solidarity along with the Special Infections Center, the Children's Hospital "Aglaia Kyriakou", the Greek Child-Medicine Company and the Regional Care Systems implements a Program on "Health Protection and Promotion and Social Integration of Greek Roma". The Program holds 2 mobile medical units composed by medical stuff which provide Roma people with clinical tests on preventive medicine (such as PAP test etc) and administer visits to their settlements. The Program serves for the management of vaccinations, prescription for physical and blood tests for children and adults, induction of abandoned and disabled children in institutions of social care; daily care centers; and institutions for disabled. In September 2003 a gynecological mobile medical unit was added in the Program too, to facilitate tests on preventive gynecology (such as the PAP test). Since October 2004 the Program was joined by the Greek Center on First Aid and Care in terms of social officers and psychologists.

Till today the mobile medical units have registered 53 medical visits to Roma settlements and pursued clinical tests onto 3.936 children and on 370 adults as well as 16.580 multiple; hepatitis; and blood vaccinations. On October 6th 2004 medical care was assisted to the "Psari" settlement in Aspropyrgos. In particularly, children vaccination and socio-psychological assistance were held (by the GCFAC and the competent Health Authorities) as well as services of humanitarian aid.

Additionally, priority is given to the construction of socio-medical centers in the IAP housing intervention areas. Till now, 12 socio medical centers have been approved and subsumed in the Regional Operational Programs. These address to Roma people residing at organized, permanent settlements and they provide them with prevention services, services on elementary medical and social care, facilitation of Roma access to the National Medical Care

System, their familiarization with the Public Authorities and services and their social integration. In 2003, the Ministry of Interior, Public Administration and Decentralization administered a Program on Medical Health Care in the Municipalities of Chalkideon, Thiveon and Komotinis.

38.Employment

Under this field priority is given to the acquisition of the Greek language, to the promotion of business dexterity and to social integration.

Within 1997-2001, 100 training-employment programs were implemented along with the necessary supportive actions. It is estimated that the beneficiaries amount to 1.800 people. Furthermore, a number of projects are undertaken within the framework of the Sectoral Operational Program (3rd CFS) on Employment and Training as well as within the Regional Operational Programs (3rd CFS). These projects consist of integrated interventions aiming at vulnerable groups of the society and particularly at the acquisition of the Greek language (pre-training), at unemployed' overall training (mainstreaming), at subsidiary assistance services, at subsidization of vacancies and of new businessmen. Additionally, a number of projects are upheld within the context of the "Equal" Community Initiative which targets at all vulnerable groups of the society, thus at Roma people too. The overall aim is the elimination of racism, the encouragement and promotion of Roma business-ship as well as people's acknowledgment. Up-to-date actions focusing on Roma in particular are implemented under the first cycle of the "Equal" Community Initiative. Under the 2nd cycle of the Initiative the MIPAD is now processing a proposal submission in cooperation with other bodies too. The proposal lies within measure 1.2 of the Initiative and the subject matter is the fighting against racism and xenophobia in the labor market.

39.Support Centers for Roma and Roma children

There are consultation centers in 11 Municipalities (Agia Varvara, Ilio, Menemeni, Sofades, Karditsa, Examilia Korinthias, Nea Ionia, Volos, Etoliko, Serres, Aharnes, e.t.c) that provide services on matters of education employment, health, housing, civic status. In the frame of the new planning more regions will have similar Support Centers.

40.Culture

The principal aim is the protection and the promotion of the cultural heritage of Roma. The Contemporary Cultural Heritage Directorate of the Ministry of Culture holds special intercultural programs for Greek Roma. An inter-cultural workshop has been created by the Greek Museum on Popular Organs and the Greek Folk Art Museum in the Municipality of Ilion in Attica where special educational programs are implemented on traditional music, productive creativity, theater and dancing for Roma aged from 6 to 16 years old. The workshop has also published greetings cards, calendars and a Roma "cultural-box" targeting at school children aged from 10 to 12 years old (since 1999 the children benefited are estimated to 35-40 per year).

During Summer 2003, the Ministry of Culture operated a number of educational programs and conducted tours (the beneficiaries are estimated to 2.300 people). It also issued theater tickets for Roma associations (the beneficiaries are estimated to 1.300 people). In cooperation with the photography department of the Athenian Technological Education Institute, the Ministry of Culture established a photo database on Roma life.

Four photography workshops were established by the Conjectural Department of the Ministry of Culture. The workshops operate in the Municipality of Agia Varvara in Attica and are to promote Roma children's education in photography. Photography expositions were organized by all workshops (10-12 beneficiaries per year for four yeras).

The establishment of 40 culture houses has been subsumed to the 3rd Community Support Frame (General Directorate of Museums Erection and Technical Projects - Ministry of Culture). Each culture home consists of two structures: a space for children and young people creativity and a meeting place for adults. These spaces will constitute the basis for cultural activities, musical workshops, photography workshops, visits to museums and other activities. The culture houses are financed by the MIPAD on the basis of prefabricated houses. The construction of the necessary infrastructures is already financed for 22 Organizations of Local Government.

41.Sports

The aim of this field is the participation of all Roma children and adults at sports activities on equal terms with other citizens. The General Sports Secretariat in cooperation with Local Authorities has been implementing programs of mass sports activities (20 during 1999 and 30 during 2000).

Within the IAP framework, from 2002 to 2003 the General Sports Secretariat organized 74 sports activities in 15 prefectures of the Country. On the same time, in collaboration with the Local Authorities and Olympic Champions, special athletic interventions are implemented too on the basis of an Athletic Center in the "Avliza" residential area in the Aharnon Municipality.

* * *

The interventions undertaken within the IAP framework are strongly considered to have improved the overall living of the Roma residing at the Greek territory. They have also managed at activating all bodies engaged in the integration process of the Roma people into the Greek society. Therefore, the IAP and its interventions are well perceived as an effective policy measure serving for the social policy established towards the Roma population and culture. However, it should be stressed out that the elimination of social exclusion and thus the social integration of the Roma people depends in as much on the particular features of this group of the Greek population. To this end, the MIPAD focuses its interest in a number of matters regarding Roma's daily life and practice, as well as their lifestyle in order to proceed to the effective and efficient integration of these people into the society hosting them. The MIPAD and the co-responsible Authorities are thus looking over on the possibility of further simplifying the administrative practice regarding Romas' daily life by applying for example alternative procedures for the issue of driving license to uneducated Roma.

HOUSING LOANS PROGRAM: APPLICATIONS RECEIVED per ORGANIZATION OF LOCAL GOVERNMENT (2002 TILL TODAY)							
REGION			1.00	Applications Received	Successful Applications		
REGION Eastern	PREFECTURE	NA.	LGO				
Macedonia & Thrace	Evros	Έβρου & Ροδόπης	Alexandroupoli	67	62		
Eastern Macedonia & Thrace	Evros	Έβρου & Ροδόπης	Didimoticho	267	13		
Eastern Macedonia & Thrace	Evros	Έβρου & Ροδόπης	Kiprinou	1	0		
Eastern Macedonia & Thrace	Evros	Έβρου & Ροδόπης	Metaxadon	108	40		
Eastern Macedonia & Thrace	Evros	Έβρου & Ροδόπης	Orestiadas	121	106		
Eastern Macedonia & Thrace	Evros	Έβρου & Ροδόπης	Orfea	109	34		
Eastern Macedonia & Thrace	Evros	Έβρου & Ροδόπης	Soufliou	30	17		
Eastern Macedonia & Thrace	Evros	Έβρου & Ροδόπης	Feron	38	9		
Eastern Macedonia & Thrace	Rodopis	Έβρου & Ροδόπης	Egirou	105	82		
Eastern Macedonia & Thrace	Rodopis	Έβρου & Ροδόπης	lasmou	5	4		
Eastern Macedonia & Thrace	Rodopis	Έβρου & Ροδόπης	Komotinis	124	41		
Eastern Macedonia & Thrace	Rodopis	Έβρου & Ροδόπης	Maronias	2	1		

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Eastern					
Macedonia &		Έβρου &			
Thrace	Rodopis	Ροδόπης	Sapon	1	0
Eastern Macedonia & Thrace	Rodopis	Έβρου & Ροδόπης	Sostou	1	0
Eastern					
Macedonia & Thrace	Rodopis	Έβρου & Ροδόπης	Filiras	65	18
Eastern Macedonia & Thrace	Dramas	Δράμας, Καβάλας & Ξάμθης	Prosotsanis	1	0
Eastern Macedonia & Thrace	Dramas	Δράμας, Καβάλας & Ξάμθης	Dramas	105	47
Eastern Macedonia & Thrace	Kavalas	Δράμας, Καβάλας & Ξάμθης	Chrisoupolis	106	24
Eastern Macedonia & Thrace	Kavalas	Δράμας, Καβάλας & Ξάμθης	Kavalas	6	1
Eastern Macedonia & Thrace	Kavalas	Δράμας, Καβάλας & Ξάμθης	Keramotis	120	27
Eastern Macedonia & Thrace	Kavalas	Δράμας, Καβάλας & Ξάμθης	Fillipon	11	6
Eastern Macedonia & Thrace	Xanthis	Δράμας, Καβάλας & Ξάμθης	Vistonidas	73	12
Eastern Macedonia & Thrace	Xanthis	Δράμας, Καβάλας & Ξάμθης	Xanthis	419	120
Eastern Macedonia & Thrace	Xanthis	Δράμας, Καβάλας & Ξάμθης	Topirou	140	25
Subtotal of Eastern Macedonia &					
Thrace				2025	689
Attica	Attica	Αθηνών - Πειραιώς	Agias Varvaras	882	335
Attica	Attica	Αθηνών - Πειραιώς	Agias Paraskevis	3	0
Attica	Attica	Αθηνών - Πειραιώς	Agiou Dimitriou	2	0

Attica	Attica	Αθηνών - Πειραιώς	Agiou Ioanni Renti	15	2
		Αθηνών -	Agion		L
Attica	Attica	Πειραιώς	Anargiron	10	0
		Αθηνών -			
Attica	Attica	Πειραιώς	Athenian	70	1
		Αθηνών -			10
Attica	Attica	Πειραιώς	Egaleo	38	19
Attica	Attica	Αθηνών -	Amarousiou	35	0
Allica	Allica	Πειραιώς Αθηνών -	Amarousiou	30	0
Attica	Attica	Αθηνων - Πειραιώς	Drapetsonas	34	8
711100		Αθηνών -			0
Attica	Attica	Πειραιώς	Heraclion	2	0
		Αθηνών -			
Attica	Attica	Πειραιώς	Iliou	189	56
		Αθηνών -			
Attica	Attica	Πειραιώς	Kallithea	4	0
		Αθηνών -			
Attica	Attica	Πειραιώς	Kamaterou	82	35
		Αθηνών -			
Attica	Attica	Πειραιώς	Keratsiniou	14	4
Attice	A ##ia.a	Αθηνών -	Karidallau	22	10
Attica	Attica	Πειραιώς	Koridallou	23	19
Attica	Attica	Αθηνών - Πειραιώς	Likovrisis	2	0
Λιίοα		Αθηνών -	LIKOVIISIS		0
Attica	Attica	Πειραιώς	Neas Ionias	1	0
		Αθηνών -	Neas		
Attica	Attica	Πειραιώς	Chalkidonas	1	0
		Αθηνών -			
Attica	Attica	Πειραιώς	Nikaias	12	2
		Αθηνών -			
Attica	Attica	Πειραιώς	P. Falirou	3	1
		Αθηνών -			_
Attica	Attica	Πειραιώς	Pireaus	6	4
A 44'	0.445	Αθηνών -	Denemo	_	0
Attica	Attica	Πειραιώς	Perama	5	3
Attica	Attica	Αθηνών - Πειραιώς	Peristeri	85	7
		Αθηνών -		00	1
Attica	Attica	Πειραιώς	Petroupoli	26	8
		Αθηνών -			
Attica	Attica	Πειραιώς	Salamina	28	6
Attica	Attica	Αθηνών -	Tavrou	8	2

		Πειραιώς			
		Αθηνών -			
Attica	Attica	Πειραιώς	Chalandriou	55	2
		Αθηνών -			
Attica	Attica	Πειραιώς	Cholargou	1	1
•		Ανατολικής			
Attica	Attica	Αττικής	Anavissou	3	0
A #1:	A#:	Ανατολικής	A	244	107
Attica	Attica	Αττικής	Axarnon	314	107
Attica	Attica	Ανατολικής Αττικής	Geraka	10	0
		Ανατολικής	Kalivia-	10	0
Attica	Attica	Αττικής	Thorikou	2	0
		Ανατολικής		£	0
Attica	Attica	Αττικής	Paianias	1	0
		Ανατολικής		· · · ·	
Attica	Attica	Αττικής	Rafinas	1	0
		Ανατολικής		Í	
Attica	Attica	Αττικής	Spata	2	0
Attica	Attica	Δυτικής Αττικής	Ano Liosion	358	136
Attica	Attica	Δυτικής Αττικής	Aspopirgou	69	11
Attica	Attica	Δυτικής Αττικής	Eleusinas	33	6
Attica	Attica	Δυτικής Αττικής	Zefiriou	342	159
Attica	Attica	Δυτικής Αττικής	Mandra	14	4
Attica	Attica	Δυτικής Αττικής	Megara	156	62
Quilitatel of					
Subtotal of Attica				2941	1000
Northern					
Aegean	Chios	Χίου	Omiroupoli	1	0
Northern					
Aegean	Chios	Χίου	Chiou	3	0
Northern					-
Aegean	Samos	Σάμου	Karlovasion	3	0
Northern		Δέσθου	Coroo	3	0
Aegean	Lesvos	Λέσβου	Geras	3	0
Northern Aegean	Lesvos	Λέσβου	Mitylene	4	2
Aegean	Lesvos				2
Subtotal of					
N. Aegean				14	2
Western					
Greece	Etoloakarnania	Αιτωλοακαρνανίας	Agrinio	333	107
Western			Eta lilua	400	
Greece	∣⊨toioakarnania	Αιτωλοακαρνανίας	μετοιικο	109	41

Western					
Greece	Etoloakarnania	Αιτωλοακαρνανίας	Anaktoriou	6	0
Western					
Greece	Etoloakarnania	Αιτωλοακαρνανίας	Antiriou	11	4
Western					
Greece	Etoloakarnania	Αιτωλοακαρνανίας	Astakou	1	0
Western				100	0.4
Greece	Etoloakamania	Αιτωλοακαρνανίας	iviesologiou	180	84
Western	Etalaakamania		Nounalitau	53	7
Greece	Eloioakamama	Αιτωλοακαρνανίας	Ναυρακιου	53	7
Western	Etolookarpania	Αιτωλοακαρνανίας	Iniadan	34	8
Greece		Απωλοακαρνανίας	Iniadon	34	0
Western Greece	Etoloakarnania	Αιτωλοακαρνανίας	Fition	1	0
Western		Πωλοακαρνανίας			0
Greece	Etoloakarnania	Αιτωλοακαρνανίας	Chalkias	1	0
Western					0
Greece	Achaias	Αχαϊας	Egiou	71	30
Western					
Greece	Achaias	Αχαϊας	Vraxneikon	47	28
Western					
Greece	Achaias	Αχαϊας	Diakoptou	7	1
Western			· · ·		
Greece	Achaias	Αχαϊας	Dimis	405	52
Western				ĺ	
Greece	Achaias	Αχαϊας	Larissou	5	2
Western					
Greece	Achaias	Αχαϊας	Movri	83	16
Western					
Greece	Achaias	Αχαϊας	Paralia	31	5
Western					
Greece	Achaias	Αχαϊας	Patras	340	44
Western					
Greece	Achaias	Αχαϊας	Riou	28	5
Western					
Greece	Achaias	Αχαϊας	Simpolitias	35	17
Western		A			-
Greece	Achaias	Αχαϊας	Farron	26	2
Western	Ashaica		Olonias		0
Greece	Achaias	Αχαϊας	Olenias	3	0
Western	llice	L) cíac	Alifiraa		0
Greece	llias	Ηλείας	Alifiras	1	0
Western Greece	llias	Ηλείας	Amaliadas	375	86
-		-			
Western	llias	Ηλείας	Andravidas	16	5

Western					
Greece	llias	Ηλείας	Vartholomiou	3	0
Western					
Greece	llias	Ηλείας	Vouprasias	2	0
Western					
Greece	llias	Ηλείας	Gastounis	110	91
Western	lling		Zacharaa		4
Greece	llias	Ηλείας	Zacharos	4	1
Western Greece	llias	Ηλείας	lardanou	5	4
Western				5	T
Greece	Ilias	Ηλείας	Kastou Kilinis	4	0
Western					
Greece	Ilias	Ηλείας	Pirgou	235	50
Western					
Greece	llias	Ηλείας	Skilountos	1	0
Western					
Greece	Ilias	Ηλείας	Traganou	27	12
Subtotal of					
West. Greece				2593	702
Western	-			2595	/ 02
Macedonia	Florinas	Φλώρινας	Florinas	111	81
Western					
Macedonia	Kastorias	Καστοριάς	Kastoria	1	0
Western					
Macedonia	Kozanis	Κοζάνης	Ptolemaida	3	0
Subtotal of					
West.				445	04
Macedonia	A -1		A -1	115	81
Epirous	Artas	Άρτας	Artas	10	3
Epirous	loanninon	Ιωαννίνων	loanninon	6	2
Epirous	loanninon	Ιωαννίνων	Peramatos	1	0
Epirous	Thesprotias	Θεσπρωτίας	Igoumenitsas	14	0
Epirous	Prevezas	Πρέβεζας	Zalogou	1	0
Epirous	Prevezas	Πρέβεζας	Prevezas	7	0
Epirous	Prevezas	Πρέβεζας	Filipiadas	13	0
Epirous	Prevezas	Πρέβεζας	Lourou	3	1
Subtotal of					
Epirous				55	6
Thessaly	Larisas	Λαρίσης	Larisas	283	157
Thessaly	Larisas	Λαρίσης	Giannoulis	5	0
Thessaly	Larisas	Λαρίσης	Farsalon	117	25

Greece

Thessaly	Larisas	Λαρίσης	Tirnavou	262	24
Thessaly	Magnisias	Μαγνησίας	Volou	210	95
Thessaly	Magnisias	Μαγνησίας	N. Ionias	423	181
Thessaly	Karditsas	Καρδίτσας	Karditsas	133	80
Thessaly	Karditsas	Καρδίτσας	Mitropolis	1	0
Thessaly	Karditsas	Καρδίτσας	Sofadon	343	95
Thessaly	Trikalon	Τρικάλων	Trikkeon	242	173
Subtotal of Thessaly				2019	830
Ionian Islands	Zakinthou	Ζακύνθου	Alikon	4	0
Ionian Islands	Zakinthou	Ζακύνθου	Arkadion	3	1
Ionian Islands	Zakinthou	Ζακύνθου	Artemision	1	0
Ionian Islands	Zakinthou	Ζακύνθου	Zakinthou	1	0
Ionian Islands	Corfu	Κέρκυρας	Achilion	12	1
Ionian Islands	Corfu	Κέρκυρας	Melitieon	2	0
Ionian Islands	Corfu	Κέρκυρας	Parelion	29	6
Ionian Islands	Ceffalonia	Κεφαλληνίας	Argostoliou	32	8
Ionian Islands	Ceffalonia	Κεφαλληνίας	Ithakis	1	1
Ionian Islands	Ceffalonia	Κεφαλληνίας	Palikis	5	1
Ionian Islands	Leukadas	Λευκάδας	Ellomenou	6	0
Subtotal of Ionian Islands				96	18
Central Macedonia	Imathias	Ημαθίας	Alexandrias	181	23
Central Macedonia	Imathias	Ημαθίας	Antigonidon	10	0
Central					
Macedonia	Imathias	Ημαθίας	Ap. Paulou	22	
Central	Imathias Imathias	Ημαθίας Ημαθίας	Ap. Paulou Verias	22 105	0
Central Macedonia Central					0 22
Central Macedonia Central Macedonia Central	Imathias	Ημαθίας	Verias	105	0 22 3
Central Macedonia Central Macedonia Central Macedonia Central	Imathias Imathias	Ημαθίας Ημαθίας	Verias Plateos Agiou	105 19	0 22 3 0
Central Macedonia Central Macedonia Central Macedonia Central Macedonia Central	Imathias Imathias Thessalonica	Ημαθίας Ημαθίας Θεσ/κης	Verias Plateos Agiou Georgiou	105 19 1	0 22 3 0
Macedonia Central Macedonia Central Macedonia Central Macedonia Central Macedonia Central Macedonia Central Macedonia	Imathias Imathias Thessalonica Thessalonica	Ημαθίας Ημαθίας Θεσ/κης Θεσ/κης	Verias Plateos Agiou Georgiou Ag. Paulou	105 19 1 1	0 22 3 0 0 0 40

Central Macedonia	Thessalonica	Θεσ/κης	El. Kordeliou	27	1
Central Macedonia	Thessalonica	Θεσ/κης	Epanomis	1	0
Central Macedonia	Thessalonica	Θεσ/κης	Evosmou	46	10
Central Macedonia	Thessalonica	Θεσ/κης	Echedorou	196	110
Central Macedonia	Thessalonica	Θεσ/κης	Thessalonica	13	0
Central Macedonia	Thessalonica	Θεσ/κης	Kalamarias	7	0
Central Macedonia	Thessalonica	Θεσ/κης	Kallikratias	1	0
Central Macedonia	Thessalonica	Θεσ/κης	Koufalion	1	0
Central Macedonia	Thessalonica	Θεσ/κης	Menemenis	697	378
Central Macedonia	Thessalonica	Θεσ/κης	Neapolis	1	0
Central Macedonia	Thessalonica	Θεσ/κης	Chalastras	1	0
Central Macedonia	Thessalonica	Θεσ/κης	Chortiati	1	0
Central Macedonia	Thessalonica	Θεσ/κης	Stavroupolis	2	0
Central Macedonia	Thessalonica	Θεσ/κης	Sikeon	2	0
Central Macedonia	Thessalonica	Θεσ/κης	Pileas	2	1
Central Macedonia	Pellas	Πέλλας	Arideas	1	0
Central Macedonia	Pellas	Πέλλας	Giannitson	29	0
Central Macedonia	Pellas	Πέλλας	Kyrou	1	0
Central Macedonia	Pellas	Πέλλας	M. Alexandrou	8	0
Central Macedonia	Pellas	Πέλλας	Edessas	1	0
Central Macedonia	Pellas	Πέλλας	Skydras	78	12
Central Macedonia	Pellas	Πέλλας	Kria Vrisi	11	0
Central	Pellas	Πέλλας	Meniidos	4	0

Macedonia					
Central					_
Macedonia	Pierias	Πιερίας	Katerinis	42	0
Central Macedonia	Pierias	Πιερίας	Korinou	6	1
Central Macedonia	Pierias	Πιερίας	Paralias	5	0
Central Macedonia	Serron	Σερρών	Kerkinis	4	1
Central Macedonia	Serron	Σερρών	Iraklias	380	52
Central Macedonia	Serron	Σερρών	Nigritas	1	0
Central Macedonia	Serron	Σερρών	Serron	314	178
Central Macedonia	Serron	Σερρών	Tragilou	38	0
Subtotal of Central Macedonia				2339	832
Crete	Heraklion	Ηρακλείου	Heraclion	72	16
			N.		
Crete	Heraklion	Ηρακλείου	Alikarnassou	109	62
Crete	Lasithiou	Λασιθίου	Ag. Nikolaou	2	0
Crete	Chanion	Χανίων	El. Venizelou	26	8
Crete	Chanion	Χανίων	Soudas	4	2
Crete	Chanion	Χανίων	Chanion	17	3
Subtotal of Crete				230	91
Southern Aegean	Dodecanese	Δωδεκαννήσου	Kalimnion	1	0
Southern Aegean	Dodecanese	Δωδεκαννήσου	Kos	3	0
Southern Aegean	Dodecanese	Δωδεκαννήσου	Archagelou	3	1
Southern Aegean	Dodecanese	Δωδεκαννήσου	Rhodes	26	1
Southern Aegean	Dodecanese	Δωδεκαννήσου	Petaloudon	15	0
Southern Aegean	Cyclades	Κυκλάδων	Thiras	1	1
Subtotal of					

Argous

Αργολίδας

S. Aegean

Peloponnese Argolidas

3 56

49 145

Peloponnese	Argolidas	Αργολίδας	Mideas	51	21
Peloponnese	Argolidas	Αργολίδας	Nafpliou	67	27
Peloponnese	Argolidas	Αργολίδας	Neas Kiou	17	8
· · · · · · · · · · · · · · · · · · ·	Argolidas	Αργολίδας	Neas Tirinthas	23	10
Peloponnese	Argolidas	Αργολίδας	Trizinas	1	0
Peloponnese	Arkadias	Αρκαδίας	Tegeas	7	0
Peloponnese	Arkadias	Αρκαδίας	Tripolis	83	31
Peloponnese	Korinthias	Κορινθίας	Assos Lecheou	4	1
Peloponnese	Korinthias	Κορινθίας	Voxa	213	106
Peloponnese	Korinthias	Κορινθίας	Velou	28	9
Peloponnese	Korinthias	Κορινθίας	Korinthias	104	35
Peloponnese	Korinthias	Κορινθίας	Xilokastrou	52	23
Peloponnese	Korinthias	Κορινθίας	Sikionion	8	0
Peloponnese	Laconias	Λακωνίας	Voion	1	1
Peloponnese	Laconias	Λακωνίας	Skalas	15	2
Peloponnese	Laconias	Λακωνίας	Sparte	101	25
Peloponnese	Messinias	Μεσσηνίας	Arios	16	10
Peloponnese	Messinias	Μεσσηνίας	Gargalianon	4	0
Peloponnese	Messinias	Μεσσηνίας	Thourias	4	0
Peloponnese	Messinias	Μεσσηνίας	Kalamatas	38	13
Peloponnese	Messinias	Μεσσηνίας	Meligala	17	2
Peloponnese	Messinias	Μεσσηνίας	Messinis	193	37
Peloponnese	Messinias	Μεσσηνίας	Filiatron	11	2
Subtotal of					
Peloponnese				1203	419
Sterea Ellada		Βοιωτίας	Thiveon	99	34
Sterea Ellada	Viotias	Βοιωτίας	Levadeon	33	7
Sterea Ellada	Viotias	Βοιωτίας	Orchomenou	96	17
Sterea Ellada	Viotias	Βοιωτίας	Messapion	22	5
Sterea Ellada	Fthiotidas	Φθιώτιδας	Atalantis	24	0
Sterea Ellada	Fthiotidas	Φθιώτιδας	Elatias	1	0
Sterea Ellada	Fthiotidas	Φθιώτιδας	Lamieon	80	57
Sterea Ellada	Fthiotidas	Φθιώτιδας	Xiniados	1	0
Sterea Ellada	Fokidas	Φωκίδας	Amfissas	51	0
Sterea Ellada	Evias	Εύβοιας	Istieas	17	0
Sterea Ellada	Evias	Εύβοιας	Chalkideon	48	4
Sterea Ellada	Evias	Εύβοιας	Eretrias	3	0
Subtotal of Sterea Ellada				475	124

Total of			
Greece		14154	4797

	ROMA SETTLEMENTS PER REGION								
	PREF	ABRICATED HOU	SES	WITHIN THE IAP					
REGION	Permanent	Prefabricated	Teaching	Prefabricated	Teaching				
	Houses	Houses	Rooms	Houses	Rooms				
EASTERN MACEDONIA & THRACE	54	189	0	38	0				
CENTRAL MACEDONIA	49	334	13	155	1				
WESTERN MACEDONIA	0	2	0	0	0				
EPIROUS	0	10	1	0	0				
THESSALIA	84	372	8	50	6				
IONIA ISLANDS	0	55	0	23	0				
WESTERN GREECE	0	455	1	86	8				
STEREAS ELLADAS	0	94	2	100	3				
ATTICA	0	140	3	31	3				
PELOPONNESE	0	13	10	243	10				
NORTHERN AEGEAN	0	30	0	0	0				
SOUTHERN AEGEAN	0	0	0	30	2				
TOTAL	187	1694	38	756	33				

MUNICIPALITY	SOCIOMEDICAL CENTRE	VISITS OF MOBILE UNITS	SOCIAL SUPPORTIVE SERVICES
	PREFECTURE OF EAS	STERN MACEDONIA-THE	RACE
DIDIMOTICHO	*	19-20/4/03	
ORESTIADA	*		
ALEXANDROUPOLI	*	20/04/03	
KOMOTINI	*	21/04/03	
AEGIROS SAPPES	*	22/04/03	
XANTHI	*		
	PREFECTURE OF	F_CENTRAL MACEDONIA	
THESSALONIKI		22/01/04	*
		23/01/04 24/01/04	*
KORDELIO EVOSMOS		1 - 1 -	*
CHALASTRA AXIOS		25/01/04	-1-
SERRES DRAMMA		25/01/04	*
SERRES DRAMMA			
	PREFECTU	RE OF MACEDONIA	
FLORINA		10/12/04	
	PREFECTURI	E OF SOUTH AEGEAN	
RODES		16-17/6/03	
	PREFECTURE	E OF NORTH AEGEAN	
MITILINI			
	DDEEEC	TURE OF CRETE	
ALIKARNASSOS	*	01/03/03	*
ALINANIASSOS		01/05/05	
	PREFECTURE	OF WESTERN GREECE	
AGRINIO	*	29/01/04	*
AETOLIKO		29/01/04	*
MESSOLOGI		30/01/04	
DEDVENAKA		19-20/12/03	
KONITSA		21/12/03	
PATRAS			
(RIGANOKAMPOS-			
MAKRIGIANI-			
VRACHNEIKA)		5-6/4/03	*
PATRAS LEFKA		01/02/04	
DIMI MOVRI			
RODODAFNI		07/06/03	
BARDA			
ANDRAVIDA			
GASTOUNI			
PIRGOS		08/06/04	
AMALIADA		17-18-19/7/03	*
	PREFECTUR	E OF PELOPONESSE	
		24/5/2003	
SPARTI SKALA		21/9/03	
KALAMATA		25/05/03	*
MESSINI		26/05/03	*
TRIPOLI		19-20/9/03	ጥ