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**Greece\***

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## **I. Methodology and consultation process**

1. The purpose of this report is to present in a comprehensive, objective and concise manner the basic features of the Greek system for the protection of human rights, to describe legal and policy measures, which have recently been adopted with a view of implementing the most important human rights treaties, and to identify achievements and challenges. The drafting of the report was coordinated by the Ministry of Foreign Affairs, in close cooperation with all Ministries involved in the promotion and protection of human rights. The report focuses on issues which have been the subject of particular attention by human rights mechanisms at the universal and regional level, as well as NGOs. A meeting was held with NGO representatives on 2 December, 2010, following an open-ended invitation to all civil society stakeholders posted on the website of the Ministry of Foreign Affairs and disseminated to the National Commission for Human Rights (NCHR), as well as to journalists accredited in the Ministry of Foreign Affairs. Subsequently, the draft report was submitted to the NCHR. Views expressed in the above consultation process, as well as the NCHR's UPR submission, were duly taken into consideration in the present final report.

## **II. Normative and institutional framework for the promotion and protection of human rights**

### **A. General political structure and legal framework for the protection of human rights**

#### **1. The Constitutional Framework**

2. According to Article 1 (1) of the Constitution, the form of government of Greece is that of a parliamentary republic, with the President as Head of State. The basic principles of Greece's form of government are the following: the principle of popular sovereignty; the principle of representative and parliamentary democracy; the principle of the rule of law; the principle of the welfare state.

3. The Greek Constitution safeguards a comprehensive set of civil, cultural, economic, political and social rights and freedoms, similar to those incorporated in the most important international human rights treaties. Respect and protection of human dignity is considered as a primary obligation of the State, according to Article 2 of the Constitution, which, moreover, guarantees the rights of persons as individuals and members of the society, as well as the principle of the "constitutional welfare state" (Article 25).

#### **2. International human rights instruments ratified by Greece**

4. Greece has ratified almost all of the core international human rights instruments. Greece has signed, but not yet ratified, the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Rights of Persons with Disabilities and its Optional Protocol. Greece has neither signed nor ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol of the Covenant on Economic, Social and Cultural Rights.

5. Greece has also ratified a large number of ILO Conventions, including in the field of forced labour and child labour, as well as the most important humanitarian law treaties.

6. With regard to monitoring mechanisms at the universal level, Greece attaches great importance to the fulfillment of its reporting obligations and makes every effort to ensure the timely submission of periodic reports. All competent authorities study very carefully the concluding observations of UN treaty bodies, which are often used as a basis for further measures to improve the implementation of human rights treaties. Greece has recognized the competence of the Human Rights Committee, the Committee Against Torture and the Committee on the Elimination of Discrimination Against Women to examine individual communications under the relevant instruments. The number of the individual communications concerning Greece considered by the above bodies remains low; however, the views issued are widely disseminated and are taken into account by the competent authorities.

7. Greece has issued a standing invitation to all Special Procedures of the Human Rights Council. In the last ten years, visits have been carried out by the Special Rapporteur on the sale of children, child prostitution and child pornography (2005), the Independent Expert on minority issues (2008) and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (2010). Greece attaches great importance to, and takes into serious account, the recommendations of the Special Procedures.

8. At the regional level, Greece is a party to the European Convention on Human Rights (ECHR) and to most of its Protocols. The case-law of the European Court of Human Rights plays a vital role in the Greek legal system and has had a profound impact on law, policy and practice. Half of the violation judgments rendered by the Court in Greek cases as of 1.1.2009 concern the length of judicial proceedings (a matter of particular concern, also to the NCHR, recently addressed by two new laws in the fields of criminal and administrative justice), 16% the right to a fair trial, 14% the right to an effective remedy (issue often related to the length of proceedings), 10% the protection of property and 10% other issues. Greece fully complies with the judgments of the Court and adopts all individual and general measures which are necessary for the execution of the above judgments. The case-law of the Court has led to the introduction of more protective and effective legislation, policies and practices in a variety of fields, including the right to a fair trial, compliance of the administration with domestic judicial decisions, conditions of detention and freedom of religion.

9. Furthermore, Greece is a party to the European Social Charter of the Council of Europe and will soon ratify the Revised Charter. Greece has also ratified the Additional Protocol to the Charter of 1995 providing for a system of collective complaints.

10. The integration of human rights instruments into the national legal order is mainly governed by Article 28 of the Constitution, according to which “the generally recognized rules of international law, as well as international conventions as of the time they are ratified by law and enter into force according to their respective conditions, shall be an integral part of domestic Greek law and shall prevail over any contrary provision of the law...”. Following their incorporation in the Greek legal order, international treaties can be invoked directly before the courts, insofar as they possess a self-executing character. All domestic courts have the obligation not to apply a legislative provision which is contrary to an international treaty ratified by Greece, including human rights treaties. Greek courts, indeed, base their decisions all the more frequently on the provisions of international human rights treaties (in particular, from a statistical point of view, the ECHR and the ICCPR) and take fully into account the case-law of the international judicial or quasi-judicial bodies, which is widely disseminated.

## B. National machinery for the promotion and protection of human rights

11. Every person (according to Article 20 of the Constitution) enjoys the fundamental procedural right to have recourse to **courts** of regular judges with functional and personal independence and to receive legal protection by them, as well as the right to be heard prior to administrative actions or measures affecting their rights or interests. The courts are bound not to apply laws the contents of which are contrary to the Constitution or, as already stressed, to international treaties ratified by Greece. Furthermore, the Constitution and the legislation encompass a comprehensive system designed for the protection of all persons against illegal acts or omissions committed by the Administration.

12. **Independent authorities** and **national human rights institutions** have been created, which monitor and promote compliance of vast and critical sectors of the Administration with human rights and fundamental freedoms and ensure accountability within their respective spheres of competence. Article 101A of the Constitution and other, *ad hoc* provisions constitutionally guarantee the institution of independent authorities. According to the Constitution, the members of the independent authorities enjoy the guarantees of personal and functional independence and are selected through procedures ensuring the widest possible consensus in Parliament.

13. The **Greek Ombudsman** mediates between individuals and the public administration, local government authorities, other public law entities, public corporate agencies and public utility companies, following a complaint by interested persons; the Ombudsman may also proceed *ex officio* to the investigation of cases which have aroused particular public interest. The Office of the Ombudsman currently comprises the following Departments: human rights (a large part of the relevant activities concern immigrants, refugees and vulnerable social groups, such as the Roma); health and social welfare; quality of life; State-Citizen relations; children's rights; gender equality (with enhanced responsibilities in the fields of equal opportunities and prevention since December 2010). In the last two cases, the Ombudsman is also competent to examine acts of private individuals and private law entities. Since 2005, the Ombudsman operates as one of the equal treatment bodies responsible for the implementation of the anti-discrimination legislation. In 2009, the Ombudsman received more than 13,000 complaints. 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.

14. The **National Commission for Human Rights (NCHR)** created in 1998, in accordance with the Paris Principles and with "status A" accreditation, is a consultative organ of the State, directly subject to the Prime Minister. The NCHR's main fields of activity include the elaboration of studies on human rights issues, the submission of recommendations and proposals, awareness-raising and human rights education. The NCHR has a very wide membership, which also includes six NGOs. The NCHR has been particularly active in matters affecting, among others, freedom of religion, non-discrimination, conditions of detention, protection of refugees and asylum seekers, promotion of social rights, the situation of persons of Roma origin, women's rights, children's rights, human rights education, etc.

## C. International development cooperation

15. In 2009, Greece allocated 0.19% of its Gross National Income to Official Development Assistance (ODA) to developing countries. The amount of development assistance is allocated to bilateral development assistance activities, multilateral development assistance and development programmes undertaken and implemented by

Greek NGOs in developing countries. Greece has intervened in many cases of natural or man-made disasters, so as not only to provide emergency relief, but also to contribute in guaranteeing the rights of the affected persons to life, adequate food, housing, water and health. In particular, Greece is strongly engaged in combating climate change effects, through, *inter alia*, a human rights perspective. During the Greek Chairmanship of the Human Security Network (May 2007-May 2008), Greece undertook a number of initiatives to highlight the impact of climate change on the enjoyment of the rights of vulnerable population groups.

### **III. Promotion and protection of human rights in Greece**

#### **A. Measures and mechanisms to combat discrimination**

16. The right to equal treatment, both in its general and its specific aspects, is guaranteed by the Constitution and fully enforced by the courts *vis-à-vis* both the legislator and the Administration. As provided for in article 4 of the Civil Code, a foreign national enjoys the same civil rights that are afforded to Greek citizens. The principle of equal treatment has been enshrined in a number of legislative acts, covering large sectors of social life. However, a more comprehensive legislation, containing both substantive provisions and mechanisms for their implementation, was deemed necessary.

17. 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 aim 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.

18. 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.

19. Law 3304/2005 also establishes or designates three different bodies for the promotion of equal treatment: (a) the Office of the Ombudsman, which examines complaints for alleged violations of the principle of equal treatment by public services, (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 Office of the 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.

20. The NCHR has 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. 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 legislative framework, 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. A good practice in this respect was the organization of information and awareness-raising activities within the framework of relevant EU initiatives, as well as the designation by the EU of the year 2007 as “European Year of Equal Opportunities for All”. However, a further concerted effort is required.

## **B. Gender equality**

21. Greece has adopted a series of legislative measures and policies in order to promote gender equality in all sectors of the society. In 2001, a constitutional amendment enshrined, for the first time in explicit terms, the obligation of the State to adopt “positive measures” for the elimination of inequalities. 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 organs and committees of research and technology. At the same time, quotas unfavorable to women regarding their admission in the Police and Fire Brigades Academies have been abolished.

22. Some of the **main challenges** Greece faces in the field of gender equality are the employment rate of women, which remains lower than the respective rate for men, the higher unemployment rate of women, and the pay gap between men and women, reaching some 20%.

23. Legislation on the **equal treatment between men and women** (Law 3488/2006, recently replaced with Law 3896/2010) strictly forbids any form of direct or indirect gender discrimination, in the field of employment and working conditions. Furthermore, the relevant legislation contains provisions on the protection of maternity and the facilitation of parental leaves for both parents. It also addresses directly sexual harassment, which is now considered as a form of gender discrimination in the workplace. It is to be noted that the Office of the Ombudsman has been designated as the body monitoring the implementation of the principle of equal treatment between men and women, in both the public and the private sectors, while for the private sector a special co-operation scheme with the Labour Inspectorate (SEPE) is provided for.

24. In the same vein, programs have been designed and implemented in order to promote the **employment of women**, including by providing that 60% of the beneficiaries of programs subsidizing enterprises to hire new employees or individuals to set up their own business shall be women, as well as to reconcile working and family life, in particular by establishing children care structures and by instituting a special maternity leave.

25. **Violence against women** is considered not only as a criminal offence but also as one of the gravest forms of gender-based discrimination. A Law to fight domestic violence was adopted in 2006, which, inter alia, provides for more severe penalties for offences related to domestic violence; establishes a criminal mediation procedure for domestic violence crimes; punishes as a criminal offence marital rape; explicitly prohibits physical violence against minors; ensures protection to victims both by enabling their access to justice and guaranteeing their safety inside and outside home. The scope of the Law also covers stable partnership relations between a man and a woman who are not married. However, the number of women victims of domestic violence has not significantly decreased since the introduction of the Law. In 2009, a comprehensive Action Program, financially supported by the National Strategic Reference Framework, has been designed, aiming at combating gender-based violence, in particular through the creation and upgrading of consultation centers and shelters, the development of support services and legal assistance, awareness-raising and training activities and different synergies with women’s and civil society organizations.

26. The General Secretariat for Gender Equality has developed the **National Program for Substantive Equality 2010–2013**, which comprises three pillars, concerning, respectively, improvement of the relevant legislation, gender equality policies (including policies against violence and multiple discrimination) and gender mainstreaming, with actions/projects including, among others, awareness raising on the importance of gender equality in local economic development, enhancement of cultural citizenship, social inclusion of vulnerable groups through an “International School of Culture and Communication”.

27. Furthermore, the Hellenic Police has issued a manual on the handling by the Police of domestic violence cases, providing guidance to all citizens, as well as to victims, in particular women.

28. In addition, special programs have been implemented in order to contribute to the elimination of negative stereotypes about the role of men and women in society and the family.

29. Finally, the General Secretariat for Gender Equality and the Research Center for Gender Equality have jointly implemented programs and prepared studies on issues regarding Roma populations, education and trafficking in human beings.

### C. Trafficking in human beings

30. During the last ten years, Greek authorities have taken important steps to address the issue of trafficking in human beings in a comprehensive and effective manner. Greece had become a country of transit and destination of victims of trafficking, a new reality which called for decisive action from all stakeholders involved.

31. Since 2002, public authorities and civil society have gradually created a solid preventive, protective and prosecutorial framework. Greece has enhanced its efforts to respond to the problem, including through legislative reforms, inter-agency coordination, extensive protection to the victims, awareness raising campaigns, and systematic prosecution of criminal networks exploiting trafficked victims. Cooperation with international organizations and countries of origin, transit and destination has also been strengthened. There is a growing dynamic that is already producing results. During 2009/2010, prosecutions rose by 65%, convictions rose by 52%, and protection & assistance for victims identified by the Public Prosecutor, increased by 60%.

32. The National Coordination Mechanism (NCM), composed of representatives of all competent Ministries as well as the IOM, will continue focusing on a four-pronged Action Plan with a view to further improve Greece’s record in “Prosecution, Protection, Prevention and Partnership”. The NCM endorses a consistent human rights roadmap, leading to a less strict and more inclusive identification regime for the victim and to more positive results in counter-trafficking. The Government’s political will is to be among the leading players in the international endeavor for confronting modern forms of slavery. To that end, Greece has ratified the United Nations Convention against Transnational Organized Crime and its Protocols – the “Palermo Convention” – and has signed the Council of Europe Convention on Action against Trafficking in Human Beings. Within this framework, an important Memorandum of Understanding was concluded between all relevant stakeholders in 2006. Initial and continuous training on trafficking in human beings has been incorporated in the curriculum of the National School of Magistrates.

33. **At the legislative level**, Law 3064/2002, punishes contemporary forms of human trafficking as well as the exploitation of the sexual life of persons belonging to vulnerable population groups, such as women, foreigners and minors. A 2003 Presidential Decree determines the agencies, the measures and the ways and means of providing assistance to

victims of trafficking, including in the fields of housing, healthcare and legal assistance. The status and situation of victims was further improved by Law 3386/2005, which foresees the issue of a residence permit, renewable under certain circumstances, to trafficking victims who cooperate with the competent authorities and prohibits expulsion during the “reflection period”. Further improvements of the legislative framework, with regard to victims of trafficking, in particular children, have been introduced by Law 3811/2009 on compensation of victims of violent intentional crimes. 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 immigrants and provides for the possibility of granting stay 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 recommendations of the NCHR have contributed to the strengthening of the protection framework. During the period 2006-first quarter of 2010, stay permits have been granted to 102 victims of trafficking. Furthermore, Greece has ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Law 3727/2008).

34. **At the operational level**, police action against traffickers has intensified and has yielded positive results. Seventeen (17) 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, 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. A Memorandum on Police Action and Best Practices for handling human trafficking cases has been sent to police services. Moreover, the Operational – Interagency Action Plan “Ilaeira” concerning the fight against trafficking in women and children is an important initiative which combines operational (police – judicial) action and the provision of assistance and protection to victims.

35. Furthermore, two Public Prosecutors have been appointed in Athens in order to handle human trafficking cases, while awareness-raising and continuous training of judges on trafficking issues has been promoted.

36. Finally, **assistance to victims** is provided through the National Center for Social Solidarity of the Ministry of Health and Social Solidarity, which offers services such as counseling, psychological support, temporary hosting in shelters, a hotline etc. Programs have also been implemented by the Ministry of Labor and Social Security within the scope of the EU EQUAL Initiative, aiming at ensuring conditions for the effective and integrated support to victims of trafficking, as well as actions addressing target groups of professionals (employers, journalists, etc.) and the wider population.

#### **D. The situation of Roma**

37. Greek Roma constitute an integral part of the Greek population. They fully enjoy civil and political, economic, social and cultural rights, as all Greek citizens. 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.

38. The challenges that the situation of Roma poses to the authorities have been highlighted by national human rights institutions and international monitoring bodies. The



Greek Ombudsman regularly investigates allegations of exclusion in different fields, putting special emphasis on the need for coordination between state agencies, local government and civil society. The Children's Rights Section of the Office of the Ombudsman has addressed issues related to the education and medical care of Roma children. The NCHR has issued a number of recommendations on Roma issues. Reports and recommendations of the Council of Europe Commissioner for Human Rights and the European Commission against Racism and Intolerance (ECRI), decisions of the European Committee of Social Rights as well as the Concluding Observations of UN treaty bodies, have drawn the attention of Greek authorities to a number of difficulties and shortcomings.

39. 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. In 2002, the authorities launched an Integrated Action Plan (IAP) for the social integration of Greek Roma, within the National Action Plan for the social inclusion of socially vulnerable groups of the population. The IAP for 2002–2008, addressed all Greek Roma without discrimination on the grounds of religion and was structured upon two priority segments: housing rehabilitation and the provision of supplementary services in the fields of education, health, employment, culture and sports, giving priority though to districts holding projects of organized town building. The IAP incorporated the conclusions of the social dialogue held between the Roma and the Greek State in the 1990s, with a view to dealing with the problems faced by the Roma at the local level.

40. In respect of **housing**, one of the most challenging interventions in implementation of the IAP has been a mortgage loans' scheme for 9,000 Greek Roma living in shacks, tents or any other construction that do not meet minimum requirements on permanent habitation. The program is financed exclusively by State guaranteed national resources and addresses strictly main residence purposes. Beneficiaries are entitled to a loan of 60,000 € under favorable payment terms. Up to date, the Ministry of Interior has allocated 7,854 (87.24%) housing loans to an equal number of families all over Greece, whereas a total of 6,564 beneficiaries have already initiated the disbursement of their loan (83.58%) from the banks participating in the program. The Program has been under constant review, to adjust to evolving realities and needs. The 2006 comprehensive legislative review introduced, inter alia, social assessment criteria taking into consideration Roma's particular living conditions and cultural needs, removed permanent residence requirements, established evaluation committees at the local level with the participation of Roma representatives, established stronger monitoring terms and encouraged the active engagement of local authorities. At the same time, the program has promoted equal gender participation and children's rights, while inciting persons of Roma origin, who have not done so, to register and obtain identification documents, thus ensuring access to social services. In this regard it is noted that following the 2006 legislative reform, 56% of the beneficiary families are headed by a woman whereas 91% of the beneficiaries respond to the criterion of "large families", comprising in total 6,726 children.

41. Housing rehabilitation interventions provided also for the establishment of new settlements or the amelioration of living conditions in existing ones, through basic infrastructure projects in municipalities with Roma population (i.e. 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 for organized town building).

42. In the field of **education**, highlighted as a matter of priority by the NCHR, concerted efforts have been made with the aim of fostering Roma students' integration in the education system and reducing drop-out rates. Initially, enrolment procedures have been facilitated by means of the "student itinerant card" as well as the granting of an annual allowance to families with low income for every child enrolled in public schools of

compulsory education. Furthermore, programs with regard to the education of Greek Roma students, which started with the initiative of the Ministry of National Education and are co-funded by the EU, have been implemented since 1997. The implementation of the latest “Program for the education of the Roma children”, which will be completed in 2013, aims at further reinforcing the access of Roma children to compulsory education while meeting their specific educational needs and respecting their diversity. The planned educational interventions have taken into consideration the special circumstances in which Roma students often live, and promote coordinated action between both the Ministries and any local government authorities involved.

43. Additionally, since 2008 at the beginning of every school year the Greek Ministry of Education has issued a Circular according to which all Heads of School Units are reminded of their obligation to enroll Roma pupils at primary schools, while the importance of access of Roma children to pre-school education is stressed. Instructions and information are also given as to how enrolment problems related to the non-fulfillment of prerequisites -such as prior student vaccination and the submission of permanent residence certificates- may be resolved. Furthermore, the Ministry is striving to ensure the integration of Roma children in mainstream classes and has recalled, to this effect, that the exclusion, segregation and marginalization of Roma students are against the Greek Constitution and legislation as well as a number of binding international instruments.

44. **Further supplementary measures** adopted in favor of persons of Roma origin include access to the labor market and promotion of Roma entrepreneurship, visits to Roma camps by Mobile Medical Units, establishment of alternative administrative procedures, etc. Worth mentioning is the establishment of Socio-medical Centers in 33 municipalities. It is to be noted that participatory procedures, engaging Roma representatives and the competent authorities, have been established at all levels. Local authorities have established an inter-municipal Rom network of municipalities in which Roma people reside. Roma also participate in the public and political life of the country and in central or local government bodies. They also organize themselves in collective representative bodies (associations, NGOs, etc.) for the promotion of their interests.

45. Moreover, 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.

46. Upon completion of the operational period of the IAP for the social integration of Greek Roma (2002–2008), the Greek authorities have to respond to some unsatisfying situations, mostly related to the local level.

47. Following the *Kallikratis* institutional reform of Self-Government and Decentralized Administration in Greece (Law 3852/2010), the effective tackling of long-lasting issues Roma are faced with in relation to their equal integration into the society, has necessitated a holistic administrative intervention based on the synergy of actions at the local, regional and central level. A wide range of crucial questions are reviewed to this direction, based on the deficits which have already been identified and the review of the projects held so far; the assessment held on the IAP; and on the identification of available financing instruments given the present financial conjuncture. Additional questions, such as the development of the civic status of the population to a major question and priority issue, in line with the recommendations of the Ombudsman and the NCHR, are placed in the center of the review and reform currently undertaken. Particular attention is also paid on the fragmentation of actions, the lack of systematic monitoring and adequate targeting of the interventions which are being implemented, based on the priorities set by different needs of the Roma

community at the local level. To this end, the development of comprehensive local intervention projects is considered of great importance. Further accompanying actions on awareness raising to combat discrimination and existing prejudices against Roma on the basis of all possible dimensions of social exclusion and intolerance, rather than on identity criteria such as on ethnicity or racial origin, are equally addressed within this greater effort in cooperation with International Organizations and local authorities, starting with the 2<sup>nd</sup> European Roma Women Conference hosted by Greece in January 2010 for promoting Roma women's empowerment and emancipation in Greece but also in Europe.

## **E. Police accountability**

48. The strategic goal of the Ministry of Citizen's Protection and the Hellenic Police Headquarters has been, and continues to be, the operation of a modern, effective and socially sensitive police force, close to the citizen. To this effect, full respect for human rights, continuous updating on human rights issues, supervision and control of the police personnel regarding the implementation of the legislation in force are matters of top priority.

49. 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, covering a wide variety of fields, such as prevention and punishment of torture and ill-treatment, safeguard of the rights of detained persons and the fight against 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 citizens. 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.

50. 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. It is to be noted that European Court judgments are forwarded to all services and staff with the view of their implementation and the raising of the awareness of police personnel.

51. Instances of misconduct of members of the police personnel, even though they constitute isolated cases, are handled as a matter of priority, in a fair and objective manner. Stricter disciplinary law rules and procedures have been enacted, guaranteeing a more thorough investigation of allegations of police misbehavior. Periodic national reports to UN treaty bodies contain detailed statistical data on cases of investigation of complaints against police officers for ill-treatment and on cases of use of arms by the abovementioned officers.

52. Another important development is the obligation of police authorities to investigate the existence of racist motives in penal and administrative cases, in which foreign citizens or persons belonging to vulnerable groups are involved. Furthermore, a 2008 circular of the Public Prosecutor at the Supreme Court, addressed to all Prosecutors, provides that, in case of complaints about ill-treatment of Greek or foreign citizens by State agents, the Prosecutors shall react immediately by prosecuting the acts and, if necessary, by ordering a forensic examination of the victims.

53. The Ministry of Citizens' Protection is currently drafting provisions on the establishment of an Office, subject to the Minister, responsible for handling alleged instances of abuse. The aim of the Office is to review in an effective manner instances of

ill-treatment of individuals or violations of human dignity by police officers. The mission of the Office will be to collect, register, assess and further refer for investigation complaints about acts of Police, Coast Guard and Fire Brigade officers in the exercise of their duties or in abuse of their officers' status. Furthermore, it will investigate cases for which a violation has been found by the European Court of Human Rights.

54. 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.

## **F. Rights of detainees**

55. In order to tackle the problem of overpopulation affecting Greek prisons, six new detention facilities have been constructed since 2001, with a capacity of 600 persons each and one more facility will be completed by the end of March 2011. Greek legislation (already in force or at the drafting stage) enhances non-custodial penalties, such as community service, conversion of custodial penalties into pecuniary ones, suspension of the execution of penalties. In line with applicable international instruments and in order to protect human dignity, women detainees may no longer be subjected to cavity searches. Cooperation plans with university hospitals have been developed for the provision of medical and psychiatric services to different detention facilities.

## **G. Rights of lesbian, gay, bisexual and transgender persons**

56. As already stressed, the anti-discrimination Law 3304/2005 provides for the implementation of the principle of equal treatment regardless, *inter alia*, of sexual orientation in the fields of employment and occupation and prohibits indirect discrimination. The Ministry of Justice, Transparency and Human Rights follows the guidance given in this field by relevant international instruments, in particular within the framework of the Council of Europe, taking into account the level of maturity the Greek society reaches in this respect.

## **H. The situation of irregular migrants and asylum seekers**

57. The situation of irregular migrants and asylum seekers is one of the most pressing challenges which need to be addressed as a matter of priority. Harsh conditions of detention of irregular migrants and structural and practical deficiencies in the asylum procedures have repeatedly been pointed out by the NCHR and other national and international bodies and NGOs.

58. At the same time, 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. The following statistical data are significant in this respect. The number of persons detected for illegal entry or stay in Greece rose to 146,000 in 2008, 126,000 in 2009 and almost 132,000 in 2010. In fact, according to the latest FRONTEX data, Greece now accounts for 90% of all detections of illegal border crossings in the EU. With regard to applications for asylum, their number was 19,884 in 2008, 15,928 in 2009 and 10,422 in 2010. According to EUROSTAT, Greece ranks 6<sup>th</sup> in the EU in the number of asylum applications, despite its relatively small population. In addition, the Dublin II Regulation (which determines the EU Member State responsible to examine

asylum requests) places a disproportionate burden on Greece, which is, in many cases, the first point of entry in the EU.

59. It is self-evident that Greece faces a disproportionate pressure in its national asylum system. Improvements can only be achieved through the adoption of concrete measures of genuine and effective solidarity and fair burden-sharing between EU Member States. The European Commission made available a package of €9.8 million under the European Refugee Fund 2010 for emergency measures. This package was an addition to measures already financed under the European Border Fund, the European Refugee Fund and the European Return Fund. Further help is also provided by teams of experts, comprising the Commission, Member States and UNHCR experts. As the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment Mr. Nowak stated following his recent visit in Greece (October 2010), this is a truly European problem which needs a joint European solution. The conclusion of EU readmission Agreements with countries of origin and transit is also of critical importance, as well as the better implementation of existing bilateral readmission agreements with third countries and the revision of the Dublin II Regulation.

60. The above constraints, however, do not relieve Greek authorities from their obligation to fully respect international human rights and refugee law. Since October 2009, temporary measures have been taken or designed to improve the condition of irregular migrants and asylum seekers.

61. The National Action Plan on the reform of the asylum system and migration management, recently submitted to the European Commission and which is to be implemented within three years, foresees a series of actions, with a particular focus on the screening of irregular migrants and their detention, repatriation and return. A newly adopted law (January 2011) includes provisions on the establishment of a First Reception Service within the Ministry of Citizen Protection, that will coordinate the operation of First Reception Centers in border areas facing significant pressure.

62. At the same time, the overburdened asylum system is undergoing a radical reform. In November 2010, a Presidential Decree was published, setting out a transitional asylum procedure, which, among others, provides for a “fast-track” and a “normal” procedure and re-establishes and improves the functioning of the Appeals Committees, with the participation of one representative of the UNHCR. The most pressing task of the said Committees will be to clear the backlog of some 46,000 asylum requests pending for years at the second instance. A speedier and more flexible and efficient procedure is also foreseen with regard to the first-instance examination of asylum requests. The abovementioned January 2011 law establishes a new Asylum Service which will operate within the Ministry of Citizens’ Protection, independent from the Hellenic Police. The Asylum Service will be staffed by especially trained and qualified civilian personnel and will be responsible for all policy and administrative issues related to asylum.

## **I. Guarantee of migrants’ rights and promotion of their social integration**

63. During the 1990s, Greece, traditionally a country of emigration, became a country of immigration, at a very rapid pace, in a changing global and regional environment. This situation created unprecedented difficulties, which were not always tackled in an effective manner, while important administrative shortcomings were experienced. Progressively, however, a new legal and policy framework was introduced so as to ensure an efficient, rationalized and non-bureaucratic handling of migration flows as well as the creation of an enabling environment for the promotion and protection of the rights of migrants.

64. 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. Furthermore, Greek legislation sets out the conditions for obtaining the long-term resident status, which further extends equal treatment with nationals. 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.

65. Two recent legislative amendments in the critical fields of citizenship and political rights promote the social inclusion of migrants living in Greece in all spheres of the social life of the country. Greek citizenship may be acquired by children of foreign citizens who are born in Greece and continue to reside therein, provided that at the time of submission of the application one or both of their parents have been legally residing in Greece for at least five consecutive years; the same applies to children of foreign citizens who have successfully completed at least six grades of a Greek school in Greece and reside legally and permanently in Greece. Furthermore, any person who is born on Greek territory acquires Greek citizenship provided that one of his/her parents is born in Greece and resides permanently in the country since his/her birth. Moreover, the naturalization procedure has been decentralized and rationalized and became more transparent. With regard to political rights, foreign citizens of Greek descent and long-term legally residing third country nationals may vote and stand as candidates in municipal elections.

66. The Greek Government recognizes that an effective social integration policy is of vital importance for the prevention of social exclusion, racism and xenophobia and the promotion of social cohesion. Such a policy should be based on respect for the cultural, religious and other characteristics of foreign nationals, together with knowledge of the language, history and culture of the host country. In this respect, a number of actions have been implemented, or are going to be implemented, within the framework of Annual Programs of Greece, under the European Fund for the Integration of third country nationals. The above activities (information and awareness-raising campaigns, training programs, etc.) concern both the host society, including civil servants, and third country nationals legally residing in Greece. In addition, the recent Law 3852/2010 on the administrative reform of the country (*Kallikratis* Program) provides for the first time for the establishment of Councils on Immigrant Integration in the municipalities, composed of municipal counselors, representatives from local immigrant communities and representatives from various social institutions.

## **J. The rights of persons belonging to minorities**

67. Greece firmly believes that the protection afforded to persons belonging to minorities should be based on full respect for human rights and freedoms and the implementation of relevant international treaties. Greece officially recognizes as a minority the Muslim minority in Thrace, which consists of three distinct groups, whose members are of Turkish, Pomak or Roma origin, Muslim faith being the common denominator of the aforementioned components. Each of these groups has its own distinct spoken language and cultural traditions and heritage, which are fully respected by the State. The status of the above minority is regulated by the 1923 Treaty of Lausanne. Further to fully complying with the relevant provisions of the Lausanne Treaty, Greek policy and legislation reflect and implement contemporary human rights norms and standards, as well as the European Union *acquis*, aimed at improving the living conditions of the members of this minority and their smooth integration into all aspects of both local and national society.

68. Important measures in favor of the members of the Muslim minority in Thrace have been adopted by the Greek Governments in recent years, covering a wide variety of sectors. Particular attention is paid to the field of education. Other measures which have been 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 through special measures. 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 programs and projects, co-financed, in some cases, by the European Union, focusing on horizontal issues, being treated in the present report, particularly combating discrimination, fighting against intolerance and promoting gender equality / access to employment / inter – cultural dialogue / human rights education.

69. In the field of education, Greece has ensured the proper running of the minority schools in Thrace. An increasing number of students belonging to the Muslim minority in Thrace are showing preference for the public education system. The Greek state has successfully accommodated this preference with measures aimed at preserving their cultural and linguistic characteristics such as piloting optional Turkish language courses in schools in Thrace and offering language and culture courses for Muslim parents. Moreover, relevant programs, initiated by the Ministry of National Education and co-funded by the E.U, have been implemented since 1997. The implementation of the latest “Program for the education of the children of the Muslim minority in Thrace”, to be completed in 2013, aims at further combating the phenomenon of drop-outs and fostering the integration of Muslim students in Greek schools.

70. Some additional measures that have been taken in favor of Muslim students include a) a special quota of 0.5 percent for the admission of Muslim students in higher education while Law 3404/2005 introduced a designated number of places in Higher Technological Institutions for Muslim graduates of vocational schools, b) grants of 500 Euros per month to Muslim students in higher education every academic year, and c) a special scholarship for students from schools of the Muslim minority.

71. With regard to freedom of religion, there are more than 300 Muslim places of worship in Thrace. Muftis are selected through fully transparent procedures, similar to those applied all over the Muslim world, with the active participation of prominent Muslim personalities of the local society. The integrity and transparency of the process is also important given the judicial authority bestowed on the Muftis on certain matters of family and inheritance law. Recent laws promoted the appointment of religious faith teachers to the three Mufti Offices, as well as access to a state salary, if they so choose, and to health and retirement benefits; the above benefits were extended to Imams, preachers and teachers of the Holy Koran. With regard to Muslim Foundations (Wakifs), Law 3647/2008 foresees the election of the members of the three main Management Committees, a longstanding request of the Muslim minority met by the Greek state, whereas, as of 2008, Muslim Foundations are exempt from paying the Major Property Tax for property that is being used for their charitable purposes.

72. Members of the Muslim minority have the option to bring cases pertaining to family and inheritance law either to the local Muftis or to civil courts. The above courts also review the decisions taken by the Muftis within their jurisdiction in order to determine their compatibility with the Greek Constitution and international human rights treaties. Greece takes seriously into account the need to strengthen the abovementioned review exercised by domestic Courts.

73. 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. The European Court of Human Rights has

found, in three cases, that court decisions dissolving or refusing to register an equal number of associations, were in breach of the ECHR. The Government examines ways and means to execute the abovementioned judgments of the European Court.

74. As regards freedom of expression, seven (7) minority radio stations, nine (9) minority newspapers and nine (9) minority magazines are part of an open, vibrant and pluralistic media environment in Thrace.

75. Candidates belonging to the Muslim minority in Thrace have traditionally been elected as members of the Parliament. Currently, there are two MPs members of the Muslim minority in Thrace, both elected with the governing party. Moreover, about 240 persons belonging to the minority have been elected or appointed to a wide range of positions in the region's Local Administration.

76. The Greek Government attaches great importance to the dialogue with civil society, a dialogue which is an all-inclusive process aimed at promoting and enhancing prosperity, stability and equal opportunities for all Greek citizens, irrespective of their religious beliefs or cultural backgrounds. It is, therefore, through this process that the Greek Government will continue to seek further ways and means to meet the needs of the members of the Muslim minority and enhance their progress, prosperity and well – being.

77. Greece's general policy towards the members of the Muslim minority and its positive measures, as well as possible, further steps to address any remaining challenges, are reflected in reports by international and regional human rights bodies, such as the 2009 CERD conclusions / recommendations and the 1704/2010 Resolution of the Parliamentary Assembly of the Council of Europe (P.A.C.E.).

78. Greece recognizes that any person who claims to belong to a distinct ethnic or cultural group is free to do so, with no negative consequences deriving from such a choice. However, such subjective claims or perceptions of a small number of persons, which are not based on objective facts and criteria, are not sufficient by themselves to impose to a State an obligation to officially recognize a group as a minority and to provide to its members specific minority rights, additional to those guaranteed by human rights treaties. This view is fully in line with the approach adopted by modern human rights treaties in the field of minority protection. Furthermore, according to the same standards, all ethnic, cultural, linguistic or religious differences do not necessarily lead to the creation of national or ethnic minorities. Within this framework, the non-recognition of numerically small groups as a national minority does not imply discriminatory treatment or the creation of a "protection gap", provided of course that the members of such groups fully enjoy their human rights and freedoms under the conditions set out in the relevant universal and regional human rights treaties.

## **K. Fight against intolerance - human rights education**

79. The fight against intolerance requires an effective legislative framework, as well as the implementation of awareness-raising and training activities addressed both to the general public and public officials.

80. Criminal legislation, enforced by the competent courts, is one of the available tools in this respect. 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, as well as the expression in public, either orally or by the press or by written texts or through depictions or any other means, offending ideas against any individual or group of individuals. Prosecuting authorities may press charges *ex officio* with respect to the abovementioned acts. Although some related cases were brought before the courts in the last three years, in one of which



the defendants were convicted by a final court judgment, Law 927/1979 remains underutilized. However, the relevant legislative framework will soon be updated and strengthened, through the imminent transposition into the Greek legal order of the EU Council Framework Decision 2008/913/JHA, of 28 November 2008, on combating certain forms and expressions of racism and xenophobia by means of criminal law.

81. It is also to be noted that a 2008 amendment to the Criminal Code provides that the commission of an offence motivated by ethnic, racial or religious hatred, or hatred on account of a different sexual orientation, constitutes an aggravating circumstance.

82. Legislation regulating electronic media contains provisions related to the prohibition of hate speech, while 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. Presidential Decree No. 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. Moreover, the abovementioned independent authority has imposed administrative sanctions to radio and television stations, which have not respected their obligation not to broadcast racist, xenophobic or intolerant speech. The public radio and television network undertakes activities, among which the operation of a radio station broadcasting in languages of migrants living in Greece, to promote tolerance, eradicate prejudice and foster mutual understanding.

83. In the field of education, and in view of the growing number of students with multicultural characteristics, Law 2413/1996 sets the basis for intercultural education and for action with regard to the educational needs of groups with different social, cultural or religious characteristics. Valuable aid for foreign and repatriate students has been offered since 1998 through programs on the “Education of Immigrant and Repatriate Students”, initiated by the Ministry of National Education and co-funded by the E.U. The implementation of the latest “Program for the education of Immigrant and Repatriate Students,” which will be completed in 2013, aims at further fostering students’ integration as well as enabling them to develop their skills in the new school environment and sufficiently acquire the Greek language.

84. Additionally, the key concepts and principles of intercultural and human rights education are now included in the new cross-thematic school curricula. Textbooks in both primary and secondary education have been, and continue to be, revised to reinforce understanding and respect for the “different” and enhance interest in other people’s beliefs, ways of living and thinking.

85. Teacher-training and sensitization has so far included a considerable amount of induction in the theoretical background and philosophy of intercultural education, as well as the use of the new teaching material for foreign students.

86. Training in human rights of public officials is of primary importance for the prevention of human rights violations. Human rights education, with a particular emphasis on the fight against all forms of discrimination has been mainstreamed into all forms of training of public officials. Continuous human rights training of police personnel, also in cooperation with international organizations and NGOs, has already been mentioned. Relevant teacher training programs on dealing with a more and more “diverse” classroom have been implemented. Courses related to human rights are included in the study program of the National School of Magistrates, while an important number of training seminars have been organized and followed by members of the judiciary.

87. Tolerance is also promoted through the acknowledgment of religious diversity in the society. The Greek authorities are taking the necessary steps for the construction of a mosque in a plot of land in the Municipality of Athens, to be ceded by the State. At this

stage, some legal arrangements remain to be completed, in order to resolve outstanding issues. It is expected that in 2011 the Greek State will be ready to proceed to an international architectural competition for the construction of the mosque.

## L. Social and economic rights

88. Greece is going through a challenging economic and financial situation. In 2010, the euro area Member States of the EU decided to provide stability support to Greece, in conjunction with multilateral assistance provided by the International Monetary Fund. Within this framework, the Government is currently implementing measures of fiscal adjustment, covering wide sectors of the social and economic life of the country, such as employment, health sector, social security, etc. Inevitably, the above measures have a profound impact on the society as a whole. The policies pursued by the Government, however, are necessary in order to safeguard the “social welfare state”, under threat from the dire situation of public finances. Every effort is being made to mitigate the effects of the above policies on the more vulnerable groups of the population and to establish adequate safety nets (through the adoption of concrete measures, in particular in the fields of employment, reintegration into the labor market, pensions, etc.). The above measures taken by the Government aim at leading the country back to the path of sustainable economic growth, promoting the enjoyment of economic and social rights for all.

89. **Social security** is guaranteed by the Constitution (Article 22 § 5) for all persons legally working in the country. The recent social security law ensures the financial viability of the social security system, which from now on can overcome all future and emergency situations.

90. Furthermore, according to Article 22 of the Constitution, the state protects the **social right to work** and ensures the creation of conditions for employment. Integration into the labor market of groups traditionally at risk of exclusion, such as new entrants in the labor market, women, people with disabilities, long-term unemployed and elderly unemployed, is dealt with as a matter of priority.

91. With regard to the **right to housing**, there are 21,216 cases of people who live, in various forms, outside home. A one-off financial support benefit has been increased in 2009 from 234.78 € to a maximum of 600 €. Programs of social protection to combat poverty and to assist persons hit by natural calamities are being implemented through regional authorities. Housing programs addressed to refugees, asylum seekers and unaccompanied children are also operational. In the context of the Popular Housing Program, houses owned by the Ministry of Health and Social Solidarity are granted to families facing housing problems.

92. With regard to the **right to health**, it is to be noted that free hospital and medical treatment is provided to uninsured and financially disadvantaged Greek citizens, nationals of EU Member States, foreigners legally residing in Greece, asylum seekers and financially disadvantaged refugees, victims of trafficking who are uninsured, as well as foreign nationals, regardless of their immigration status, suffering from infectious diseases.

## M. Rights of the child

93. The safeguard of the best interests of the child constitutes a principle upon which all measures related to children are based. Integrated actions for the protection of children’s rights have been developed in areas such as the fight against social exclusion, financial support and maternity benefits, social care of unprotected children, alternative care of children, etc. Legislation and policies on domestic violence and trafficking in human

beings, already mentioned, are particularly relevant to the protection of the rights of the child. With regard to preventing and combating corporal punishment of children, Article 4 of Law 3500/2006 against domestic violence clarifies that “corporal punishment is not allowed in the framework of upbringing and educating children”.

94. Recent laws ratifying the OP to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse amended criminal law provisions related to crimes against sexual freedom and crimes of economic exploitation of sexual life. New measures include stricter penalties against perpetrators, suspension of statute-barring until the victim comes of age, inapplicability of personal data protection provisions during the investigation of crimes against sexual freedom and economic exploitation of sexual life, crime prevention, awareness-raising and training, assistance to child victims, etc. More recently, Law 3860/2010 further updated and strengthened Greek legislation on minors, taking into account the UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules).

95. The situation of unaccompanied children is a cause of concern for the Greek authorities. A 2007 Presidential Decree sets the basis for the solution of a chronic problem, including for children who have not applied for asylum.

96. Children are also protected on the basis of several provisions of Presidential Decree 109/2010, in particular against potentially harmful audiovisual content in broadcasts and commercial communications.

97. Law 3454/2006 on the «Support of families» recognizes families with three children as beneficiaries of financial and institutional allowances and benefits.

98. Furthermore, Law 3730/2008 has been adopted “for the protection of minors from tobacco and alcoholic drinks”.

## **N. Rights of persons with disabilities**

99. The promotion of the rights of persons with disabilities and their equal participation in the economic, social and political life of the country is mandated by the Constitution. The Ministry of Health and Social Solidarity monitors the operation and functioning on in- and outpatient care agencies, determines the level of financial support, exercises the welfare benefits policy, approves and finances de-institutionalization programs, grants transport cards and implements camping programs for children and adults. Currently, ten programs of financial support of persons with disabilities are being implemented, regardless of financial and income criteria, and it is estimated that, during 2009, 194,000 persons with disabilities have benefited from welfare support programs.

100. Finally, according to Article 8 of Presidential Decree 109/2010, media services providers should gradually make their services and programs accessible to persons with disability, namely those with hearing or seeing impediments.

## **IV. Conclusion**

101. In the present report, we tried to give a sincere and accurate picture of the human rights situation in Greece and to identify achievements and priorities, challenges and shortcomings. Greece pledges to continue to pursue policies and initiatives in all critical fields of human rights protection, in cooperation with national human rights institutions and civil society, taking into account the outcome of the UPR process, as well as the

recommendations of relevant monitoring mechanisms, in order to ensure full, equal and effective realization of all human rights.

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