



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

Distr.: General
27 November 2015

Original: English
English, French and Spanish only

Committee on the Elimination of Racial Discrimination

**Consideration of reports submitted by States
parties under article 9 of the Convention**

**Twentieth to twenty-second periodic reports of States parties
due in 2015**

Greece*

[Date received: 20 September 2015]

* The present document is being issued without formal editing.



I. Introduction

1. Greece has the pleasure to submit the combined twentieth and twenty-first periodic report to the Committee on the Elimination of Racial Discrimination of the International Convention on the Elimination of All Forms of Racial Discrimination. The report has been drafted by the Legal Department of the Ministry of Foreign Affairs, in close cooperation with the competent Ministries. In addition, we have incorporated, to the extent possible, input and comments by the National Commission for Human Rights (NCHR), in which six major NGOs participate. We have also taken into account concerns raised during the last years by various NGOs. The present report focuses mainly on the follow-up to the concluding observations of the CERD, dated 14.9.2009, and provides information on recent legislation, including the new antiracism law, action plans, initiatives and practical steps taken in the fight against all forms of racial discrimination. We would like to recall that information on the implementation of the recommendations identified in the abovementioned concluding observations is contained in document CERD/C/GRC/CO/16-19/Add.1/12.1.2011.

II. General legal framework: recent developments

2. The most important developments that took place since Greece's last report to the CERD are the following:

3. Greece has been experiencing a severe economic crisis, which is not only a national one, but an aspect of the broader crisis affecting many European countries. The impact of the last 6 years of economic recession has been significant, causing social changes and the deterioration of the social structure of the country. The NCHR has consistently drawn the attention of national authorities and international stakeholders to the adverse impact of the austerity measures on the enjoyment of human rights. The National Commission has noted with grave concern that the rapid and dramatic decline in living standards and the dismantling of the "social state" have caused the impoverishment of large segments of the population, widened social gaps, eroded the social fabric and given impetus to those espousing extremism and intolerance. In 2015, legislation has been adopted to tackle the "humanitarian crisis" affecting the most disadvantaged groups of the population. Law No. 4320 adopted in March 2015 aims at ensuring basic goods and services to persons and families living under extreme poverty conditions, without discrimination, through the provision of free electricity, rent allowance and food stamps. The impact of the economic crisis and the ensuing austerity measures should be borne in mind when assessing the context in which the ICERD is being implemented. We firmly believe, however, that, as pointed out by the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance Mr. Ruteere, following his visit to Greece in May 2015, the economic crisis should not become the reason for rolling back progress in the fight against racism and xenophobia. As it will be shown below, despite the financial constraints and the numerous challenges that the authorities have to face, every effort is being made to give full effect to all the provisions of the ICERD, and, in particular, to promote and protect the rights under the Convention of persons in vulnerable situations.

4. Over the last years, and in particular during the period 2012-2013, there has been a growing number of violent attacks against foreigners living in Greece. Extremist organizations or individuals have attempted to exploit the anger, the discontent or the grievances of some segments of the population severely disadvantaged by the economic crisis, against the backdrop of an unprecedented rise in irregular migration, due to the geographical position of the country as the main gateway to the European Union. In order

to fight against such phenomena, which undermine the fundamental values underpinning Greek society, the competent authorities took a series of measures in the fields of law enforcement and criminal justice, while a new law amending and strengthening the anti-racism legislation in force was adopted by Parliament in September 2014. At the same time, the judicial authorities proceeded to the investigation of criminal acts allegedly committed by members of “Golden Dawn”, a political party represented in Parliament, described as a “neo-Nazi and fascist organization”, while state funding of the said party has been suspended. Racist incidents have been condemned with the strongest possible terms by the political leadership of the country.

5. The first National Action Plan on Human Rights, covering the period 2014-2016, has been prepared, under the coordination of the Ministry of Justice, Transparency and Human Rights, with the cooperation of all competent Ministries and stakeholders, in accordance with relevant UN guidelines and the requirements of the Vienna Declaration and Program of Action, following an open and public consultation. The Action Plan aims to serve as the basis of a coherent human rights policy at the national level and focuses mainly on the recommendations of international monitoring bodies in the field of human rights. The National Action Plan, which built upon an emergency action plan to counter the surge of racist attacks, lists a number of relevant sets of action to be implemented, comprising the objective pursued, the action to be taken, the competent body and implementation indicators. The Plan contains actions falling within the scope of the ICERD in a wide variety of fields, such as the elimination of racism and intolerance, equal treatment and non-discrimination, social inclusion of Roma, protection of foreign nationals, religious freedom, etc. The inter-ministerial team which drafted the Action Plan will continue its work as a body responsible for monitoring the implementation and evaluating the actions included in the Action Plan, with the assistance of the competent authorities, the national human rights institutions and civil society. Moreover, a National Action Plan on the Rights of the Child is being elaborated, under the coordination of the Ministry of Justice, Transparency and Human Rights, with the participation of all sectors of the Administration involved. A first version of the Plan was presented on the occasion of the Children’s Day (20 November 2014) and has been submitted to public consultation, until 9 January 2015.

6. The national human rights institutions have continued to be in the forefront of the fight against racial discrimination. The Office of the Ombudsman, both in its capacity as a body for the promotion of equal treatment and under its general competence, has dealt with various cases involving different forms of discrimination, as well as with the alarming phenomenon of racist violence. In addition, the Ombudsman has been designated as the “national preventive mechanism” under the Optional Protocol to the Convention against Torture, which Greece ratified in 2014. The National Commission for Human Rights and the Office of the UNHCR in Greece created, in 2011, the “Racist Violence Recording Network” in which participate 23 NGOs and other bodies, having as a primary goal the documentation of racist incidents; the NCHR has also adopted comprehensive reports and recommendations on issues related to the fight against racism.

7. The effective handling of mixed migratory groups, while fully respecting human rights, still remains an important challenge for the competent authorities. In July-August 2015, the number of persons belonging to such groups dramatically increased. During the period from 1 January to 14 August 2015, the number of arrivals reached more than 160,000 persons. The authorities have been striving to address an extremely challenging situation, albeit with insufficient means at their disposal. During the reporting period, positive development have taken place with regard to the protection of refugees and asylum seekers and the improvement of the conditions of detention of irregular migrants, such as the establishment of the new Asylum Service (distinct from law enforcement services) and the First Reception Service, the operation of First Reception Centers and mobile units and

Citizenship Identification Centers (for the registration and screening of irregular migrants), as well as pre-departure detention centers (for foreign citizens under expulsion).

8. Following the implementation of the Integrated Action Plan for Greek Roma, Greece submitted to the European Commission the National Strategy for the Social Inclusion of Roma 2012-2020, oriented to a holistic approach of the issue of Roma integration. The housing situation of the Roma and the integration of Roma pupils into mainstream classes remain priority issues to be addressed.

9. Finally, during the reporting period, measures have been taken to further promote and protect minority rights, freedom of religion of belief, migrants' rights and human rights education and training, which will be detailed under the relevant articles of the ICERD.

III. Information relating to articles 2 to 7 of the Convention

Article 2

Anti-discrimination legislation (para. 8 of the Committee's concluding observations)

10. In 2005, Parliament adopted Law 3304/2005 on the "Implementation of the principle of equal treatment regardless of racial or ethnic origin, religious or other beliefs, disability, age or sexual orientation", which incorporates two relevant EU directives. The objective of the Law is (a) to establish a general regulatory framework for combating discrimination in a wide variety of fields and (b) to designate or establish bodies for protecting, promoting and monitoring compliance with the principle of non-discrimination.

11. As explained in the State Party's previous periodic report, the scope of the Chapter II of the Law devoted to equal treatment regardless of racial or ethnic origin is very wide. Its provisions apply to all persons, as regards both the public and private sectors, in relation to: (a) conditions of access to employment and to occupation in general, including selection criteria and recruitment conditions, in all branches of activity and levels of the professional hierarchy, (b) access to all types and levels of vocational guidance, training, retraining and practical work experience, (c) employment and working conditions, including dismissals and pay, (d) membership of and participation to an organization of workers or employers or any other professional organization, (e) social protection, including social security and health care, (f) social advantages, (g) education, (h) access to and supply of goods and services which are made available to the public, including housing.

12. The Law prohibits both direct and indirect discrimination, as well as "harassment" and confirms that "special measures" and "positive action" are in conformity with the principle of equal treatment. Other provisions are devoted to the protection of victims of discrimination and foresee, inter alia, the shift of the burden of proof (with the exception of criminal procedures) and the protection of the complainant against victimization.

Rights of persons belonging to minorities – Members of the Muslim minority in Thrace (paras. 9, 17 of the Committee's Concluding Observations)

13. As explained in previous periodic reports of the State Party, the Muslim minority in Thrace consists of three distinct groups whose members are of Turkish, Pomak and Roma origin. Each of these groups has its own spoken language, cultural traditions and heritage, which are fully respected by the Greek state. The 1923 Treaty of Lausanne that establishes the status of the minority in Thrace refers to it as being a religious minority, the Muslim faith being the common denominator of the aforementioned components.

14. In keeping with the principle of individual self-identification, persons belonging to the Muslim minority in Thrace are free to declare their origin, speak their language, exercise their religion and observe their particular customs and traditions. What is not acceptable is the attempt to establish a single ethnic identity for the entire Muslim minority in Thrace, so as to subsume Pomak and Roma persons under a Turkish identity.

15. Greece fully respects its obligations under the 1923 Treaty of Lausanne, which provides, in some areas, a more enhanced protection than contemporary minority rights instruments. At the same time, while implementing the Lausanne Treaty, Greece has adopted legislation and policies based on modern human rights norms and standards and has improved the living conditions of the members of the minority.

16. Muslims in Thrace, like all Greek citizens, enjoy the benefits and advantages of Greece's membership of the European Union, and their rights and freedoms are guaranteed in accordance with the provisions of the Greek constitution and the universal and regional human rights treaties. The policies implemented by the competent authorities aim at guaranteeing the smooth integration of this minority in the social fabric of the country, while safeguarding its cultural and religious identity, and preventing any tendency which would lead to marginalization or favor segregation or an inward-looking mentality.

17. Indeed, persons belonging to the Muslim minority in Thrace actively participate in all aspects of everyday, public, civil and political life on the regional as well as the national level.

18. A number of important measures in favour of the members of the Muslim minority in Thrace have been adopted by the Greek Governments in recent years. These measures attest Greece's commitment to further pursue, promote and enhance the integration of persons belonging to the Muslim minority in Thrace to the wider society they live in and prosper. Particular attention has been paid to the field of education. Other measures adopted aim at promoting and safeguarding the cultural identity of the persons belonging to the Muslim minority and facilitating their access to employment in the public sector. Additional steps have also been initiated in order to enable members of the Muslim minority, especially women and young persons, to be beneficiaries of nationwide programmes and projects, co-financed, in some cases, by the European Union, designed for vulnerable social groups, focusing, in particular, on issues of gender equality, combating racism and xenophobia and promoting equal opportunities, access to employment and inter-cultural dialogue.

19. The law provides for the optional application of the Sharia law in family and inheritance law matters of members of the Muslim minority in Thrace. The choice whether to use the Sharia or the Greek Civil Code in the above mentioned matters is made by the members of the Muslim minority themselves.

20. Members of the Muslim minority in Thrace are absolutely free to address themselves either to the civil courts or to the local Muftis. In case they choose the former, general legislation is applied. In case they choose the latter, the Sharia law is implemented to the extent that its rules are not in conflict with fundamental values of the Greek society and the Greek legal and constitutional order. The law provides that the courts shall not enforce decisions of the Muftis which are contrary to the Greek Constitution.

21. Bearing in mind the expressed preferences and visible trends within the majority of the Muslim minority on religious, social and legal matters, Greece elaborates on the appropriate way to accommodate these preferences and trends, without prejudice to its international legal obligations or the Greek Constitution and law.

22. Finally, it is important to stress that there are not two legal systems in Greece or "parallel societies", where Greek citizens belong depending on their religious affiliation.

Muslim women of the minority are fully included in gender equality policies and participate in relevant programs implemented by the competent authorities.

The right to education

23. The Greek Government is implementing policies upholding the right to education of Muslim minority students. The State continues to provide strong support to minority schools, while, at the same time, it accommodates appropriately the increasing preference of Muslim minority students for the public educational system. In fact, the number of minority students who prefer to attend public schools at all levels has tripled since 1996. Moreover, the number of Muslim minority girls graduating from high school has significantly increased.

24. According to the legislation in force, pre-school education of one year is mandatory. This is a prerequisite for all children in order to enroll to primary schools. The authorities have tried to accommodate parents whose children did not manage to attend pre-school for a justifiable reason.

25. School-aged children, who are members of the Muslim minority and have opted for minority schooling, are accommodated by 146 primary, 2 secondary and 2 religious (Koranic) schools. Muslim preschoolers can attend one of the 57 public kindergartens across the Region of Thrace, operating in areas where Muslim population resides.

26. The number of minority students attending secondary school has significantly increased in the last 10 years. About one quarter attend a minority school, while three quarters of students are in public schools.

27. A 0.5% quota of the general admission to Universities and Higher Technical Educational Institutes is reserved to Muslim minority students from Thrace. This has led to an equally significant increase of the number of Muslim minority undergraduate students (eightfold since 1996).

28. Muslim minority students of Thrace are beneficiaries of both national, social and educational policies and special educational policies tailored to their specific needs. For instance, “The Education of the Children of the Muslim Minority in Thrace” programme is a policy aiming at supporting Muslim minority children in their schooling in terms of attendance, performance and assistance. Additionally, parents of Muslim children can themselves, as well, benefit from Greek language and culture courses, so that they will be able to engage more actively in their children’s education.

29. Law 4115/2013 made possible, for the first time, the teaching of the Holy Koran in Greek public schools in Thrace, to the benefit of minority students who choose the public educational system. The Koran teachers are selected through a transparent and inclusive procedure, by a qualified 5-member Committee, composed exclusively of eminent Muslim personalities and chaired by the local Mufti. Koran teachers have the right to freely choose whether they want to join this scheme or not. Additionally, the children of the minority can freely decide whether they wish or not to attend these religious classes.

30. Furthermore, pursuant to law 4310/2014, teachers, members of the Muslim minority in Thrace, reserve their exclusive right to teach within the minority programme of the minority schools in Thrace, after having attended the respective courses of the Graduate School for Minority Program teachers of Minority Education Schools in Alexandroupolis lasting one year, while they are entitled to appointment in any public school across the country.

31. A quota of 0.5% to the State exams system for civil service has been established in favor of persons belonging to the Muslim minority with the obvious intention to enhance their active participation in the public sector.

32. The Greek Government is committed to preserve the distinct cultural heritage of all three components of the Muslim minority in Thrace. To this effect, it undertakes and sponsors initiatives that highlight inter-cultural dialogue, integration and social coherence, including through projects in the context of the EU. An example of such a project is the initiative to establish Youth Councils, with the participation and active involvement of young Christians and Muslims alike, as part of the Local Administration network in Thrace.

33. Additional steps have been taken to enable members of the Muslim minority, especially women and young persons, to be beneficiaries of projects co-financed by the EU. Such projects are designed for vulnerable social groups and focus on gender equality, combating racism and xenophobia, promoting equal opportunities, access to employment and intercultural dialogue.

34. Civil society remains an important ally in these efforts. The Greek Government attaches great importance to the dialogue with the civil society, which is a comprehensive process oriented towards guaranteeing the prosperity of and enhancing the opportunities for all Greek citizens in an equal manner — irrespective of their religious belief, cultural background or origin. Greece will continue to further explore ways and means to meet the needs of the Muslim minority and work for their well-being.

Situation of Roma in Greece (para. 16 of the Committee's concluding observations)

35. Greek Roma constitute an integral part of the Greek population; they are Greek citizens and enjoy full citizenship rights, as well as all civil and political, economic, social and cultural rights. Through their most representative organizations, they have unequivocally expressed the wish to be treated as Greek citizens, and not only as persons of Roma origin. Taking into account their special way of life, living conditions and needs, Greek authorities consider Greek Roma as a vulnerable social group, to the benefit of which special (positive) measures and actions aiming at their social integration have been adopted in all spheres of social life such as health, housing, employment, education, culture and sports.

36. The challenges that the situation of Roma poses to the authorities have been highlighted by national human rights institutions, international judicial and quasi-judicial bodies and other monitoring bodies. The NCHR, in its Observations to the present report, focuses, inter alia, on prejudice against Roma, the situation of Roma women and children, as well as on allegations of police violence.

37. Indeed, Greek Roma are subject to multiple forms of social exclusion in the areas of housing, employment, health and education. Housing can be described as the most serious challenge faced by Roma, as the majority live in makeshift accommodation or in poor conditions. With regard to employment, many Roma households depend on the seasonal labour of just one member, and on welfare benefits, separated from the formal labour market. In the field of education, although school attendance has increased, many Roma children leave school in order to find work to supplement the family income, while integration in mainstream classes remains an issue. Finally, the adverse socioeconomic and living and working conditions of large parts of the Roma population prevent them from enjoying the highest attainable level of health.

38. The authorities are fully aware of the challenges that remain to be addressed and strive to implement concrete measures to promote social inclusion of Greek Roma. An Integrated Action Plan (IAP) for the social integration of Greek Roma was adopted in 2002, aiming at combating social exclusion and discrimination and incorporating the conclusions of the social dialogue held in the 1990s on the problems faced by Roma. The programming period of the IAP covered a seven-year time framework (2002-2008), during which basic infrastructure projects (e.g. road construction, electricity and lighting, sewerage, water

supply, improvement of settlements, infrastructure works for prefabricated houses, relocation of settlements and purchase of tracts of land) were planned, upon proposal of the Local Authorities, for 96 municipalities with Greek Roma living in substandard conditions. Since 2002, 94.9 million € have been allocated from the state budget for basic infrastructures in several Roma settlements. Payments for infrastructure works amounted to 62 million € by the end of 2012. Additionally, the improvement of Roma living conditions has been supported by the IAP axis on the provision of services in the fields of education, employment, health and culture through, in particular, the establishment of 33 socio-medical centers.

39. In parallel, a mortgage program for Greek Roma was adopted in 2002, which provided for favorable mortgage terms, guaranteed by the state budget. 7,854 decisions have been issued and loan contracts have been concluded for 6,625 decisions. Since 2006, housing loans have been allocated on the grounds of social assessment criteria taking into consideration Roma families' particular living conditions, giving priority to the number of dependents in candidate families (minor children, adult students, dependents — ascending first degree relatives), possible existence of disabilities, single-parent or widowed families and low income families. At the same time, taking into account the practical difficulties for the effective access of Roma to some services provided by public authorities, the institutional framework in force eliminated the requirements on candidates' permanent residence and set the conditions for participatory procedures during the assessment procedure (assessment committees at the local level with the participation of Roma representatives). The program was further amended in 2011 in order to better adjust to the current challenging socio-economic conditions by providing Roma beneficiaries, inter alia, with financial incentives in relation to the repayment of the loan and the state grants, as well as with a more flexible timeframe in relation to the construction of the houses and the disbursement of the loan. Additional amendments introduced envisage, overall, the safeguard of the program's social character and scope, as well as the facilitation of beneficiaries' ability to respond to the obligations undertaken through or during the mortgage, in line with recommendations made by the Ombudsman and requests placed by the Roma. Finally, following the institutional reform of Self-Government and Decentralized Administration in Greece (Law 3852/2010), a Department for Social Affairs has been established at the regional level, charged inter alia with the rehabilitation of itinerant communities at the local level (provision of suitable places for settlement/stopping facilities).

40. An analysis of the overall quantitative data shows that, in an effort to adjust the program to the particular needs of the target group, the eventual implementation of social assessment criteria strengthened significantly the standing of particular sub-groups within the wider target group of the Roma community, facing multiple forms of exclusion, in particular women and children.

41. Furthermore, the requirement to file an application (to participate in the program) offered Roma with the incentive to register with the municipal rolls, as well as to request the issuing of any other necessary certificate such as identity card or birth certificate, copies of tax income invoices etc. In that sense, the project contributed indirectly to the mobilization of the population group in focus, in order to arrange civil and municipal issues as well as — on the long-term — to the establishment of informed "individual awareness", regarding access to existing, necessary services. Additionally, their "need" of being informed on the progress of their application and more specifically to comply with the requirements on housing incited them to access directly the competent public authorities, both at local and central level.

42. The documentation produced includes school attendance certificates, health care disability allowance of the applicant or its family members, fiscal allowances (i.e. due to disability, large families) etc. For those not registered with the municipal registries (a pre-

condition for the registration on the electoral rolls), due to lack of certain documents, particular circulars were issued by the Ministry of Interior. Under the current strategic reform, remaining issues on civic status are further elaborated taking into consideration recommendations made by independent authorities in Greece, the Ombudsman and the National Commission for Human Rights.

43. Within the EU framework, Greece launched the National Roma Integration Strategy in 2011, aiming at combating discrimination and social exclusion of the Roma by adopting or further developing a comprehensive approach to Roma integration in the areas of access to education, employment, health care and housing. The strategy includes integration policies at the national, regional and local level as well as targeted actions and sufficient funding to deliver the EU Roma integration goals. Twelve out of thirteen Regions of Greece have developed Regional Strategies for Roma Integration (the final state of approval is varied among the 12 Regions) focusing on the specific needs of the Roma in their territories.

44. Concerning the measures taken with regard to access to housing, employment and health care, the following can briefly be mentioned:

- **Housing:** The development of basic infrastructures in Roma settlements forms the main measure promoted so far, focused on environmental upgrading and recovery of urban landscape, road network constructions, creation of playground and recreation areas, construction of sewerage system and waste-water collector system, etc.
- **Employment:** Projects such as “Local Employment Pacts” and “Local Integrated Interventions for vulnerable groups” (the so called *TOPSA / TOP-EKO* at regional level) have been running during the period 2013-2015 and involve either actions exclusive for Roma or integrated actions between Roma and other vulnerable groups, including training activities and counseling for admission to jobs and growth in entrepreneurship either individually or in the form of Social Cooperatives. Moreover, the Social Support Centers for Roma and other vulnerable social groups (see below) focus on helping Roma and other unemployed people to find a job.
- **Health care:** The establishment of Social Support Centers for Roma and other vulnerable social groups (former Socio-Medical Centres), provide first degree health services, family planning and counseling services, make referrals and organize vaccinations, especially for Roma children, with the co-operation of public health services or NGOs. The Centres have been established at Roma’s permanent housing in the province and are staffed by professionals such as doctors, health visitors, psychologists, social workers and Roma mediators. Furthermore, The Project “Health for the Greek Roma” run from 2005 to 2013 provided medical examinations, inoculations and psycho-social support services through visiting camps or mobile units of the Disease Prevention Centre (KEELPNO).

45. Based on the Law 3463/2006, municipalities are allowed to allocate free with full ownership, municipal property to the Roma, in order to cover their housing needs on condition that they are under state programs for housing rehabilitation.

46. In 2012, the Ministry of Labour tasked the National Center of Social Research to submit and carry out a proposal titled “Combating Discrimination in the Field with Entrepreneurship: Women and young Roma and Muslim migrants”. This action aims at exploring the phenomenon of multiple discrimination faced by young Roma and migrants, integrating gender mainstreaming. The same Ministry assigned the Byzantine and Christian Museum to submit and carry out a proposal titled “With Roma at the Museum”, focusing on the promotion of equality and the elimination of stereotypes against the Roma population, through the intercultural dialogue between Roma and non-Roma population. In the same vein, the “dosta!” campaign of the Council of Europe launched in Greece in 2011,

is considered to have contributed to raising the awareness of the general population as well as to strengthening the fight against discrimination and existing prejudices against Roma.

47. The improvement of the education of Roma children constitutes a central objective of the Greek educational policy. Although Roma children are entitled by law to the same schooling as all other Greek citizens, the Ministry of Education and Religious Affairs has been applying additional proactive measures and special programmes based on the key concepts of inclusive education. In this regard, the main priorities are schooling from an early age, timely enrollment in the 1st grade of primary school and extra-tutorial support.

48. Enrolment is obligatory for all students. The Ministry of Education, in cooperation with the local authorities, working within a general policy framework which favours diversity in education, apply a special policy of enrolment for Roma children in all primary schools. In this regard, a number of circulars have been issued, providing guidelines and information as to how enrolment problems related to the lack of required vaccination and permanent residence certificates may be resolved.

49. Roma children are entitled by law to the same schooling as all other Greek citizens. Nevertheless, the Ministry of Education has continued to apply additional proactive measures and special programmes considering the particular needs of the Romani population and the prejudice or exclusion that Roma children might face during their schooling.

50. The main axes of the Greek Ministry of Education policy for Roma education are reflected in the project "Education of Roma children", which is implemented by the University of Thessalonica and the University of Athens, under the supervision of the Ministry throughout the country and, specifically in areas where there is a large concentration of Roma population. The planned educational interventions in the framework of the project have taken into consideration the specific conditions in which Roma students often live, and promote coordinated action between the Ministries and any local government authorities involved. In general, the project aims on the one hand to enhance access and participation of Roma children in education, with particular emphasis on preschool education and early enrollment in the 1st grade of primary school. On the other hand, emphasis is placed on in-school interventions for the improvement of the education provided to Roma children in order to achieve regular attendance and reduce students' dropping out of school, in some cases by means of employing Roma school mediators.

51. What is more, since 2008, at the beginning of every school year, a Circular is issued by the Ministry according to which all Heads of School Units are reminded of their obligation to enroll Roma pupils in Primary Schools and cooperate with the Regional Directors of Primary and Secondary Education as well as with School Advisors in order to overcome any problems that may arise during enrolment. In the Circular issued in June 2014 with regard to the educational planning of the school year 2014-2015, the importance of the unobstructed access of Roma children to schools was once again stressed. All Heads of School Units were reminded of their obligation to enroll Roma pupils in Primary Schools and were called upon to provide support in any possible way so that Roma students are included in the education process.

52. Additionally, Roma families with low income can benefit from an annual allowance for every child enrolled in public school of compulsory education which can be granted to them only at the end of each school year, upon submission of a certificate of regular school attendance.

53. Further to the abovementioned, an important development took place recently by which, in full compliance with the judgments of the European Court of Human Rights, a Circular was issued by the Ministry of Education in May 2014 by which the closure of the

the 12th Primary School in Aspropyrgos was decided. Roma children who attended the said school may now attend other schools in the area of Aspropyrgos.

54. With regard to the conduct of law enforcement personnel towards persons of Roma origin, the Hellenic Police Headquarters have issued a number of Circular Orders on the need for good and fair conduct of the police personnel towards all citizens, without exceptions, with full respect for the person and the individual rights of everyone, with no discrimination based on race, ethnic origin or any other grounds. Within this framework, instructions and guidelines have been sent to all police services, stressing the need for a socially sensitive and tactful handling of issues affecting Roma citizens.

Gender equality in general

55. Since 2009, legislation has been adopted to transpose into the national legal order EU Directives promoting gender equality, such as Law 4097/2012 on implementing the principle of equal treatment between men and women engaged in an activity in a self-employed capacity, Law 4075/2012 (Arts. 49-55) on parental leave and Law 3896/2010, on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation. In order to improve the implementation of the existing domestic legislation, an enhanced monitoring mandate has been entrusted to the Greek Ombudsman. Established in 2008, the Gender Equality Department of the Greek Ombudsman monitors the application of the principle of equal treatment for men and women in employment and occupation. The independent authority may also investigate cases of gender discrimination in the field of the conditions of service of public sector employees, as well as in the private sector, also covering, since 2012, self-employed men and women. Furthermore, the creation of a new mechanism, the Observatory of gender equality issues in Greece, is under way, to monitor and evaluate the implemented gender equality policies through the development of an Integrated Information System and of a National System of Gender Indicators.

56. The National Programme for Gender Equality 2010-2013 is carried out with funding from the National Strategic Reference Framework (NSRF) and has been extended until the end of 2015. For this reason, the implementation of the Programme has not yet been assessed. The Government will proceed to the evaluation and policy planning for the next programming period 2014-2020 through consultation with relevant stakeholders.

57. The NCHR has expressed its concern about the negative impact on women of austerity measures, such as pension cuts, and the deregulation of the labour market, as well the rise in the unemployment of women and the difficulties faced by child-and dependent care institutions.

58. In fact, as a consequence of the economic crisis, gender gaps have intensified in the labor market and economic conditions. Through the programs implemented, the Ministry of Labour, Social Security and Social Solidarity is seeking to enhance female employment growth, through the promotion of equal opportunities for women in employment. In addition, the Ministry implements programs for the reconciliation of work and family life, while the General Secretariat for Gender Equality is implementing the Project “Supporting NGOs (Women Organizations)”, with unemployed women among the beneficiaries.

59. Legislative provisions have been enacted to increase the level of representation of women at all decision-making levels, such as the establishment of a 1/3 minimum quota for either gender on the electoral lists for local and parliamentary elections, in collective bodies and service councils of the public administration, public legal entities and local authorities, as well as in the composition of national agencies/bodies and committees of research and technology. Recently, Law 4255/2014 extended the abovementioned quota to the European Parliament elections. Furthermore, political parties themselves constantly enhance the

participation of women in their lists through quotas, both in parliamentary elections and the elections for the European Parliament as well as in the election of party bodies. Despite progress made, women continue to be under-represented in the political life. At the local level, following the establishment of a minimum quota, all parties have a large number of women candidates, but few of them are elected. However, at the level of the public administration, the participation of women in posts of responsibility (General Directorates, Divisions and Departments) has significantly increased and reached between 46% and 55%. In tertiary education, the percentage of women is higher than that of men and has been rising in recent years. A number of initiatives have been taken to further promote participation of women in decision-making positions and in public life.

60. Countering gender stereotypes is a horizontal policy incorporated into all thematic priorities of the National Program for Substantive Gender Equality. All forms of education, vocational training and media, including the internet, are the main tools for combating the reproduction of gender stereotypes and the representation of genders along sexist lines. The General Secretariat for Gender equality has lodged 5 complaints before the National Radio and Television Council regarding television shows deemed to be offensive to women's dignity and cooperates with the Communication Control Board and the Greek Association of Advertisers to combat gender stereotypes in advertising. Efforts to promote equal participation of women in the labour market and the public life, including in political, social and economic decision-making, contribute also to the fight against gender stereotypes.

Violence against women

61. The National Action Plan on Preventing and Combating Violence against Women refers to all forms of gender-based violence (e.g. domestic violence, rape, sexual harassment, trafficking in women). It comprises preventive actions and support of the victims on one hand and legislative interventions that reinforce the institutional framework on the other hand. The General Secretariat for Gender Equality of the Ministry of Interior (GSGE) has established an "Integrated Action Plan in favor of women and on combating violence at national and local level" comprising horizontal and vertical actions, with a total budget of 30,000,000 Euros. The horizontal actions include the following: establishment and operation of a bilingual SOS telephone helpline (15900); cooperation with the Hellenic Police on the appropriate handling of cases of domestic violence and with the Forensic Services on collecting qualitative and quantitative data on cases of domestic violence; elaboration of training material as well as protocols of operation and counseling of the Counseling Centers; training of counselors who will staff the Counseling Centers and the SOS telephone line; awareness-raising campaigns. Vertical actions comprise: the operation of 40 new Counseling Centers operated by the GSGE in the different Regions of the country, as well as by the largest Municipalities; the establishment of 21 shelters for Abused Women operated by 19 large Municipalities; the upgrading of the existing Counseling Center of the GSGE in Athens; a SOS Helpline run by the National Centre of Social Solidarity, offering information, counseling and referral to any citizen facing an emergency, including women victims of domestic violence or trafficking or any other kind of violence; the same Centre also runs 2 shelters for women victims of domestic violence or trafficking. During a period of less than 3 years of operation, 8,000 women have visited the abovementioned Counseling Centers and shelters.

62. Furthermore, victims of crimes against sexual freedom and economic abuse of sexual life as well as crimes of domestic violence have been exempted from the requirement to pay a fee in order to file a criminal complaint in cases which are not prosecuted *ex officio*.

63. Moreover, an awareness-raising campaign has been implemented, which includes relevant seminars, a thematic conference, informational material in 4 languages, TV and

radio spots, cultural events, publicity on public transport, entries in newspapers, including those addressed to migrants, a website and a Facebook page as well as banners in web sites.

64. It is also to be noted that, in 2011, the GSGE, in collaboration with the UNHCR and the Ministry of Public Order and Citizen Protection published, both in Greek and in English, a manual titled “Guidelines for Protecting Women and Girls during first entry and asylum procedures in Greece”. In the context of the Hellenic Police “Anti-Crime Policy Program”, the competent Department of the Hellenic Police has forwarded instructions to all Police Services on how to deal with domestic violence incidents and how to handle victims and offenders. In 2014, 3,914 victims of domestic violence have been identified, among which 3,354 Greek nationals, and 3,859 offenders. Specialized training is already provided at the National School of Magistrates.

**Guarantee of migrants’ rights and measures to promote their social integration
(para. 12 of the Committee’s concluding observations)**

65. Despite the severe economic crisis, Greece continues to be a country of strong migration interest, and the number of third-country nationals residing in Greece remains high. During the last years, the competent authorities have proceeded to the restructuring, reorganization and decentralization of the relevant administrative services and have promoted a new, streamlined and simplified legal framework for legal migration.

66. In April 2014, Law 4251/2014, “Code of Immigration and Social Integration”, entered into force, which codifies the relevant legislative provisions, simplifies administrative procedures, introduces amendments on issues such as the renewal of residence permits and family reunification, facilitates the acquisition of residence permits by second-generation migrants and promotes the long-term resident status under the relevant EU Directives.

67. More specifically:

- The administrative procedures for the issuing of residence permits have been simplified and accelerated, through the promotion of “one-stop shops”, the reduction in the number of types of stay permits foreseen by the legislation and of documents required for the issue or renewal of residence permits, as well as the increase of the period of validity of the above permits. All 57 “one-stop shops” services foreseen are already in operation.
- The terms and conditions of access to long-term stay permits have been improved, through the promotion and the facilitation of the acquisition of the long-term resident status, instead of the 10-year residence permits. Long-term residents enjoy a more enhanced status and are treated on an equal footing with nationals in a number of sectors of the social and economic life. Moreover, they enjoy the right to freely move to other EU member states.
- The regularity of the residence in the country of second-generation migrants has been ensured through the granting and automatic renewal of a five-year residence permit to third-country nationals who were born and reside lawfully in Greece, provided that they have completed six years of school attendance in the Greek educational system before they have reached the age of 21 years.

68. The promotion of third-country nationals’ legal employment and labor and social security rights is an important priority. Law 4052/2012 sets minimum standards regarding the procedure for imposing sanctions against employers of third country nationals illegally residing in Greece. Another relevant development is the transposition into national law of Directive 2009/50/EU on the conditions of entry and residence of third-country nationals

for the purposes of highly qualified employment, by Law 4071/2012, incorporated into Law 4251/2014.

69. Moreover, a series of legislative regulations have been adopted in order to further motivate and direct third country nationals towards the acquisition of a longer term residence status, since such a status effectively promotes the integration of migrants in the host society. In this framework, the amount of the deposit fee paid by third country nationals wishing to obtain the long-term resident status has been reduced. In addition, the procedure for obtaining the Greek language certification — a basic precondition for obtaining the status of long-term resident — has been simplified.

70. Furthermore, a residence permit for humanitarian reasons is granted, *inter alia*, to victims of trafficking in human beings who do not cooperate with the competent authorities, victims and witnesses of racist crimes, minors or third country nationals in vulnerable situations. The provisions of previous joint ministerial decisions were integrated into the recent Law 4332/2015, which, in addition, transposed into national law the Single Permit Directive 2011/98/EU and Directive 2014/36/EU on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers, are being.

71. Law 4018/2011 contains provisions for the re-organization of the system of issuance of residence permits meeting high technical and security standards in order to implement on the one hand the obligations stemming from EU Regulation 380/2008 and on the other hand the gradual transformation of the migration authorities to “one-stop shops” (this is related to the implementation of the residence permit, as an electronic card). Such “one-stop shops”, which became operational in 2014, receive applications from third-country nationals for the granting or renewal of residence permits and, additionally, provide the latter with all necessary information regarding their rights and obligations. In fact, the efficient operation of immigration services and the improvement of the handling of third-country nationals’ immigration requests, decisively contribute to safeguarding human rights and facilitating administrative bodies in the exercise of their duties.

72. A 2011 Ministerial Decision provides for the issue of residence permits to third country nationals, who are partners of EU-citizens or Greek citizens and have a proven stable relationship with them.

73. It is to be recalled that all persons legally residing in Greece enjoy the same social security rights as Greek nationals, the right to social protection, equal access to services provided by public agencies or entities, local government organizations and public utilities and the right to be admitted in public hospitals and clinics. At the same time, access to emergency care in hospitals is available to third-country nationals regardless of their residence status. Minor foreign children have access to health care institutions, regardless of their residence status or that of their parent. Enrolment to public schools of children of refugees, asylum seekers and foreign citizens whose legal residence status is still pending is possible even in the absence of complete documentation.

74. Greek authorities have been very active in the implementation of programmes for the integration of third country nationals, mainly through the European Integration Fund and the European Social Fund as well as initiatives undertaken by municipalities and civil society actors. The Ministry of Interior, as the Responsible Authority for the European Integration Fund (EIF) for third country nationals in Greece for the period 2007-2013, has launched and funded a series of actions concerning the social integration of third country nationals in Greece, such as: awareness-raising of the host society with regard to migration issues, language courses for migrants, support and information campaigns for migrants, intercultural projects and festivals, intercultural mediation programmes in hospitals, exchange of best practices between policy actors in the field of integration, training of civil servants who deal with third country nationals, etc.

75. Article 78 of Law 3852/2010 provides for the establishment of Migrant Integration Councils (MIC). MICs are composed of 5-11 members, namely municipal councilors and representatives from local social stakeholders on immigrant issues. They aim at identifying integration problems encountered by foreign nationals and submit to the Municipal Council relevant proposals for the smooth integration of local migrant populations. The Councils play a significant role in the integration of foreign citizens as they ensure, through participation of representatives from the local migrant communities, the representation of migrants in local public life and promote active participation of migrants in local decision-making. It should be noted that MICs' composition is determined by the Municipal Council and changes every five years after the municipal elections. In the light of this, prior to the latest local elections that took place in May 2014, 220 Migrant Integration Councils had been established all over the country. Their function had been financially and technically supported by actions undertaken in the context of the European Integration Fund of third country nationals (EIF) — Greece.

76. Under the legislative framework in force, steps will be taken to simplify the procedures and improve the existing framework for the social inclusion of immigrants. The Directorate of Social Integration of the Ministry of Interior, as Responsible Authority in Greece for the “European Integration Fund for the Inclusion of third country nationals”, will be implementing a number of legal migrants integration initiatives.

Protection of refugees and asylum seekers – conditions of detention for foreigners awaiting expulsion (para. 12 of the Committee’s concluding observations)

77. It has generally been acknowledged that Greece faces a particularly strong migratory pressure due to its geographic position at the external border of the EU, its extensive land and sea borders and its proximity with main countries of origin and transit of irregular migration. This situation imposes an immense burden on the country, both financial and administrative. It is at the same time a challenge to the social cohesion of the country, which has to be addressed with full respect for human rights. Currently, in 2015, Greece is facing unprecedented migratory flows. The total number of refugees and migrants who entered Greece from 1.1.2015 to 14.8.2015 reached over 160,000 persons. Despite the severe economic constraints that Greece has been facing, the government has managed -in an extremely short period of time- to construct appropriate installations in the broader area of Athens for the temporary accommodation of several refugees. The competent authorities are continuing their efforts to ensure appropriate accommodation for the excessive number of arriving migrants/refugees, although it is evident that the means at their disposal are not sufficient. Greece is working closely with its European partners for a comprehensive approach to a challenge, which has obviously a European dimension.

78. A National Action Plan on the reform of the asylum system and migration management has been implemented for two years (2010-2012) with encouraging results. A revised Action Plan, conceived as a “living document”, was elaborated in December 2012, with the objective to establish an effective response to the migration challenges facing Greece and to address the situation of migrants belonging to vulnerable groups, while fully respecting their human rights. The Revised Action Plan focuses on a new autonomous Asylum Service, reporting directly to the Minister of Public Order and Citizen Protection, operated by civil (not police) personnel, trained by specialists in the field with the cooperation of the UNHCR and the European Asylum Support Office, having as a sole task the granting of asylum or subsidiary protection in a short period of time, as well as on a new Appeals Authority.

79. Law 3907/2011 established the First Reception Service, the Asylum Service and the Appeals Authority. Presidential Decree 113/2013 transposed into the Greek legal order EU Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures

in Member States for granting and withdrawing refugee status, while Presidential Decree 141/2013 transposed Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted.

80. The new autonomous Asylum Service provides all necessary guarantees and requirements so that international protection (refugee status-subsiary protection status) is granted in a short period of time to all those who fulfill the relevant criteria. In addition to the above, it is cooperating with local actors, independent authorities and non-governmental organizations, EU organs and organizations, as well as international organizations. Five Regional Offices of the Asylum Service and four mobile units are currently operating.

81. In June 2014, the Asylum Service completed one year of operation. During this period, the Service registered 8,945 applications for international protection and granted international protection at first instance to 926 asylum seekers. Among those who sought international protection were 430 unaccompanied minors. The recognition rate at first instance was 20.1 percent, which represents a significant increase compared to the low recognition rate of the first instance in the previous asylum system. Asylum applicants are provided with an international protection applicant card which allows them to stay legally in the country for the duration of the asylum procedure. The procedure for examining applications for international protection lasts an average of 122 days, while in the past asylum seekers waited for several years for the examination of their application.

82. During the period 1.1.2015-31.7.2015, 7,469 applications for asylum have been registered (an increase of 57.1%). The recognition rate at first instance was 51.8%.

83. Decisions of the Asylum Service may be appealed before the Appeals Authority, which proceeds to a second instance examination of the asylum/international protection request. From June 2013 to May 2014, 2015 appeals have been examined. The refugee status has been recognized in 9.8% cases, while in a further 4.1% of the appeals the status of subsidiary protection has been granted. From 1.1.2015 to 31.7.2015, the refugee status has been recognized in 9.4% cases, while in a further 4.5% of the appeals the status of subsidiary protection has been granted.

84. Finally, as regards backlog cases, it is expected that the backlog of pending asylum requests will soon be resolved. In the first half of 2013, the granting of a protection status at the appeals level in backlog cases reached the percentage of 25.8%.

85. As a response to the congestion of reception and detention facilities following the unprecedented rise of irregular migration over the last ten years, the first reception system was upgraded through the establishment of First Reception Centers (FRC) and Citizenship Identification Centers. Mobile units have also been established as rapid response teams to perform first reception operations on the spot, where the need to manage large mixed migration flows arises. FRC's mobile units operate in North Aegean islands and constitute an exemplary case of fruitful, constructive cooperation between state agencies (Hellenic Police, First Reception Service/ Ministry of Public Order and Citizen Protection), international organizations (UNHCR, IOM) and NGOs. Thus, a new system has been established for recording and validly certifying the identity and origin of third-country nationals subject to first reception procedures, through specialized personnel, while ensuring the registration and medical screening of foreign nationals. The main policies pursued by the FRS are the following: effective screening of migrants belonging to vulnerable groups and referral to reception facilities; identification of unaccompanied minors, persons belonging to vulnerable groups, asylum seekers etc.; informing migrants of their rights, especially regarding international protection, and facilitating their contact with

international organizations, NGOs, etc.; provision of psychological support to migrants; close cooperation with the Asylum Service; identification of genuine refugees and prevention of abuse of the asylum system; facilitation of voluntary returns in cooperation with the IOM and other stakeholders. Health care services for the FRCs and detention centers are under the responsibility of the Ministry of Public Order & Citizen Protection and the Ministry of Health in cooperation with the National Health Operations Centre (Na.H.O.C).

86. First Reception Centers are not detention centers. Irregular migrants may stay therein up to fifteen days only, which is the maximum number of days required for the referral to be issued. Only in exceptional circumstances, an extension of the stay up to twenty five days may be ordered, by a duly reasoned decision. The above Centers are guarded, but they cannot be qualified as “closed centers”, since all accommodated migrants have the right to apply for leave at any time. Migrants staying in the FRCs have full access to the asylum procedure. Currently, 1 First Reception Center and 3 Citizenship Identification Centers with mobile units for first reception purposes are operating. Sites have been designated for 3 more FRCs. Since September 2013, FRS has proceeded to the production and distribution of three information leaflets, in 10 languages, addressed to third country nationals who stay at the First Reception Center of Fylakio, Evros, explaining in detail the applicable procedures and the residents’ rights and obligations.

87. In addition, 7 pre-departure detention centers have been established and are currently operating in different regions of the country. Foreign citizens accommodated in such Centers are detained following a decision of the competent authority, which has issued expulsion/return orders, and are not allowed to leave the Centers. They originate from countries where they can be repatriated to, to the extent that there are no circumstances precluding such repatriation and that their Embassies in the country cooperate with the Greek authorities for the issue of travel documents. It is to be clarified that the abovementioned foreign citizens have illegally entered or stayed in Greece and have been fully screened; they are to be distinguished from foreigners who have committed criminal or other offences and are detained in prisons. The foreign citizens in question undergo a medical examination by medical teams of the National Health Operations Centre (EKEPY) of the Ministry of Health, the Hellenic Centre for Disease Control and Prevention (KEELPNO) and various NGOs. Medical care is provided to them on a daily basis either in hospitals or by doctors of NGOs at the aforementioned Centers. Representatives of the Greek Council for Refugees have daily access to all detention facilities and communicate with irregular migrants. The same applies to representatives of other bodies the UNHCR and NGOs.

88. A Joint Ministerial Decision, dated 21.01.2015, regulates matters relating to the operation of the abovementioned Centers, the procedure for the detention of irregular migrants who are subject to legitimate restrictions on their freedom in the pre-departure detention centers, the rights and the obligations of detainees, as well as the responsibilities and the tasks of the personnel of such Centers. To ensure the proper implementation of Directive 2008/115/EC “on returns”, clear instructions have been given to transfer to the above Centers all persons whose detention is deemed necessary, after having screened them and issued all relevant orders.

89. At the same time, Greece implements an improved and effective returns policy based on IOM Voluntary Repatriation Programmes with Reintegration Measures as well as forced returns, in implementation of Readmission Agreements with third countries. In June 2014, an Agreement between the Ministry of Public Order and Citizen Protection and the IOM was signed, providing for the implementation by the IOM of a comprehensive voluntary repatriation programme of irregular migrants. The said programme includes activities related to the information of interested persons, the preparation of the voluntary

return, implementation thereof, reintegration in the country of origin. The total budget allotted to the program amounts to 13,000,000 €, co-funded by the EU (75%) and the national budget (25%).

90. The Hellenic Police is also implementing an additional returns program aiming at the repatriation of migrants who do not or no longer fulfill the conditions for entry and/or stay in the country. There has been a significant increase in the number of returns (in the first seven months of 2013, the number of voluntary returns amounted to 7,271, among which 6,712 were assisted by the IOM), a consequence of the robust return programmes operated by the IOM and the Greek Government and the high interest shown by the irregular migrants themselves to return to their country of origin. However, undue delays or refusal on the part of consular authorities of some countries to issue travel documents do not allow a further increase of the return rate. In total, the number of returns (both forced, through expulsion, and voluntary) has reached 22,117 in 2012, 26,186 in 2013 and, during the first 5 months of 2014, 9,194. It is obvious that readmission agreements at the EU and/or bilateral level will contribute importantly to the increase in the returns rate.

91. During the last months, the competent authorities have taken substantial measures to improve the situation of irregular migrants, such as the release and referral to accommodation facilities of vulnerable groups, the release of persons whose detention exceeded six months, the improvement of detention conditions, the use of alternative measures to detention. In February 2015, the UNHCR welcomed, as a move in the right direction, the adoption of the abovementioned measures. Migrants awaiting deportation are held for the period of time strictly necessary to complete the return procedure. In any case, the fulfillment of the conditions of detention is reviewed *ex officio* every three months by the authority that has issued the detention order or the authority which is responsible for the handling of the third-country national, and is subject to *ex officio* judicial review every three months. In addition, the implementation of return procedures is subject to a system of external control under the main responsibility of the Greek Ombudsman, in cooperation with international organizations and NGOs. It is to be clarified that the measure of detention may be imposed only to foreign citizens whose return in their country of origin is possible, and not to foreigners who cannot be removed.

92. The main criteria which are taken into account for the detention of foreigners who have entered or have been staying illegally in the country are as follows:

- In case the return or expulsion of the foreign citizen concerned is not feasible, a six-months suspension of the removal decision is granted, which may be renewed
- The fact that the foreigner concerned belongs to a vulnerable group (women, single-parent families) or is a minor
- The submission of an asylum request in the course of the first reception procedures
- The availability of suitable detention facilities and the possibility to ensure decent living conditions for the detainees
- The existence or not of previous arrests

93. Alternatives to detention are implemented by the First Reception Service, tasked with the handling of migrants having entered illegally the country. Such measures include the granting of a period for the voluntary departure from the country, under certain conditions, and the participation in Voluntary Repatriation Programmes. As a result, the measure of detention of irregular migrants is implemented only as an exception.

94. The timely detection, rescue and safe transportation of migrants and, certainly, respect for the principle of *non-refoulement* in the course of sea border monitoring, are the key principles that are strictly observed by Hellenic Coast Guard (HCG) officers. The HCG

staff perform their duties while fully respecting human dignity, freedom and safety, especially of vulnerable groups and children, and take all necessary measures in order not to expose these persons to any form of inhuman or degrading treatment. The HCG Headquarters has completed the drafting of the “Code of Ethics for HCG Staff”, which incorporates the applicable legal acquis concerning fundamental rights and the proper implementation of the principle of *non-refoulement*.

95. To fulfill its objectives in this regard, the HCG has proceeded to a series of educational interventions, so that respect for human rights and the proper implementation of the principle of *non-refoulement* are made an integral part of the every-day operation of the HCG. As a result, amendments were made to the Training Regulations of the Coast Guards Academy in order to incorporate the European Frontex Training Programme in its curriculum.

96. In addition, the HCG considers that mixed European operations, coordinated and co-financed by Frontex in the Eastern Aegean, with the involvement of operational resources from other EU Member States, are also a means of ensuring the proper implementation of the principle of *non-refoulement* and full respect for human rights during the management of mixed migration flows in Eastern Aegean, since they ensure an ever-increasing climate of transparency regarding the operational practices for the management of migration flows. The same applies to the increased involvement of operational resources throughout the mixed European operation Poseidon-Sea borders. In addition, the HCG has included in its investment programme, which is part of the national programme for co-financing by the European Internal Security Fund 2014-2020, a project relating to the installation of an integrated maritime surveillance system, in order to immediately detect vessels carrying migrants at the Eastern Aegean sea border and prevent any issues from being raised by any party regarding the operational practices of HCG officers.

97. With regard to unaccompanied children, it is to be stressed that in the First Reception Centers, units of the First Reception Service provide health care treatment and psychosocial support to unaccompanied minors; they also proceed to the minors’ referral to the Prosecutor for the appointment of a guardian and placement in an open accommodation facility, operating in Greece. More specifically, the Prosecutor is designated as temporary legal guardian; following that, a permanent legal guardian, usually a social worker, is designated, in coordination with NGOs and social services.

98. The staff of UNHCR and NGOs, operating in first reception centers and mobile units of the First Reception Service, provide to unaccompanied minors all the necessary information about their rights, as well as their access to legal services during their stay in the Greek territory. Furthermore, the First Reception Service has conducted an agreement with the NGO “Metadrasi” for the reinforcement of procedures relating to the appointment of a guardian. In addition, the Hellenic Police has developed a close cooperation with the competent judicial authorities, the services of the Ministry of Labor, Social Security and Welfare/National Centre of Social Solidarity (EKKA), as well as with other bodies of the public and private sector and the police authorities of neighboring countries at a bilateral (and not only) level. The issue of the exploitation of minors is also dealt within the EU framework.

99. There is, however, an imperative need to establish a reliable system for the determination of the age of alleged minors, which, together with the establishment of additional structures for the accommodation of unaccompanied minors (as only a limited number of places are available at the moment) will significantly contribute to the solving of the problem of detention at Police Services.

100. Concerns have been raised about the dysfunctions of the institution of guardianship and the lack of reception centers. In fact, due to the large number of unaccompanied

minors, the competent prosecutor (established by law as provisional guardian of unaccompanied minors) is not able to fulfill his/her duties.

101. A special inter-ministerial working group was established by the Secretariat General of Transparency and Human Rights of the Ministry of Justice, Transparency and Human Rights, with the participation of UNHCR, the Greek Ombudsman and other stakeholders, mandated to review the legal framework in place regulating the unaccompanied minors guardianship system, on the basis of a Registry of Guardians working under standard operating procedures.

102. However, all efforts of a member state to apply the Common European Asylum System (CEAS), and in particular the special procedural safeguards for the unaccompanied minors provided for in the relevant EU legal instruments depend highly upon the available funds. It has been widely expressed by Greek officials that EU funds should be allocated for such actions, especially on actions related to unaccompanied minors, taking into account the member state's migratory burden.

103. Identified unaccompanied children are referred to the National Center for Social Solidarity (EKKA), responsible for seeking an accommodation center for the children. However, the capacity of available structures is insufficient. As a result, a number of children stay in police stations or other places which are not the most appropriate to the situation of the unaccompanied children. Six open accommodation centres of a total capacity of 160 places are currently available for unaccompanied minors in the district of Athens. Additionally, 208 places are offered also for the above minors in accommodation centres in other places of the country. The running costs for both facilities have been secured under the State Budget, ERF and EEA Grants for the running programming period. The running costs for the next programming period are planned to be covered by the New Multiannual Financial Framework (2014-2020).

Victims of trafficking in human beings

104. In 2010, Greece ratified the United Nations Convention against Transnational Organized Crime and its Protocols, including the "Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime" (Law 3875/2010). Furthermore, Greece has ratified the Council of Europe Convention on Action against Trafficking in Human Beings (Law 4216/2013).

105. EU Directive 2011/36 of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims was transposed into the national legal order by Law 4198/2013. Under the said Law, the Minister of Foreign Affairs (MFA) along with eight competent Ministers formally established the Office of the National Rapporteur (NRO), giving an official mandate to the informal, but widely acknowledged, Coordination Mechanism, operating in the MFA since 2007. The NR has the mandate to cooperate closely with focal points in other competent Ministries as well as with the IOM (International Organization for Migration) and the accredited by the European Commission's Civil Society Platform NGOs in the field of anti-trafficking, and to plan, implement and evaluate anti-trafficking activities at the national and international level. The NRO is active in all four pillars of the strategy to combat trafficking (prevention, protection, prosecution and partnership with civil society and private sector).

106. The main deliverables of the NRO focus on: improving the National Referral Mechanism for the first-level identification, assistance of and support to victims of trafficking; establishing a comprehensive and systematically updated database for victims and perpetrators, in accordance with EUROSTAT standards; promoting public-private

partnerships between state agencies, NGOs and other stakeholders in EU projects; and implementing large-scale education, train the trainers and awareness-raising projects, as well as campaigns among the general public in an enlarged endeavor to tackle “demand reduction”.

107. Towards that end, the NRO has recently launched several ongoing initiatives and important meetings resulting into: (a) the establishment of a permanent Consultation Forum with Civil Society actors; (b) a permanent Coordination Mechanism with public authorities, which include senior officials and agencies from different Ministries, IOM Greece and the Office in Greece of the UNHCR; (c) a Memorandum of Cooperation with the private sector aimed at targeting the demand for trafficked victims and implementing awareness-raising projects with businesses and consumers. The Memorandum, signed with Corporate Social Responsibility/ CSR Hellas Network, commits major private sector stake-holders to “slave-free” supply chains; (d) a systematic partnership with the Ministry of Education to introduce THB awareness raising lessons in the school courses of Human Rights and Sexual Education and, (e) promoting partnerships with the Cultural sector, the Academia and the Local Administration and Municipalities to join forces against THB.

108. Special training regarding the phenomenon of trafficking in human beings has been incorporated in the curriculum of compulsory courses of the National School of Judges and Prosecutors and relevant seminars for the continuous education of judges and prosecutors are being organized annually.

Protection of the victims of trafficking

109. Law 3875/2010 (ratifying the UN Convention against Transnational Organized Crime and its Protocols) extends the scope of protective legislative measures to the victims of smuggling of migrants, sex tourism and child pornography and provides for the possibility of granting residence permits on humanitarian grounds, under certain circumstances, also to victims of trafficking who do not cooperate with the authorities due to the possible use of threats by perpetrators. It is to be noted that the recommendations of the NCHR have contributed to the strengthening of the protection framework.

110. Special care is provided to unaccompanied minors-victims of trafficking in human beings or smuggling of migrants. The rights and interests of children victims are recognized and protected at all stages of criminal proceedings (with regard to psychological support, protection of the child witness and the child’s family from potential reprisals or intimidation, etc.). Minors who are victims of acts of trafficking may be beneficiaries of legal aid with regard to any criminal or civil claims (Art. 1 (3) of Law 3226/2004). Unaccompanied minors — possible victims of trafficking, are protected in eleven (11) shelters, funded by the European Refugee Fund, the EEA Grants and the State. The National Centre for Social Solidarity (EKKA) manages all relevant applications. In 2014, 2390 minors were referred to housing and protection programs. Especially for children in danger, the following Help lines are in operation throughout the day: the National Helpline for Children “1107” by EKKA and the Helpline “1506” as well as the European Hotline for Missing Children “116000” operated by the NGO “The Smile of the Child” combined with the National Child Alert Automated System AMBER ALERT HELLAS. To better protect children — victims of trafficking, the NR Office participates to the dialogue with the competent authorities (Ministry of Justice, Prosecutor’s Office) on the role of guardians and/or representatives of child victims of trafficking.

111. Specific actions have also been implemented by the General Secretariat for Gender Equality of the Ministry of Interior such as the launching of a national telephone hotline for victims of trafficking, offering advice, support and counseling to women victims of all forms of violence, as well as the launching of a three-year long awareness raising campaign on gender based violence, trafficking in women included. In addition, the operation of

Counseling Centers of the General Secretariat for Gender Equality along with the Counseling Centers and the Shelters established in municipalities all over Greece also concerns women victims of trafficking. Currently, 16 shelters are in operation. The Project is funded by the National Strategic Reference Framework (NSRF 2007-2013).

112. The National Center for Social Solidarity (EKKA), offers services such as counseling, psychological support, temporary hosting in shelters, a 24-hour hotline, etc. Programs have also been implemented by the Ministry of Labor and Social Security within the scope of the EU EQUAL Initiative. Finally, there is a significant number of NGOs (A21 Campaign, Nea Zoi, PRAKSIS, Doctors without Borders, Greek Council for Refugees), that provide shelters for accommodation, psycho-social and legal support to victims of trafficking, offered by specialized personnel.

Police action

113. At the operational level, police action against traffickers has intensified and has yielded positive results. Fifteen (15) specialized anti-trafficking services are operating within the Hellenic Police, both at the central and the regional levels. Other actions include staff education and training, awareness-raising, international cooperation, in particular with neighboring countries, exchange of information on organized crime (Interpol, Europol, SECI Center, EU Member States, neighboring and other third states), cooperation with foreign diplomatic authorities, etc. Several State agencies and Greek NGOs that have been accredited by the Commission's Civil Society Platform have engaged Greek law enforcement authorities in various trainings in cooperation with leading international agencies such as IOM, UNHCR, FRONTEX.

114. The Hellenic Police services cooperate with NGOs through the National Centre for Social Solidarity (EKKA) and the General Secretariat for Equality with the aim to provide support to victims, as well as with the IOM for their safe repatriation. Information documents and leaflets on trafficking and victims of trafficking have been distributed to all competent services. The Hellenic Police has submitted a proposal for funding the updating and the translation into 16 languages of a leaflet issued by the Hellenic Police (Division of Public Safety) with useful information regarding the rights of THB victims. Law enforcement units across the country provide this information to the victims contributing to the creation of a trustworthy environment between them and the police. Furthermore, a Public Prosecutor at the Court of First Instance of Athens has been appointed in order to handle human trafficking cases, while awareness-raising and continuous training of judges on trafficking issues has been promoted.

115. The number of identified perpetrators has been decreasing since 2010. This may imply that traffickers have resorted to new, tacit means of exploitation and that, more often than before, traffickers are choosing different routes other than Greece. In 2014, 64 victims of trafficking in human beings were identified (48 victims of sexual exploitation, 5 of forced labour and 11 of forced begging). The Hellenic Police reported an increase on the number of minors victims of trafficking in 2014 (14 minors victims). Of the 64 victims identified in 2014, 7 received official victim status. The police investigated 36 human trafficking cases in 2014 (30 investigations for sexual exploitation, 4 investigations for forced labour and 2 investigations for forced begging). In 2014, the number of suspected traffickers reached 125. Judgments against traffickers were issued by courts in 14 cases (out of 40 criminal prosecutions). The state-run shelter provided assistance to 30 victims of trafficking and sheltered 18. As stipulated in the new legal framework, sheltering and victim assistance is provided regardless of whether or not the victim is cooperating with the authorities.

Article 4 (paras. 10, 11 of the Committee's concluding observations)

116. As explained in Greece's previous reports, Law 927/1979 punishes, inter alia, incitement to acts or activities which may result to discrimination, hatred or violence against individuals or groups of individuals on the sole grounds of the latter's racial or national origin or religion. It also criminalizes the expression in public, either orally or by the press or by written texts or through depictions or any other means, of offending ideas against any individual or group of individuals. Prosecuting authorities may press charges *ex officio* with respect to the abovementioned acts. The abovementioned criminal legislation has had a limited application in practice.

117. In September 2014, Parliament adopted Law 4285/2014, amending Law 927/1979, aiming at strengthening the country's criminal anti-racism legislation and adjusting the relevant legislative framework with EU Council Framework Decision 2008/913/JHA, on combating certain forms and expressions of racism and xenophobia by means of criminal law.

118. The new law punishes the following intentional conduct:

(a) To publicly abet, instigate or incite, either orally or by the press or the internet or any other means, to acts or activities which may result to discrimination, hatred or violence against individuals or groups of individuals defined by reference to race, colour, religion, descent, national or ethnic origin, sexual orientation, gender identity, or disability, in a manner which endangers public order or threatens life, liberty or physical integrity of the abovementioned persons;

(b) To incite damage of items used by the abovementioned persons, in a manner that endangers public order;

(c) To establish or participate in an organization or union of persons of any kind which systematically pursue the commission of the abovementioned acts;

(d) To publicly condone, trivialize, or maliciously deny, either orally or by the press or the internet or any other means, the commission or seriousness of crimes of genocide, war crimes, crimes against humanity, the Holocaust and Nazi crimes, recognized by decisions of international courts or the Hellenic Parliament, and directed against groups of individuals, or a member thereof, defined by reference to race, colour, religion, descent, national or ethnic origin, sexual orientation, gender identity, or disability, in a manner which may incite violence or hatred or threatens or insults the abovementioned groups of individuals or members thereof.

119. The penalties provided for the above offences is imprisonment of between three months and three years and a fine of 5,000 to 20,000 €. More severe penalties are foreseen, in case the incitement described above had as a result the commission of a crime or the perpetrator is a public official or servant, acting in that capacity. The aforementioned acts are also punishable when they are committed through the Internet. The new article 81A introduced in the Criminal Code raises the minimum penalty (confinement in a penitentiary, imprisonment) and doubles the monetary penalties that may be imposed for racist crimes, i.e. for crimes committed out of hatred on the grounds of race, colour, religion, descent, national or ethnic origin, sexual orientation, gender identity, or disability of the victim.

120. Furthermore, the new law introduces the liability of legal persons. More concretely, in case one of the acts punishable under the said law was committed for the benefit or on behalf of a legal person (with the exception of the State, other public bodies in the exercise of State authority and public international organizations) or a union of persons by any person, acting either individually or as part of an organ of the legal person or the union of persons, and having a power of representation thereof, the Minister of Justice, Transparency

and Human Rights, jointly with other competent Ministers, as appropriate, shall impose administrative sanctions, namely a fine of between 10,000 and 100,000 € and exclusion from entitlement to public benefits, grants, aid, public works, services and supply contracts and procurement, public contract awards, etc., for a period between one and six months.

121. The punishable acts under the new law, as well as any crimes committed as a result thereof, are prosecuted *ex officio*. Victims of such offenses are exempted from the obligation to pay a fee when submitting a criminal complaint or participating as a civil party in a criminal procedure.

122. Moreover, Article 16 (1) of Law 3304/2005 (which amended Article 3 of Law 927/1979) provides that “whoever violates the prohibition of discriminatory treatment on the grounds of ethnic or racial origin or religious or other beliefs, disability, age or sexual orientation, with respect to the supply of goods or the offer of services to the public is punished with six months’ imprisonment and a fine of 1,000-5,000 euros”. This provision provides for penal sanctions — charges being pressed *ex officio* — in order to prevent effectively the violation of the principle of equal treatment. The revised penal provision offers a more effective protection than the previous one, as it has a wider content since it includes the cases of “other beliefs, disability, age or sexual orientation”, while it provides for stricter sanctions.

123. Furthermore, a special law-drafting Committee has been set up in the Ministry of Justice, Transparency and Human Rights with the mandate to update the draft law on the ratification of the Convention of the Council of Europe on Cybercrime and of the Additional Protocol thereof on the criminalization of racist and xenophobic actions.

124. Over the last years, and in particular during the period 2012-2013, there has been an important surge in the number of attacks against foreigners living in Greece. Extremist organizations or individuals have attempted to exploit the anger or the discontent of some segments of the population severely affected by the economic crisis. In addition, the situation prevailing in Greece has to be seen against the background of an unprecedented rise in irregular migration (reaching, for many years, some 100,000 persons on a yearly basis), due to the geographical position of the country, as the main gateway to the European Union.

125. It is to be noted that the National Commission for Human Rights and the Office of the UNHCR in Greece created, in 2011, the “Racist Violence Recording Network” in which participate 23 NGOs and other bodies, having as a primary goal the documentation of racist incidents. In 2013, the Network documented, upon interviews with victims, 166 incidents of racist violence (143 incidents were committed against immigrants or refugees) and made recommendations on the state responses and initiatives to combat racist crimes.

126. The NCHR, during the last years, has adopted a number of reports and recommendations on issues related to the fight against racism, such as the need to update the legislative framework in order to ensure the effective prosecution of those responsible, the role of the police and the judiciary in combating racism, the phenomenon of extremist groups, racism in the public political discourse and in sports venues, etc.

127. The Greek Ombudsman, in September 2013, issued a special report, focusing on the racist violence phenomenon from January 2012 to April 2013, following the consideration of 281 complaints of racist attacks, and submitted a number of recommendations, in particular on recording and investigating racist violence incidents, protecting the victims of and witnesses to racist attacks and adopting measures in the field of human rights education. With regard, in particular, to the fight against racism in the school community, the Ombudsman recommends, inter alia, the organization of discussions, the establishment of conflict resolution procedures with the students’ participation and, in general,

educational activities to inform and raise the awareness of the students and the school community.

128. A number of measures have been taken at the level of law enforcement, criminal legislation and the justice system. In September 2013, the leader and members (including Members of Parliament) of “Golden Dawn”, a political party, described by scholars and media as a “neo-Nazi and fascist organization”, [http://en.wikipedia.org/wiki/Golden_Dawn_\(political_party\)](http://en.wikipedia.org/wiki/Golden_Dawn_(political_party)) - cite_note-CITY-10#cite_note-CITY-10 represented in Parliament, were placed under judicial investigation for membership of a “criminal organization”; the measure of pre-trial detention, or other restrictive conditions, have been imposed by the competent judicial authorities to a number of suspects, including Members of Parliament. The Public Prosecutor in charge proposed the indictment before the competent criminal court of the detained leaders of the organization. In total, almost 70 individuals have been indicted. The trial opened on 20 April 2015.

129. Moreover, in accordance with Article 2 of Law 4203/2013, state financing of political parties whose leaders or a number of their elected officials are charged with the crime, in particular, of membership of a “criminal organization” and put on pre-trial detention, is suspended by decision taken by the Parliament. The suspension may be imposed for offences committed by the above individuals in the context of actions taken by the political party to which they belong or in the name of it. On the basis of the said provision, no payment to the abovementioned political party has been effected since then.

130. The most important measures taken in the field of law enforcement are the following:

- Establishment of 2 specialized Departments and 68 Offices throughout the country tasked with tackling racist violence and operation of a hotline for complaints about racist violence or information on the rights of the victims. The Hellenic Police have also devoted part of their website (www.astynomia.gr) to racist violence issues, allowing the public to report or complain about any wrongful act with racist characteristics or motives, on a 24-hour basis and in many different languages, by completing a special electronic form, to secure anonymity and secrecy of communications.
- Creation of a unified mechanism and database for registering alleged incidents of racist and xenophobic violence (including allegations against police personnel). During 2013, 109 *prima facie* racist violent incidents were recorded. In 2014, 80 incidents *prima facie* racist violent incidents were recorded, 11 prosecutions were launched, in 4 cases the defendants were convicted, while 24 cases were filed. In 66 of those incidents, criminal proceedings have been initiated, while disciplinary measures only have been taken in 14 cases. More specifically: in 36 incidents, police officers were involved, in 16, citizens, in 11, organized groups, while in 17 of them the offenders remain unknown. The Ministry of Justice, Transparency and Human Rights makes efforts to review different data collection systems in place, in order to introduce common criteria and to standardize fields of categorization. Data on bias motivated crimes are expected to improve following the implementation of the new computerization system of the courts that will be applied by the end of 2015.
- Obligation for police officers to ascertain whether a criminal act has been racially motivated on the basis of specific instructions given to police staff for the relevant investigation (see circular note dated 8.11.2014). Police officers are bound to investigate the existence of a racist motive (both as an independent and as a concurrent motive), in case of existence of multiple motives in a crime, in particular when the alleged offenders admit that, or there are indications to this effect based on

evidence, or the alleged offenders or victims of the crime belong to different racial, religious and social groups. The same applies to the disciplinary investigation of cases involving inappropriate behaviour of police officers against persons belonging to vulnerable groups or third-country nationals.

- The Code of Conduct of Police Officers already provides for the general principle of unprejudiced and socially sensitive approach of citizens by the police, and the obligation of police officers to treat with special care persons belonging to vulnerable social groups. It is to be noted that the investigation of disciplinary offenses allegedly committed by police officers against citizens is prioritized over the examination of other disciplinary offences.
- Co-ordination with local and non-governmental organizations and training of police staff.
- In the academic year 2012-2013, a special course on «Racism – Xenophobia» was added in the curriculum of the Police Academy, which included subjects related to the identification and further handling of offenses with an allegedly racist motivation. Furthermore, in consultation with the School of Further Education and Training of the Hellenic Police, approximately two hundred Greek police officers, serving in the aforesaid new Departments and Offices to Combat Racist Violence, attended a special training, for two days, on subjects relating to the identification of racist motivation, addressing vulnerable groups, anti-racism legislation, the interlinkage between the racist phenomenon and illegal migration, the experience gained from the network for the recording of cases of racist violence, as well as current concerns on aspects of international human rights protection.

131. In the field of criminal legislation and prosecution (apart from the new anti-racism legislation already mentioned):

- Article 66 of Law 4139/2013 introduced Article 79 (3) of the Criminal Code, which provided that the commission of a criminal act motivated by hate on the grounds of race, color, religion, origins, national or ethnic origin or sexual orientation or gender identity constituted an aggravating circumstance and the sentence imposed could not be suspended. The said provision was applied for the first time in November 2013, in a criminal case regarding arson in a store belonging to a foreign citizen. The abovementioned article was replaced by Article 81A of Law 4285/2014, which renders more severe the minimum penalties that may be imposed for racist crimes.
- According to Law 4332/2015 (following a June 2014 Joint Ministerial Decision), the Minister of Interior may grant a residence permit on humanitarian grounds to third country nationals who are victims or material witnesses of the racist acts penalized in articles 1 and 2 of Law 927/1979 and Article 16 (1) of Law 3304/2005 (see above), in case a preliminary investigation has been ordered or a criminal prosecution has been initiated, and until a judgment has been delivered or the case has been closed. In case such persons are under medical treatment, the residence permit is granted until the termination of the treatment.
- Two special prosecutors have been appointed in Athens and Piraeus for the investigation of racist crimes.
- Pursuant to a circular issued by the Public Prosecutor at the Supreme Court, all persons who commit the offense of usurpation of authority and conduct controls (which are only of the resort of the Police), shall be arrested and brought before the prosecutorial authorities. Even MPs may be arrested *in flagrante delicto*, if they have committed a felony.

- The Ministry of Justice, Transparency and Human Rights, the Ministry of Interior and Administrative Reform (Ministry of Citizen Protection) and the Asylum Service participate in the Working Group on Hate Crime of the EU Fundamental Rights Agency (FRA). More specifically, on 28-29 April 2014, the Greek Presidency of the EU and FRA organized a seminar on combatting hate crime, with the support of the European Economic Area and Norway.
- In March 2015, a Working Group was established by the Secretary General of Transparency and Human Rights of the Ministry of Justice, Transparency and Human Rights, consisting of representatives of the police force (special antiracist units), NGOs, the abovementioned Racist Violence Recording Network, UNHCR, the NCHR, the Ministry of Justice and the Special Prosecutor on racist violence. The WG has a coordinating role in the field of hate crimes and racist violence, with a special initial assignment to review different data collection systems in place and to foster clear-cut technics of racist crimes recording. It also aims at bringing together police authorities with civil society organizations through the RVRN, especially those recording racist crimes, and to increase their cooperation and trust.
- In addition, the Ministry of Justice, Transparency and Human Rights, following the recommendation of the Council of Europe's European Commission against Racism and Intolerance (ECRI), has already drafted a bill on the establishment of the "National Board against Racism and Intolerance", an inter-ministerial body with the participation of the National Commission for Human Rights, UNHCR, RVRN and other important stakeholders and in cooperation with the Ombudsman. The main goal of the above mentioned body will be to assist the Secretary General for Transparency and Human Rights in developing anti-racist policies and in particular in drafting a National Action Plan against Racism and Intolerance. In this framework the establishment of a hate speech observatory will also be examined. This body is mandated to consult with civil society organizations and all other competent national authorities in order to supervise the implementation of anti-racist legislation and to increase its effectiveness.

132. Following the measures described above, there has been a sharp decrease in the number of racist or xenophobic instances. Racist acts have been condemned in the strongest possible terms by members of the political leadership of the country, including at the highest political level, conveying an unequivocal message of zero tolerance of such acts which undermine the values underpinning Greek society.

133. In the framework of the training of judges on offences relating to racism, in 2013 the National School of Magistrates hosted conferences on hate speech and hate crimes following an initiative of the Ministry of Justice, Transparency and Human Rights in cooperation with the Council of Europe and OSCE/ODIHR. The National School of Magistrates education programme offers also courses on the legislative framework against racism and xenophobia. In February 2014, two workshops were held on "A sociological approach to the phenomenon of racism" and the "Legal treatment of the racist phenomenon". Very recently, two prosecutors, one from Athens and one from Thessaloniki, participated in OSCE/ODIHR's training program for prosecutors on hate crimes (PAHCT).

Prohibition of hate speech in the media

134. Legislation on radio and television, as well as on new media services, contains provisions against discrimination and incitement to hatred on the grounds, inter alia, of sexual orientation. More precisely, Presidential Decree 109/2010, which has incorporated EU Council Directive 2010/13/EU, contains provisions related to the prohibition of hate speech (for instance Articles 4 (2), 7 (1) and 10 (1)) and the same provisions apply to radio

stations (Art. 8, para. 4 of Law 2328/1995), as well as subscriber radio and television stations (Art. 10, para. 1 of Law 2644/1998, as amended).

135. Presidential Decree 109/2010, transposing EU Directive 2010/13 on new media services, establishes a net of protection of human rights, with regard, in particular, to vulnerable population groups. More specifically, Article 4 provides for certain restrictions to the freedom to broadcast, only in cases where there is a threat to the protection of minors, as well as in cases of incitement to hatred based on race, gender, religion, ideology, nationality, disability, age or sexual orientation. Human dignity is also protected vis-à-vis audiovisual commercial communications, according to Article 10. At the same time, the use of methods of self-regulation, such as the adoption and implementation of Codes of Ethics, by the National Radio and Television Council and professional organizations, is encouraged and promoted (Art. 28 of Presidential Decree 109/2010).

136. Moreover, Article 7 (2) of the Decree stipulates that “all programmes, including audiovisual commercial communications, broadcasted by public or private broadcasters, must respect the personality, honor, reputation, private and family life, professional, social, scientific, artistic, political or other lawful activity of every person, whose image appears on screen or is being mentioned by name or other details sufficient for his identification”, while Article 27 provides for the right of reply when a person’s personality, honor, reputation, family and professional life, as well as social, artistic, scientific, political and other activity is threatened by a potentially harmful broadcast.

137. Furthermore, the National Council for Radio and Television, which is the independent administrative authority that supervises and regulates the radio/television market, imposes administrative sanctions to radio and television stations, which, inter alia, do not respect their obligation not to broadcast racist, xenophobic or intolerant speech or violate provisions on the protection of minors and young persons, personality and private life. The Council is also responsible for imposing sanctions in the case the acts punishable under the new anti-racism law have been committed in a context of a radio or television broadcast.

138. It is to be noted that in the Greek national legislation there are no provisions which could restrict users’ access to the Internet. Nevertheless, all provisions of the Greek law aiming at the protection of human rights are also implemented to the communication through the internet.

Article 5

Right to security of person and protection by the State against violence or bodily harm (para. 13 of the Committee’s concluding observations)

139. Greece ratified the Optional Protocol to the Convention against Torture in December 2013 (Law 4228/2014). The Protocol entered into force in respect of Greece on 13 March 2014. The law ratifying the OPCAT designates the Ombudsman as the National Preventive Mechanism under the OPCAT. Furthermore, Greece ratified the International Convention for the Protection of All Persons from Enforced Disappearance (Law 4268/2014). The Convention entered into force in respect of Greece on 9 July 2015.

140. Law 3938/2011 established, within the Ministry of Public Order and Citizens’ Protection, an Office, subject to the Minister, responsible for handling alleged instances of arbitrary conduct by law enforcement personnel. The mission of the Office is to collect, register, assess and further refer for investigation all complaints regarding torture or affronts to human dignity within the meaning of Article 137 A’ of the Penal Code, intentional actions against the life, physical integrity, health, personal or sexual freedom, and every other insult against the personality of any person being on Greek territory, as

well as the illegal use of firearms, by Police, Coast Guard and Fire Brigade officers in the exercise of their duties or in abuse of their officers' status. Furthermore, the Office has been tasked to reexamine cases for which a violation had been found by the European Court of Human Rights. The Office is not yet operational, due to difficulties which have arisen in relation to its staffing.

141. Law 4249/2014 aims at overcoming the aforementioned difficulties, by expanding membership of the relevant committee within the Office to include lawyers who are members of a Greek Bar Association, facilitating thus the staffing of the Office. The same Law also foresees the participation, without the right to vote, of a representative of the Greek Ombudsman. Furthermore, Law 4249/2014 widens the scope of the Office, which now covers allegations of illegal conduct on the grounds of racism or other forms of discriminatory treatment on the grounds of racial or ethnic origin, religious or other beliefs, disability, age, sexual orientation or gender identity and, more generally, any offending conduct against persons living in Greece. It is to be noted that constant efforts are being made for the prompt operation and the staffing of the Office, in conformity with the political leadership's explicit will.

142. The right of persons under detention by police authorities to submit written complaints about their conditions of detention or alleged instances of abuse, ill-treatment or other violations of their rights has been incorporated in the "information bulletins on the rights of detained persons". The forms to be used for this purpose were translated into 16 languages and, following their final standardization, were transmitted to all agencies. A Circular Order by the Hellenic Police Headquarters recalled the obligation to provide persons detained in police agencies with the new standardized and updated information bulletins and complaints forms, in a language the latter understand.

143. A number of Circular Orders on the protection of human rights and the conduct of the police personnel in general have been issued by the Hellenic Police Headquarters to all police stations, covering a wide variety of fields, such as prevention and punishment of torture and ill-treatment, safeguarding the rights of detained persons, combating racism and xenophobia. Respect for diversity has been identified as a primary obligation of the personnel of the Hellenic Police, while special emphasis has been given to the treatment of members of vulnerable groups, such as the Roma or foreign nationals. The implementation of the above Circular Orders is continuously monitored and further action is taken, where necessary. The 2004 Code of Ethics for Police Officers highlights the absence of prejudice on the grounds of color, gender, ethnic origin, ideology and religion, sexual orientation, age, disability, family, economic or social status as one of the fundamental parameters of the behavior of police officers.

144. Within this framework, an Order of the Hellenic Police Headquarters issued in June 2011, following the report of the Council of Europe European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), recalled that, when any information comes to light indicating the potential ill-treatment of a person, the Administration must take effective action, pursuant to the provisions of the Presidential Decree on the disciplinary law for law enforcement personnel, to investigate and impose disciplinary sanctions corresponding to the gravity of the offence, in order to prevent impunity. Following another visit by the same body, a July 2010 Order recalled the need of acting promptly and effectively with regard to any allegation of abuse, so as to prevent impunity.

145. It is to be noted that the European Court of Human Rights has found a violation of the ECHR in cases involving police action, due, in particular, to inadequate inquiries or investigations in the specific cases brought before the Court. The European Court judgments are forwarded to all services and staff with a view to their implementation and

the raising of the awareness of police personnel. The same applies to the views of the Human Rights Committee, as already pointed out.

146. A 2010 Order of the Prosecutor at the Supreme Court sets out the procedure for an effective and impartial criminal investigation of allegations of ill-treatment of detainees. The Disciplinary Code adopted in 2008 has brought about considerable progress in ensuring an effective investigation of allegations of abuse by the police. It is to be noted that the Greek Ombudsman has the power to control the lawfulness of such disciplinary proceedings. A 2012 Circular Order addressed to the Department of Internal Affairs gives absolute priority to the investigation of allegations of ill-treatment of foreign citizens by police personnel, including complaints about racist violence.

147. On the obligation of police authorities to investigate the existence of racist motives in penal and administrative cases, see above (para. 124).

148. Training of police personnel plays a vital role in preventing human rights violations and consolidating a culture of respect for human rights. Currently, at all levels of police training (basic level, post-training), human rights courses are given, both from a constitutional law and an international law perspective.

Political rights

149. In almost all successive parliamentary elections held in Greece since 1927, candidates belonging to the Muslim minority in Thrace have been elected as members of the Parliament. In the last legislative elections (January 2015), three MPs — members of the Muslim minority in Thrace — have been elected, through two different political parties. Furthermore, 120 members of the minority have been elected at the municipal and regional councils in Thrace, 3 of them as mayors, participating actively in the region's local administration.

150. With regard to Roma participation in political structures, it is worth noting that Greek Roma fully enjoy, by virtue of the Greek Constitution, all civil and political rights, including the right to vote and to stand for election, on an equal footing with other Greek citizens. A number of Roma have been elected in local government structures. Likewise, they participate in civil life through the establishment of Roma representative bodies (grassroots Roma NGOs) for the promotion and safeguard of their rights either at the local level or through their cooperation with central administration. Worth mentioning too is that Roma representatives participate in central and local government's structures responsible for the implementation of Roma programs. Further to cooperation with central administration on Roma issues is also pursued through the Pan-Hellenic network of municipalities having Roma population (ROM Net). The network has been established upon local authorities' initiative and encompasses Roma participation too in its administrative structures.

Other civil rights

Freedom of association (para. 15 of the Committee's concluding observations)

151. The European Court of Human Rights in three judgments delivered in 2007 and 2008 (*Bekir-Ousta and Others, Emin and Others, Tourkiki Enosi Xanthis and Others v. Greece*), concerning an equal number of associations, found a violation by Greece of freedom of association, as protected in article 11 of the European Convention of Human Rights.

152. It is to be noted that there is no specific legislation on minority associations, the general provisions of the Civil Code being applicable in this respect. The decision to register any association falls within the exclusive remit of the courts, exercising a control of

legality, and not a review of appropriateness or expediency, with no government interference.

153. The Greek Government is considering ways and means of executing the above judgments of the European Court of Human Rights (ECtHR). Full implementation is pending, due to procedural reasons identified by the competent courts, not related to the statute or the activities of any particular association, more specifically the lack of a procedural avenue for the reopening of civil law cases following an ECtHR judgment finding a violation of the Convention.

154. In any case, the competent courts have already harmonized their practice with the relevant European Convention standards. This is illustrated, in particular, by the judgment No. 24/2012 of the Supreme Court in the case of “South Evros Educational and Cultural Association of Western Thrace Minority”, overturning the decision of the competent appeals court refusing the registration of the said association. The Supreme Court fully applied the principles derived from the jurisprudence of the European Court of Human Rights. Implementing the Supreme Court’s judgment, the competent Court of Appeal (to which the case was referred) accepted, in 2013, the registration of the abovementioned association.

155. It is to be stressed that in Thrace, there is a thriving civil society comprising a large number of Muslim minority associations and NGOs that have been registered by the competent courts and operate unimpeded, thus preserving, highlighting and promoting all aspects of the cultural, educational and economic life of the minority. For instance, some 50 minority associations have been registered, since January 2008.

156. Finally, the European Court of Human Rights has found, in 1998 and in 2015 (non-final judgment), a violation of the right to freedom of association on the grounds that the Greek courts have refused to register an association bearing the name of “Home of Macedonian Civilization”. It is to be noted that the inclusion of the qualifier “Macedonian” in the statute of the said association creates confusion, since the same qualifier is used by hundreds of other associations established by Greek Macedonians, which, however, use the adjective “Macedonian” to denote the regional and/or cultural provenance of their members and not a distinct national identity. Such confusion, which also creates problems of public order and infringes upon the human rights of others, could have been avoided if the founders of the said association had used a name for the latter which corresponds to their Slav-oriented identity. A clear prove of the above argument is that, a political party, *Ouranio Toxo*, pursuing similar aims as the above association, is freely functioning (in the last elections in which it participated, the 2014 elections for the European Parliament, it obtained 0.10% of the vote).

Freedom of religion (para. 14 of the Committee’s concluding observations)

157. In order to ensure respect for the right not to disclose one’s thought, conscience and religion, pupils in primary and secondary education of differing religious convictions in primary and secondary education can be legally exempt from religious instruction and the related school exams upon request of their parents or guardians, without being required to declare their religious convictions or the reason for the exemption. Such exemption also applies to any other obligation of the pupils directly or indirectly linked to the subject of religious studies (Morning Prayer, church attendance, etc.). With a view to protecting personal data, the religious status or beliefs of pupils in primary or secondary schools may not be mentioned on the school reports.

158. School textbooks have been and continue to be revised to further promote understanding and respect for different cultures and religions, as well as to enhance interest in other people’s religion, beliefs and ways of life. References to different religions around

the world are made in school textbooks of religious instruction, especially in junior and senior high school.

159. A joint circular was issued in May 2014 to clarify and provide guidance on the implementation of the legislation on the granting of a permit to establish and operate places of worship of religious communities other than the Orthodox Church. The said circular, while fully respecting the right of persons belonging to a religious community to practice freely and without any impediment their religion, aims at ensuring, through appropriate regulations, both the safety and protection of those gathering in the place of worship and the safety and quality of life of those living nearby, thus safeguarding and promoting social peace and mutual understanding.

160. The Greek authorities are taking the necessary steps for the construction of a mosque in the Municipality of Athens, to be financed exclusively by national funds. The relevant procedure was set out in Law 3512/2006 and Law 4014/2011. The tender for the construction of the Mosque was awarded in November 2013. It has been decided to proceed to the establishment and the construction of the mosque through the appropriate transformation of an existing building in a plot of land owned by the State. The use of the mosque, following the completion of its construction, will be ceded gratis by the State, for an indefinite period of time, to the Foundation provided for in the abovementioned Law, which will administer, manage and maintain the mosque. It is to be noted that the Council of State (Supreme Administrative Court) found that the legislative framework providing for the funding by the State of construction of the mosque does not violate the principles of equality and freedom of expression of religious belief, but instead it protects the rights of persons of Muslim religion.

161. Every year since August 2011, the Hellenic Government, with the cooperation of all competent Ministries, cedes for free the use of two housed places in Peace and Friendship stadium and the Olympic Sports Center (the most important sports venues of the capital) as well as many other smaller facilities in municipalities all over Greece during the celebration of Ramadan (Eid al-Fitr) and the Feast of Sacrifice (Eid al-Adha) for all Muslims wishing to participate.

162. In their effort to promote respect for diversity, the Hellenic Police have published and distributed to all members of the police personnel a “Guide of conduct of the Hellenic Police towards religious and vulnerable social groups” giving clear instructions to police officers as to the treatment of persons belonging to different religious groups (Muslims, Jews, Hinduists, Sikhs and Buddhists) in the discharge of their functions (in particular identity checks, apprehensions, arrests, detention).

163. The European Court of Human Rights has found a violation of the right to freedom of religion under Article 9 of the ECHR on the grounds that, according to the criminal procedure legislation in force at that time, persons who wished to be allowed to make a solemn declaration (instead of taking a religious oath) were obliged to reveal their religious convictions in order to be exempted from the religious oath; they were thus required to give details of their religious beliefs if they did not want to be presumed as Orthodox Christians. Following the European Court’s judgments, the amended Article 218 of the Code of Criminal Procedure stipulates that a witness appearing before a criminal court can, at his or her discretion and without other formalities, choose between taking a religious oath and making a solemn declaration, ensuring thereby that, in the context of a criminal procedure (as it is already the case in civil procedures) no one is obliged to disclose his or her religious beliefs. The Committee of Ministers of the Council of Europe, taking note of the above legislative amendment, was satisfied that the relevant ECHR’ judgments were fully implemented.

164. Law 4301/2014 introduces a new form of legal personality, open to religious communities and their organizations in the country. Such communities may obtain the status of “religious legal persons”, if they so wish, by submitting before the competent court a request for registration, signed by at least 300 members of a religious community. The decision to register a “religious legal person” is taken by the court, without government interference. At least 3 “religious legal persons” may associate to form an “ecclesiastical legal person”. The legal personality of the Catholic Church in Greece and some other existing churches and their legal entities has been recognized *ex lege*. Religious communities which do not wish to seek the status of “religious legal persons” may obtain a legal status under the general provisions of the Civil Code or operate as unions of persons.

Acquisition of Greek citizenship

165. A 2010 law provided for the automatic acquisition of the Greek citizenship by birth for third generation immigrants. The recent Law 4332/2015 sets out the conditions under which second generation immigrants may acquire Greek citizenship. More specifically, children born in Greece of third-country nationals lawfully residing in the country may apply for citizenship if they have been enrolled in the first grade of primary education (and continue to be enrolled in a Greek school at the time of the submission of the application) and one of their parents has been lawfully and continuously residing in Greece for a 5-year period at least before the child’s birth (or 10 years, in case the child is born before the completion of the 5-year period). In addition, foreign children permanently and lawfully living in Greece may acquire Greek citizenship after having followed 9 years’ of primary and secondary education or 6 years of secondary education in a Greek school or have graduated from a Greek secondary education school and obtained a higher education degree.

The right to education and training

166. Education is critical to the fight against discrimination and the promotion of social inclusion. To this effect, the programme “Education of Immigrant and Repatriated Students” has been implemented in primary and secondary education by the Aristotle University of Thessalonica under the supervision of the Ministry of Education targeting a population of immigrant and repatriated students exceeding 10%. The main aim of the programme is to combat school dropouts so that equal access to education and social inclusion are ensured for the said students to the greatest possible extent, with interventions starting from preschool education.

167. Another measure that has been taken by the Ministry of Education, and is expected to contribute positively to combating segregation and its consequent effects in certain schools is that of the Educational Priority Zones (ZEP). The general aim for the implementation of ZEP is to shape and test under real classroom conditions innovative and flexible educational approaches of differentiated teaching so as to ensure the equitable integration into the system of students from areas with low educational and socioeconomic indicators, high school dropout rates and low access to higher education.

168. In addition, the Ministry of Education promotes the organization and operation of School Centres for Remedial Teaching aimed at reintegrating pupils in the learning process, reducing school dropout and improving the pupils’ overall performance.

169. School violence is developing into an issue of major concern due to the social conditions arising from the effects of the economic crisis. The Ministry of Education has established the Observatory for the Prevention of School Violence and Bullying which aims to design and implement measures to prevent school violence and bullying by identifying, studying and channeling for management to accredited bodies school incidents of violence and intimidation. Efforts are being made to respond immediately to incidents of bullying

and violence in the school community. Further efforts are made for the implementation of actions against school violence through programmes running in schools of the Educational Priority Zones. In addition, the Ministry of Education has been carrying out different Health Education programmes at schools. Additionally, the Greek Ministry of Education, as well as the General Secretariat for Youth, are of the founding members of the “Network against Violence in Schools”, which was set up in 2011 under the initiative of the Association for the Psychosocial Health of Children and Adolescents in Greece. The actions of the Network include the operation of a telephone counseling line for teachers and parents’ support, the operation of a mobile intervention unit in cases of violence and intimidation and the online counseling support service for teachers, children, adolescents, students and young people.

Article 6 (para. 18 of the Committee’s concluding observations)

170. Law 3304/2005 establishes or designates three different bodies for the promotion of equal treatment: (a) the Greek Ombudsman, which examines complaints for alleged violations of the principle of equal treatment by public agencies, (b) the Labor Inspectorate (SEPE), which takes up cases of alleged discrimination in the fields of occupation and employment, other than those falling within the competence of the Greek Ombudsman and (c) the Committee for Equal Treatment (CET), a body established within the Ministry of Justice, Transparency and Human Rights, subject directly to the Minister, which examines violations of the principle of equal treatment by natural and legal persons, other than those which fall within the competence of the Office of the Ombudsman or the Labor Inspectorate.

171. Both the Greek Ombudsman and the NCHR have pointed out deficiencies in the relevant legislative framework. It is true that Law 3304/2005 has not developed its full potential yet, with regard to the monitoring of its implementation. The number of complaints submitted is small and confined mainly to the public sector, falling under the competence of the Office of the Ombudsman.

172. It is, however, to be stressed that both the Greek Ombudsman, as an independent authority, and the Labor Inspectorate handle in an effective manner an important number of cases, under their respective general mandate, which are closely linked to the fight against all forms of discrimination. Clearly, there is a need to further familiarize victims, potential victims and civil society actors with the enhanced means of action introduced by the said Law. Up to now, a number of initiatives have been taken, such as the drafting of an information leaflet on the legal framework against discrimination, information campaigns all over the country, the creation of an “Observatory on combating discrimination” (with the task, inter alia, to assess the clarity and effectiveness of the legislation in force, the level of protection afforded to victims of discrimination, acceptance of and compliance with the relevant legislation, the effectiveness of the work of equality bodies, the adoption of special positive measures, etc.), the preparation of code of ethics on combating discrimination in the workplace. However, a further concerted effort is required. It is to be noted that Law 3304/2005 is currently under review by the competent authorities, which are considering the establishment of a new Equality Body within the Greek Ombudsman.

173. The Office of the Ombudsman, with the support of the Ministry of Labour, Social Security and Welfare, has engaged in activities aimed at addressing the lack of awareness on the principle of equal treatment and non-discrimination. The main objective pursued is to inform the public and civil servants, including at the local government level, about the competence of the Office as an equality body and to update Administration officials on the rights of population groups which may be discriminated against.

174. Within this framework, the Office of the Ombudsman published in March 2014 a “diversity guide” addressed to civil servants, aimed at filling potential gaps on the

awareness of public sector employees about the specific characteristics and needs of persons belonging to different groups, so as to improve the treatment by the Administration of persons who might fall within one or more of the prohibited grounds of discrimination.

175. The Office of the Ombudsman currently comprises the following Departments: human rights (a large part of the relevant activities concern migrants, refugees and vulnerable social groups, such as the Roma); health and social welfare; quality of life; State-Citizen relations; children's rights; gender equality.

176. Over the years, the Greek Ombudsman has assumed new responsibilities. Since 2005, as already mentioned, the Ombudsman operates as one of the equal treatment bodies responsible for the implementation of the legislation on the application of the principle of equal treatment regardless of ethnic origin, religious or other convictions, disability, age or sexual orientation by public administration services. Moreover, the Greek Ombudsman has been operating, since 2006, with enhanced powers, as the competent body for monitoring the implementation of the principle for equal treatment between men and women in employment and occupation, including (since 2012) with regard to self-employed women and men.

177. While the Greek Ombudsman is competent for complaints involving public bodies, he/she may also examine acts of private citizens in cases of allegations of violation of children's rights or unequal treatment of men and women in the field of employment. Furthermore, the anti-discrimination legislation recognizes the competence of the Ombudsman to examine complaints of discrimination on the grounds, *inter alia*, of racial or ethnic origin, religious or other beliefs related to the service status of civil servants (a field otherwise excluded from the remit of the Ombudsman).

178. In 2013, the Ombudsman received 14,738 new complaints, a record number since the creation of the Authority. Although not binding, the Ombudsman's recommendations are thoroughly examined and taken into consideration; there are many examples of recommendations and suggestions which have eventually been accepted by the Administration. Thus, the Greek Ombudsman enjoys wide trust and confidence on the part both of the public, as evidenced by the constant flow of complaints and the public authorities which respond constructively to the Ombudsman's recommendations.

179. The NCHR, created in 1998 as an advisory body directly subject to the Prime Minister, operating in accordance with the "Paris Principles" and with "status A" accreditation by the International Coordinating Committee of NHRIs, has been very active, during the reporting period, in discharging its tasks (mainly the submission of reports, recommendations and proposals on human rights issues, the elaboration of related studies, awareness-raising and human rights education). As already mentioned, the NCHR has paid particular attention to the fight against racism and adopted a number of in-depth reports; in this context, the National Commission, in cooperation with the Office of the UNHCR in Greece, NGOs and other bodies created, in 2011, the "Racist Violence Recording Network" (see below) for the documentation of racist incidents. Furthermore, the NCHR has adopted recommendations on the impact of the economic crisis on the enjoyment of all human rights, focusing both on the national and the European dimensions of the crisis. The National Commission has also considered issues such as the situation of the Roma, gender equality, domestic violence and violence against women, accountability of the police personnel, the fight against trafficking, conditions of detention of irregular migrants, the rights of refugees and asylum seekers, the rights of the child, freedom of religion, human rights education, etc. In addition, the NCHR contributes in the operation of bodies with important functions in the field of human rights. Furthermore, the NCHR closely cooperates with UN Special Procedures, in particular in the context of visits to Greece by Special Procedures mandate holders, as well as with regional human rights bodies. Finally, the work and the recommendations of the NCHR are very often referred to in the reports of

universal and regional human rights mechanisms and the decisions and judgments of quasi-judicial and judicial bodies (NCHR reports have been referenced in more than 20 judgments of the European Court of Human Rights concerning Greece).

Article 7

Education and non-discrimination

180. Education is one of the basic missions of the State and every Greek citizen is entitled to it free of charge at all levels. Foreign children enjoy the right to free education on an equal footing with Greek nationals and under the same conditions. Every child living in Greece is entitled to education regardless of their parents'/guardians' legal status in the country. Children of refugees or asylum seekers, of foreign nationals coming from areas where irregular conditions prevail and of foreigners who live in Greece although their legal residence status in the country is still pending may register with public schools even if they lack complete documentation.

181. The key-concepts and principles of intercultural and human rights education underlie the general education policy and have, therefore, been included in the school curricula for primary and secondary education. School books have been and continue to be revised to reinforce understanding and respect for the different, to enhance interest in other people's beliefs, religion, way of living and thinking.

182. Finally, in the framework of Greek education, a number of measures and actions have been implemented with the aim of promoting human rights education. Issues of human rights and intercultural education are diffused in several subjects of the curricula of both compulsory (lower secondary) and non-compulsory (higher secondary) education.
