

ECRI

European Commission against Racism and Intolerance
Commission européenne contre le racisme et l'intolérance

CRI (2000) 32

European Commission against Racism and Intolerance

SECOND REPORT ON GREECE

Adopted on 10 December 1999

Strasbourg, 27 June 2000



COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

For further information about the work of the European Commission against Racism and Intolerance (ECRI) and about the other activities of the Council of Europe in this field, please contact:

Secretariat of ECRI
Directorate General of Human Rights – DG II
Council of Europe
F - 67075 STRASBOURG Cedex
Tel.: +33 (0) 3 88 41 29 64
Fax: +33 (0) 3 88 41 39 87
E-mail: combat.racism@coe.int

Visit our web site: www.coe.int/ecri

Foreword

The European Commission against Racism and Intolerance (ECRI) is a body of the Council of Europe, composed of independent members. Its aim is to combat racism, xenophobia, antisemitism and intolerance at a pan-European level and from the angle of the protection of human rights.

One of the pillars of ECRI's work programme is its country-by-country approach, whereby it analyses the situation as regards racism and intolerance in each of the member States of the Council of Europe and makes suggestions and proposals as to how to tackle the problems identified.

At the end of 1998, ECRI finished the first round of its country-by-country reports for all member States. ECRI's first report on Greece is dated 7 June 1996 (published in September 1997). The second stage of the country-by-country work, initiated in January 1999, involves the preparation of a second report on each member State. The aim of these second reports is to follow-up the proposals made in the first reports, to update the information contained therein, and to provide a more in-depth analysis of certain issues of particular interest in the country in question.

An important stage in ECRI's country-by-country work is a process of confidential dialogue with the national authorities of the country in question before the final adoption of the report. A new procedure in the second round of country reports is the organisation of a contact visit for the ECRI rapporteurs prior to the drafting of the second report.

The contact visit to Greece took place on 19-21 October 1999. During this visit, the rapporteurs met with representatives of various ministries and public administrations responsible for issues relating to ECRI's mandate. ECRI warmly thanks the Greek national authorities for their wholehearted co-operation in the organisation of the contact visit, and in particular would like to thank all the persons who met its delegation each of whom provided much valuable information on their own field of competence. ECRI would also like to thank the Greek national liaison officer whose efficiency and collaboration were much appreciated by ECRI's rapporteurs.

Furthermore, ECRI would like to thank all the representatives of non-governmental organisations with whom its rapporteurs met during the contact visit for the very useful contribution they made to the exercise.

The following report was drawn up by ECRI under its own responsibility. It covers the situation as of 10 December 1999 and any development subsequent to this date is not covered in the following analysis nor taken into account in the conclusions and proposals made by ECRI.

Executive summary

In recent years, Greece has taken steps to combat racism and intolerance, *inter alia* through the implementation of an action plan and initiatives targeting specific minority groups, the establishment of procedures for the regularisation of illegal immigrants and the repeal of Article 19 of the Citizenship Code. These and other measures show an increased awareness on the part of the Greek authorities of the need to face the challenge posed by a multicultural society.

Problems of racism, intolerance, discrimination and exclusion persist, however, and are particularly acute *vis à vis* the Roma/Gypsy population, Albanians and other immigrants, as well as the members of the Muslim minority. These problems are connected with the low level of recognition, within Greek society, of its multicultural reality, an acknowledgement which is all the more urgent given the new patterns of migration to Greece in recent years.

In the following report, ECRI recommends to the Greek authorities that further action be taken to combat racism, xenophobia, antisemitism and intolerance in a number of areas. These recommendations cover, *inter alia*, the need for the fine-tuning and effective implementation of existing legislation, the need to strengthen and effectively implement existing policy initiatives, the need to address the situation as well as the specific problems faced by non-ethnic Greeks, and the need to raise the awareness among the general public of the multicultural reality of Greek society.

SECTION I: OVERVIEW OF THE SITUATION

A. International legal instruments

1. ECRI welcomes the ratification by Greece in 1997 of the International Covenant on Civil and Political Rights and its first Optional Protocol, as suggested in ECRI's first report. In 1997, Greece also signed the Framework Convention for the Protection of National Minorities; however, ratification of this instrument still requires certain legislative and other amendments in order to bring Greek legislation in line with the commitments under the Convention. ECRI urges the authorities to finalise this process as rapidly as possible and to ratify the Convention. ECRI suggested in its first report that Greece sign and ratify without delay the UNESCO Convention against Discrimination in Education and the European Charter for Regional or Minority Languages. ECRI has been informed that signature and ratification of these instruments are currently under consideration and urges the Greek authorities to speed up the work in this respect. ECRI furthermore encourages the Greek authorities to ratify the Revised European Social Charter and the European Convention on the Legal Status of Migrant Workers, which Greece has already signed, and to sign and ratify the Convention on the Participation of Foreigners in Public Life at Local Level. ECRI is pleased to learn that the preparatory work for ratification of the European Convention on Nationality, signed by Greece in November 1997, is underway and hopes for a prompt ratification of this instrument.

2. In its first report, ECRI suggested that Greece make a declaration under Article 14 of the UN Convention on the Elimination of All Forms of Racial Discrimination, allowing individual communications to be considered by the Committee for the Elimination of Racial Discrimination. This declaration is pending until the establishment, currently being discussed, of a national body competent to receive and consider petitions by individuals who have exhausted other available local remedies, as provided by Article 14 (2) of the Convention. ECRI hopes for a swift conclusion to this process and stresses that the opportunity for individuals and groups of individuals to file complaints should be given to all persons within Greek jurisdiction and not exclusively to Greek citizens. ECRI moreover encourages the Greek authorities to comply with their reporting obligations under the Convention.

B. Constitutional provisions and other basic provisions

3. According to Article 28§1 of the Greek Constitution, international law and conventions form an integral part of domestic legislation and take precedence over domestic legislation in any case of conflicting provisions.

- ***Citizenship law***

4. ECRI welcomes the repeal, in June 1998, of Article 19 of the Citizenship Code, as suggested by ECRI in its first report. This article provided that Greek citizens who were not ethnically Greek could have their citizenship revoked if they left the country and the Greek authorities believed that they did not intend to return. Most of the almost 60,000 people deprived of citizenship on the basis of this article since 1955 belonged to the Muslim minority of Greece which is mostly of Turkish ethnic origin. Following the repeal of Article 19, which did not have retroactive effect, former Greek citizens who lost their citizenship on the basis of this article have the option of applying to the Citizenship Council for the cancellation of the decision to withdraw citizenship if they can prove that a mistake was committed in such decision, or of applying for Greek citizenship through ordinary naturalisation. A few of these persons have succeeded in reacquiring citizenship; however, ECRI considers that restoration of citizenship for this category of people should be further facilitated. ECRI also notes that in late 1997, special cards for stateless individuals were issued which enable the carrier to travel abroad, work, and claim social security provisions. However, few people applied for these cards. As an *interim* measure towards restoration of citizenship, ECRI encourages the authorities to publicise and continue issuing these cards.
5. Article 20 of the Citizenship Code allows the government to strip citizenship from those citizens living abroad who "commit acts contrary to the interests of Greece for the benefit of a foreign state". Although this Article is applicable equally to all Greek citizens regardless of ethnic background, so far it has been applied mostly to persons who identify themselves as Macedonians. The authorities have stated that in the period 1994-1998, Article 20 has been applied only in very few cases. ECRI considers that more transparency as concerns the application of Article 20 is desirable.

C. Criminal law provisions

6. As noted by ECRI in its first report, Greece has enacted criminal law provisions aimed at combating racism and intolerance. These provisions are contained in Law N° 927/1979 as supplemented by Law N° 1419/1984: Section 1, 1 penalises incitement to discrimination, hatred or violence towards individuals or groups because of their racial, national or religious origin, through public written or oral expressions; Section 1, 2 prohibits the establishment of, and membership in, organisations which organise propaganda and activities aimed at racial discrimination; Section 2 punishes public expression of offensive ideas; Section 3 penalises the act of refusing, in the exercise of one's occupation, to sell a commodity or to supply a service on racial grounds. ECRI expressed concern that these criminal law provisions were virtually unused and suggested that ways should be found of improving their implementation. It therefore notes with interest the fact that a committee of experts in the Ministry of Justice has been established to consider proposals for strengthening legislation aiming at repressing racist

and discriminatory acts. A promising proposal – which ECRI endorses - has been incorporated in a draft immigration and citizenship bill¹ to enable the prosecutor to press charges even when the victim has not filed a complaint. Another proposal under discussion, which ECRI advanced in its first report, would allow interested associations and individuals to initiate civil proceedings. ECRI also favours a proposal to include ethnic origin, language and colour as additional grounds on which incitement to discrimination, hatred and violence towards individuals and groups is prohibited. In addition, in its general policy recommendation N°1 on combating racism, xenophobia, antisemitism and intolerance, ECRI recommends that member States ensure that racist and xenophobic acts are stringently punished through methods such as defining common offences but with a racist or xenophobic nature as specific offences or enabling the racist or xenophobic motives of the offender to be specifically taken into account. However, in Greece racist offences are not defined as specific offences nor is racist motivation expressly mentioned as a specific aggravating circumstance. ECRI feels that consideration should therefore be given to introducing legal provisions of this nature.

7. ECRI considers, however, that legal changes are not in themselves sufficient to guarantee effective implementation of legislation aimed at combating racism and intolerance. Legal instruments are more effective when reinforced by a wide range of policy measures. These should include raising the awareness of the police and the prosecuting authorities about the need to combat racism and discrimination and to take into account the racist motivation of the offences.

D. Civil and administrative law provisions

8. No specific body of legislation currently exists in Greece concerning discrimination in education, housing, employment, public services or social services. Moreover, there appears to be no specific government authority charged with overall responsibility for these matters. This results in a piecemeal approach to discrimination issues. ECRI stresses that the introduction of a single and comprehensive body of anti-discrimination legislation covering discrimination in all fields of life and providing for effective enforcement, has proved a valuable tool in many countries. It encourages the Greek authorities to consider introducing such a body of legislation under the aegis of a single department charged with responsibility for overseeing and monitoring the effectiveness of such legislation.

¹ See paragraph 18

9. As noted by ECRI in its first report, the redistribution of the electoral districts had adversely influenced the chances for the election of Muslim prefects or prefectural councillors. ECRI therefore suggested the modification of the electoral districts in order to increase the likelihood of a member of the Muslim minority being elected to such positions. However, there have been no developments in this sense.

E. Administration of justice

10. Defendants who do not speak Greek have a right to a court-appointed interpreter. However, foreign defendants who depend on these interpreters frequently complain that they do not understand their trials. There are also complaints that Roma/Gypsies and sometimes foreigners held in detention are not always treated in accordance with due process, including immediate access to legal counsel. ECRI urges the authorities to ensure that the rights of foreigners to due process including legal defence and to a trial that they can understand are thoroughly respected.
11. There have also been complaints, which concern ECRI, of differences between the sentences handed down to foreigners and those handed down to Greek defendants convicted of comparable crimes. More generally, ECRI encourages the authorities to carry out research on the causes of the high representation of foreigners in the overall prison population of Greece.

- Legal aid

12. ECRI was informed that the current system of legal aid is under review. ECRI hopes that consideration will be given to granting adequate provision to victims of racist or discriminatory acts.

F. Specialised bodies

13. In September 1997, the Greek Government established an Ombudsman's Office charged with mediating between citizens and the state in order to protect citizens' rights, combat maladministration and ensure the observance of the law. The Ombudsman, who operates independently of the government, has the power to receive, and provide non-judicial settlement of, complaints filed by individuals in the areas of human rights, quality of life, social welfare and State-citizen relations. The Office may also act on its own initiative in cases which have aroused the interest of public opinion. The Ombudsman is further empowered to formulate proposals to remedy the underlying causes of violations of citizens' rights. In its first year of operation, the Ombudsman's Office has been extremely active in fulfilling its mandate. Although only a few of the cases dealt with have so far concerned matters of concern to ECRI, the Ombudsman has examined complaints of migrant workers concerning the recent measure to regularise their position and other issues related to discriminatory treatment. ECRI welcomes these

developments and the manner in which the Ombudsman's Office has pursued its remit. As suggested in its first report, however, ECRI stresses that the existence of an independent specialised body with specific competence to deal with cases of racial discrimination and intolerance would still be desirable in Greece. It encourages the authorities to draw inspiration from ECRI's policy recommendation N°2 on the establishment of specialised bodies at national level for combating racism and intolerance, in order to establish such a body or to create a special competence with the existing Ombudsman in this regard.

14. At the end of 1998 a National Human Rights Committee composed, *inter alia*, of government officials, NGO representatives, trade unions, political parties, university professors and Supreme Court judges, reporting to the Prime Minister, was established. Its tasks are: to monitor the human rights situation; to raise awareness of the general public and the media on human rights issues; and to make proposals on human rights legislation. To date, the Committee has yet to meet. ECRI hopes that the work of the Committee will devote special attention to combating racial discrimination and intolerance.

G. Education and awareness raising

15. ECRI welcomes positive initiatives in recent years in the field of general human rights education. ECRI considers, however, that there is a serious need to educate the Greek public to the benefits of a multicultural society. In order to have a lasting effect, this education should begin in schools. Specific courses focusing on issues of tolerance and respect for differences should be offered and teachers should be trained in this area. In addition, in its general policy recommendation N° 1 on combating racism, xenophobia, antisemitism and intolerance, ECRI recommends member States « to ensure that school-curricula, for example in the field of history teaching, are set up in such a way to enhance the appreciation of cultural diversity». Implementation of existing legislation would also serve as a powerful educational tool. The training of professional groups, such as civil servants and the legal community, therefore assumes a fundamental importance from an awareness-raising perspective. The specialised body suggested above could also play a pivotal role in the accomplishment of these tasks².

² See *Specialised bodies*

H. Reception and status of non-citizens

- *Immigration*

16. In its first report, ECRI noted the wave of legal and particularly illegal immigration into Greece. Although precise figures are not available, several hundreds of thousands of legal and illegal immigrants are estimated to be present on Greek soil. In its first report, ECRI suggested the adoption of coherent policies in this field. Legislation was enacted in November 1997 allowing illegal immigrants to apply for legal status. Illegal immigrants could submit a preliminary application for legal status from November 1997 until the end of 1998. The law required applicants to present to the authorities a valid travel document, a certificate proving that no prison sentence of longer than three months had been served in Greece, and proof of a minimum of forty days employment in Greece. Over 50,000 illegal immigrants obtained a "white card". This card enables them to reside and work legally in Greece on a short-term basis while meeting the other requirements necessary to obtain a "green card". The green card serves as a residence permit and allows the immigrants to live and work in the country for up to 5 years. Over 220,000 people have applied for the green card, but only about 23,000 have so far obtained it. The process of issuing these cards has come to an end. However, Presidential Decree 359/97 established a Committee which examines pending applications and can issue green cards on exceptional and humanitarian grounds.
17. ECRI welcomes the process of regularisation. It notes, however, that only a small number of immigrants living in Greece were able to obtain the green card, whereas the vast majority of illegal immigrants have not been able to obtain this status and are therefore in a precarious situation and subject to being exploited on the labour market. A certain reluctance on the side of the immigrants to file applications for fear of being exposed has played a role in the relatively limited success of the regularisation process. However, there have also been complaints of difficulties in obtaining the necessary documentation to file applications for the green cards³. ECRI stresses that the present precariousness and illegality of status of many immigrants reinforces stereotypes and prejudice in the general public concerning this category of people as well as its vulnerability to exploitation. It therefore encourages the authorities to extend further the possibilities for regularisation.
18. ECRI understands that a draft immigration and citizenship bill is currently under preparation. Although ECRI is not aware of the details of this bill, it hopes that it will contribute to strengthening the multicultural reality of Greek society.

³ See *Specialised bodies, above*

- ***Refugees and asylum seekers***

19. In December 1998, UNHCR criticised the lack of a coherent and functioning asylum process and the fact that the Government continued to deport forcibly some potential asylum seekers back to their country of origin or transit countries before they could submit formal applications for asylum. In June 1999, a new decree on asylum procedures was put into operation. Given reports of asylum seekers sometimes being held in detention while their application is examined, ECRI stresses that asylum seekers, even if their claims are not considered to be valid by the authorities, should not be treated as criminals and that any measures taken with regard to such persons should reflect this approach.

I. Employment

20. Apart from the general safeguards contained in the Constitution, there are currently no legal provisions in Greece specifically prohibiting racial discrimination in employment. However, ECRI considers that there are groups in Greece whose members are vulnerable to discrimination on the labour market. ECRI urges the authorities to consider introducing such legislation. This should be coupled with efforts to ensure implementation and evaluation of implementation.

J. Vulnerable groups

This section covers certain minority groups which may be particularly vulnerable to problems of racism, discrimination and intolerance in the country in question. It is not intended to provide an exhaustive overview of the situation of all minority groups in the country, nor to imply that groups not mentioned face no problems of racism and discrimination

- ***Religious groups***

21. The Greek Constitution establishes the Eastern Orthodox Church as the prevailing religion. Although the Constitution also provides for freedom of religion, non-Orthodox religious - notably other Christian⁴ - groups have faced administrative obstacles and legal restrictions on religious practice and their members often experience intolerant behaviour and sometimes discrimination. The problems encountered by these groups have included difficulties in obtaining and executing building permits and opening places of worship. Obstruction by local authorities has in some cases been decisive in this respect. Some members of these religious groups have also been arrested on grounds of proselytism. The European Court of Human Rights has found Greece in violation of religious freedom in cases concerning these

⁴ *In this paragraph, ECRI addresses particularly the problems faced by Roman Catholics, Protestants and Jehovah's Witnesses. The aspects relating to religious freedom of the Muslim minority are considered in Section II.*

matters. Although the situation in these areas is reported to be improving, for example as concerns prosecutions for proselytism, ECRI considers that considerable efforts are still needed to fully guarantee freedom of religion to minority religious groups and to promote a climate of tolerance. In particular, ECRI endorses the recommendations concerning legislative reforms and implementation of laws and policies issued in 1996 by the Special Rapporteur on religious freedom of the UN Commission on Human Rights and encourages the Greek authorities to strengthen their efforts to put these recommendations into practice.

22. In its first report, ECRI suggested that any reference to religion be removed from identity cards, in order to limit overt or covert discrimination against members of non-Orthodox religions, who may in some cases be considered less "Greek" than Orthodox ethnic Greeks. ECRI understands, however, that the new identity cards which are to be issued by the Ministry of the Interior will contain a specific reference to religion. ECRI therefore reiterates its call for the removal of this reference.

- ***Jewish communities***

23. Although there are no reports of problems in the exercise of freedom of religion by the Jewish communities in Greece, antisemitic material often appears in the extreme right-wing media, and antisemitic undertones have also surfaced from time to time in public debate. ECRI encourages the authorities to keep the situation under review.

- ***Macedonians***

24. As regards Greek citizens wishing to express and promote their ethnic Macedonian identity, ECRI notes that, in July 1998, the European Court of Human Rights found Greece in violation of the right to freedom of association, based on her refusal to register an association aimed essentially at promoting Macedonian culture⁵. ECRI also notes reports of cases where the right to freedom of expression of this group has not been respected. ECRI encourages the authorities to ensure that all groups in Greece effectively enjoy the right to freedom of association and to freedom of expression, in accordance with international legal standards.

⁵ See *Case of Sidiropoulos and others Vs Greece*, (57/1997/841/1047)

K. Monitoring the situation in the country

25. ECRI encourages the Greek authorities to consider ways of establishing a coherent and comprehensive means of data collection to enable the situation of the various minority groups living in Greece and the extent of manifestations of racism and discrimination to be assessed. Such a system of data collection should be based on the voluntary self-registration of the persons involved, and be designed with due respect paid to the right to privacy and to standards of data protection.

L. Conduct of certain institutions

- *Police*

26. There have been consistent reports that Roma/Gypsies, Albanians and other immigrants are frequently victims of misbehaviour on the part of the police in Greece. In particular, Roma/Gypsies are often reported to be victims of excessive use of force -- in some cases resulting in death -- ill-treatment and verbal abuse on the part of the police. Discriminatory checks involving members of these groups are widespread. In most cases there is reported to be little investigation of these cases, and little transparency on the results of these investigations. Although most of these incidents do not generally result in a complaint being filed by the victim, when charges have been pressed the victims have reportedly in some cases been subjected to pressure to drop such charges. ECRI stresses the urgent need for the improvement of the response of the internal and external control mechanisms to the complaints of misbehaviour *vis à vis* members of minority groups on the part of the police. In this respect, ECRI notes with interest the recent establishment of a body to examine complaints of the most serious cases of misbehaviour on the part of the police and emphasises the importance of its independence and of its accessibility by members of minority groups.
27. ECRI also encourages the Greek authorities to strengthen their efforts as concerns provision of initial and ongoing training of the police in human rights and anti-discrimination standards. Additional efforts should also be made to ensure recruitment of members of minority groups in the police and their permanence therein.

M. Media

28. As noted below⁶, some media continue to contribute towards prejudices and stereotypes about foreigners and minority groups. There have also been instances where potentially racially inflammatory material has been published in the press. Although there are legal provisions condemning incitement to racial hatred in general as well as legal and other provisions aimed at combating racism and intolerance in the electronic media, these are virtually unused. It is felt that attention should therefore be given to a more effective implementation of these provisions. ECRI also encourages the adoption of codes of self-regulation by the media profession.

SECTION II: ISSUES OF PARTICULAR CONCERN

29. In this section of its country-by-country reports, ECRI wishes to draw attention to a limited number of issues which in its opinion merit particular and urgent attention in the country in question. In the case of Greece, ECRI would like to draw attention to the challenge of a multicultural society.

N. The challenge of a multicultural society

30. Greece has in recent years been experiencing major changes in migration patterns. In the last decade in particular, it has become increasingly a country of immigration. This has contributed to the emergence of a number of significant communities of foreign origin. These developments, taken together with the presence of a significant Roma/Gypsy population, cast doubt on the continuing validity of the traditional view of Greece – that is as a country with only one, relatively small and self-contained minority recognised as such. It remains the case that there are continuing concerns regarding the Muslim minority in Western Thrace which is mostly of Turkish origin. The reality is, however, that there are now other important minority groups which are significant in size and which experience distinctive, long-term problems and needs; conflicts between certain minority groups and the exacerbation of social prejudices which this may entail are examples. Precise statistics are not available, but taking together the various estimates of the size of the communities referred to above, it could be argued that they comprise between 5 – 10% of the population of Greece with the potential for further growth. The long-term implications are therefore considerable. There are indications that the significance of these developments is recognised at the highest political level in Greece, and some welcome policy initiatives have been undertaken. In the view of ECRI, however, it is open to question whether this perception is shared by public opinion as a whole, which still tends to see recognition of multiculturalism as a threat to national identity. It is also a matter of concern that such attitudes may be reflected at the lower levels of local and national administration. It is, therefore, felt that all possible

⁶ *The challenge of a multicultural society – Albanians*

efforts should be made to promote tolerance and respect for difference within Greek society and to ensure that governmental policy and constitutional guarantees are effectively applied at the local level. Against this background, ECRI is pleased to note the practical manifestations of the shift towards a higher recognition of the multicultural reality of Greek society. This approach is reflected in various measures, including reportedly the new immigration and citizenship bill, the proposed transfer of responsibility for immigration to the Ministry of the Interior, the action plan for the social integration of Roma/Gypsies and initiatives in education targeting the Muslim minority. However, ECRI stresses that these measures can be effective only if they are continued over the long term and it therefore hopes that the political will backing these initiatives will persist.

- ***Roma/Gypsies***

31. As noted by ECRI in its first report, the Roma/Gypsy population of Greece is particularly vulnerable to disadvantage, exclusion and discrimination in many fields. The General Secretariat for Adult Education (GSAE), a government agency, estimated the Roma/Gypsy population to be between 150,000 and 200,000 in 1998. Non-official sources estimate the total as being even higher. Almost half of the Roma/Gypsy population of Greece is permanently settled, mainly in the Athens area. The other half is mobile, although the number of Roma/Gypsies who move around the country is reported to be gradually decreasing as families settle into slums in the suburbs of major cities. As concerns religion, while most of the Roma in Western Thrace are Muslim, elsewhere the majority are Greek Orthodox.
32. Roma/Gypsies living in camps often face extremely harsh living conditions. In recent years, including 1999, some municipal authorities have expelled communities of Roma/Gypsies from the camps in which they had lived for many years, in certain cases without providing alternative accommodation. This has sometimes resulted in Roma/Gypsies being repeatedly expelled from each new place they attempted to settle. These expulsions were sometimes accompanied, apparently unhindered by the police, by the destruction and arson of houses, and by threats and humiliating treatment by local authorities and municipal employees. ECRI urges the Greek authorities to devote immediate attention to these problems.
33. Roma/Gypsies are reported to be excluded from many normal citizenship rights and benefits. The integration of Roma/Gypsies in the social security system is low. The vast majority of Roma/Gypsies living in camps are not insured by the public social security system, since they are unable or unwilling to make the required contributions. Like all Greek citizens, indigent Roma/Gypsies are entitled to free health care. However, it is reported that most Roma/Gypsies are not aware of their rights. An additional difficulty is that some municipalities refuse to register Roma/Gypsies if they want to move their place of residence. However, some municipalities encourage registration.

34. Roma/Gypsies are also reported to experience discrimination in various areas of public life. They face discrimination when attempting to rent accommodation. They are sometimes denied access to public places such as discotheques, cafes, bars, etc. They also frequently experience discriminatory treatment and sometimes violence and abuse on the part of the police. Inadequate educational possibilities also contribute to the widespread illiteracy and low level of schooling amongst the Roma/Gypsy population living in camps.
35. There is increasing awareness among the Greek authorities of the need to improve the situation of the Roma/Gypsies. In 1996, a comprehensive government action plan was enacted for the first time in Greece aimed at removing the obstacles to the social integration of Roma/Gypsies and to improve the attitude of the general public *vis à vis* the members of this minority group. This plan provides the framework for the adoption of specific programmes, which are to be carried out by the local authorities of the various regions where the Roma/Gypsy communities live. These programmes cover, inter alia, housing, education, health, vocational training and employment, culture and sport. ECRI welcomes the adoption of this comprehensive strategy to foster the social integration of Roma/Gypsies and the initiatives undertaken as part of this strategy. Such initiatives include: training courses for civil servants, policemen and teachers to increase their sensitivity to the problems of the Roma; a programme financed by the Ministry of the Interior providing funds to local government bodies for the improvement of the living conditions of Roma/Gypsies; and a programme financed by the Ministry of Education and Religious Affairs aimed at integrating Roma/Gypsy children in schools nationwide. The authorities have stated that, as a result of these educational programmes, the number of Roma/Gypsy children attending schools has increased by 30%. ECRI encourages the Greek authorities to multiply these initiatives and to ensure the monitoring of their effectiveness. In this respect, ECRI hopes that adequate funding will be provided by the various Ministries involved for the strengthened implementation of the action plan and that the Inter-Ministerial Committee entrusted with the supervision and co-ordination of the plan's implementation will be formally established as soon as possible.
36. ECRI is concerned, however, that the implementation of the action plan often encounters resistance at the local level. Local communities are sometimes unwilling to welcome the members of this minority group. For this plan to be successful it is essential that the general public be educated in tolerance and the benefits of a multicultural society. Elected local authorities are also, reportedly, often reluctant to implement initiatives targeting the Roma/Gypsy population. Although it understands that the action plan cannot be carried out without institutional support at the local level, ECRI would like to stress that the ultimate responsibility for implementation of official policy lies with the Greek state.

- ***Albanians***

37. Although no precise figures are available, Albanians are believed to constitute over half of the immigrant population of Greece. The migration flows between Albania and Greece during the nineties have been matched by manifestations of hostility and fear within Greek public opinion. Many people of Albanian origin currently in Greece, moreover, are there illegally. All this has contributed to expressions of prejudice and to the vulnerability of this group to exploitation in the labour market.
38. ECRI is concerned at the significant amount of anti-foreigner sentiment directed particularly, although not exclusively, towards Albanians, which has paralleled the increase in the number of non-Greeks living in the country in recent years. This negative attitude *vis à vis* Albanians is particularly nourished by a disputable picture of the number of crimes committed by this group of people in Greece. ECRI recognises that this issue is a matter of major controversy and concern and that there are different interpretations of the available data. ECRI is itself concerned, however, lest the negative stereotyping of this group should give the impression that all or most Albanians are criminally-inclined. The persistence of this view can only reinforce the reported trends towards their social and economic exclusion. Given the high probability that this group will have a permanent presence in Greece, this would not be a desirable outcome. The media appears to play a primordial role in creating such a picture through frequent unbalanced and sensational reports. Public statements by politicians and some representatives of public institutions (notably, the police) have in some cases also contributed to the disputable view of Albanian criminality. ECRI stresses the dangers that such statements present in terms of social cohesion and emphasises that politicians and representatives of public institutions should refrain from making misleading remarks and should make an effort to present a more balanced account of the situation. An objective and transparent presentation of criminality generally and the real incidence and nature of crimes committed by Albanians and its evolution in time would be particularly beneficial in this respect.
39. ECRI is concerned at reports of discriminatory checks as well as of deportations of considerable numbers of Albanian immigrants in 1998 and 1999. While most of these persons were not legally registered, others reportedly held regular documentation. Albanian immigrants and deportees are also reported sometimes to be subject to ill-treatment by the Greek police and to face discrimination by locals in different fields, including, in some cases, being denied access to public places.
40. Albanian children living in Greece do not currently have much opportunity to receive education in their own language and most of them therefore follow the Greek curriculum. However, ECRI understands that the authorities intend to extend the teaching of Albanian as extra-curricular activity in public schools and encourages the Greek authorities to create this opportunity quickly.

- ***Members of the Muslim minority of Western Thrace***

41. The situation of the Muslim minority of Western Thrace is determined by the Treaty of Lausanne of 1923 and various other international agreements. The majority within the Muslim minority identify themselves as Turks, although this general category includes Pomaks and Muslim Roma as well. Greece officially recognises the Muslim minority in accordance with the Treaty of Lausanne. Many members of this minority of Turkish origin, however, feel discriminated against and persecuted for reasons arising out of the practical implementation of the Treaty of Lausanne.
42. Although positive steps have been taken by the Greek Government, including the repeal of Article 19 of the Citizenship Code⁷, in the view of ECRI there is still room for further improvement of the situation of the Muslim minority of Western Thrace. ECRI recognises the complexity of the issues. However, there are actions within the power of the Greek authorities that ECRI considers could contribute to improving the present climate and which would build on the welcome moves that have already been made.
43. The Muslims of Western Thrace experience some restrictions of their freedom of expression. While individuals of Turkish origin can call themselves "tourkos" (Turk), the official use of this term, for example in titles of organisations or as collective descriptions, is prohibited. In December 1997, the European Court of Human Rights ruled that a Muslim member of the Greek Parliament whom a local court had found guilty of disturbing the peace by using the word "Turk" when referring to Muslims in Western Thrace, had not exhausted all domestic remedies before filing his complaint on Article 10 of ECHR. However, the European Commission of Human Rights had found that there had been a violation of Article 10, noting that the imposed sentence could not be regarded as a "necessary" measure in a democratic society. ECRI stresses that expression of ethnic identity should be respected and guaranteed.
44. A further restriction concerns the administration of private charitable foundations used to support education, social welfare and minority activities. Members of the Muslim minority complain that their right to establish, manage and control such foundations is not respected by the Greek state, due to the role played by the latter in the appointment of the management boards of these foundations. ECRI considers that the right of the Muslim minority to establish, manage and control such foundations should be fully respected in accordance with Greek domestic law and the Treaty of Lausanne. It is also noted that, although Mosques operate freely in Western Thrace, the Greek Government retains and exercises the right to appoint *muftis* (Islamic judges and religious leaders), arguing that the appointment by the government is necessary due to the fact that *muftis* have judicial functions in certain civil matters (e.g. marriage and divorce, alimony, guardianship and emancipation of minors, interstate succession, etc.). This position is unsatisfactory to many members of the Muslim minority of Western Thrace. Some Muslim communities have, however, elected unofficial muftis, and in

⁷ See Constitutional provisions, above

1998 one of them was fined, - after receiving a prison sentence from a court of first instance - for usurping the authority of the official mufti. ECRI stresses that the right of the Muslim minority to democratically choose its religious leaders should be respected. ECRI suggests that, given such an over-riding principle, it would be possible to find a means of ensuring that the persons in question have the necessary abilities to carry out these administrative duties.

45. ECRI considers, however, that the shortcomings in the education system deserve particularly urgent attention, since they affect the largest number of individuals and have the greatest long-term impact on the Muslim community. As concerns primary schools, ECRI welcomes the Greek Government's initiatives aimed at providing adequate textbooks for the teaching of Greek to minority students as a second language. ECRI strongly encourages the authorities to strengthen their efforts in this vital area in order to ensure that minority children have the necessary command of the Greek language to successfully attend further education in Greek. ECRI is also pleased to note that the Greek authorities have recently accepted a number of Turkish language schoolbooks for the use of Muslim students in Thrace and encourages a swift distribution of these schoolbooks. As regards secondary education, ECRI notes the limited number of places available in the two minority schools of Western Thrace and, while recognising the recent efforts of the Greek authorities to meet the demands of the Muslim community for secondary school places, urges them to ensure that these are met on a continuing basis and with adequate new schooling facilities. The Greek authorities have also stated their intention to gradually introduce Turkish language classes and the teaching of the Koran in pilot secondary public schools. ECRI encourages the authorities to ensure that this is done in close consultation with minority representatives. In the field of higher education, ECRI welcomed in its first report the introduction of a university quota for minority students. ECRI stresses the need to monitor the effectiveness of such a measure: in particular, attention should be devoted to the success rate of minority students at the university and to addressing any difficulties which may arise in this respect. In general, ECRI considers that one priority area in the field of education of minority students is the improvement of the quality of teachers in the minority education system. In this respect, ECRI welcomes the teacher training programmes introduced by the Government in 1997 and the plans to recognise the equivalence of teachers' diplomas obtained in Turkey in order that these teachers may be appointed to minority schools. ECRI encourages the Greek authorities to continue and multiply their initiatives in this field.

BIBLIOGRAPHY

This bibliography lists the main sources consulted during the examination of the situation in Greece: it does not cover all the various sources of information (media, contacts within the country, national NGOs etc.) which were utilised.

1. CRI (97) 52: Report on Greece, European Commission against Racism and Intolerance, Council of Europe, September 1997
2. CRI (96) 43: ECRI general policy recommendation n°1: Combating racism, xenophobia, antisemitism and intolerance, European Commission against Racism and Intolerance, Council of Europe, October 1996
3. CRI (97) 36: ECRI general policy recommendation n°2: Specialised bodies to combating racism, xenophobia, antisemitism and intolerance at national level, European Commission against Racism and Intolerance, Council of Europe, June 1997
4. CRI (98) 29: ECRI general policy recommendation n° 3: Combating racism and intolerance against Roma/Gypsies, European Commission against Racism and Intolerance, Council of Europe, March 1998
5. CRI (98) 30: ECRI general policy recommendation n°4: National surveys on the experience and perception of discrimination and racism from the point of view of potential victims, European Commission against Racism and Intolerance, Council of Europe, March 1998
6. CRI(98) 80 : Legal measures to combat racism and intolerance in the member States of the Council of Europe, report prepared by the Swiss Institute of Comparative Law, Lausanne, (Council of Europe publication), 1998
7. CDMG(99)7final : Recent developments in Policies relating to migration and migrants (Council of Europe document), February 1999
8. "*Ahmet Sadik v. Greece*" (46/1995/552/638), judgment of the European Court of Human Rights, Council of Europe, Strasbourg, 25 October 1996
9. "*Sidiropoulos and others v. Greece*" (57/1997/841/1047) judgment of the European Court of Human Rights, Council of Europe, Strasbourg, 10 July 1998
10. "*Larissis and others v. Greece*" (140/1996/759/958-960) judgment of the European Court of Human Rights, Council of Europe, Strasbourg, 24 February 1998
11. Reply to the ECRI questionnaire by the Greek authorities
12. CERD/C/363 : (Basic Reference Document): Fifteenth periodic reports of States parties due in 1999, February 1999
13. A/51/542/Add. 1 : Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms – Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, November 1996 (United Nations)

14. A/52/477/Add. 1 : Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms – Elimination of All Forms of Religious Intolerance, November 1997 (United Nations)
15. The Greek Ombudsman – The First Year, Athens 1999
16. Country Reports on Human Rights Practices for 1998, US Department of State, February 1999
17. Country Reports on Human Rights Practices for 1997, US Department of State, January 1998
18. Report about Compliance with the Principles of the Framework Convention for the Protection of National Minorities, Greek Helsinki Monitor & Minority Rights Group – Greece, 1999
19. Annual Report 1999 (human rights development in 1998), International Helsinki Federation for Human Rights, 1999
20. Annual Report 1998 (human rights development in 1997), International Helsinki Federation for Human Rights, 1998
21. *"Hate speech" in the Balkans*, International Helsinki Federation for Human Rights, Athens, 1998
22. *Religious Discrimination and Related Violations of Helsinki Commitments*, Report of the International Helsinki Federation for Human Rights to the OSCE Supplementary Human Dimension Meeting on Freedom of Religion, Vienna, March 1999
23. *Report on Greece to the 1998 OSCE Implementation Meeting – Minority Rights*, Greek Helsinki Monitor
24. *Report on Greece to the 1998 OSCE Implementation Meeting – Roma Rights*, Minority Rights Group – Greece
25. Press releases by Greek Helsinki Monitor and Minority Rights Group - Greece
26. Annual Report 1999, Amnesty International, 1999
27. EUR 25/46/98 Greece: *Alleged ill-treatment of Lazaros Bekos and Lefteris Kotropoulos by police officers*, Amnesty International document, 1998
28. EUR 25/39/98 Greece: *Angelos Celal shot by police – A call for justice*, Amnesty International document, 1998
29. Human Rights Watch World Report, 1999
30. *Greece – The Turks of Western Thrace*, Human Rights Watch, January 1999
31. Antisemitism World Report 1997, Institute for Jewish Policy Research and American Jewish Committee, 1997
32. Extracts from issues of European Race Bulletin
33. *Turkish minority of Western Thrace*, Federation of Western Thrace Turks in Europe, 1998
34. Human rights abuses against Macedonians, Macedonian National Council, Skopje 1998

35. R. King, T. Iosifides, L. Myrivili, *A migrant's story: from Albania to Athens*, Journal of Ethnic and Migration Studies, Vol. 24 N°1, January 1998
36. E. Droukas, *Albanians in the Greek informal economy*, Journal of Ethnic and Migration Studies, Vol. 24 N°2, April 1998
37. Extremism in Europe, CERA, 1998
38. Extremism in Europe, CERA, 1997
39. Stephanos Stavros, *The Legal Status of Minorities in Greece Today: The Adequacy of their Protection in the Light of Current Human Rights Perceptions*, Journal of Modern Greek Studies, Vol. 13, 1995