

ECRI REPORT ON GREECE

(sixth monitoring cycle)



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FOREWORD

The European Commission against Racism and Intolerance (ECRI), established by the Council of Europe, is an independent human rights monitoring body specialised in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance. It is composed of independent and impartial members appointed on the basis of their moral authority and recognised expertise in dealing with racism, xenophobia, antisemitism and intolerance.

In the framework of its statutory activities, ECRI conducts country monitoring work, which analyses the situation in each of the member States of the Council of Europe regarding racism and intolerance and draws up suggestions and proposals for dealing with the problems identified.

ECRI’s country monitoring deals with all member States on an equal footing. The work takes place in 5-year cycles. The reports of the first round were completed at the end of 1998, those of the second round at the end of 2002, those of the third round at the end of 2007, those of the fourth round in the beginning of 2014, and those of the fifth round at the end of 2019. Work on the sixth round reports started at the end of 2018.

The working methods for the preparation of the reports involve documentary analyses, a visit to the country concerned, and then a confidential dialogue with the national authorities.

ECRI’s reports are not the result of inquiries or testimonial evidence. They are analyses based on information gathered from a wide variety of sources. Documentary studies are based on a large number of national and international written sources. The in situ visit provides the opportunity to meet with the parties directly concerned (both governmental and non-governmental) with a view to gathering detailed information. The process of confidential dialogue with the national authorities allows the latter to provide, if they consider it necessary, comments on the draft report, with a view to correcting any possible factual errors which the report might contain. At the end of the dialogue, the national authorities may request, if they so wish, that their viewpoints be appended to the final ECRI report.

The sixth round country reports focus on three topics common to all member States: (1) Effective equality and access to rights, (2) Hate speech and hate-motivated violence, and (3) Integration and inclusion, as well as a number of topics specific to each one of them.

In the framework of the sixth cycle, priority implementation is requested again for two specific recommendations chosen from those made in the report. A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

The following report was drawn up by ECRI under its own responsibility. Unless otherwise indicated, it covers the situation up to 31 March 2022; as a rule, developments since that date are neither covered in the following analysis nor taken into account in the conclusions and proposals therein.

Since the adoption of ECRI's fifth report on Greece on 10 December 2014, progress has been made and good practices have been developed in a number of fields.

In December 2020 a National Action Plan against Racism and Intolerance was adopted.

The Migration and Social Integration Code provides for the possibility for a third country national to apply for a residence permit if s/he may prove her/his presence in the country for seven consecutive years and that s/he has developed "strong links" with Greek society, a provision from which thousands of irregularly present migrants have been able to benefit from. Further, a voucher system has allowed certain irregularly present migrants to register and work in the agricultural sector for a six-month period (extendable).

A national strategy for LGBTI equality for 2021-2025 was prepared and adopted. A further welcome step towards such equality is the inclusion of transgender persons in the Greek Manpower Employment Organisation's (OAED) programmes for providing work for members of vulnerable groups.

The National Council for Radio and Television (NCRTV) supervises radio and TV broadcasts in view of preventing and where necessary punishing the broadcasting of hate speech. Further, many Greek broadcasters use a technical delay function, whereby the actual emission of "live" broadcasts is slightly delayed, in order to allow TV and radio stations to stop any hate speech from being broadcast. Another positive development is the adoption in 2016 of a Code of Ethics for Members of the Greek Parliament.

The provision of services to asylum seekers, including children, have improved recently although serious challenges remain. Among other providers of education, five Migrant Integration Centres offer courses in Greek language and culture.

In the context of the Covid-19 pandemic, computer tablets were distributed by public authorities to Roma pupils, together with 3 GB worth of internet connection time.

ECRI welcomes these positive developments in Greece. However, despite the progress achieved, some issues give rise to concern.

The only Equality Body in Greece, the Greek Ombudsman, still does not have the competence to provide legal representation to victims of discrimination or intolerance in court, to pursue strategic litigation or to bring cases before courts. Further, the Ombudsman Office is not allowed to freely select new staff to be recruited.

LGBTI pupils continue to face intolerant and discriminatory attitudes and behaviours in school, including from teachers.

As regards in particular intersex persons, notably children, they may face serious forms of discrimination and intolerance, including from medical professionals who reportedly often recommend abortion of intersex children to expecting parents, while medically unnecessary surgery on intersex children is also common.

Refugees, asylum seekers and other migrants, as well as Roma and members of LGBTI communities remain victims of frequent hate speech, at times involving politicians and even state officials.

Despite the commendable work of many NGOs in support of migrants in Greece, their possibilities to support migrants have been put at risk by a 2020 Ministerial Decision introducing stricter registration and operation rules for NGOs active in the sectors of international protection, migration and relocation, or the social integration of migrants. A number of international institutions have expressed concern about the way the registration has been conducted in practice, thereby allegedly leading to the exclusion of some NGOs that support migrants.

The level of education among Roma remains low compared to other EU countries and to the mainstream Greek population. Drop-out remain high despite a reported slight decrease. Further, there is not always sufficient infrastructure to ensure smooth school attendance in the areas where some Roma settlements *de facto* exist.

In this report, ECRI requests that the authorities take action in a number of areas and makes a series of recommendations, including the following.

The Ombudsman should be given the competency to intervene as *amicus curiae* before courts.* He should further be given the authority to recruit his own staff, without the involvement of the Supreme Council of Recruitment.

Training should be introduced for teachers on how to address LGBTI-phobic intolerance and discrimination in schools, while promoting understanding of and respect for LGBTI pupils.

The authorities should take action to prevent intolerance and discrimination against intersex persons, including by prohibiting medically unnecessary sex-“normalising” surgery on small children and by developing guidelines and training on intersex equality rights for relevant professionals, including teachers. and providers of health care.*

A comprehensive monitoring system for hate speech incidents, including online, should be established, accompanied by public awareness campaigns against hate speech.

Measures should be taken to facilitate and accelerate the process of recognising foreign diploma and other qualifications in order to improve the employability of recognised refugees.

The authorities should ensure that Roma are not evicted illegally or without proper notice or opportunity for rehousing in decent accommodation. If faced with an eviction decision, Roma should enjoy effective access to adequate legal aid.

* The recommendations in this paragraph will be subject to a process of interim follow-up by ECRI no later than two years after the publication of this report.

FINDINGS AND RECOMMENDATIONS

I. EFFECTIVE EQUALITY AND ACCESS TO RIGHTS

A. Equality bodies¹

1. The Greek Ombudsman (GO) is the only competent equality body for the promotion of the principle of equal treatment for all the grounds relevant to ECRI,² in both private and public sectors.³ These are in line with § 4 of ECRI's General Policy Recommendation (GPR) No. 2 (revised) on equality bodies to combat racism and intolerance at national level. The GO has mediation functions, can address complaints submitted and take action *ex officio*.
2. However, the GO does not have the competence to provide legal representation to victims of discrimination or intolerance in court, to pursue strategic litigation or to bring cases before courts. This is in contradiction with § 14 of ECRI's GPR No. 2, which provides that the support and litigation function of equality bodies should include the competences to intervene as *amicus curiae*, third party or expert before institutions, courts and other adjudicatory bodies. In the view of ECRI, mandating the GO with the powers to intervene as *amicus curiae* before courts would significantly increase the institution's powers to defend discrimination against members of groups of concern to ECRI.
3. ECRI therefore recommends as a matter of priority that the authorities strengthen the support and litigation function of the Greek Ombudsman, in line with ECRI's General Policy Recommendation No. 2 (revised) on equality bodies to combat racism and intolerance at national level, in particular by introducing legislation enabling the Ombudsman to intervene as *amicus curiae* before courts.
4. In line with § 27 of ECRI's GPR No. 2 (revised), the GO decides independently about its internal structure, budget management and deployment of staff. However, the GO's Office does not have the right to recruit its own staff. The selection procedures are the prerogative of the Supreme Council of Recruitment, which is responsible for the staff selection of the entire public administration.⁴ Furthermore, the premises in which the GO operates appear undersized for accommodating all necessary staff.
5. ECRI recommends that the Greek Ombudsman's Office be given the competency, in line with § 27 of ECRI's General Policy Recommendation No. 2 (revised), to directly recruit its own staff and that consideration be given to providing the institution additional office space.
6. As concerns powers to issue sanctions or other means of promoting implementation of recommendations by equality bodies (§§ 17 and 18 of ECRI's revised GPR No. 2), the GO may ask the Labour Inspectorate to impose administrative sanctions in the field of employment. The Labour Inspectorate is legally obliged to follow recommendations made by the Greek Ombudsman as concerns sanctions against private sector actors in the labour market, unless it can justify its decision not to follow the recommendations.

¹ The term "national specialised bodies" was updated to "equality bodies" in the revised version of GPR No. 2 which was published on 27 February 2018.

² Since 2016, by virtue of Law 4443/2016, which replaced Law 3304/2005. These are the grounds protected under EU directives 2000/43, 2000/78 and 2006/54.

³ According to Article 14 par. 1 of Law 4443/2016, the Ombudsman is the monitoring body to promote the implementation of the principle of equal treatment in the private and public sectors.

⁴ The GO Office may list the necessary competencies for its new staff to be recruited, but not take part in the actual selection of candidates.

B. Inclusive education

7. According to ECRI's GPR No. 10 on combating racism and racial discrimination in and through school education, human rights education should be an integral part of all school curricula, across all disciplines and levels, as of nursery school.⁵
8. The Greek National Action Plan against Racism and Intolerance (NAPRI) for the period 2020-2023 states that it is necessary to strengthen human rights education in order to create an environment of respect and tolerance for diversity.⁶ ECRI is pleased to note that the stated objectives of the NAPRI also include combating discrimination in education and the implementation of actions at all levels of education to promote mutual understanding of diversity and tolerance, with a focus on combating stereotypes. Furthermore, it foresees teacher training on human rights issues.
9. ECRI is pleased to note that anti-bullying measures are taken in schools. By way of illustration, during its visit to the 4th primary school of Chalandri (Athens), which is located near a Roma settlement, the ECRI delegation noted that the school had a protocol for how to act in cases of bullying. ECRI was told by its Chalandri school interlocutors that many teachers had received training in how to deal with bullying and that each school had one teacher who holds particular responsibility in this regard.
10. As concerns refugee, asylum seeking and migrant pupils and students, ECRI is aware that organising inclusive education for them in Greek schools has proven to be an increasing challenge in recent years, not only from a logistical and teacher availability point of view, but also when it comes to addressing potentially negative attitudes from some parents and teachers⁷. Reference is made in this respect to paragraph 67.
11. As regards Roma children attending schools, the overall picture is rather mixed (see paragraphs 91-97). On a positive note, the ECRI delegation was impressed, during its visit to the 4th primary school of Chalandri, with the successful inclusion of Roma children in this school. Children in need of extra support, be they Roma or belonging to other vulnerable groups, received support education. Furthermore, the school enjoyed excellent co-operation with the Roma centre of the Chalandri municipality and the latter offered facilities for distance learning during the Covid pandemic.
12. In 2020 the youth organisation Colour Youth carried out a survey of attitudes towards LGBTI pupils and students in schools, which concluded that the situation of LGBTI children in Greek schools was "still deplorable".⁸ During its visit, the ECRI delegation heard shocking testimonies about some teachers' statements to intersex pupils (e.g. "you should not exist"). ECRI also notes that in response to complaints of discriminatory treatment in secondary education on the basis of

⁵ This section relates to education for all children and young people. Specific measures for the education of migrants and Roma children are dealt with under the heading of integration and inclusion.

⁶ Hellenic Republic, Ministry of Justice, National Action Plan against Racism and Intolerance (2020-2023), p. 71. See <https://moj.gov.gr/ncri/developing-a-comprehensive-strategy-against-racism-intolerance-and-hate-crime/>

⁷ More specifically, the GO looked into cases of potential discrimination against young refugees in schools. Mention can be made of a case in which a teacher allegedly gave a refugee student lower grades for reasons of racist motivation in order to prevent him from entering university. The GO intervened at several stages in this case to ensure that the young refugee in question could continue with his studies. During the visit, ECRI was informed that an investigation was initiated by the relevant authorities and that no wrongdoing on the part of the teacher concerned was established.

⁸ GALE, the Global Alliance for LGBT Education (2020, March 15), In Greece, even teachers make homophobic remarks about LGBT students, referring to ILGA Rainbow Digest March 2020, Colour Youth, 2020, First Greek National School Climate Survey. For detailed findings, see

https://www.gale.info/en/news/local_news/200315-in-greece-even-teachers-make-homophobic-remarks-about-lgbt-students .

gender or sex characteristics,⁹ the GO suggested that school teachers be provided with training about LGBTI issues, notably to prepare them for teaching the subject of sexual education,¹⁰ which has become compulsory since September 2021.

13. ECRI recommends that the Greek authorities put in place training for teachers on how to address LGBTI-phobic intolerance and discrimination in schools while promoting understanding of and respect for LGBTI pupils. These efforts should include the preparation and production of further appropriate teaching materials and the establishing of school policies to prevent, monitor and respond to LGBTI-phobic incidents, including bullying, with guidelines for pupils and students, teachers and parents.

14. In 2009, the Rainbow School was established in Athens to support LGBT+ school educators. Over time, it evolved into a structure that included members from the educational sector and sought to bring about institutional changes for more inclusive schools.¹¹ After ten years of efforts against all types of discrimination in education, the Rainbow School obtained legal recognition and support in order to expand its project.¹² ECRI considers the establishment of such a structure in support of inclusive education a **good practice**.

C. Irregularly present migrants

15. Greece's position on the frontier of the Eastern Mediterranean migration route makes it a major entry point not only for persons seeking international protection but also for migrants attempting to enter Europe irregularly. The overall population of irregularly present migrants on the territory in 2019 was estimated to be between 100 000 and 200 000.¹³ The number of persons arrested for illegal entry or stay in Greece has been increasing over recent years: 68 112 in 2017, 93 367 in 2018; and 98 019 in 2019.¹⁴ The most common countries of origin of these migrants are Afghanistan, Albania, Iraq, Pakistan and Syria.¹⁵

16. In its GPR No. 16 on safeguarding irregularly present migrants from discrimination, ECRI recommends that governments establish "firewalls" that prevent social service providers such as schools and hospitals from sharing the personal data of irregularly present migrants with the immigration control and enforcement authorities. These firewalls serve to protect the fundamental human rights of those migrants by guaranteeing that they can access key state services such as health care and schooling without fear of being deported.

17. ECRI is pleased that Article 19 of the Migration and Social Integration Code (Law 4251/2014) provides for the possibility for a third country national to apply for a residence permit if s/he may prove her/his presence in the country for seven consecutive years and prove that s/he has developed "strong links" with Greek society. ECRI notes that thousands of irregularly present migrants have been able to regularise their stay in this way, among them migrants providing care in the private homes of elderly people.

⁹ Contribution by the Greek National Commission for Human Rights (GNCHR) to the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity 15 March 2019, pages 6-7.

¹⁰ In 2021 the Greek Institute of Educational Policy published some support materials for teachers' provision of sexual education, available at <http://iep.edu.gr/el/psifiako-aphothetirio/skill-labs> (in Greek language only).

¹¹ Greece's "Colourful School" against homophobia and racism (allinc.eu), February 22, 2021, [Greece's "Colourful School" against homophobia and racism \(allinc.eu\)](https://www.allinc.eu/en/news/2021/02/22/greece-s-colourful-school-against-homophobia-and-racism)

¹² Greece's "Colourful School" against homophobia and racism (allinc.eu), February 22, 2021, [Greece's "Colourful School" against homophobia and racism \(allinc.eu\)](https://www.allinc.eu/en/news/2021/02/22/greece-s-colourful-school-against-homophobia-and-racism)

¹³ Pew Research Center 2019 <https://www.pewresearch.org/global/2019/11/13/four-countries-account-for-the-majority-of-europes-unauthorized-immigrant-population/>

¹⁴ OHCHR 2019 Working Group on Arbitrary Detention: Preliminary Findings from its visit to Greece (2 - 13 December 2019) <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25421&LangID=E> The 2019 statistics only include entries up until 2 December 2019.

¹⁵ Hellenic Police Headquarters/ Ministry of Citizen Protection, 2019, Statistics on Irregular Migration

18. However, Article 26 §1 of Law 4251/2014 the Migration and Social Integration Code¹⁶ states that public agencies, legal entities in public law, local authorities, public utility organisations and corporations and social security organisations shall not provide their services to third-country nationals who do not hold any internationally recognised travel documents or visa or residence permit and, generally, to those who cannot prove that they have entered and reside legally in Greece. The Greek authorities, during ECRI's visit, also explained that there is a general obligation for relevant professionals to report to the authorities the presence of irregularly present migrants, with the notable exception of staff of educational institutions and those in the health care sector.
19. Education is the one policy area in which the “firewall” principle is fully respected. Access to school is free and unlimited to all children of non-EU nationals irrespective of their parents' legal status in accordance with Article 13 §1 of Law No. 4554/2018 on “Guardianship of unaccompanied children and other provisions”, as well as a 2010 Circular of the Ministry of Education.¹⁷ Children lacking a legal status may also attend the Reception School Annexes for Refugee Education (DYEP, see paragraph 66). Law 4636/19 reiterates that children have the right to enrol in school, even without all required documentation. During its visit to Greece, ECRI was told by the authorities that there is a specific instruction to school headmasters to enrol children with insufficient documentation and that headmasters and municipal authorities will facilitate the enrolment of irregularly present children. It was further confirmed to ECRI by several independent sources during the visit that such children are able to enrol in school and that there is no obligation for school staff to report such pupils to the immigration authorities.
20. As regards the provision of health care to irregularly present migrants, access to hospitals and clinics is in principle secured in case of emergency or childbirth as well as for underaged children.¹⁸ However, between July 2019 and the last quarter of 2021, more restrictive rules and policies were applied, making access to such emergency health care uncertain, until the rules again allowed unrestricted access. Following a legal amendment in September 2021, full health care is to be provided to rejected unaccompanied child asylum seekers until their return.¹⁹ In practice, health-care professionals might also provide treatment in the case of non-life-threatening medical concerns.²⁰ ECRI welcomes the adoption of two Joint Ministerial Decisions in 2021,²¹ which provide for the possibility of vaccination against Covid-19 for undocumented third country nationals, without linking it to return procedures.
21. It also emerged during the visit that another administrative avenue allowing irregularly present children to get access to Covid-19 testing and vaccinations was the possibility for irregularly present migrants who could prove their identity to receive an administrative number, known as PAMKA, which allowed them to register Covid self-test results and get vaccinated against Covid-19. ECRI considers these avenues for irregularly present migrants and their children, as well

¹⁶ Law 4251/2014.

¹⁷ The legislation provides that child third-country nationals or stateless children shall, during their stay in Greece, be granted access to the public education system under similar conditions as those applicable to Greek citizens and with facilitation for enrolment in case they face objective difficulties in submitting the documentation required. Teachers and school administrators are not obliged to report irregularly present children as they have a right to education despite their status.

¹⁸ According to Article 26 of L.4251/2014, health care cannot be denied to undocumented third country nationals in cases of a) emergency care b) pregnancy and c) medical care to children. Also see 2018 OECD publication “Working Together for Local Integration of Migrants and Refugees in Athens”, available at <https://www.oecd.org/greece/working-together-for-local-integration-of-migrants-and-refugees-in-athens-9789264304116-en.htm>

¹⁹ Article 55 of Law 4636/2019 as amended by Article 19 of Law 4825/2021.

²⁰ WHO 2015 Greece: Assessing health-system capacity to manage large influxes of migrants

²¹ JMD 5160/2021 and 70413/2021.

as for unaccompanied child asylum seekers, to access vaccination against Covid-19 a **good practice**.

22. ECRI is concerned to note that a number of civil society providers of health care services who in practice treat irregularly present migrants for any medical concern could face sanctions from the authorities if formally denounced for providing such services. ECRI encourages the Greek authorities to explicitly permit the delivery of health care and other humanitarian assistance by NGOs to irregularly present migrants.
23. Article 29 of the Migration and Social Integration Code (Law.4251/2014) prohibits house owners to rent accommodation to undocumented third country nationals. If there is a breach of this provision, the owner may face an administrative fine of 1500-3000 Euros. In order to reduce the risk of exploitative or abusive situations, ECRI strongly encourages the Greek authorities to amend the relevant legislation to ensure that landlords who rent accommodation to irregularly present migrants do not face administrative fines.
24. In 2016, the Ministry of Agriculture introduced a voucher system in the agriculture sector, intended for farmers who wished to employ migrants who do not have residence permits. So far, about 13 000 irregularly present migrants have profited from this scheme, which is to expire in July 2022. By means of this procedure, irregularly present migrants working in agriculture can temporarily get their status regularised for a six months' period, renewable. To employ irregularly present migrant workers, the employer must provide the identity of the workers to the police authorities. ECRI considers this a **good practice**. Further, by means of bilateral agreements to be concluded or already signed by Greece with Pakistan and Bangladesh²² respectively, citizens of the latter countries will be able to apply for Greek visas for the purpose of employment of a maximum of five years in the agriculture sector. Importantly, the legislative and administrative acts under preparation for this purpose will, once adopted, allow Pakistani and Bangladeshi citizens already irregularly present in Greece to regularise their stay for the period specified in the bilateral agreements, even though the terms are somewhat restrictive (e.g. excluding residence permits for family members)²³. ECRI looks forward to the conclusion and implementation of Greece's bilateral agreements with Pakistan and Bangladesh.
25. ECRI recommends that the authorities extend the use of the voucher scheme currently in place in relation to all irregularly present migrants in Greece beyond July 2022 and consider introducing similar systems in other segments of the labour market.

D. LGBTI equality²⁴

26. According to a 2020 online survey,²⁵ 27% of LGBTI persons stated that, due to their sexual orientation or gender identity, they are sometimes, often or always discriminated against in public services. Only 7% had reported an incident of discrimination or violence to a public body and 72% said they did not feel safe reporting such an incident.²⁶ ECRI is pleased to note that, in response to persisting

²² A corresponding Memorandum of Understanding was signed between Greece and Bangladesh on 9 February 2022. The preparations for a similar agreement with Pakistan are ongoing.

²³ These visas require a minimum presence of nine months per year in Greece and are renewable once.

²⁴ For terminology, see the definitions set out in CoE Commissioner for Human Rights 2011.

²⁵ This was an online survey on the experience of LGBTI persons in public sector bodies and services, which involved 150 LGBTI+ individuals and 202 employees in a wide range of public services (such as teachers, administrators, court clerks, social workers and psychologists, health professionals, police officers and judges), employed in various parts of Greece. The research was conducted from May to July 2020, in the framework of the FAROS project.

²⁶ Further, 40% of LGBTI respondents never feel comfortable and 31% rarely feel comfortable sharing their gender identity with professionals in the public sector, in cases where this would be needed. One in five stated that they avoid visiting public bodies often or always, due to the concern they have about the treatment they will receive from the staff as a LGBTI person.

problems in the area of LGBTI equality, some encouraging steps have been taken by the Greek authorities both in legislation and on the policy level.

27. In particular, Law 4443/2016 on non-discrimination, *inter alia*, includes sexual orientation, gender identity and sex characteristics among the protected grounds. Further, on 17 March 2021, a committee consisting of relevant legal experts and civil society representatives was set up with the mandate to draw up a national strategy for LGBTI equality for 2021-2025. The strategy²⁷ was adopted following public consultations. ECRI was informed that the relevant ministries adopted action plans linked to its implementation.
28. The FAROS project was designed to prevent discrimination against LGBTI persons and is implemented by the Ministry of Justice in co-operation with a number of NGOs.²⁸ Moreover, the Institute of Educational Policy²⁹ created a platform for promoting and supporting sexual dignity and sex education, which includes educational materials.
29. As concerns same sex couples, Law 4356/2015 provides for an extension of the civil partnership pact to them and recognises family ties between the parties, conferring rights similar to those deriving from marriage.
30. As regards transgender persons, Law 4491/2017 on the legal recognition of gender identity made it significantly easier to make changes to the registered gender. It allows the change of identity information, such as the name, without any requirement to undergo medical examinations or treatments. Apart from adults, this applies to 17-year-old children as well, provided that they have the explicit consent of their parents, and to 15-16-year-old children, provided that in addition to the parental consent, there is also an affirmative opinion by a medical board. The medical board consists of professionals such as a child psychiatrist, a paediatrician and a psychologist. That being said, the new legislation is criticised for its remaining obstacles to unrestricted legal recognition of gender identity. For instance, civil society actors pointed out that the recognition has to be validated by a local court and that a judge has to decide whether a person's external appearance matches the gender the person identifies with, risking that individuals have to conform to gender stereotypes.³⁰ ECRI strongly encourages the authorities to review the legislation to ensure that it guarantees the full legal recognition of a person's gender reassignment and allow gender changes to be made in a quick, transparent and accessible way.
31. A welcome step is the inclusion of transgender persons in the Greek Manpower Employment Organisation (OAED) programmes for providing work for members of vulnerable groups.³¹ ECRI encourages the Greek authorities to pursue their action in support of transgender persons in the field of employment.
32. As regards intersex persons, both interviews with relevant experts and members of the intersex community, as well as FRA's (2020) data, indicate that intersex persons all too often fall victims of discrimination in Greece. The stance and perception of Greek society towards intersex people moves between ignorance, (medical) pathologisation and hostility. Hiding being intersex and/or harassment and discrimination on the grounds of sex characteristics in everyday life,

²⁷Available at https://primeminister.gr/wp-content/uploads/2021/06/ethniki_statigiki_gia_thn_isothta_ton_loatki.pdf?fbclid=IwAR0H3gutNs17FyqCqevtEw8A8p-mbzb8KC_jRAQaEyQhjRsJdta8e0XhBNQ (in Greek language only).

²⁸ Positive Voice, Orlando LGBT +, Colour Youth - LGBTQ Youth Community of Athens, Rainbow Families, KMOP – Social Action and Innovation Centre in collaboration with the Colourful School.

²⁹ The Institute of Educational Policy Is a private corporation serving the public interest. It is located in Athens and supervised by the Minister of Education, Lifelong Learning and Religious Affairs.

³⁰ Amnesty International, submission for ECRI's sixth evaluation of Greece.

³¹ With a ministerial decision published in the Government Gazette 2711 / B ' / 24-06-2021, trans persons will be included among the other vulnerable groups for the extra job positions provided by the unemployment programme of the OAED.

particularly in health, education, and the employment sector, appear to be constantly present aspects of an intersex person's life in Greece.³²

33. In this connection, during the visit, the ECRI delegation heard credible accounts pointing to relatively widespread practices by medical doctors engaged in advising pregnant women and their husbands to recommend, or even exert pressure on parents, to abort unborn children who have been diagnosed as being intersex. It also heard accounts of health care staff and teachers showing intolerance towards intersex children. On a positive note, ECRI understands that the Deputy Ombudsman in respect of children's rights, who is a deputy to the GO, has been active in supporting intersex children and their parents and the Greek Ombudsman has intervened on a few occasions to stop unnecessary surgeries on intersex children.
34. ECRI recommends as a matter of priority that the authorities take action to prevent intolerance and discrimination against intersex persons, in particular children. These efforts should entail i) the introduction of specific legislation prohibiting medically unnecessary sex-“normalising” surgery and other non-therapeutic treatments until such time as the intersex child is able to participate in the decision, based on the right to self-determination and on the principle of free and informed consent, ii) the development of guidelines and training on intersex equality rights for relevant professionals, especially those who may come into contact with intersex children, such as teachers and health care professionals, and iii) the dissemination of any existing relevant material, such as guides for parents of intersex children, to the target groups.

II. HATE SPEECH AND MOTIVATED VIOLENCE

A. Hate speech^{33 34}

35. According to statistics gathered by the Hellenic Police, there were 51 hate speech incidents in 2020, 34 of which were online. The corresponding numbers were 92 (38 online) in 2019; 63 (39 online) in 2018, 88 (48 online) in 2017 and 29 (15 online) in 2016. Apart from these figures, there is little systematic gathering of data on hate speech.
36. ECRI recommends that the authorities establish a comprehensive monitoring system for hate speech incidents, including online, building on the experiences and expertise of the police and prosecuting services, equality bodies and national human rights institutions, self-regulatory bodies and relevant civil society organisations.
37. ECRI notes that the authorities took action at various levels in recent years to prevent and combat hate speech, both offline and online.
38. On 25 January 2017, Greece ratified the Additional Protocol to the Council of Europe Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems. The Protocol entered into force in Greece on 1 May 2017.
39. The Greek Criminal Code was also amended by Law 4619/2019, as a result of which Article 184 of the Code provides that whoever publicly, by any means,

³² The Status of Intersex People in Greece, BRING-IN, national Situational Analyses Report, Athens, March 2021, page 39, available at [Deliverables | Bring-In](#)

³³ According to ECRI's GPR No. 15 on combating Hate Speech, “hate speech” shall mean the advocacy, promotion or incitement, in any form, of the denigration, hatred or vilification of a person or group of persons, as well as any harassment, insult, negative stereotyping, stigmatization or threat in respect of such a person or group of persons and the justification of all the preceding types of expression, on the ground of “race”, colour, descent, national or ethnic origin, age, disability, language, religion or belief, sex, gender, gender identity, sexual orientation and other personal characteristics or status.

³⁴ In the present report, hate crime should be understood as any criminal offence motivated by hate or prejudice on grounds such as “race”, colour, language, religion, citizenship, national or ethnic origin, sexual orientation or gender identity, whether real or presumed. For further information about the notion of hate crime, see <http://hatecrime.osce.org/what-hate-crime>.

including the internet, causes or incites the commission of a crime and puts in danger the public order, is punished by one year of imprisonment or with a fine. If the intention was to perform violent acts against persons who are defined by race characteristics, colour, national or ethnic origin, descent, religion, disability, sexual orientation, gender identity or sex characteristics, the sentence may reach three years of imprisonment.

40. Article 8 of Law 4779/2021 provides that audio-visual media services must not contain incitement to violence or hate against a group of people or a member of a group, which is defined by race characteristics, colour, national or ethnic origin, descent, religion, disability, sexual orientation, gender identity or sex characteristics.³⁵
41. ECRI also observed that a police website through which hate speech and hate crime incidents can be reported was created. The Cybercrime Division of the Hellenic Police is also involved in both preventive and investigative action against hate speech online.
42. In 2018, the Prosecutor General issued guidelines³⁶ on how to deal with hate speech cases.
43. In the area of self-regulation, the Journalists' Code of Conduct, which applies to TV and radio programmes, sets an obligation to treat citizens without discrimination. The National Council for Radio and Television (NCRTV) supervises radio and TV broadcasts. The NCRTV may act *ex officio* or following complaints. It may impose administrative sanctions, such as fines, and it may suspend transmissions of TV or radio programmes or even all transmissions of an offending broadcaster. The NCRTV can act rapidly to prevent further harm. Its decisions are made public.³⁷ In order to prevent hate speech and thus being sanctioned by the National Council, many Greek broadcasters use a technical delay function, whereby the actual emission of "live" broadcasts are slightly delayed, in order to allow TV and radio stations to stop any statements which would constitute hate speech from being broadcast. ECRI considers this a **good practice**.
44. The Code of Ethics for Members of the Greek Parliament (article 2 and paragraph 1 of article 8) provides for the prevention of hate speech against persons on the grounds of their racial or ethnic origin, religious or political beliefs, sex, age, disability or sexual orientation (Government Gazette, A67/18.4.2016).

³⁵ Article 14 par. 2b.

³⁶ 2018/5.

³⁷ In the reference period, there have been five decisions by the NCRTV of relevance to ECRI. In connection with the murder of Zak Kostopoulos, a queer activist and human rights defender, who was killed on 21 September 2018, a person spoke about the case in an LGBTI-phobic manner in a TV programme of a regional TV Channel in the Attica region, prompting the National Council to impose a 150 000 Euro fine on the broadcaster. Representatives of the National Council explained to ECRI that the reason for which the fine was so high was that it had the potential to promote discrimination against LGBTI people in general. In addition, the broadcaster had to broadcast a factual explanation about the Kostopoulos incident and the ruling by the National Council.

45. In spite of all the measures described above, refugees, asylum seekers and migrants, Roma and LGBTI communities are frequent targets of hate speech, involving at times politicians and even state officials and, in the case of LGBTI-phobic hate speech, representatives of the Greek Orthodox Church. It also emerged during the visit that new guidance provided to prosecutors has largely been ignored, resulting in only some ten prosecuted cases of hate speech of a criminal nature in the last ten years, with the majority not resulting in a sentence, or even, in the worst case, with the complainant ending up accused and sentenced for libel instead.³⁸ In addition, according to several NGO interlocutors during the visit, the self-regulatory mechanisms in place have proved to be insufficient means of preventing and combating hate speech.
46. ECRI therefore recommends that the Greek authorities launch public awareness campaigns against hate speech, in which the dangers posed by hate speech are underlined and the falsity and unacceptability of its foundations stressed, involving responsible political and religious leaders engaging in counter-speech.

B. Hate-motivated violence

47. According to data reported by the Greek authorities to the OSCE/ODIHR, there were 164 cases of hate crime reported by the police in 2018; 128 in 2017 and 40 in 2016. In 2018, hate crimes motivated by racism and xenophobia numbered 78; bias against Roma and Sinti 2; antisemitism 8; bias against Muslims 6; bias against Christians 6; bias against members of other religions or beliefs 3; and bias against sexual orientation or gender identity 30.³⁹ The number of cases prosecuted in relation to reported incidents was low,⁴⁰ and the cases which resulted in a sentence much lower, at four in 2018; six in 2017 and two in 2016.
48. The Racist Violence Recording Network (RVRN),⁴¹ for the period from 2016 to 2020, recorded a total of 521 incidents of racist violence. In 148 incidents the targets were refugees, asylum-seekers or migrants, persons working with them or accommodation centres. In seven incidents, the targets were Greek citizens on grounds of ethnic origin or colour, while in 28 incidents, the attacks took place on the ground of religion. In 131 incidents, the targets were LGBTI individuals and human rights defenders due to their association with LGBTI communities.⁴² The number of convictions for hate crimes is remarkably low in relation to the recorded incidents.⁴³

Legislation

49. According to Article 82A of the Criminal Code, a bias motivation must be established when the victim was selected (targeted) by the offender “due to his/her ‘race’, colour, national or ethnic origin, descent, religion, disability, sexual

³⁸ One of the relatively few successful prosecutions of hate speech was against an Orthodox priest, who got sentenced for inciting violence against homosexual persons (for more details, see [Greek metropolitan sentenced to 7 months for “hate speech and incitement to violence” against homosexuals / OrthoChristian.Com](#)). On the other hand, two NGO human rights defenders from the Greek Helsinki Monitor filed a complaint against a Greek Orthodox bishop, accusing him of incitement to discrimination, hatred or violence following an allegedly antisemitic statement he had published. In December 2019, their complaint was rejected by the prosecutor in charge of the case. The Bishop instead made a complaint against the NGO activists in question, who as a result on 15 February 2022 were sentenced to one-year suspended prison terms for raising false accusations against the bishop (for more details, see <https://www.amnesty.org/en/documents/eur25/5237/2022/en/> and “[Activists convicted of ‘falsely accusing’ Greek bishop of hate speech](#)”, 15 February 2022 *The Guardian*).

³⁹ OSCE/ODIHR submission to ECRI, July 2021.

⁴⁰ 6 in 2016; 46 in 2017 and 17 in 2018.

⁴¹ The RVRN is a group of more than 50 NGOs and other civil society actors set up together with National Human Rights Commission and the UNHCR in 2011.

⁴² Submission of RVRN to ECRI, 3 August 2021.

⁴³ Greek National Commission for Human Rights: page 16 of its 28 September 2021 observations on Greece’s combined 23rd and 24th periodic report to the Committee on the Elimination of Racial Discrimination (CERD) of the International Convention on the Elimination of All Forms of Racial Discrimination.

orientation, gender identity or gender characteristics”. However, in practice, police, prosecutors and judges appear reluctant to investigate, prosecute and sentence racist crime under Article 82A.⁴⁴ Following the adoption of Article 21 of Law 4356/2015, it is no longer required to prove that the offender was motivated by hatred against the victim for a crime to be punished with stiffer penalties as a racist one, but it is sufficient to establish that the victim has been targeted by the offender on the basis of his/her characteristics.

Responses to hate crime, including violence motivated by hate

50. Regrettably, the actual impact of Article 82A of the Criminal Code in recent criminal cases is still rather limited. There have been delays in the investigation of bias-motivated crimes. In a number of cases, the possible racist motivation was not, in practice, investigated by the police and the prosecutors did not address the issue either.⁴⁵ In this connection, one main finding of the Greek Ombudsman as National Mechanism for the Investigation of Arbitrary Incidents is that the victims are all too often not formally interviewed and that medical and other evidence is ignored. Alternatively, the victims are called to be heard by the investigators only months after the incident, which especially in the case of asylum-seeking victims often makes them hard to find. A case in point is when residents of the island of Lesbos in April 2019 attacked asylum seekers who were protesting against the notoriously poor conditions in the Moria camp.⁴⁶ 26 alleged perpetrators were identified in the course of the investigation. However, by November 2021, no date for any court hearing had been set.
51. ECRI is concerned about what appeared during the visit to be an overall reluctance by police and prosecutors to consider hate motivations in police investigations and to prosecute hate crimes as such. This state of affairs is confirmed by the disproportion between registered hate crimes compared with the number of prosecutions and sentences for crimes motivated by hate.
52. At present, students of the Policy Academy attend lectures on amongst others action against discrimination, racism and xenophobia, as well as on the rights of LGBTI individuals. In 2021, 151 police officers received in-service training about combating racist violence. On 21 February 2022, a broader training programme aimed at 17 000 serving police officers was initiated. It covers the themes of racist and domestic violence, as well as the protection of LGBTI persons and people with disabilities.
53. At present there are 70 police entities with police officers specialised to work against racist violence.⁴⁷ These specialised police officers are, according to civil society sources met by ECRI, conducting their tasks in an exemplary manner, contrary to many of their non-specialised colleagues.

⁴⁴ Greek National Commission for Human Rights: page 12 of its observations on Greece’s combined 23rd and 24th periodic report to the Committee on the Elimination of Racial Discrimination (CERD) of the International Convention on the Elimination of All Forms of Racial Discrimination.

⁴⁵ RVRN submission to ECRI, 3 August 2021, page 10.

⁴⁶ The camp in which some 13 000 refugees were staying was destroyed by fire in September 2020. New camps have been built since then, but they are being criticised for being too reminiscent of prisons <https://fragdenstaat.de/en/blog/2021/10/22/how-the-eu-supports-the-construction-of-prison-like-refugee-camps/>

⁴⁷ There are two Departments of State Security Police Sub-directorates, which come under the Police Security Directorates of Attica and Thessalonica, and 68 Offices at the regional Security Police Services, all 70 of which work against racist violence.

54. There are also 24 specialised prosecutors appointed for investigating racist crime. According to Prosecutor's Circular No. 5/2018, a systematic handling of all cases of hate speech and hate motivated violence is required. Prosecutors have been instructed to focus on gathering evidence for the motive of bias.⁴⁸
55. The National School of Judges' initial education curriculum for judges and prosecutors includes courses on human rights issues, as well as specialised courses on racism and xenophobia and migration law. The Greek authorities informed ECRI of seven court decisions in which the defendants have been sentenced for crimes with a racist or LGBTI-phobic motivation recognised by the court, including a racist murder, which resulted in a sentence of 21 years and 5 months for the perpetrators.
56. It is also noteworthy that, in a judgment delivered on 7 October 2020, the Athens Criminal Court of Appeals found the seven members of the "Golden Dawn" leadership guilty of directing a criminal organisation.⁴⁹

Support to victims of hate crimes

57. There is a 24/7 hotline number operated by the Hellenic Police specialised in combating racist violence (see paragraph 53 above), to which suspected incidents of racially motivated crime can be reported, confidentially and/or anonymously. It provides relevant information about support services for victims, as well as their rights, as do the anti-racist police units if victims contact these units directly. Callers to the hotline can also be referred to the RVRN, which can help further, including in languages other than Greek or English. However, the hotline is not available throughout the country. ECRI encourages the authorities to ensure that the hotline is accessible nationwide.
58. According to Article 61 of Law 4478/2017, police officers to whom hate speech or hate crimes are reported should be able to refer the victims to support services. Crimes can further be reported on the website of the Hellenic Police. According to Article 44, paragraph 1 of Law 3386/2005, residence permits for humanitarian reasons may be granted to victims of racist crimes, provided that there is a related court decision and/or that the victim needs medical treatment. ECRI considers this a **good practice**.
59. The Ministry of Justice along with the National Council Against Racism and Intolerance recently produced a guide in nine languages⁵⁰ for hate crime victims that includes the existing legal framework on the rights of victims of racist crimes, instructions on the necessary steps to be taken by those affected by racist crimes, as well as a list of services that can assist the victims.⁵¹ It is expected to be distributed to police and prosecution services, civil society organisations, public hospitals and reception centres for migrants. ECRI encourages the authorities to take further action, beyond publishing the guide in a wider range of languages (including Romani), to facilitate victims' access to support and remedies.

III. INTEGRATION AND INCLUSION

A. Migrants

60. The UNHCR estimates that at the end of October 2021, Greece hosted almost 95 000 persons who had arrived in Greece after 2015. The great majority of them

⁴⁸ Such as using indicators such as insulting expressions or gestures to the victim before or during the crime, statements before the crime which suggest planning, interfaces with organised groups and the conditions of the crime, such as time, place, symbols, slogans, posters, brochures, spray representations in crime scene, or disputes between the victim and the perpetrator for ethnic, religious and cultural reasons.

⁴⁹ Reference is made in this regard to ECRI's fifth report on Greece (2015), in particular §§ 75 and 76.

⁵⁰ English, French, Farsi, Urdu, Arabic, Pashto, Albanian, Russian and Georgian.

⁵¹ Available at: https://moj.gov.gr/wp-content/uploads/2022/02/Guide_for_the_rights_of_hate_crime_victims_02022022.pdf

are formally registered as refugees, subsidiary protection status holders or asylum seekers. Most of them are staying on the Greek mainland.⁵²

61. Integration is one of the six priorities of the Greek migration management policy announced by the Greek Prime Minister in May 2021. However, by the end of March 2022, there had not been any concrete integration measures resulting from that policy. There are, however, a relatively large number of projects involving Greek public institutions, civil society actors and international organisations,⁵³ which aim at integrating and supporting migrants, including asylum seekers, in the areas of education, housing and employment. Some of these actors and institutions support integration in a multitude of policy areas.⁵⁴
62. Despite the commendable work of many NGOs in support of migrants, their freedom to operate was restricted by means of a 14 April 2020 Ministerial Decision, adopted to regulate the operation of Greek as well as foreign NGOs through increased rules on the registration of NGOs and all their members, who are active in the sectors of international protection, migration and relocation, or the social integration of migrants. The stated aim of the Decision was to increase the transparency of the NGOs' work.⁵⁵
63. With the adoption on 14 April 2020 of the Joint Ministerial Decision No. 3063 on the operation of the Registry⁵⁶ of Greek and foreign NGOs that operate in the areas of asylum, migration and social integration in Greece, and on the Registry of their members,⁵⁷ the rules for the registration and operations of such NGOs were made stricter. The Greek authorities indicated to the ECRI delegation that these registries were introduced to provide transparency and co-ordination and to protect both the NGOs in question and those benefitting from their work. However, in an opinion on the matter, the Expert Council on NGO Law, a body created by the Conference of INGOs of the Council of Europe to examine NGO legislation and its implementation in the light of international standards, considers that the Greek government's decision "makes it virtually impossible for NGOs working in the domains of asylum, migration and social inclusion to provide any services at all and it impedes their access to government and EU funding".⁵⁸ Further, the Council of Europe's Commissioner for Human Rights,⁵⁹ as well as Amnesty International,⁶⁰ have both expressed concern about the way the registration is functioning in practice, as it has been alleged that the decisions about registration are arbitrary or subjective

⁵² In the present reporting period, there have been reports, including by the UNHCR and NGOs, about the lack of effective investigations into allegations of so-called pushbacks of asylum seekers. ECRI notes that other Council of Europe institutions and bodies, in particular the European Court of Human Rights, the Commissioner for Human Rights and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) are better placed, based on their respective mandates, to consider and pronounce themselves on this matter, and they have done so. ECRI is aware that if allegations of pushbacks have been true, it has resulted in a smaller number of asylum seekers successfully entering the Greek territory in recent years, thereby affecting the number of refugees, subsidiary protection status holders and asylum seekers staying in the country and the conduct of integration policies concerning them.

⁵³ Notably the UNHCR and IOM.

⁵⁴ One example of the latter is the establishment of Migrant Integration Centres, of which 11 exist and operate as parts of Municipalities' Community Centres. The Migrant Integration Centres, established by the Ministry of Migration and Asylum, with EU financial support, provide information, services and counselling on migrants' integration as well as networking, including referrals to providers of services, be those public bodies or civil society ones. The centres themselves, among other things, organise Greek language lessons and promote access of migrants, including those granted asylum, to the labour market. The establishment of further centres are underway.

⁵⁵ Press of the Greek Government 2020, Decision No 3063.

⁵⁶ The registry of NGOs was introduced by Ministerial Decision No 7586/2018.

⁵⁷ The registry of NGO members was introduced by Article 191 of Law 4662/2020.

⁵⁸ Expert Council on NGO Law Council of Europe, 2020, Addendum to the Opinion on the compatibility with European standards of recent and planned amendments to the Greek legislation on NGO registration

⁵⁹ Letter of the Council of Europe's Commissioner for Human Rights, 3 May 2021, available at: <https://rb.gy/n6hhus>

⁶⁰ Amnesty international, Greece: Regulation of NGOs working on migration and asylum threatens civ space, 31 July 2020, available at: <https://bit.ly/3rsGjVW>

and that the authorities have actively tried to exclude from registration certain NGOs with experience in the field of support to migrants. In one instance, the authorities rejected the application of an NGO that wanted to provide legal aid to persons that might face deportation. The authorities argued that the NGO intended to perform unlawful activities.⁶¹ Some NGOs have faced large fines for giving food,⁶² providing showers or erecting shelters for migrants.⁶³ ECRI is concerned that these registration practices may simply prevent civil society actors from providing much needed support to migrants.

64. ECRI recommends that the Greek authorities review the application of the new registration rules to ensure that NGOs can provide suitable support services to migrants, including asylum seekers and recognised refugees.

Education

65. Migrant pupils and students benefit from Greek language support or tutorial teaching in “reception classes” functioning in primary and secondary schools situated in “educational priority zones” (ZEP). The reception class scheme is open to all pupils and students from vulnerable social groups with little or no knowledge of the Greek language (foreign-born pupils, including refugees, repatriated Greeks, Roma, members of the Muslim minority in Thrace, etc.).
66. As from the school year 2016-17 until today, the Ministry of Education and Religious Affairs has established afternoon classes, named “Reception School Annexes for Refugee Education” (DYEP in Greek). Child asylum seekers and children granted asylum, who live in an urban setting may attend regular schools with Greek children, before the DYEP afternoon classes. DYEPs are specially designed as a preparatory transitional intervention scheme aiming to ensure the gradual integration into the education system of refugee children living in refugee accommodation centres. DYEPs operate in public primary and secondary schools. However, according to a September 2021 report by the Greek Council for Refugees and Save the Children, only 60 % of eligible children of school age are enrolled in DYEP, while just 14 % actually attend.
67. Challenges are not only linked to the number of available teacher and logistics, but also relate to some parents’ attitudes. Namely, some parents worry that the inclusion of refugee children will decrease the level of education. For example, reference can be made to a 2019 case on the island of Samos in which local parents did not let their children go to primary school “for health reasons”, while the real reason reportedly was to protest against migrant children being allowed to attend classes. The children did return to school after local authorities threatened the parents with legal action.
68. The Ministry of Education and Religious Affairs appoints Refugee Education Co-ordinators (RECs) in all major refugee accommodation centres. RECs are responsible for all aspects of integration of refugee children into schools, thus functioning also as the liaison between students, parents, school principals and teachers. ECRI formed a favourable impression of the work of the RECs. School drop-out rates are nevertheless relatively high, notwithstanding some success stories with refugees entering universities.
69. Besides the RECs, there are also other initiatives in support of asylum-seeking children. One of these initiatives is a project called Schools for All – Integration of Refugee Children in Greek Schools, which was implemented by the Ministry of

⁶¹ [Joint statement by 19 organisations active on refugee issues in Greece - R.S.A. \(rsaegean.org\)](https://www.rsaegean.org/)

⁶² According to Article 96 of Law No. 4368/16, humanitarian aid in hotspots is controlled by the military. Therefore, NGOs providing food and shelter in those places can be sanctioned.

⁶³ Expert Council on NGO Law, Council of Europe, 2020, Opinion on the compatibility with European standards of recent and planned amendments to the Greek legislation on NGO registration.

Education and Religious Affairs, in schools with refugee pupils across Greece.⁶⁴ Two further initiatives are worthy of mention. The first is the Accelerated Learning Programme, introduced by the Institute for Educational Policy, together with academic partners and UNICEF, which provided teaching and learning materials to support pupils with different cultural and linguistic background, as well as classroom or reception teachers in secondary schools. The second project is entitled “Assessing Newly Arrived Migrants’ Knowledge in Science and Math using Augmented Teaching Material - Augmented Assessment”, which runs for three years from 1 November 2020 onwards, and has led to the development of materials, practices and knowhow for the evaluation of pre-existing knowledge in Mathematics and Natural Sciences among newly-arrived migrants.

70. Despite the various support measures to improve access to education for asylum seeking children, problems remain. In a decision of 26 January 2021, the European Committee of Social Rights found that there had been multiple violations of the European Social Charter, including a breach of Article 17§2 of the Charter due to the lack of access to education for accompanied and unaccompanied migrant children on several islands.⁶⁵
71. On an encouraging note, several of ECRI’s civil society interlocutors met during the visit reported recent improvements in the provision of practical arrangements to enable the education of asylum-seeking children, and as a result improved actual attendance rates in schools. ECRI strongly encourages the authorities to pursue their efforts aimed at improving access of migrant children to education, including on the islands.
72. For adult migrants, including those granted asylum, free Greek language courses and courses about Greek culture are currently provided by five of the Migrant Integration Centres. Each of them is responsible for the content and duration of the courses. All migrants and beneficiaries of international protection that reside in the municipalities in question may participate in the courses free of charge. Further, there are so-called second chance schools initially established for native Greeks who have dropped out of school, but who later wish to complete it. These schools are also open to all categories of migrant students, an offer which has been taken up by some. ECRI welcomes the courses offered by the Migrant Integration Centres and encourages their extension to other municipalities. It also takes positive note of the access to “second chance” schools granted to migrants.

Housing

73. ECRI is concerned about the recent discontinuation of housing support for recognised refugees, as well as those whose asylum applications had been rejected. The first phase of the plan, which was postponed from April to May 2020 because of Covid-19 restrictions, affected over 11 000 people who were required to leave their accommodation by 1 June 2020, following a change in Greek law that came into force on 11 March 2020, whereby, upon obtaining recognition, refugees and subsidiary protection beneficiaries are required to leave their accommodation within 30 days instead of within six months. That said, refugees and subsidiary protection beneficiaries often stay in the reception centres longer, where they, in practice, continue to receive subsistence and other services.
74. ECRI visited one of the long-term accommodation centres for asylum seekers in Diavata, near Thessaloniki. ECRI gained a rather favourable impression of the facilities, which included an informal school for young children. The Casa Base, operated by NGOs outside the centre, offered further educational and training activities for older girls and women as well as a photography club.

⁶⁴ [The European Wergeland Centre \(theewc.org\)](https://www.theewc.org) (with Council of Europe)

⁶⁵ International Commission of Jurists (ICJ) and European Council for Refugees and Exiles (ECRE) v. Greece, Complaint No. 173/2018, §§ 199-209.

75. The HELIOS programme, funded by the EU Commission and implemented by the International Organisation for Migration (IOM), supports migrants granted asylum by means of housing subsidies, integration courses⁶⁶ and other measures. So far some 32 000 refugees have enrolled in the programme, with about 15 000 participating actively. If and when asylum seekers are granted asylum, they have to change regime for housing subsidies and then the IOM can support them by providing assistance with securing a rental contract and then with rental subsidies for private market apartments,⁶⁷ funded by the HELIOS Programme. However, the latter are only paid out once the contract is secured.⁶⁸ The IOM maintains a website with reasonably priced rental flats. The rental subsidies are nonetheless limited to 12 months.⁶⁹

Employment

76. According to official statistics, the overall employment rate in Greece in 2020 was 61,1 %, while it was 56,4 % among persons residing in Greece but born outside Greece or other EU countries. While the difference is relatively small, the unemployment rate, i.e. the differences in the rates of those registered as seeking employment and those employed, differed much more between Greek citizens and those with a non-EU migration background, as 16,3% of Greeks were unemployed in 2020 against 29,1 % among people with a non-EU migrant background.
77. As regards asylum seekers, they may seek employment as of six months after the submission of their asylum application. The IOM provides skill assessment and helps to match them with potential employers. Between 15 and 20 % of the recognised refugees hold higher education degrees. In Greece there is a system for recognition of foreign qualifications. However, it is slow and many refugees are not in possession of their diplomas from their home countries. In areas in which the local economy is based on tourism or agriculture, there is often a shortage of workers and thus good opportunities for refugees to find employment.

78. ECRI recommends that the Greek authorities take measures to facilitate and accelerate the process of recognising foreign diploma and other qualifications in order to improve the employability of recognised refugees in particular, before all public support measures for them, including as regards housing, expire.

Naturalisation

79. There are slightly below 200 000 migrants holding permanent or long-term residence permits in Greece. The majority of the latter are permits valid for ten years. According to the Greek Citizenship Code, citizenship may be granted to a foreigner who fulfills certain conditions.⁷⁰

⁶⁶ Consisting of e.g. language training and the building of local social skills

⁶⁷ If the rental flats are unfurnished, the IOM may provide some financial support for furniture.

⁶⁸ Amnesty International (2021, September 10), Amnesty International Submission to the Sixth Monitoring Cycle of the European Commission against Racism and Intolerance (ECRI): GREECE, p. 3-4, and footnote 9 referring to: Amnesty International, Submission to the United Nations Special Rapporteur on adequate housing: Covid-19 and the right to housing, July 2020, at:<https://www.amnesty.org/en/documents/ior40/2626/2020/en> For details on more recent developments see: <https://www.refugeesinternational.org/reports/2020/12/21/7z5xegmkuq5p3lob24hmxp3l0zy7oc>; <https://medium.com/are-you-syrious/ays-special-from-greece-the-ongoing-failure-of-accommodation-programs-3d6677ed415c>; <https://asylumineurope.org/reports/country/greece/content-international-protection/housing/>; rescue-uk.org/press-release/over-two-thousand-refugees-greece-risk-homelessness-support-programme-closes-warns-irc.

⁶⁹ Another three months of rental support can be granted if the refugees agree to rent an apartment in a more remote rural area, where rental costs are lower.

⁷⁰ For instance, the applicant should as a rule have a legal and permanent residence in Greece for seven continuous years before the submission of the application or three continuous years under certain circumstances. He should hold one of the categories of residence permits foreseen in the Citizenship Code, *inter alia*, long-term residence permit, second generation residence permit, residence permit granted to refugees or subsidiary protection beneficiaries, residence permits for spouses of Greek or EU citizens or a parent of an underage Greek citizen, or residence permit as a stateless person. Some of the naturalisation criteria were revised in 2020, providing that applicants for naturalisation need to have tax residence in Greece and must earn at least 6500 Euros per annum if unmarried. For every dependent family member, the amount required is increased with 10 %.

80. In addition to the technical criteria, applicants for naturalisation should also have sufficient knowledge of the Greek language,⁷¹ be well integrated in the economic and social life of the country and be familiar with Greek history, civilization, geography and political institutions. This knowledge is tested through a written examination.⁷² By way of example, ECRI was informed by the Greek authorities that in an examination earlier in 2021, 83 % of the applicants were successful, suggesting a suitable level of difficulty. However, the Greek Ombudsman, who on 8 November 2021 supervised one day of the Greek citizenship exams at which the success rates according to media sources were much lower, at less than 50%,⁷³ subsequently recommended that the authorities re-examine the level of difficulty of the materials used for the exam and consider the use of simpler language in it,⁷⁴ which ECRI concurs with.
81. Children born in Greece are subject to much facilitated naturalisation procedures and requirements. For example, some 9 900 such children were granted Greek citizenship in 2020.

Family reunification

82. A third-country national who has resided lawfully in Greece for two years is entitled to apply for his/her family members to enter and reside in the country. For this, an application is as a rule submitted and examined while these family members reside outside Greek territory.⁷⁵ A condition for family reunification is that they have suitable accommodation and that they have sufficient regular income without recourse to social assistance. The income of the party already living in Greece must not be lower than the minimum wage, increased by 20 % for the spouse and 15 % for each of any children. Applicants residing in Greece also need to have full health coverage, providing all the benefits afforded to the equivalent category of insured nationals, which can also cover their family members. By contrast, if recognised refugees apply for family reunification within three months of having received the notification of that recognition, they are exempted from the income and health coverage requirements. Recognised unaccompanied child refugees are also exempted, without any three-month limit.⁷⁶

B. Roma

83. According to some estimates, there are approximately 265 000 Roma living in Greece (2.47% of the population).⁷⁷ They prefer to be referred to as “Greek Roma”. During ECRI’s visit, the Greek authorities by contrast estimated the number of Greek Roma to be only 110 000. The Roma community centres, about whose work ECRI heard many positive assessments during its visit, offer Roma assistance in getting registered in the civil registry, should it not have been done at birth or later.
84. There are 354 Roma residential areas in total in Greece. The authorities have divided these areas into three groups, classified as Type I, II and III settlements.
85. The ECRI delegation was told that Type I basically consists of makeshift constructions for accommodation, including tents, without infrastructure such as electricity or water. There are 76 settlements classified as such. Type II

⁷¹ A level corresponding to approximately B2 is required. For different levels, see the Common European Framework of Reference for Languages (CEFR) <https://www.coe.int/en/web/common-european-framework-reference-languages/level-descriptions>

⁷² In addition, there was an oral examination. However, it was abolished in 2021.

⁷³ See [Συνήγορος Πολίτη: Αδιάβλητες εξετάσεις ιθαγένειας χρειάζονται αλλαγές- Απάντηση Βορίδη \(skai.gr\)](#) (in Greek language only).

⁷⁴ Information submitted by the Office of the Greek Ombudsman.

⁷⁵ According to Articles 69-77 of Law No 4251/2014 (the Immigration and Social Integration Code).

⁷⁶ Article 14, para 3, Presidential decree 131/2006.

⁷⁷ European Commission, Roma inclusion in Greece, Funding, strategy, facts and figures and contact details for national Roma contact points in Greece, [Roma inclusion in Greece | European Commission \(europa.eu\)](#)

settlements, of which there are 159, have elements of Type I areas, but have proper houses with infrastructure as well. Type III settlements, of which there are 119, do not differ much from neighbouring disadvantaged areas inhabited by the majority native Greek population.

86. The Roma population in Greece consists of different communities. The main categories of Roma in Greece are as follows: (a) nomadic Roma; (b) very long-term settled Roma communities; (c) recent Roma migrants from other EU states; (d) so-called assimilated Roma (who may not even identify themselves as Roma); (e) Roma members of the Muslims minority in Thrace, who benefit from the minority protection available under the 1923 Peace Treaty of Lausanne. There are also recent Roma migrants who are non-EU nationals.
87. Many Roma live in isolation from the rest of the Greek population. There are a few areas where Roma are more successfully mixed with the local population, such as St Barbara, Aigaleo and Ilion in Attica, Saint Athanasius and other areas in the city of Serres in Central Macedonia.
88. By virtue of Presidential Decree No 84/17-7-2019 the competencies of the former Special Secretariat for Roma Inclusion were transferred to the Ministry of Labour and Social Affairs' General Secretariat for Social Solidarity and Fight against Poverty, which thus became the designated authority for the development, co-ordination, monitoring and implementation of Roma inclusion policies.
89. The "New National Strategy and Action Plan for Roma Social Inclusion 2021-2030" was drawn up and made available for public consultations in 2021. The text is structured around four pillars that specify its key action priorities: i) preventing and combating poverty and social exclusion of Roma; ii) strengthening equal access for Roma to social services of general interest; iii) preventing and combating antigypsyism and discrimination; and iv) promoting Roma participation.
90. In order to enhance co-operation with and between the regional and local authorities and to increase the effectiveness of the Roma integration measures by empowering Roma at regional and local level, the ECRI delegation was informed that a task force should be established. The task force is to be composed of 25 full time expert staff, including at least four mediators.

Education

91. According to data from the Greek authorities, 1 442 Roma students (812 boys and 630 girls) attended secondary school units in the school year 2020-2021. Nonetheless, the level of education among Roma remains low compared to other EU countries and to the mainstream Greek population.⁷⁸ The percentage of young Roma aged 18-24 years who have dropped out of school is very high, at 92 %.
92. According to the Greek authorities, a lot of flexibility is shown by school administrations in terms of required documentation for Roma to enrol in school. Furthermore, there is a school attendance card,⁷⁹ which aims at allowing Roma pupils to smoothly switch schools in case their parents change their place of residence due to an itinerant lifestyle. ECRI considers the use of this school attendance card **a good practice**.
93. According to the authorities, the school drop-out rates among Roma children have now decreased. They conceded that some dropouts of Roma girls are due to early traditional Roma marriages.

⁷⁸ According to the EUMIDISI survey (2016), the educational level of the Roma population in Greece is low, recording the highest percentage of Roma without formal education in all three age groups among all 9 EU Member States participating in the survey, i.e. 42% in the ages of 16 - 24 years, 56% in the ages of 24 - 44 years and 82% in the ages over 45 years.

⁷⁹ Known as "Roma Card".

94. Civil society sources reported that there are “Roma-only” classes in the Sofades district, near the city of Karditsa. According to the Greek authorities, all children as a rule, and based on Greek legislation, are enrolled in the school located closest to their place of residence, thus the composition of school classes reflect the population living in any given area and there may therefore be high proportions of Roma children in certain schools.
95. ECRI was also told by members of the Roma communities that there is an insufficient number of schools to cater for Roma pupils in a few areas. Reference was made during the visit to one Roma settlement that was not included in the urban planning, with no public transport in the area, making it virtually impossible for most of the Roma children to get to school.
96. In the light of the above, ECRI recommends that the Greek authorities develop appropriate infrastructures and implement a set of activities for ensuring that the share of Roma children, including Roma girls, completing obligatory schooling increases significantly.
97. On a positive note, ECRI observed that in the context of the Covid-19 pandemic, the authorities in some areas handed out computer tablets to Roma pupils, together with 3 GB worth of internet connection time. Some of the tablets belong to local schools and were only for loan, whereas in other areas vulnerable children, including notably Roma, were given vouchers worth 200 Euros with which to buy tablets, which they could keep.

Housing and employment

98. There is comprehensive legislation, some of it adopted in 2017 and 2018, aimed at improving the housing conditions of Roma living in the various types of settlements. These measures include relocation and the installation of basic infrastructure such as electricity, water supply and sewage. Eleven municipalities have recently applied for funding for such infrastructure interventions.⁸⁰ Relocation may involve rental subsidies to facilitate the transfer from existing settlements to residential areas within the wider urban fabric, based on criteria which beneficiaries must meet.
99. The municipal authorities are under a legal obligation to plan and implement integration schemes for Roma people. In particular, residence certification is a necessary document for many important purposes.⁸¹ However, the Greek Ombudsman found that Roma often face administrative obstacles when applying for the certificate, as their type of housing does not usually match the common concept of a residence. Another reason that tends to be given for refusing to accept or examine Roma applicants’ requests is that they have not submitted the supporting documents (e.g. water and electricity accounts/receipts), or they have failed to provide additional supporting documents (e.g. legal deeds etc). ECRI encourages the authorities to address this matter, through appropriate channels at local level and in consultation with the Roma communities concerned.
100. Roma interlocutors met by ECRI during its visit also referred to forced evictions of Roma as one of the main problems faced by Roma. Landlords are reportedly reluctant to rent flats to Roma and because of negative attitudes towards Roma prevailing in large parts of Greece, local authorities allegedly have a favourable attitude towards evictions. According to some Roma interlocutors, reasonable

⁸⁰ Megara, Iliada, Ampelokipon-Menemenis, Karditsa, Piniou, Delta, Serres, Katerini, Trikala, Thiva, Lamia.

⁸¹ (a) for inclusion in the KEA programme (a benefit scheme) or in other social protection programmes; (b) for the submission of a relocation request; (c) for the issuance of an unemployment card by OAED (the Manpower Organisation); and (d) for the submission of a request to be enlisted in the Armed Forces or for recognition as a conscientious objector.

efforts to promote the rights of Roma are made at national level, but not at local level.⁸²

101. In line with §§ 6 and 17 of ECRI's General Policy Recommendation No. 13 on combating antigypsyism and discrimination against Roma, ECRI recommends that the Greek authorities ensure that Roma are not evicted illegally without proper notice or opportunity for rehousing in decent accommodation and, in this context, enjoy effective access to adequate legal aid.

102. The employment rate of Roma in Greece is low,⁸³ at about 43%, which includes a high share of self-employed and occasional workers.⁸⁴ There are some initiatives implemented in Greece to promote the employment rates of Roma, among other vulnerable groups.⁸⁵ ECRI has not found any data on their impact.

103. ECRI recommends that the Greek authorities expand their initiatives to encourage the employment of Roma, in both public and private sectors.

IV. TOPICS SPECIFIC TO GREECE

A. National Action Plan against Racism and Intolerance

104. In its previous report, ECRI recommended as a matter of priority to develop a comprehensive national strategy to combat racism and intolerance, which should, inter alia, include a situation analysis, an overview of existing measures, gaps and needs, and strategic recommendations on how to address them, including targets and measurable indicators. Whilst welcoming the setting-up and work of the National Council against Racism and Intolerance (NCRI), ECRI noted in its conclusions that a number of elements of its recommendation would be taken into account in the preparation of an action plan. ECRI therefore concluded that its recommendation had been partially implemented.⁸⁶

105. ECRI is pleased to note that a National Action Plan (NAP) against Racism and Intolerance⁸⁷ was drawn up by the NCRI and adopted in December 2020. The objective of the NAP is to eliminate any kind of racism or discrimination based on "race", colour, religion, nationality or national or ethnic origin, disability, belief, chronic illness, sexual orientation, gender identity or/and gender characteristics. The NAP is divided into four main areas, namely awareness-raising, education, social integration policies and justice. It allows for setting priorities on an annual basis and will be subject to mid-term evaluations. It also refers to the working definition of antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA).⁸⁸ Groups considered to be vulnerable to discrimination, such as migrants, asylum seekers and those granted asylum, Roma, and LGBTI people are specifically mentioned. NGOs and other civil society actors regarded positively

⁸² With some exceptions, such as the reportedly very co-operative local authorities of Chalandri district of Athens, in which ECRI visited a school with good including measures for Roma (see paragraph 11).

⁸³ According to the findings of the EU MIDIS II survey (FRA, 2016): [Second European Union Minorities and Discrimination Survey Roma – Selected findings | European Union Agency for Fundamental Rights \(europa.eu\)](#)

⁸⁴ The paid employment rate of Roma women is about 22% compared to 82% of Roma men, which highlights the extent of women being excluded from access to work, while 81% of Roma women aged 16-24 years are excluded from work, education or training, compared to 38% of young Roma men.

⁸⁵ For example, the "Social Reintegration of the Most Vulnerable Groups" project funded by RRF focuses on the support of the most vulnerable groups, i.e. Guaranteed Minimum Income beneficiaries, Roma and homeless people, aiming at their (re)integration in the labour market, through a comprehensive upskilling and employment programme. This shall be achieved by: boosting homeless persons' and GMI beneficiaries' employability according to the specific skills required to participate in employment; minimising GMI beneficiaries' dependency on welfare support and preventing their marginalisation and poverty risk. In line with the National Roma Integration Strategy, a core objective of this project is to enhance the employability of Roma and reverse the associated negative stereotypes in the labour market.

⁸⁶ ECRI's fifth report (2015): §74 and [ECRI's conclusions](#) (2018): §1.

⁸⁷ The NAP is available at [https://moj.gov.gr › uploads › 2021/03 › NAPRI-en](https://moj.gov.gr/uploads/2021/03/NAPRI-en)

⁸⁸ See, in this context, ECRI's [Opinion](#) on the matter (adopted at its 84th plenary meeting on 2 December 2020).

the inclusive and thorough consultation processes undertaken in the preparation of the NAP.⁸⁹

106. The implementation of the NAP, which was meant to cover the period from 2020 to 2023, has been delayed due to its late adoption and the Covid-19 pandemic. Nonetheless, ECRI warmly welcomes the adoption of the NAP, as well as the fact that the NCRI is explicitly tasked with the supervision of its implementation. ECRI considers its recommendation on this matter to be implemented.

B. Combating racism, including racial profiling, and LGBTI-phobia in policing

107. Law 4443/2016 designated the Ombudsman as the National Mechanism for Investigation of Arbitrary Incidents, with a broad mandate to collect data; to record, evaluate and forward for disciplinary control cases of illegal acts, including notably those with a racist motivation, allegedly perpetrated by *inter alia* uniformed police officers or coast guards during the performance of their duties.⁹⁰ The body investigated under this mandate is legally obliged to comply with any recommendations issued by the Ombudsman at the end of his investigation.
108. The number of incidents reported to the National Mechanism has increased rapidly since its creation. In its third report, published in 2020, the Ombudsman lists typical cases investigated, including alleged arbitrariness against migrants. Police ill-treatment of foreign migrants constitute the most common cases,⁹¹ but complaints of offensive behaviour with a racist motive are also common in relation to identity checks of members of other vulnerable groups, including Roma who are Greek citizens and sometimes file complaints against the police.
109. In this context, one may refer to the incident in which one Roma boy was shot dead by police officers, and another one was seriously injured at the end of a car chase, in which seven police officers involved in the chase allegedly used excessive violence, in that while knowing that the car they chased was occupied by Roma boys, they fired between 30 and 40 bullets at the boys in the car.⁹²
110. The seven police officers involved in the incident were briefly detained, during which time the Minister of Citizens' Protection, who is the minister responsible for police forces, paid what appears to have been a supportive visit to the detained police officers. Reportedly, the police officers concerned were not suspended and returned to their usual active duty soon after. ECRI was informed that the incident was investigated in an accelerated process by the relevant structures. At the time of ECRI's visit, the Ombudsman had requested that the result of the investigation be shared with him, in his capacity of National Mechanism for the Investigation of Arbitrary Incidents. ECRI has no information as to whether racist motivation is also being investigated in this case.
111. A general tendency of police officers apprehending individuals and taking them to a police station without any apparent reason was also underlined in the 2020 report of the National Mechanism for Investigation of Arbitrary Incidents. This is

⁸⁹ RVRN submission to ECRI 3 August 2021. For more information about the RVRN see <https://www.nchr.gr/en/racist-violence-recording-network.html>

⁹⁰ The Mechanism's activities are overseen and coordinated by the Ombudsman himself and are supported by a team of experts with specialised legal training. In 2021, eleven legal experts and the head of the Human Rights Department participated in the Mechanism's Team.

⁹¹ In this connection, see report of the Council of Europe's Committee for the prevention of torture and inhuman or degrading treatment or punishment (CPT) on Greece (2020), § 20.

⁹² According to media reporting and monitoring provided by Greek human rights activists to the European Roma Rights Centre (ERRC), three young Roma (two minors, aged 15 and 16, and the deceased, aged 18) from the region of Aspropyrgos in Attica were involved in a police chase on 23 October while driving a stolen vehicle. In the course of the altercation, seven police officers allegedly opened fire on the vehicle. Between 30 and 40 shots are clearly audible in video of the car chase taken from a distance by a bystander. The gunfire killed the 18-year-old and seriously injured one of the minors. All three of the young Roma were apparently unarmed.

exemplified by one such incident in August 2020, when a gay activist was verbally harassed in the street by several policemen who made fun of his “feminine appearance” and who then placed him in police detention for no apparent reason.⁹³

112. ECRI recommends, in line with its General Policy Recommendation No. 11 on combating racism and racial discrimination in policing, in particular §§ 6, 7, 8 and 9, that the Greek authorities introduce decisive measures to enhance the effectiveness of investigations into the misconduct by members of the Hellenic Police forces, be it motivated by racism or LGBTI-phobia, followed by, where warranted, effective and proportionate sanctions or criminal charges against perpetrators.

⁹³ When asking why he was being criticised by police officers, he was taken to a police detention centre without any official explanation. The gay activist was later accused of “intimidation and insult against the authorities”. However, in a decision of 4 September 2020, the Misdemeanor Court of Athens did not accept the allegations made by the police officers.

INTERIM FOLLOW-UP RECOMMENDATIONS

The two specific recommendations for which ECRI requests priority implementation from the authorities of Greece are the following:

- (§3) ECRI recommends that the Greek authorities strengthen the support and litigation function of the Greek Ombudsman, in line with ECRI's General Policy Recommendation No. 2 on equality bodies to combat racism and intolerance at national level, in particular by introducing legislation enabling the Ombudsman to intervene as *amicus curiae* before courts.
- (§34) ECRI recommends that the Greek authorities take action to prevent intolerance and discrimination against intersex persons, in particular children. These efforts should entail i) the introduction of specific legislation prohibiting medically unnecessary sex-“normalising” surgery and other non-therapeutic treatments until such time as the intersex child is able to participate in the decision, based on the right to self-determination and on the principle of free and informed consent, ii) the development of guidelines and training on intersex equality rights for relevant professionals, especially those who may come into contact with intersex children, such as teachers and health care professionals, and iii) the dissemination of any existing relevant material, such as guides for parents of intersex children, to the target groups.

A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

LIST OF RECOMMENDATIONS

The position of the recommendations in the text of the report is shown in parentheses.

1. (§3) ECRI recommends as a matter of priority that the authorities strengthen the support and litigation function of the Greek Ombudsman, in line with ECRI's General Policy Recommendation No. 2 (revised) on equality bodies to combat racism and intolerance at national level, in particular by introducing legislation enabling the Ombudsman to intervene as *amicus curiae* before courts.
2. (§5) ECRI recommends that the Greek Ombudsman's Office be given the competency, in line with § 27 of ECRI's General Policy Recommendation No. 2 (revised), to directly recruit its own staff and that consideration be given to providing the institution additional office space.
3. (§13) ECRI recommends that the Greek authorities put in place training for teachers on how to address LGBTI-phobic intolerance and discrimination in schools while promoting understanding of and respect for LGBTI pupils. These efforts should include the preparation and production of further appropriate teaching materials and the establishing of school policies to prevent, monitor and respond to LGBTI-phobic incidents, including bullying, with guidelines for pupils and students, teachers and parents.
4. (§25) ECRI recommends that the authorities extend the use of the voucher scheme currently in place in relation to all irregularly present migrants in Greece beyond July 2022 and consider introducing similar systems in other segments of the labour market.
5. (§34) ECRI recommends as a matter of priority that the authorities take action to prevent intolerance and discrimination against intersex persons, in particular children. These efforts should entail i) the introduction of specific legislation prohibiting medically unnecessary sex-“normalising” surgery and other non-therapeutic treatments until such time as the intersex child is able to participate in the decision, based on the right to self-determination and on the principle of free and informed consent, ii) the development of guidelines and training on intersex equality rights for relevant professionals, especially those who may come into contact with intersex children, such as teachers and health care professionals, and iii) the dissemination of any existing relevant material, such as guides for parents of intersex children, to the target groups.
6. (§36) ECRI recommends that the authorities establish a comprehensive monitoring system for hate speech incidents, including online, building on the experiences and expertise of the police and prosecuting services, equality bodies and national human rights institutions, self-regulatory bodies and relevant civil society organisations.
7. (§46) ECRI recommends that the Greek authorities launch public awareness campaigns against hate speech, in which the dangers posed by hate speech are underlined and the falsity and unacceptability of its foundations stressed, involving responsible political and religious leaders engaging in counter-speech.
8. (§64) ECRI recommends that the Greek authorities review the application of the new registration rules to ensure that NGOs can provide suitable support services to migrants, including asylum seekers and recognised refugees.
9. (§78) ECRI recommends that the Greek authorities take measures to facilitate and accelerate the process of recognising foreign diploma and other qualifications in order to improve the employability of recognised refugees in particular, before all public support measures for them, including as regards housing, expire.
10. (§96) ECRI recommends that the Greek authorities develop appropriate infrastructures and implement a set of activities for ensuring that the share of Roma

children, including Roma girls, completing obligatory schooling increases significantly.

11. (§101) In line with §§ 6 and 17 of ECRI's General Policy Recommendation No. 13 on combating antigypsyism and discrimination against Roma, ECRI recommends that the Greek authorities ensure that Roma are not evicted illegally without proper notice or opportunity for rehousing in decent accommodation and, in this context, enjoy effective access to adequate legal aid.
12. (§103) ECRI recommends that the Greek authorities expand their initiatives to encourage the employment of Roma, in both public and private sectors.
13. (§112) ECRI recommends, in line with its General Policy Recommendation No. 11 on combating racism and racial discrimination in policing, in particular §§ 6, 7, 8 and 9, that the Greek authorities introduce decisive measures to enhance the effectiveness of investigations into the misconduct by members of the Hellenic Police forces, be it motivated by racism or LGBTI-phobia, followed by, where warranted, effective and proportionate sanctions or criminal charges against perpetrators.

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66. World Health Organisation (WHO) (2015), Greece: assessing health-system capacity to manage large influxes of migrants.

APPENDIX: GOVERNMENT'S VIEWPOINT

The following appendix does not form part of ECRI's analysis and proposals concerning the situation in Greece

ECRI, in accordance with its country-by-country procedure, engaged into confidential dialogue with the authorities of Greece on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version (which, in line with ECRI's standard practice and unless otherwise indicated, could only take into account developments up until 31 March 2022, date of the examination of the first draft).

The authorities also requested that the following viewpoint be reproduced as an appendix to the report.

Remarks of the competent Greek Authorities regarding the Final Report of the European Commission against Racism and Intolerance (ECRI) of the Council of Europe for Greece in the context of the 6th evaluation cycle.

Related Documents:

- Ref. No. 75008/05.08.22 document of the Ministry of Labor and Social Affairs - Department of Social Solidarity and Combating Poverty,
- Ref. No. 52825/10.08.22 document of the Ministry of the Interior - General Directorate of Citizenship,
- Ref. No. 13396/17.08.22 document of the Ministry of Immigration and Asylum - Department of European Affairs,
- E-mail of 04.08.2022 of the Ministry of Education and Religious Affairs - Refugee Education Department.

Par. 24:

MINISTRY OF MIGRATION & ASYLUM- DIRECTORATE FOR EUROPEAN & INTERNATIONAL COOPERATION

Remarks:

The Ministry of Migration and Asylum would like to clarify that bilateral cooperation with Bangladesh and Pakistan in the field of migration refers to a temporary migration scheme, related to employment mainly in the agricultural sector for 9 months within a 12-month period; it entails the obligation to leave the country after the defined period of stay for the purpose of employment, but also the right to re-enter under conditions. Under this scheme, rights, including the right to family reunification, and relevant obligations are in line with relevant EU legislation.

Furthermore, with regards to the abovementioned bilateral cooperation schemes, we wish to provide the following updated information:

- A Memorandum of Understanding on Migration and Mobility was signed on 9 February 2022 by the Government of the Hellenic Republic and the Government of the People's Republic of Bangladesh, with the aim to combat irregular migration, promote returns and establish legal pathways of seasonal migration in accordance with the respective needs of the Greek labour market. In particular, the MoU defines the conditions of entry and temporary stay of nationals of Bangladesh for the purpose of temporary employment, without prejudice to relevant provisions of the European Union legislation and national law of the Hellenic Republic and reaffirms the need to ensure the effective implementation of the EU-Bangladesh Standard Operating Procedures for the Identification and Return of Persons without an authorisation to stay (20.9.2017). The MoU has been ratified by law 4959/2022 (G.G. A'144).
- On 7 February 2022, a Declaration of Intent on Migration and Mobility was signed by the Government of the Hellenic Republic and the Government of the Islamic Republic of Pakistan, with the aim to promote technical and operational discussions on the establishment of a common framework of understanding and cooperation in the fields of migration and mobility, including both regular and irregular migration.

Par.61:

MINISTRY OF MIGRATION & ASYLUM- DIRECTORATE FOR EUROPEAN & INTERNATIONAL COOPERATION

Remarks:

The Ministry of Migration and Asylum would like to underline that a large number of projects in the field of integration have been planned in the past and/or are currently being implemented and funded by the Ministry of Migration and Asylum; they all promote essential and horizontal integration measures, such as:

- provision of help in finding a home, Greek language courses, job counseling and psychosocial support and
- facilitating access to the labour market and to social, healthcare and education services.

It is also important to mention that the Ministry of Migration and Asylum has planned to strengthen the services offered by the Migrants Integration Centers (MICs), along with the geographical expansion of MICs to an additional 32 Municipalities, in the context of the actions financed by the European Social Fund under the programming period 2021-2027.

Furthermore, the implementation of a large-scale project, aiming at the integration of refugees into the Greek labour market will soon commence with the funding of the Resilience and Recovery Facility of the European Commission. This project includes vocational training of refugees in vital sectors of the Greek economy, with high labour demand, such as agriculture, tourism, construction works and the processing of products.

Footnote 52:

MINISTRY OF MIGRATION & ASYLUM- DIRECTORATE FOR EUROPEAN & INTERNATIONAL COOPERATION

Remarks:

The Ministry of Migration and Asylum would like to respond to the point made in the above footnote.

As an EU Member State and a State observing the rule of law, Greece remains committed to the protection of human rights, applies the relevant national, EU and international legislation and provides adequate safeguards and guarantees to clarify and investigate complaints concerning alleged incidents of violation of fundamental rights. In this framework, Greece, fully adhering to the fundamental rights, has in place independent mechanisms that investigate all complaints regarding alleged “pushbacks”.

In particular, the National Transparency Authority -that enjoys institutional autonomy- has been designated as the competent authority to investigate allegations of incidents involving the breach of fundamental rights at the borders and so far, its investigation has not resulted in the substantiation of any alleged violations.

The National Transparency Authority operates in parallel to the Ombudsman and the Judiciary system that have also, within their respective mandates, reviewed cases related to border protection and fundamental rights. Moreover, an internal disciplinary mechanism is well in place within the Security Forces to ensure that complaints for violations of fundamental rights allegedly committed by its personnel are adequately investigated.

In addition to the aforementioned mechanisms already in place, monitoring of compliance with fundamental rights has recently been further strengthened in Greece. In particular, articles 49 and 50 of law 4960/2022 (GG A’145) provide for the establishment of the following:

- a) The position of Fundamental Rights Officer (FRO) within the Ministry of Migration & Asylum, having as competence the collection and preliminary evaluation of complaints regarding alleged fundamental rights violations during the procedures for the reception of third country nationals or the procedures for granting them international protection, and
- b) The Special Fundamental Rights Compliance Committee in the Ministry of Migration & Asylum, with the competence to monitor the relevant procedures and the implementation of the national, EU and international legislation in the areas of border protection and granting of international protection.

Par. 62,63:

MINISTRY OF MIGRATION & ASYLUM- DIRECTORATE FOR EUROPEAN & INTERNATIONAL COOPERATION

Remarks:

Regarding the activity of NGOs, the Ministry of Migration and Asylum wishes to note that the aim of the provisions regarding the Registry of NGOs is to ensure transparency and safety in full compliance with national and European legislation.

The Registry of Greek and foreign volunteer organisations and organisations of civil society which fulfill the minimum necessary conditions to participate in the implementation of actions in the area of international protection, migration and social integration on Greece, was established in the Ministry of Migration & Asylum by article 58 of Law 4686/2020 (GG A’ 96/2020), as in force.

The purpose of the Registry is to ensure transparency and coordination of the NGOs activities operating within the Greek territory, as well as safety for the beneficiaries of NGOs services, who

often belong to vulnerable groups. Indeed, a well-defined framework for the various activities of NGOs providing their support in sensitive areas of humanitarian work, contributes to the efficiency of their activities and the services offered to the beneficiary population.

The Registry is in full compliance with the relevant national and European legislation, including the right of association. Its objective is not to set barriers to the NGOs and in no case the registration procedure is intended to be excessive or cumbersome. On the contrary, the objective is to set the same rules for all NGOs operating in Greece (to ensure that these organisations, or their members, are not linked to illegal activities whatsoever), as well as to verify that they offer high quality services to the beneficiaries. Additionally, the Register facilitates coordination of initiatives and efforts undertaken by civil society organizations (CSOs), thus optimising the impact of their assistance, in the light of their regular funding by EU or national budget.

The Registry of NGOs allows the Greek State to ensure that the NGOs operating within the Greek territory actually provide the services they claim to provide, thus guaranteeing the safety and human rights of refugees and migrants. It also enables the Greek authorities to be fully informed on the number and the lawfulness of the actions implemented by these NGOs, as is the case with any other legal or natural person operating within the Greek territory.

It should be emphasized that there is absolutely no «fee» for registration and that the issuance and submission of all the requested documents and supporting documents under the current legislation, as it is stipulated in the relevant JMD, is done at no cost. It is also worth noting that the application of an NGO for registration and certification may be rejected in case that the relevant requirements set by law are not met, but a subsequent application can be submitted at any time, even on the same day, while applicants have the right to appeal, and all procedural guarantees are respected.

As for the registry of NGOs members, registering is necessary for all members of NGOs who, in order to perform their tasks, come in contact with refugees and migrants, especially women, children and unaccompanied minors, particularly for those who have free access and are active in accommodation facilities. The purpose is for refugees and migrants to avoid access and direct contact with persons of criminal conduct, convicted for heinous criminal offenses, such as, for example, sexual abuse, pedophilia, pandering, drug trafficking, actual bodily harm etc. , but also to prevent and protect people from incidents of exploitation, smuggling and/or human trafficking, so that the human rights of refugees and migrants, and above all their very life, safety, physical integrity and mental health, can be guaranteed, as required by national law and international conventions.

Footnote 63:

MINISTRY OF MIGRATION & ASYLUM- DIRECTORATE FOR EUROPEAN & INTERNATIONAL COOPERATION

Remarks:

With regard to above footnote, it is noted that Article 96 of Law 4368/2016 (G.G. A' 21) has been repealed since 31.12.2021 by Article 48 par. 1 of Law 4825/2021 (G.G. A' 157), and therefore the Ministry of National Defense does not participate or assist anymore in the management of the refugee crisis. The Reception and Identification Service of the Ministry of Migration and Asylum is the competent authority for providing reception conditions to all third country nationals and stateless persons entering Greece without the legal formalities. Its mission is -among others- to deliver dignified and humane material reception conditions that include, among others, housing and food.

It should also be noted that the “hotspot approach”, introduced in 2015 by the European Commission in the European Agenda on Migration as an initial response to the sudden migratory flows, was part of immediate and targeted operational support actions to assist Member States, including Greece, which were facing disproportionate migratory pressure at the EU’s external borders and was presented as a solidarity measure. Since then, the hotspots in five Greek islands (Lesvos, Chios, Samos, Leros and Kos) were replaced by the Reception and Identification Centers, ensuring dignified reception conditions.

More recently, the Ministry of Migration and Asylum, having as a priority the provision of the best protection and safety conditions of third-country nationals or stateless people entering Greece without the legal formalities, and to the benefit of the local communities, commenced the construction and operation of new, modern Multi-Purpose Reception and Identification Centers

(MPRICs) established by law 4825/2021 (G.G. A' 157). The MPRICs in three out of the five abovementioned islands have already become operational by the end of 2021 and the asylum-seekers were transferred safely from the Reception and Identification Centres (RICs) to the new sites. The MPRICs, apart from providing higher accommodation capacity, are equipped with the necessary infrastructure to ensure dignified reception conditions for third country nationals, by including safe zones for minors, areas for leisure and social activities and for medical care and adapted spaces for the registration and asylum processes to take place.

Par. 65:

MINISTRY OF EDUCATION AND RELIGIOUS AFFAIRS

Remarks:

The Ministry of Education main focus is to ensure the full inclusion of all refugee and migrant children, whether residing in Refugee Accommodation Centers or in private apartments, into the Greek education system, promoting the right to education, on the basis of equal opportunity and non-discrimination and taking effective measures for compulsory, inclusive and available education to all children.

According to the most recent assessment (January- February 2022 /source: MoE's information system "my school", Regional Directorates of Education, Refugee Educational Coordinators):

16.417 children enrolled in Greek public schools. 75% of the children attend regularly their classes (12.285 children), a significant increase on the previous school year.

For further information: <https://www.minedu.gov.gr/tothema-prosfigiko-m>

The main objective of the Ministry is, to first ensure the psychosocial support of and the return to normality for these children, and also their (re)integration into the educational system either in Greece or in other (European) country following the relocation scheme. The plan is adapted to the different age groups and concerns a preparatory, transitional period, aiming to ensure the Right to Education for refugee children by designing and implementing an appropriate educational scheme for them.

The action plan for the education of refugee children includes new educational schemes such as, the Reception School Annexes for Refugee Education, "D.Y.E.P" in Greek) and the position of Refugee Education Coordinators (REC) who mediate among the Ministry, the Refugee Accommodation Centers and the Greek schools.

In the Greek educational system, as mentioned above, the same rules on school enrolment apply for all children, regardless of residence or legal status and they may be enrolled with insufficient documentation. Refugee students are also supported by intensive greek language support, within the mainstream program in "Receptions classes" functioning in primary and secondary schools situated in "educational priority zones" (ZEP).

Specifically:

In Greece there is a comprehensive institutional framework, which protects the right of refugee children to education, regardless of their residence status in the country. This specific framework is applied for all refugee children.

A brief overview of the educational tools implemented for the empowerment of the refugee education:

1. Reception Classes for all refugee children.

- a. For refugee students with no knowledge of Greek
 - **intensive Greek classes** (15hrs/week)
 - attend classes which do not require high language skills (Physical Education, Music, IT course or other courses as decided by Teachers' Body)
- b. for refugee students with some knowledge of Greek
 - a **specialised teacher** works together with the general education teacher to strengthen and help integrate students

2. Refugee children can enroll in school units with Reception Classes **without any documentation.**

Par. 68:

MINISTRY OF EDUCATION AND RELIGIOUS AFFAIRS

Remarks:

Refugee Education Coordinators (RECs) assist parents with the registration process and ensure student enrolment. Coordinators also assist schools (principals and teachers) for the establishment of Reception Classes and their proper functioning (teacher recruitment, learning material etc).

A few additional information about the REC's crucial role, an innovative educational institution. They are permanent teachers, appointed by the Ministry of Education and Religious Affairs (upon an annual basis call, including specific criteria, such as previous experience with students of refugee/immigrant background, academic qualifications in intercultural education etc), in all Refugee Accommodation Centers and urban settings. RECs are responsible for all aspects of integration of children to schools, thus functioning also as the liaison between students, parents, school principals and teachers.

As already mentioned, the Ministry of Education appointed Refugee Education Coordinators (RECs) to be the liaison between Refugee Accommodation Centers and Schools, to coordinate non formal education actions held by Non-Government Organizations and other bodies. These educators were seconded at open accommodation centers and urban settings and were required to play a novel and very demanding role; functioning as intermediaries, bringing together the refugee population and the Greek educational system and creating bridges between the school and society.

The educational system provided the required flexibility and recognized refugee children's identities being under continuous negotiation, a variety of cultural references and different needs in order to help refugee children in their integration process. It prioritized its educational objectives differently: The first objective was to create a feeling of security and acceptance, develop communication, help with their adjustment to the educational procedure and the institution of school and, then focus on achieving education objectives and school performance. The operation of afternoon classes in Reception School Annexes for Refugee Education allowed children to get out of Centers to attend school classes, and offered them the opportunity to experience normality through a daily schedule, while at the same time it provided them with the required time to get adjusted to education facilities without experiencing excessive pressure.

Par. 69:

MINISTRY OF EDUCATION AND RELIGIOUS AFFAIRS

Remarks:

Reception Units for Refugee Education (DYEP), operate after school hours but are part of formal education – they focus on language acquisition, familiarisation with school, and psychological and social support.

Brief Educational Guides in many languages, to assist teachers in welcoming refugee students in schools developed jointly by the Ministry of Education, UNICEF, and the Institute of Education Policy of Greece. The Guides include welcoming and basic communication phrases in many languages (Arabic, Farsi, Sorani etc) as well as integration activities that educators can undertake to make students feel welcomed and safe.

Translation Services

Real-time telephone/in person assistance to assist refugee students and their parents in procedural matters with regard to school enrolment. To be provided with the assistance of NGOs (Metadrasi-UNICEF)

From this year, a new mandatory subject has been integrated in Greece's primary and junior high school, entitled "Skills Labs", with modules on peace, solidarity, mutual support, human rights, etc., cultivating an inclusive class environment to welcome refugee students.

The Ministry of Education is supporting projects such as the Council of Europe's European Qualifications Passport for Refugees piloted by Greece since 2017.

The pilot project was conducted by the Council of Europe in cooperation with the Greek Education Ministry and the national academic recognition information centers (ENICs/NARICs) of Greece, Italy, Norway and the United Kingdom.

The European Qualifications Passport for Refugees is a document providing an assessment of the higher education qualifications based on available documentation and a structured interview. It also presents information on the applicant's work experience and language proficiency. It is a specially developed assessment scheme for refugees, even for those who cannot fully document their qualifications.

- The Hellenic Parliament provided since 2016, a special funding for the heating, cleaning and maintenance costs of schools which run DYEP units.

- The International Organization for Migration (IOM) covered the cost of children's transportation from the Accommodation Centers to nearby schools since 2016 to 2019, then handed over to the Prefectures.

- Interpretation services in public schools

METAdrasi in cooperation with Ministry of Education and Religious Affairs and UNICEF, provides certified interpreters in many languages, facilitating the enrollment of refugee and migrant children within formal education as well as the communication among school principals, educational staff, refugee and migrant children and their parents. In addition, official documents concerning school access and enrolment procedures are translated in many languages by UN agencies and NGO partners.

- Teach4Integration trainings:

a cooperation of the Ministry, IEP, Unicef and 5 Greek Universities,

1800 teachers have been trained in 8 modules (psychosocial challenges, Greek as second language, teaching non-language subjects, children rights, differentiated teaching, education in multi-cultural and multi-lingual environments, refugee education and intercultural communication, development and selection of educational material).

- The Ministry of Education develops and participates in many educational programs, through primary and secondary schools, aimed at raising human rights awareness, preventing discrimination and combating negative attitudes, school violence, prejudice and inequalities.

Examples: "Act" Programme on active citizenship (E.U.), the Summer Academy on Education for democratic citizenship, Human Rights Education — EDC/HRE (Wergeland Center — CoE), national dissemination events on the values of the CoE in the context of the Pestalozzi Programme (CoE) for primary and secondary school teachers.

- In order to enhance and monitor, systematically, the quality of learning for refugee and migrant students, the Ministry of Education has recently established a Working Group for the promotion of reception and integration policies for refugee and migrant students within the Greek educational system (2020). One of the main goals of this Working Group is to conduct, in collaboration with UNICEF and the Institute of Educational Policy (IEP) training sessions for school teachers, Educational Work Coordinators, school principals, building a holistic approach and sensitization towards inclusive education, intercultural education, Greek as a second language. Up to now, four training sessions have taken place in order to "equip" the participants with all the necessary tools that will facilitate successful social and academic integration of all students.

- Recently, a memorandum of understanding was signed between the Ministry of Education and Religious Affairs and UNICEF, that formalizes the cooperation between the two parties, in order to collaborate on the planning, design, organization and implementation of a range of interventions to enable all children in Greece to have access to integrated services of inclusive, equitable and sustainable education. In this framework, strengthening existing capacity and developing new services and opportunities of cooperation is included.

Par. 72:

MINISTRY OF MIGRATION & ASYLUM- DIRECTORATE FOR EUROPEAN & INTERNATIONAL COOPERATION

Remarks:

It should be noted that the Ministry of Migration and Asylum has ensured the provision of Greek language courses in 57 municipalities of the country, with the financial support of the European

Social Fund under the 2021-2027 programming period. Even though those municipalities may not meet the specific criteria that had been set by the Ministry of Migration and Asylum for the establishment of Migrant Integration Centers (where language courses are offered) within their territory, it has nevertheless been decided to offer language courses, taking into account the high proportion of migrants and refugees in the population residing in the municipality.

MINISTRY OF EDUCATION AND RELIGIOUS AFFAIRS

Remarks:

As for the parents, there are many initiatives implemented, including Lifelong Learning Centers and Second Chance Schools, which are educational structures under the responsibility of the General Secretariat of VET, LLL and Youth of the Ministry of Education that parents can turn to for every related issue.

Furthermore, a special department in the MoE, the Independent Unit of Coordination and Monitoring of Refugee Education, in cooperation with other Units of the Greek Ministry of Education, is responsible for monitoring the situation and all related issues regarding the education of refugee children.

On this basis, the Ministry of Education and Religious Affairs has also implemented an important legislative framework:

-The Act 4636/19 (Governmental Gazette 169 A'), includes a special chapter on Refugee Education, in which, migrant/refugee children are subject to the same requirement of compulsory education as Greek nationals. It also reiterates the right to education and enrolment of children with insufficient documentation.

Par. 75:

MINISTRY OF MIGRATION & ASYLUM- DIRECTORATE FOR EUROPEAN & INTERNATIONAL COOPERATION

Remarks:

Until the end of 2021, the HELIOS programme (Hellenic Integration Support for Beneficiaries of International Protection) was funded by the Emergency Assistance of Asylum, Migration and Integration Fund managed by the European Commission. Since the beginning of 2022, the HELIOS programme is funded by the Hellenic Ministry of Migration and Asylum. HELIOS supports beneficiaries of international protection (refugees and beneficiaries of subsidiary protection) in finding accommodation, including by providing the first monthly subsidy for rental cost and a contribution towards independent accommodation (i.e. costs of moving, of furniture etc., regardless of whether the apartment is furnished). This support is provided to all beneficiaries of the programme. In addition, HELIOS supports various integration courses (Greek language, cultural orientation, job readiness and life skills), provides employability support (including individual sessions of job counseling), as well as monitoring of the integration process and raising awareness in the host community. By the end of March 2022, 34,980 beneficiaries of international protection have enrolled in the HELIOS programme, with around 15,000 of them participating actively.

National guardianship system for unaccompanied minors

In addition to the above comments referring to specific parts of the Report, it is worth mentioning here that new legislation pertaining to the establishment of a national guardianship system for unaccompanied minors, as well as a comprehensive accommodation system, was adopted on 20.07.2022 (Law 4960/2022, GG A' 145).

The new legal framework creates a flexible and efficient guardianship system adapted to the needs of unaccompanied minors, while, at the same time, maintaining a high level of supervision and accountability. It further lays the ground for a solid operational framework that is to be developed during the foreseen four-month transitional period.

Moreover, the new law establishes the framework for the rules and procedures applicable to the system of accommodation for unaccompanied minors, adopting an approach based on the rights of the child and focused on ensuring the best interests of the minors. It also provides for the development of a national registry for the protection of unaccompanied minors containing information on minors and the accommodation system, and it regulates the National Emergency

Response Mechanism for unaccompanied minors identified in precarious living conditions. These provisions will be further specified in ministerial decisions.

Par. 80:

MINISTRY OF INTERIOR- GENERAL SECRETARIAT FOR CITIZENSHIP

Remarks:

Regarding the naturalization process of aliens and especially the exams for the acquisition of the Certificate of Knowledge Adequacy for naturalization, the following remarks should be pointed out:

1st All the questions as well as their answers are stored in a “Item Bank” and uploaded on the internet. These questions have been conducted by an Independent Scientific Committee, which is responsible for the selection of the questions to be pulled for each examination session. Furthermore, the above mentioned Committee proceeds to a partial renewal of the questions kept at the “Item Bank” of the General Secretariat of Citizenship after the accomplishment of each examination process.

2nd In order to verify the competency of Greek language, 100 essays are included in the “Item Bank” whereas in order to verify the competency in Greek history, geography, Greek civilization and the function of the political institutions, the total number of the questions does not exceed 300.

Par. 81:

MINISTRY OF INTERIOR- GENERAL SECRETARIAT FOR CITIZENSHIP

Remarks:

Regarding the children who are born in Greece, acquisition of Greek citizenship is not to be realized exclusively by the naturalization process. In terms of which the following remarks should be pointed out:

Greek citizenship can be acquired by

- children born in Greece by aliens who were also born in Greece and reside permanently in Greece (article 1 paragraph 2 of the Code of Greek Citizenship – by birth).
- children born in Greece by aliens, unable to acquire their parents’ citizenship at birth (article 1 paragraph 1b of the Code of Greek Citizenship – by birth).
- children born in Greece by aliens of unknown citizenship, (stateless persons, article 1 paragraph 2c, Code of Greek Citizenship– by birth).
- children born in Greece by aliens, residing permanently in Greece, enrolled and still attend the first class of a Greek elementary school acquire the Greek citizenship through naturalization without any examination process (article 1A, Code of Greek Citizenship).
- children born in Greece by aliens and have successfully attended either 9 years of primary and secondary education or 6 years of secondary education in a Greek school in Greece acquire the Greek citizenship through naturalization without any examination process (article 1B, Code of Greek Citizenship).
- minor and unmarried children of naturalized aliens who reside legally and permanently in Greece acquire the Greek citizenship with no other formality or examination process (article 11, Code of Greek Citizenship).
- minor and unmarried children of aliens of Greek origin who have acquired the Greek citizenship on the basis of article 14 paragraph 4 , Code of Greek Citizenship.
- minor and unmarried children of aliens of Greek origin (who have already acquired the Greek citizenship as foreign nationals living abroad) acquire the Greek citizenship through the process of naturalization with no other formality or examination process (article 10 Code of Greek Citizenship).

In 2020, according to statistics derived from the Integrated Information System for Citizenship, Greek citizenship was granted to 10.263 persons of the aforementioned categories.

Par. 83:

MINISTRY OF LABOUR AND SOCIAL AFFAIRS- GENERAL SECRETARIAT FOR SOCIAL SOLIDARITY AND FIGHT AGAINST POVERTY

Remarks:

The General Secretariat for Social Solidarity and Fight Against Poverty is responsible for the planning, coordination and monitoring of the policies concerning the vulnerable group of Roma people, as well as the national EU contact point on Roma issues.

In this context and in the framework of the New National Roma Integration Strategy and Action Plan 2021 – 2030, the General Secretariat conducted a nationwide mapping on the current socio-economic situation in the regions of the country inhabited by Roma communities.

Before that, in 2017 the Ministry of Labor and Social Affairs conducted a mapping of the settlements in the country by typological classification based on the living conditions. This mapping was based on the collection of elements and data from: (a) the pre-existing database of the National Center for Social Solidarity (EKKKA), (b) the Regional Strategies for the Roma and (c) the Local Action Plans for the Social Inclusion of the Roma of the municipalities. The typological analysis was mainly based on the "housing-residential criterion". This criterion concerns the type of settlement and the relationship with certain basic parameters such as the connection with the urban fabric, inclusion or not in the city plan, type of buildings, outbuildings and/or temporary constructions, road construction and pedestrianization, the sewage network and the rainwater network, the connection of the households to the public utility networks, the distance from the nearest public transport, the existence or not of public waste bins.

In addition, the mapping utilized some additional parameters with the aim of forming a holistic picture for each Roma settlement and living area. These concerned the total population, employment, health infrastructure, social care and solidarity, as well as education.

Par. 84:

MINISTRY OF LABOUR AND SOCIAL AFFAIRS- GENERAL SECRETARIAT FOR SOCIAL SOLIDARITY AND FIGHT AGAINST POVERTY

Remarks:

In this first count, in total, 354 Roma living areas were identified with a total population of 104,210 inhabitants. The living areas of the country were categorized into three (3) main types, as follows:

Table 1. Living areas according to their type and number of inhabitants

	Areas	Inhabitants
Type I: marginalized settlements They are located in highly degraded locations with makeshift shelters (shacks, huts, tents, etc.) usually outside urban areas and city plans with no public utilities infrastructure, roads, and access to public transport etc.	76	8.582
Type II: ‘mixed’ settlements - houses together with shuts and shacks Those settlements are located in mixed population areas that have basic public utilities infrastructure and adequate private housing, although in their periphery shacks and substandard accommodation is frequent. This category is mainly to be found in the outskirts of cities and housing is usually not part of the city plan.	159	59.292
Type III Neighborhood, (houses/flats, containers, often in disadvantaged areas of the urban fabric) They are located in degraded neighbourhoods within cities with basic, low quality, public utilities infrastructure	119	36.336
Total	354	104.210

Source: Operational Action Plan on the Social Integration of Roma 2017-2021

Regarding the registration methodology of the current mapping, it is noted that the updating of the Roma population mapping at the national level was requested to be carried out by the country's Municipalities, taking into account the principles of subsidiarity and proximity.

All Municipalities (332 Municipalities) were asked to record the settlements and the Roma population in their jurisdiction, using two questionnaires prepared by the General Secretariat for Social Solidarity. 264 Municipalities (80%) provided data regarding the Roma in their area of responsibility. To collect the information, the Municipalities proceeded with a social survey/autopsy and/or use of administrative data.

According to the updated mapping of Roma in Greece conducted in 2021 the total Roma population amounts to 117,495 inhabitants located in all 13 Regions of the country. The new total number of Roma inhabitants confirms the 2017 mapping and is increased by 12%. It emerges that the Roma population constitutes 1.13% of the population of the country.

In total, 462 Roma living areas were identified of which 266 living areas are settlements of types I, II, III and 196 are locations where the Roma population lives dispersed into the cities in houses, apartments, shacks, etc. In particular:

According to 2021 updated Roma mapping:

Type I: 77 marginalized settlements, 12,216 inhabitants.

Type II: 122 ‘mixed’ settlements - houses together with shacks and shacks, 46,838 inhabitants.

Type III 67 Neighborhoods”

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The European Commission against Racism and Intolerance (ECRI) is a unique human rights monitoring body which specialises in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance in Europe; it prepares reports and issues recommendations to member States.