

**EUROPEAN COMMITTEE OF SOCIAL RIGHTS  
COMITE EUROPEEN DES DROITS SOCIAUX**



2 June 2003

**Collective Complaint No. 15/2003  
European Roma Rights Center v. Greece**

**Case Document No. 2**

**OBSERVATIONS FROM THE GREEK GOVERNMENT  
ON THE ADMISSIBILITY**

**registered at the Secretariat on 28 May 2003**



## **OBSERVATIONS OF THE GREEK GOVERNMENT ON THE ADMISSIBILITY OF COLLECTIVE COMPLAINT 15/2003**

In conformity with article 6 of the Additional protocol to the European Social Charter providing for a system of collective complaints and Rule 26 para 1 of the Rules of Procedure of the European Committee of Social Rights, we submit our observations on the admissibility of the collective complaint N° 15/2003 submitted against Greece by the international NGO "European Center for the Rights of Roma" for violation of Article of the European Social Charter.

The Greek government asks that the said complaint be found INADMISSIBLE on the following grounds:

No information has been sent to the Greek Government in order to prove that the complaint has been signed by a person who has competence to represent the above organization. This condition is set in Rule 20 of the Rules of Procedure of the ECSR, stipulating that: 3 complaints shall be signed by the person(s) with the competence to represent the complaint organization. The Committee decides on any questions concerning this matter.

In addition, we would like to note that there exists a series of relevant measures taken by the Greek Government on which we shall expand fully during a possible examination of the merits of this complaint. More particularly, please note the following:

The extent and the type of the immediate needs and problems of the Greek Roma have been noted and assessed by the Greek State. The treatment of such problems and needs has been placed in the frame of a total plan of action called 'Integrated Action Plan (IAP) for the social integration of Greek Roma. The plan is currently implemented and the Ministry of Interior, Public Administration and Decentralisation has the responsibility of coordination. The objective of the afore-mentioned operational program which is processed by the Greek State on the basis of the principle of the protection of the fundamental rights of this particularly vulnerable social group of the Greek population, is the full safeguard of the equality of the Greek Roma in the society, through the confrontation of each phenomenon of their social exclusion.

The rights of the Roma are the rights of Greek citizens that are under the guarantee of various International Conventions respecting human rights signed by our country. Apart from other interventions realized in the area of health and Social Security, education and further education, employment and training, culture and sports, housing constitutes one of the basic problems that the Roma face. For the resolution of the housing issue, the biggest possible effort is made within the frame of the IAP.

Substantial ameliorative interventions have already taken place in existing settlements of Roam that are located in suitable grounds and new settlements have been created, the location of which, has been chosen on the basis of their proximity to the existing residential urban web, so as to avoid the creation of isolated settlements and

phenomena of ghettoization, phenomena that are alien to the official policy of our country.

The new settlements have been organized on the basis of residential housing models and meet the basic conditions of appropriateness (adjacency with basic networks of infrastructure, short access to services and employment).

Moreover, a process of granting of housing loans (60000 € for each beneficiary family) on favorable terms and under the guarantee of Greek state, has been initiated. Without doubt, the attitude of local authorities in the comprehension of issues that concern the Roma is particularly decisive for the establishment of relations of collaboration for the promotion of measures that will improve the living conditions of the Roma.

The majority of local authorities make efforts for the strengthening of an established climate of recognition and protection of the rights of Roma. The state financing, in the frame of the IAP, assists the local self-government in the implementation of particular actions that lead to positive results contributing to the smooth social integration of Roma. Through the coordinated action of a big number of government institutions and local authorities, it is sought to tackle in a single manner, the problems of the Greek Roma in their entirety and to sensitize the local societies towards the respect of the social and cultural particularities of the Greek Roma.

B The Ministry of Health and Welfare, in the frame of its competences and aiming at the improvement of the living conditions of the Greek Roma, implements a program for the creation of fifty Sociomedical Centres in organized populations of Roma (settlements). Each Sociomedical Center is staffed by a doctor, nurse, social worker, sports trainer and a special pedagogic specialist, while prevention services of basic first-degree health care and first-degree social care are provided.

Facilitation of the access of the Greek Roma to the National Health System, familiarization with the public services and social integration are also ensured. Up to today, there have been programmed 29 Sociomedical Centers announced in phase A in settlements where residential interventions have taken place (in accordance with the data provided by the Ministry of Interior, Public Administration and Decentralisation). The remaining Sociomedical Centers in which no residential intervention has taken place will be announced in Phase B.

The responsibility for the creation of residential intervention in organized settlements of Greek Roma lies with the Ministry of Interior, Public Administration and Decentralisation and the Ministry of Environment, Land Planning and Public Works. Moreover, we note that the Ministry of Health and Welfare has moved to the conclusion of a Programmatic Agreement with the Greek Pediatric Society and all the Regional Systems of health and Welfare of the country for the promotion of a program under the title 'Protection – promotion of health and Social Integration of Greek Roma' through the visits of two mobile units in moving populations of Roma, aiming at the social and medical intervention.

With regard to the program of social integration of Roma, the repatriated also other minorities in Greece, the amendment of No of A5/696/25-4-83 Health Provision on the organized settlement of wandering nomads is found at the final stage. From the

contested health provision, the controversial points on which the complaint is based have been removed aiming at the avoidance of the isolation and the segregation of Roma from the remaining population, as well as the resolution of the problem of uncontrolled settlement of wandering nomads and the contribution of its application to the protection of public health. At the same time, an integrated action plan is to be implemented with regard to the integration in the society of Roma and other minorities.

## C

Ca) The competence for the granting of settlement licenses to wandering nomads (para 2 of A5/696/25-4-83 Health Provision) has been transferred by virtue of article 2 of the Act 2647 /1998 (OFFICIAL JOURNAL OF THE HELLENIC REPUBLIC Issue 237A') to Local Self Government Organizations of 2<sup>nd</sup> Degree (Prefectural Self Governments”).

Cb) The competence for the application of provisions concerning the areas of settlement of wandering nomads (Health Provision A.5/696/1983, OFFICIAL JOURNAL OF THE HELLENIC REPUBLIC 237A) and will be exercised by the special service “Municipal Police” as soon as the Joint Minister Decision (Minister of Interior, Minister of Public Order) is issued as provided for by article 26 of the Act 2819/2000 of the Minister of Public Order and the relevant order of the component Directorate of the Greek Police Headquarters, the Greek Police is under the obligation only to apply the legislation in force from the aspect of penal sanctions as these are provided for by Article 11 para 10 of the Act 2307/1995 (OFFICIAL JOURNAL OF THE HELLENIC REPUBLIC issue 113A) and to provide assistance to other authorities (providing that such assistance be requested of it) as well as to provide opinion documents respecting issues of order, security and traffic police with respect to the areas of settlement of nomads (providing that such provision be requested of it)

Cc) As concerns the question of the treatment of the Greek Roma, the Greek police treats them as all the rest of the citizens of the country. In addition, exactly because it is about a sensitive group of citizens, the orders issued by the Headquarters are explicit and decisive, so that in each case of dealing with problems caused by Roma, following complaints etc, particular subtlety be used and so that the actions of the police be absolutely legal in the frame set by the Constitution and Legislation. Possible isolated incidents of ill-treatment of Greek citizens or other persons residing in our country on behalf of policemen, are treated with austerity and the persons responsible apart from the disciplinary sanctions imposed on them, are referred promptly in the Greek Penal Justice, according to the disciplinary regulation of the Police Personnel.