



HLHR-KEMO

National Focal Point on
Racism & Xenophobia

RAXEN / Greece

Rapid Response Report

**Update of the Complementary
Data Collection Report 2007**

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FRA

RAPID RESPONSE

Update of the Data Collection Report
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Foreword

- [1]. The RAXEN Rapid Response Update of the Data Collection Report 2007 for Greece has been produced by the HLHR-KEMO RAXEN National Focal Point, for the European Union Fundamental Rights Agency of Vienna in January 2008 within the RAXEN 2007 project.

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Executive Summary

Increase of violent incidents and discrimination cases

General overview: Racist violence as an increasing trend

- The end of 2007 was marked by a further escalation of violent incidents against immigrants in Greece. In their majority, the attacks targeted the new immigrant groups - Pakistani, Arab, African - and were performed by organised extreme-right wing groups. Although the latter do not identify themselves under a specific political umbrella, their attacks have obvious neo-Nazi characteristics and reveal racially motivated aggressiveness.
- The unofficially reported violent incidents against immigrants and minorities in 2007 were twice as frequent in relation to 2006. They were three times higher with respect to violence against migrants and refugees. These unofficial statistics do not take into account the 100 cases of ill-treatment and torture by coast guards against asylum seekers and migrants in the Aegean islands reported by the ProAsyl in late October.
- In the fifth 2007 case against Greece, the European Court of Human Rights judged that Greece violated article 14 of the European Convention of Human Rights regarding the investigation of discrimination in police brutality that caused miscarriage of a Roma woman.

A. Legal Issues

A.1. Brief overview

[2]. No additional data available.

A.2. New legislative provisions

A.2.1. Racial Equality Directive

[3]. No additional data available.

A.2.2. New criminal legislation

[4]. No additional data available.

A.3. Statistical data and tables

A.3.1. Cases related to racial or ethnic discrimination

[5]. The Justice Ministry provided statistical data upon the 16.09.2007 formal request by HLHR-KEMO as RAXEN NFP. Through a circular order of Ministry of Justice, addressed to local prosecution services throughout Greece, it reassured that in future such data are going to be collected systematically on an annual basis.¹ According to the available data in the years 2005-2007, criminal proceedings started in three cases concerning the anti-racist law n.927/1979. In one case the four accused persons have been acquitted. Another case has been filed due to prescription of the crime (art.31.1. of law n.3346/17.06.2005). The third case concerns penal action against unidentified individuals and has been consequently put temporarily in the archive of unidentified crime perpetrators. (art.245.3 of Penal Proc.Code).

¹ Official doc.n.143832/14.1.2008, answering the letter of HLHR-KEMO Director addressed to the Justice Minister dated 16.09.2007.

A.3.2. Criminal law court case

- [6]. In accordance with the provisions of the anti-racist law n. 927/1979², on the 13th of December 2007 lawyer Costas Plevris was given a 14-month suspended sentence for inciting racial hatred in his book “Jews: The Whole Truth,” which denies that Holocaust took place. The Athens Court of Appeal cleared the publisher, editor and a journalist at the small right-wing newspaper Eleftheros Kosmos that published extracts of the book, released in 2006. The main prosecutor in the case had recommended that Plevris be cleared, arguing that he had “simply written a book,” not committed a criminal act. The trial resulted from ex officio judicial investigations following complaint reports filed by Greek Helsinki Monitor, while Jewish organizations and the Anti-Nazi Initiative have joined the cases as civil claimants.³

A.4. Case law

A.4.1. Important decisions - racial or ethnic discrimination

- [7]. According to the ECHR unanimous sentence in the case of *Petropoulou-Tsakiris*, Greece violated article 3 (prohibition of inhuman or degrading treatment) of the European Convention on Human Rights and Article 14 (prohibition of discrimination) taken in conjunction with Article 3. The applicant is a Greek national of Roma ethnic origin. The case concerned the applicant’s allegations that she suffered from a miscarriage as a result of police brutality, and that the authorities failed to carry out an adequate investigation into the incident. The Court concluded that both the judicial and administrative investigations had been inadequate and had therefore not been effective. It also found that the failure of the Greek authorities to investigate possible racial motives behind the applicant’s ill-treatment, combined with the generally partial attitude throughout the investigation, constituted discrimination, in violation of Article 14 taken in conjunction with Article 3⁴.

2 He has been referred to trial for having ‘incited deeds and actions that could provoke discrimination, hatred and violence against persons and groups of persons, solely because of their racial and ethnic origins, and expressed offensive ideas against a group of persons because of their racial and ethnic origin.’

3 GHM press release (29.09.2007), *Greece: Three trials of far right “Eleftheros Kosmos” for anti-Semitism and anti-Gypsyism on 15 November, 3 December and 18 December 2007*, <http://cm.greekhelsinki.gr/index.php?sec=194&cid=3182>

4 ECHR/44803/04 (06.12.2007).
<http://cmiskp.echr.coe.int/tkp197/viewhbkm.asp?sessionId=3844790&skin=hudoc->

A.4.2. Important decisions – criminal law

[8]. No additional data available.

A.5. Additional information

A.5.1. Evidence of serious delays

[9]. No additional data available.

A.5.2. Transposition of Council Directive 2003/109/EC

[10]. According to media reports, one Georgian citizen in Hania, Crete, is the first and only immigrant so far to secure the Long Term Residence status in Greece.⁵

A.6. Good practice

[11]. No additional data available.

[en&action=html&table=F69A27FD8FB86142BF01C1166DEA398649&key=66737&highlight=](http://www.athensnews.gr/athweb/nathens.prnt_article?e=C&f=&t=11&m=A13&aa=1)

5 Kathy Tzilivakis, *Greece's first longterm resident*, Athens News, (30.11.2007), http://www.athensnews.gr/athweb/nathens.prnt_article?e=C&f=&t=11&m=A13&aa=1

B. Racist violence and crime

B.1. New criminal legislation

[12]. No additional data available.

B.2. Complaints mechanisms

[13]. No additional data available.

B.3. Brief overview

[14]. No additional data available.

B.4. Official data and information (criminal justice and government)

B.4.1. Official criminal justice data

[15]. In late 2007 the ECHR judged that in the case of *Petropoulou-Tsakiris*, Greece violated article 3 Article 14 (prohibition of discrimination) taken in conjunction with Article 3. Notably, the Strasbourg court found that the failure of the Greek authorities to investigate possible racial motives behind the applicant's ill-treatment, combined with the general partiality throughout the investigation, constituted discrimination, in violation of Article 14 taken in conjunction with Article 3⁶ (more in the Legal Issues chapter).

B.4.2. Categories of incidents and crimes

[16]. No additional data available.

⁶ ECHR/44803/04 (06.12.2007).

B.4.3. Anti-Roma offences

B.4.4. Categories of incidents and crimes

[17]. No additional data available.

B.5. Trends in racist violence and crime / religiously motivated violence and crime

B.5.1. Categories of incidents and crimes

[18]. No additional data available.

B.6. Unofficial data and information

[19]. The organisation ProAsyl and the Greek Group of Lawyers for the Rights of Refugees and Migrants issued in Athens, Frankfurt and Brussels an extensive report with the heading "*The truth may be bitter, but it must be told*".⁷ The report claims serious human rights violations such as torture, refoulement at sea, systematic maltreatment and inhumane detention conditions. During the two fact-finding missions - in July/August and in October 2007 - the Representatives of ProAsyl and the Greek Group of Lawyers for the Rights of Refugees and Migrants examined the situation of refugees at the external border of the EU in the Aegean Sea. Almost all reports from over 100 surveyed refugees detail mistreatment by the Greek coast guard. In one reported case on the island of Hios the degree of maltreatment amounted to torture (serious beating, mock execution, electric shocks and pushing a refugee's head into a bucket full of water - submarino). After the publication of the findings, the Minister of Commercial Marine ordered internal disciplinary investigations (sworn administrative investigation) for all the incidents of violence and torture allegedly perpetrated by the port guards against aliens trying to reach Greece. Parliamentary questioning and numerous media publications and reports followed.

⁷ ProAsyl, *The truth may be bitter, but it must be told*,
http://www.proasyl.de/fileadmin/proasyl/fm_redakteure/Englisch/Griechenlandbericht_Engl.pdf

- [20]. Furthermore, due (among other) to the notorious incident of torture of immigrants in a police station in summer 2007, public discussion emerged in other EU countries, such as Sweden, where political representatives from all parties asked for the ceasing of refoulement of asylum seekers to Greece (in application of the Dublin regulation).⁸
- [21]. A further escalation of racist incidents by organised though unidentified extreme right-wing groups in late 2007 victimised mostly Pakistani immigrants in Athens (Egaleo) and Arab immigrants in Crete (Chania).
- Next follows a list of detailed examples of notable incidents against immigrants and minorities that received public/media attention:
- [22]. A 14-year-old Afghan minor was stabbed by a man in military clothes at the Patras port, when caught hidden under a truck in his effort to travel illegally to Italy. The boy has been allegedly stabbed and multiply injured by a port guard. Disciplinary investigation was ordered by the Minister of Commercial Marine.⁹
- [23]. The situation at the Patras port was explosive during the month of December. After the severe beating of an Afghan immigrant on 29.11.2007 and the stabbing of a 14- year-old Afghan minor, some hundred of immigrants residing in a settling next to the port clashed with the police and truck drivers. NGOs report a daily humiliating and violent treatment of the immigrants by the coast guards.¹⁰
- [24]. On 8.11.2007, a Greek border guard shot and killed a migrant trying to cross illegally into north-western Greece. The victim entered the country with a group of 10 other people, but when police officers located and stopped them, he tried to run away. He was shot and died in the hospital shortly after. According to the Police statement, the incident is under investigation, while the guard was arrested and his gun confiscated.¹¹
- [25]. On 30.11.2007, in down-town Athens, an extremist group of 25 people armed with a gun, knives, chains invaded into the homes of 8 Pakistani immigrants, attacked and beat them. Four are severely injured and one is still hospitalised. NGOs have reported that despite the emergency calls made by the Greek

⁸ TV4nyheter.se, *Avvisningar till Grekland bör stoppas*, (27.11.2007)

http://tv4nyheter.se/1.217749/nyheter/2007/11/27/avvisningar_till_grekland_bor_stoppas;jsessionid=abcxZJeoLuYNhbYYfidAr

⁹ Patras news, *He stabbed him*, (08.11.2007) <http://www.patranews.gr/news-print.asp?ID=7190>
Ta Nea, *Διμενικός μαχαίρωσε νερό λαθρομετανάστη*, (09.11.2007)
<http://www.tanea.gr/printarticle.aspx?d=20071109&nid=6536270>

¹⁰ <http://diavatirio.net/diavat/news.php?extend.1919>

<http://diavatirio.net/diavat/news.php?extend.1920>

¹¹ Athens News-Reuters, *Immigrant shot dead*, (09.11.2007),
http://www.athensnews.gr/athweb/nathens.prnt_article?e=C&f=&t=01&m=A04&aa=4

neighbours, the police did not intervene before the group had left the site, even though the police station is located some 700m away.¹²

[26]. On 28.12.2007, in Chania, Crete, an extremist group of 10-15 people attacked and beat 3 Moroccan immigrants. According to the victims, some the perpetrators were foreigners (namely of ‘Russian origin’). On that day, the Director and the Data Collection Officer of the RAXEN NFP were holding a seminar in the city on discrimination and migration. They recorded the incident first-hand and talked to the victims.¹³

[27]. With the occasion of the 7th Greek youth festival of extreme right wing groups, a number of racist and violent attacks occurred against immigrants and Greek students. According to eye witnesses, the violent groups were composed of Greek and also foreign (Russians and Germans) neo-Nazis:¹⁴

a. On 27.10.2007, in down-town Athens (Syntagma metro station), members of extreme right-wing organisation insulted and inflicted physical injuries to a Moroccan immigrant. Metro passengers present during the attack immobilised the perpetrators and called the police, which arrested one of them for bodily harm.

b. On 27.10.2007 at Thisio (Theseum), a group of 25 persons bearing neo-Nazi signs and badges attacked 2 persons, presumably punks, according to witnesses.

[28]. On 24.10.2007 members of the right extremist organization ‘Chryssi Avgi’ attacked by beating and stabbing with knives a post graduate student of the Athens University, after he protested against the nationalist and racist graffiti that the former were painting on the University walls.¹⁵ Observers from the Refugee and Migrant Support Network believe that ‘Chryssi Avgi’ and the ‘Oi!’ groups are becoming more violent in order to rally followers and that many young neo-Nazis feel protected by the parliamentary presence of LAOS.¹⁶

¹² Ta Nea, *Άγρια ρατσιστική επίθεση εις βάρος 8 Πακιστανών* (3.12.2007)
<http://www.tanea.gr//Article.aspx?d=20071203&nid=6753594&sn=&spid=876>

<http://diavatirio.net/diavat/news.php?extend.1915>

<http://diavatirio.net/diavat/news.php?extend.1913>

<http://diavatirio.net/diavat/news.php?extend.1914>

¹³ Sotirchou I., *Eleftherotipia, Εκρηξη ρατσισμού το 2007*, (4.12.2007),
http://www.enet.gr/online/online_text/c=112,dt=04.12.2007,id=21727288

¹⁴ Ta Nea, *Διπλό χτύπημα ακροδεξιών. Ξυλοκόπησαν Μαροκινό στο Σύνταγμα και μαχαίρωσαν δύο νέους στο Θησείο* (29.11.2007), <http://www.tanea.gr/d=20071029&nid=6423065>

<http://www.tanea.gr//Article.aspx?d=20071029&nid=6423079&sn=%CE%95%CE%9B%CE%9B%CE%91%CE%94%CE%91&spid=876>

¹⁵ Ta Nea, *Χρυσανγίτες χτύπησαν στην Πανεπιστημιούπολη* (25.10.2007),
<http://www.tanea.gr/d=20071025&nid=6399956>

¹⁶ T.Kampylis, KATHIMERINI English Edition, *The growing threat from extremist youth groups*, (07.11.2007), <http://www.ekathimerini.com/4dcgi/news/content.asp?aid=89791>

- [29]. The President of the Pakistani immigrant community in Greece reported that his community members are subjected to racist violence which notes an increasing trend. Moreover, he reported that on September 2007 a Pakistani man after a decade of regular employment has been allegedly beaten by his employer, when he claimed the payment for the overtime work he was performing. Only after the intervention of the Pakistani community president, the Police accepted the complaint of the man who sued the employer for bodily harm.¹⁷
- [30]. On 22.12.2007 in Kissamos-Kasteli (Crete) some 15-20¹⁸ hooded individuals broke into the homes of two Sudanese immigrants and beat them with iron bars. The incident was allegedly retaliation to the rape of a woman by an unknown individual a week before.
- [31]. The escalation of racist violence in late 2007 led to protest demonstrations and marches by the associations of immigrant communities and NGOs.¹⁹

B.7. Good practice

- [32]. No additional data available.

¹⁷ Avriani tis Kiriakis, *Βάρβαρες Επιθέσεις σε Πακιστανούς*, (18.11.2007).

¹⁸ Ta Nea, «Τυφλή» ρατσιστική επίθεση στα Χανιά (24.12.2007),
<http://diavatirio.net/diavat/print.php?news.2098>

¹⁹ <http://www.diavatirio.net/diavat/news.php?extend.1529>

<http://www.diavatirio.net/diavat/news.php?extend.1528>

<http://www.diavatirio.net/diavat/news.php?extend.1522>

<http://www.imerisia.gr/article.asp?catid=4667&subid=2&pubid=309852>

<http://stratos.pblogs.gr/2007/06/diethnhs-amnhstia-na-stamathsei-amesws-h-atimwrhsia.html>

<http://www.diavatirio.net/diavat/news.php?extend.998>

<http://www.diavatirio.net/diavat/print.php?news.1510>

http://www.enet.gr/online/online_text/c=112,dt=12.10.2007,id=58393632

C. Key areas of social life

C.1. Employment

C.1.1. New complaints and monitoring bodies – differentiated data

[33]. No additional data available.

C.1.2. Racism and discrimination (incidents and practices)

C.1.3. Brief overview

[34]. No additional data available.

C.1.3.1. Statistical Data and tables on incidents of discrimination and racism

[35]. No additional data available.

C.1.3.2. Exemplary cases

[36]. No additional data available.

C.1.4. The situation of immigrants and minorities in employment

C.1.4.1. Brief overview

[37]. The Minister of Employment, Vasilis Maginas, resigned following the revelations about having employed informally three Indian domestic workers to

tend his residence, without declaring them to the authorities or paying the necessary social security contributions. The Minister was responsible for the ongoing effort to reform the social security system. These revelations and the following resignation triggered extensive public discussion on the precarious conditions of immigrants in employment.²⁰

- Reports, surveys and research

[38]. According to a recent survey on unemployment rates, Greece is the only EU country in which unemployment among migrants is lower than that recorded among locally born inhabitants.²¹ The study, prepared by the union groups GSEE and ADEDY along with Panteion University, also found that recent government efforts to legalize illegal immigrants have failed to produce the expected results due to numerous contradictions in the law.

C.1.4.2. Statistical Data and tables on the situation of migrants and minorities

[39]. No additional data available.

C.1.4.3. Additional information

C.1.4.4.

[40]. No additional data available.

C.1.5. Good practice

[41]. No additional data available.

²⁰ Maria Kagkelidou, Athens News, *Scandalous tide claims minister*, (21.12.2007), http://www.athensnews.gr/athweb/nathens.print_unique?e=C&f=13266&m=A05&aa=3&eidos=A

²¹ KATHIMERINI English Edition, *Migrant joblessness quite low*, (21.12.2007) <http://www.ekathimerini.com/4dcgi/news/content.asp?aid=91372>

C.2. Education

C.2.1. New complaints and monitoring bodies – differentiated data

[42]. No additional data available.

C.2.2. Racism and discrimination (incidents and practices)

[43]. No additional data available.

C.2.3. The situation of immigrants and minorities in education

C.2.3.1. Brief overview

No cases of racist behaviour were documented. No negative reactions towards foreign/migrant pupils carrying the national flag at the school parades were recorded (a frequently met phenomenon during the previous years). This may be partly attributed to the fact that other, more important incidents of the school life dominated this period (such as sit-in schools and protests on behalf of pupils against the education policy of the government).

C.2.3.2. Statistical data on segregation

[44]. No additional data available.

C.2.3.3. Statistical data on support measures for migrant and minority children

[45]. No additional data available.

C.2.3.4. Multicultural education and anti-racist education

- [46]. One of the most positive and promising actions of multicultural education in Greece is about to be abolished. The 132nd school of Athens is an elementary school not officially characterised as “intercultural” despite the fact that more than 70% of the pupil population is migrant, having no Greek as mother tongue. Teachers of this school were implementing for five years, voluntarily, a wide multicultural educational programme,²² which brought remarkable results.²³ However, this activity is about to be abolished because the headmaster was removed after a controversial evaluation procedure. The new headmaster, who states to be executing “orders coming from above”, proceeded to “normalize” the school’s activities and, to the great disappointment of pupils, parents and scientist involved, he abolished all alternative and special activities and initiatives. Regarding this issue, questions were posed by two MPs (F. Kouvelis, SYRIZA party, 23.11.2007 - A. Diamantopoulou, PASOK party, 11.12.2007) to the minister of education.²⁴
- [47]. Some 300 migrants in Piraeus, Athens, are unable to acquire Greek language and history certification, necessary for applying for a long term residence status. They have made the relevant requests for classes and examinations, but the government, not having provided the necessary funds for the classes – to cover the costs of rent of classrooms, electricity, cleaning services etc - led to the failure of the implementation of the programme.²⁵

C.2.3.5. Support and involvement of parents and communities

- [48]. No additional data available.

22 Among others, mother tongues (Albanian and Arabic) were taught to pupils and Greek was taught to parents, while notifications were made also in Albanian and English

23 T. Kostopoulos, D. Psaras, et. al., Η γλώσσα της επικοινωνίας, In: *Eleftherotypia* (23.06.2007)
http://www.enet.gr/online/online_fpage_text/dt=23.06.2007,id=87720660,71449940,94234708

24 T. Kostopoulos, D. Psaras, et. al., ΠΟΙΟΙ ΑΝΤΙΔΡΟΥΝ ΣΤΟ ΣΤΟΙΧΗΜΑ ΤΟΥ 132ου ΤΗΣ ΓΚΡΑΒΑΣ; In: *Kiriakatiki Eleftherotypia* (30.12.2007)

http://www.enet.gr/online/online_fpage_text/dt=30.12.2007,id=73285280,87458848,95022496,8065632,13794272

I. Diamanti, «Μη μας πάρετε τη διευθύντρια». In: *Kathimerini* (22.11.2007)

http://news.kathimerini.gr/4dcgi/_w_articles_ell_2_22/11/2007_249908

T. Kabilis, Το τέλος ενός πρότυπου σχολείου. In: *Kathimerini* (09.12.2007)

http://news.kathimerini.gr/4dcgi/_w_articles_ell_100046_09/12/2007_251982

Επόμενοι στη σειρά οι γονείς. In: *Kathimerini* (09.12.2007)

http://news.kathimerini.gr/4dcgi/_w_articles_ell_3_09/12/2007_251979

Και μετά ήρθε το κράτος ... In: *Kathimerini* (09.12.2007)

http://news.kathimerini.gr/4dcgi/_w_articles_ell_3_09/12/2007_251978

25 G. Dama, «Ξεχασαν» τις αίθουσες για τη διδασκαλία των μεταναστών. In *Eleftherotypia* (14.11.2007)

http://www.enet.gr/online/online_text/c=112,dt=14.11.2007,id=99670696

C.2.3.6. Religious symbols

[49]. No additional data available.

C.2.4. Good practice

[50]. No additional data available.

C.3. Housing

C.3.1. New complaints and monitoring bodies – differentiated data

[51]. No additional data available.

C.3.2. Racism and discrimination (incidents and practices)

C.3.2.1. Brief overview

- [52]. Year 2007 ended with some 100 Roma families facing eminent eviction from a privately-owned area (property of VIAMAX company), where they had settled after being evicted already from Votanikos area in June 2007 (see previous report). Despite repetitive appeals made by the Greek Ombudsman and Greek Helsinki Monitor, widely publicized in the media, a court eviction order (as of 26.11.2007) obliges them to move and resettle, illegally once again, in the midst of the winter season (see below).
- [53]. An important field research on ethnic discrimination in the rental market – the first one to be published in Greece – shows that owners discriminate significantly against prospective renters of Albanian ethnic origin, refusing in several cases to show a unit to Albanian seekers, as well as demanding higher rent from them.²⁶ The rate of discrimination increases with the status – unit condition and area where it is located. This means that access to good housing units is more restricted for Albanians. Furthermore, regardless of the unit status, Albanians face a significant rent penalty.
- [54]. In a joint statement by the Council of Europe Commissioner for Human Rights Mr Thomas Hammarberg and the UN Special Rapporteur on the Right to Adequate Housing Mr Miloon Kothari,²⁷ Greece was included in a list of

26 N. Drydakakis, *And the House Goes to: Ethnic Discrimination in the Greek Rental Market*, unpublished research conducted at the University of Crete, available at: http://www.antigone.gr/listpage/selected_publications/greece/071128.pdf (09.01.2007). A summary of the research, written by the same author, ‘Διακρίσεις στη στέγαση λόγω εθνικότητας: Καταγραφή μέσω πειραμάτων πεδίου’ appeared in: *Skrip* (30.12.2007), pp. 10-11.

27 Joint statement by the Council of Europe Commissioner for Human Rights Thomas Hammarberg and the UN Special Rapporteur on the Right to Adequate Housing Miloon Kothari, *Governments Should Take Positive Steps to Protect the Housing Rights of Roma in*

European countries where housing rights of Roma are abused. According to the statement, most of complaints regard ‘evictions of Roma which have been carried out in violation of human rights standards, especially as regards the right to adequate housing and privacy, procedural guarantees and remedies’. In an interview with a Greek journalist, taken a few days after the statement,²⁸ Mr. Hammarberg expressed his concern that despite international intervention, Greek local authorities persist in their malpractices of Roma evictions.

C.3.2.2. Statistical data and tables on racist incidents

[55]. No additional data available.

C.3.2.3. Exemplary cases

[56]. The Roma families who, after their eviction from Votanikos, settled in an open area belonging to VIAMAX, once again faced eviction. This case ignited reaction from the Greek Ombudsman (letter to the Minister of Interior no. 2552/23.10.2007).²⁹ The GO called for urgent action by the relevant administration bodies (the Municipality of Athens, the Prefecture of Athens, and the Region of Attica) to provide the families with a new, public-owned site for resettlement, equipped with the necessary infrastructure, or alternatively to withhold the eviction until such site is found. The issue was also discussed at the Parliament after a question by MP Mr Fotis Kouvelis,³⁰ and at the municipal council of Athens.³¹ Few days later (29.10.2007), the Greek Helsinki Monitor

Europe (24.10.2007), available at <http://www.reliefweb.int/rw/rwb.nsf/db900sid/EGUA-78APAQ?OpenDocument> (11.01.2007). Also reported by Nikos Roussis, ‘Δώστε στέγη στους πτωχούς’, in *Eleftherotypia* (29.10.2007), available at: http://www.enet.gr/online/online_text/c=111,dt=29.10.2007,id=18313784 (11.01.2007).

28 Greek Helsinki Monitor press release (03.11.2007), *Greece: Council of Europe Commissioner for Human Rights sees no change in Roma rights protection by Patras and other municipalities*, available at <http://cm.greekhelsinki.gr/index.php?sec=194&cid=3187> (11.01.2007).

29 The Greek Ombudsman, letter to the Minister of Interior Mr Prokopis Pavlopoulos no. 2552/23.1.2007, available at: http://www.synigoros.gr/pdfs/5_11_Epistoli_ROMA.pdf (15.1.2007).

30 During the discussion of the question in the Parliament, the Vice-Minister of Interior, Mr Athanasios Nakos, replied that it is the responsibility of the local authorities, not of the government, to find a relocation site for the Roma. See ‘Η διπλή κοροϊδία στο Βοτανικό’ in *Eleftherotypia* (10.11.2007), pp. 68-69, available at: <http://www.iospress.gr/mikro2007/mikro20071110.htm> (15.01.2007).

31 During the discussion in the municipal council, after a question by the member of the council Mr Alexis Tsipras, the Mayor of Athens Mr Nikitas Kaklamanis asked rhetorically: ‘Have you found a site for relocation within the borders of the Municipality that I have not managed to find?’ He also said that since most of the Roma in question have Albanian citizenship, the issue should be examined by the Foreign Ministry. See ‘Η διπλή κοροϊδία στο Βοτανικό’ in *Eleftherotypia* (10.11.2007), pp. 68-69, available at: <http://www.iospress.gr/mikro2007/mikro20071110.htm> (15.01.2007).

and the European Roma Rights Centre jointly appealed to the European Court of Human Rights against the Greek government for failure to provide resettlement site to the Roma families. The ECHR initiated interim measures procedure against Greece. Despite all this, no positive actions were taken by the relevant authorities and, following a court decision (26.11.2007), the families are to be evicted from the VIAMAX property.³²

C.3.2.4. Legal restrictions to access to housing

- [57]. According to the representative of real estate agents of Thessaloniki,³³ the state should abolish legal restrictions to house ownership that do not allow the third country nationals to own a property in ‘near-border’ areas, including Thessaloniki and its periphery.

C.3.3. The situation of immigrants and minorities in housing

C.3.3.1. Brief overview

- [58]. In Alan Koyou area, in central Komotini, 350 Roma families live in extremely degrading conditions - in shacks made of tin, next to piles of rubbish, with only two water outlets to serve 1,700 people.³⁴ In November 2007, sixty children of the community were hospitalized for Hepatitis A. Efforts to relocate the families to nearby Kikidi, to ensure proper housing conditions, are stumbling upon the reaction of local residents.
- [59]. In Peloponnese (in the prefectures of Achaia and Heleia), an estimated 2,500 migrants, many of them teenagers, originating mainly from Bangladesh, Iraq, Afghanistan and Pakistan, live in inhuman conditions, and work undeclared in

32 Greek Helsinki Monitor press release (24.12.2007) *Greece: Chronicle of Votanikos Roma eviction foretold with Council of Europe complicity*, available at: <http://cm.greekhelsinki.gr/index.php?sec=194&cid=3212> (15.01.2007).

33 The interviewee, Mr Nikos Manomenidis, president of the union of real estate agents of Thessaloniki, suggested that such a measure would ‘save the [local] real estate market from its current deadlock.’ See B. Giannakidis, ‘Οι Αλβανοί θα σώσουν την αγορά κατοικίας’, in *Eleftherotyia* (21.11.2007), available at: http://www.enet.gr/online/online_text/c=112,dt=21.11.2007,id=69617832.

34 D. Damianos, ‘Ο μαχαλάς της ηπατίτιδας’, in *Ta Nea* (21.12.2007), available at: <http://www.tanea.gr//Article.aspx?d=20071221&nid=6939324&sn=&spid=876Official>

the agricultural sector.³⁵ According to the report, migrants live in nylon tents, in emergency sanitary conditions.

C.3.3.2. Statistical data and tables on the housing situation of migrants and minorities

[60]. No additional data available.

C.3.3.3. Segregation and neighbourhood integration

[61]. Although no ‘hard-type’ segregation of immigrants exists in metropolitan Athens, the western suburbs and the central districts of Patisia, Kypseli and Pagkrati, are identified by real estate agents as ‘preferred by immigrants’ due to the low-quality, old and run-down apartment units available.³⁶

C.3.4. Good practice

[62]. No additional data available.

35 According to the article, the prefect of Achaia, Mr Dimitris Katsikopoulos, stated that the solution to the problem is to demolish the camp. Mr Andreas Antonopoulos, member of the municipal council of Patras, stated that especially in Patras - main entry point of migrants - an organized refugee reception centre, with proper living conditions, should be created. See Nikos Tsakanikas, ‘Ένας στάβλος για 2.500 μετανάστες’, in *Rizospastis* (29.12.2007), pp. 12-13, available at: <http://www1.rizospastis.gr/page.do?publDate=29/12/2007&id=9223&pageNo=13&direction=-1> (11.01.2007).

36 D. Kontogiannis, ‘Τα μεταχειρισμένα διαμερίσματα έχουν την τιμητική τους στο Κέντρο’, in *Eleftherotypia* (17.11.2007), available at: http://www.enet.gr/online/online_text/c=114,dt=17.11.2007,id=98951640 (11.01.2007). According to real estate agents, ‘apartments in these areas, especially if they are 30 or more years old, are up to 50% cheaper than the newly built ones.’

C.4. Health and social care

C.4.1. New complaints and monitoring bodies – differentiated data

[63]. No additional data available.

C.4.2. Racism and discrimination (incidents and practices)

[64]. No additional data available.

C.4.3. The situation of immigrants and minorities in health

[65]. A series of University surveys investigated the immigrant background of the teenagers as a risk factor for their academic and social adaptation and mental health. The findings indicate that migration constitutes a risk factor for school adaptation of the adolescent, though not so for his/her mental health. High expectations of self-efficiency and parent involvement are positively related to the adolescent's academic resilience in a difficult social and educational environment created by migration experience.³⁷

[66]. A report³⁸ produced by the NGO PRAXIS on obstacles and difficulties of Roma people to access health services, education and housing benefits, suggested that among multiple health problems that Roma face, the main are muscular-skeletal and infections. The most crucial problem impeding their access to health provisions is lack of knowledge about special legislation in force in favour of Roma, either by themselves or by the competent public administration officers. Furthermore, according to the report, Roma minority members face racist behaviour by medical professionals when reaching public hospitals for help and assistance.

³⁷ Motti-Stefanidi Froro, Nikolaos Takis, Pavlopoulos Vasilis, Masten Ann S. (2008), *Psychical Resilience, migration and adolescence*, Athens University, Pythagoras project. Sample: 1035 adolescent Secondary education students (native Greeks, Albanians, repatriated Pontians), ages 12-15.

³⁸ PRAXIS, (2007) *Έκθεση για τα εμπόδια και τις δυσκολίες πρόσβασης των Ρομά στις υπηρεσίες υγείας, στην εκπαίδευση και την ένταξη τους στην στεγαστική πολιτική*. www.praxis.gr.

C.4.4. Good practice

[67]. No additional data available.

Annex 1 – Positive initiatives

[68]. No additional data available.

Table - 2

Outcome of complaints for discrimination on grounds of race / ethnic origin handled by the Greek Ombudsman

	2005	2006	2007
Established racial or ethnic discrimination (founded complaints)	4	8	6
Unfounded complaints - discrimination not established	3	7	5
Compliance - cases resolved	1	1	4
Non compliance	0	0	2
Pending	6	13	30
Reference for disciplinary action	0	0	0
Reference to the prosecutor for penal action	0	0	0
Cases closed for inadmissibility	2	1	1

Source: The Greek Ombudsman.

Annex 2b – Statistics court cases criminal law

[69]. Not available.

Annex 2c – Court, specialised body or tribunal decisions

Case title	Petropoulou-Tsakiris vs. Greece
Decision date	06.12.2007
Reference details (type and title of court/body; in original language and English [official translation, if available])	European Court of Human Rights
Key facts of the case (max. 500 chars)	The applicant, a Greek national of Roma ethnic origin, claimed that, during a police operation in a Roma settlement, she was forcefully pushed back by one police officer and kicked in the back by another. She felt intense pain in the abdomen and started bleeding. The applicant lodged a criminal complaint and joined the proceedings as a civil party seeking damages. The Deputy Director of Greek Police, who had been involved in the operation, interviewed five senior police officers who stated that they had not witnessed any ill-treatment of the applicant.
Main reasoning/argumentation (max. 500 chars)	The Court was struck by the sweeping statements concerning Roma made by the Deputy Director of Greek Police and found that such comments revealed a general discriminatory attitude by the authorities which had reinforced the applicant's belief that the lack of an effective investigation into the incident had been due to her Roma ethnic origin.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	The Roma ethnic origin of the applicant had influenced the attitude and behaviour of the police and judicial authorities.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The Court held unanimously that there had been a violation of Article 3 ECHR and of article 14 ECHR in conjunction with article 3.

Case title	Plevris' trial.
Decision date	13.12.07
Reference details (type and title of court/body; in original language and English [official translation, if available])	Εφετείο Αθηνών. [Athens Court of Appeal]
Key facts of the case (max. 500 chars)	Lawyer Costas Plevris was handed a 14-month suspended sentence for inciting racial hatred through his book "Jews: The Whole Truth," which denies that Holocaust took place.
Main reasoning/argumentation (max. 500 chars)	The court found that the accused 'incited deeds and actions that could provoke discrimination, hatred and violence against persons and groups of persons, solely because of their racial and ethnic origins, and expressed offensive ideas against a group of persons because of their racial and ethnic origin.'
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	First sentence concerning the provisions of the anti-racist law n. 927/1979. The trial resulted from ex officio judicial investigations following complaint reports filed by Greek Helsinki Monitor, while Jewish organizations and the Anti-Nazi Initiative have joined the cases as civil claimants.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The Athens Court of Appeal condemned the accused to a 14-month suspended sentence.

Annex 4 – Racist violence and Crime

Table 1 - Unofficial data on major violent incidents against immigrants and minorities (2003-2007)

	2003	2004	2005	2006	2007
<i>Major racist violence incidents</i>	7	16	16	21	52
against immigrants and refugees					
against Roma	5	11	12	16	44
against religious minorities	2	3	3	2	4
	-	2	1	3	4
alleged police, border & costal guard racist violence incidents (included above)	4	4	9	7	10
Violence against immigrants - death toll	1 ³⁹	1 ⁴⁰	1 ⁴¹	2 ⁴²	5 ⁴³

Source: HLHR-KEMO Annual Report (2007), Pavlou Miltos, Racism and Discrimination against Immigrants and Minorities: the state of play.
www.hlhr.gr/hlhr-kemo/docs/HLHR-KEMO%20AR2007.pdf

Data for the period 2003-2006 are calculated on the basis of incidents recorded and reported by the NFP 'Antigone' RAXEN National Annual Reports 2003, 2004, 2005 and 2006.

The original unofficial sources of the data of the above table are the multiple media and NGO reports whose relevance, validity and reliability is verified by the RAXEN NFP.

³⁹ Nigerian male immigrant.

⁴⁰ Albanian male immigrant.

⁴¹ Albanian male immigrant.

⁴² Albanian and Georgian male immigrants.

⁴³ Three Albanians, one Nigerian, one Georgian, all male immigrants. Two among the reported victims are killed during and intra-group clash of Albanians and Georgians in Thessaloniki on May 2007. The Nigerian's death was allegedly caused by his chase by police officers, from whom he had allegedly suffered ill-treatment some days before.

Annex 5 – Employment

[70]. No additional data available.

Annex 6 - Education

[71]. No additional data available.

Annex 7 – Housing

[72]. No additional data available.

Annex 8 – Health & Social Care

[73]. No additional data available.