

**Report to the OSCE  
Implementation Meeting on  
Human Dimension Issues:  
Greece**

**Warsaw, 17-27 October 2000**

---

**by the International Helsinki Federation  
for Human Rights (IHF), Greek Helsinki Monitor  
(GHM) and Minority Rights Group-Greece (MRG-G)**

**This report was published jointly by the International Helsinki Federation (IHF), Greek Helsinki Monitor (GHM) and Minority Rights Group-Greece (MRG-G).**

**International Helsinki Federation for Human Rights (IHF)**  
Wickenburggasse 14/7  
A-1070 Vienna, Austria  
Tel. +43-1-408 88 22  
Fax: +43-1-408 88 22-50  
E-Mail: [office@ihf-hr.org](mailto:office@ihf-hr.org)  
Internet: <http://www.ihf-hr.org>

**Greek Helsinki Monitor (GHM)**  
P.O. Box 60820  
GR-15304 Glyka Nera, Greece  
Tel. +30-1-347 22 59  
Fax +30-1-601 87 60  
E-mail: [office@greekhelsinki.gr](mailto:office@greekhelsinki.gr)  
Internet:  
<http://www.greekhelsinki.gr>

**Minority Rights Group-Greece (MRG-G)**  
P.O. Box 60820  
GR-15304 Glyka Nera, Greece  
Tel. +30-1-347 22 59  
Fax +30-1-601 87 60  
E-mail: [nafsika@greekhelsinki.gr](mailto:nafsika@greekhelsinki.gr)  
Internet:  
<http://www.greekhelsinki.gr>

**The International Helsinki Federation for Human Rights (IHF)** is a non-governmental organization, which monitors compliance with the human rights provisions of the Helsinki Final Act and its follow-up documents. In addition to supporting and providing liaison among 39 Helsinki Committees and cooperating organizations, the IHF has direct links with human rights activists where no Helsinki Committee exists. It criticizes human rights abuses regardless of the political system of the state where these abuses occur.

President: Ludmilla Alexeyeva  
Executive Director: Aaron Rhodes  
Deputy Executive Director: Brigitte Dufour

**Greek Helsinki Monitor (GHM)**, since 1993, is the Greek member of the International Helsinki Federation. In 1998, GHM became a member of the International Freedom of Expression Exchange (IFEX) and in 2000 of the Euro-Mediterranean Human Rights Network. GHM monitors, publishes and lobbies on human rights issues in Greece and, occasionally, in the Balkans. It has participated and often coordinated the monitoring of Greek and Balkan media for stereotypes and hate speech. It has co-published 'Hate Speech' in the Balkans (ETEPE, 1998) and Greece Against its Macedonian Minority: the Rainbow Trial (ETEPE, 1998). Since 1997, in cooperation with the European Roma Rights Center, it runs a Roma Office for Greece. In 1998, GHM was one of the initiators of the Center of Documentation and Information on Minorities in Europe - Southeast Europe (CEDIME-SE).

Spokesperson: Panayote Dimitras

**Minority Rights Group - Greece (MRG-G)** was created as the Greek affiliate of Minority Rights Group International in 1992. MRG-G focused mostly on the studies of minorities, in Greece and in the Balkans. It has prepared detailed reports on ethnonational, ethnolinguistic, religious and immigrant communities, in Greece; and on the Greek minorities in Albania and Turkey. In 1998, MRG-G was one of the initiators of the Center of Documentation and Information on Minorities in Europe - Southeast Europe (CEDIME-SE) which operates a web site (<http://www.greekhelsinki.gr>) and two web lists covering human rights issues and comprehensive and comparable presentations of all minorities in the region.

Spokesperson: Nafsika Papanikolatos

© 2000 by the International Helsinki Federation for Human Rights (IHF), Greek Helsinki Monitor (GHM) and Minority Rights Group-Greece (MRG-G).

## **Foreword**

This report is one in series of reports which the International Helsinki Federation for Human Rights (IHF) has submitted to the Review Conferences, Human Dimension Meetings and the Supplementary Human Dimension Meetings of the Organization for Security and Cooperation in Europe (OSCE). Throughout the years the IHF has actively participated in these meetings, it has always valued them as significant fora for both governments and non-governmental organizations to raise human rights concerns in the OSCE participating States.

The IHF believes that the role of the non-governmental organizations in the OSCE meetings – whether in the form of comprehensive country presentations, interventions or informal discussions with government representatives – has significantly encouraged a constructive and open dialogue on current human right problems in the OSCE region.

In the past two years, discussions between the Greek government and Greek Helsinki Monitor (IHF member) at OSCE meetings have resulted in constructive communication on several issues raised in this report. The aim of this document, which will also be submitted to the Greek Ambassador in Vienna, is to encourage and enrich this dialogue and to find solutions to the human rights problems still persisting in Greece.

Aaron Rhodes  
Executive Director  
International Helsinki  
Federation  
for Human Rights (IHF)

Panayote Elias Dimitras  
Spokesperson  
Greek Helsinki Monitor  
(GHM)

Nafsika Papanikolatos  
Spokesperson  
Minority Rights Group-Greece  
(MRG-G)

*“Human rights violations by the administration (...) can be codified with the words arbitrariness-indifference-bias-impunity; they take their most acute form when applied on vulnerable social groups [p. 18]. Often the administration arbitrarily uses public interest as an excuse to restrict individual rights or shows illegal idleness when there is a constitutional obligation to protect human rights. These phenomena will not be eliminated as long as existing disciplinary procedures remain idle. (...) The administration, reproducing the most backward reflexes of our society, often shows its worst face when dealing with members of minority groups [p. 70]. The pathology of human rights in our country is mainly a problem of implementing existing constitutional and legal provisions rather than lack thereof [p. 69]. It is common wisdom that in the administration prevails a feeling of impunity, that in some cases favors occasional illegal actions, or in other cases it perpetuates a status of generalized anomy and corruption [p.70].”*

*Annual Report 1999 of the Greek Ombudsman*

## TABLE OF CONTENTS

### **1. CITIZENSHIP AND STATELESSNESS**

- 1.1. Overview
- 1.2. Naturalization of Foreigners of Non-Greek Descent
- 1.3. Greece's "Article 19" Stateless Persons
- 1.4. Greece's Born Stateless Persons

### **2. FREEDOM OF EXPRESSION**

- 2.1. Overview
- 2.2. Greece Scores Last Among Traditional Democracies
- 2.3. Greece Rejects IPI Appeal to Modernize Legislation
- 2.4. Criminal Convictions on Libel and Defamation Charges
- 2.5. Banning a Radio Station, a Book or a Concert
- 2.6. Journalists Harassed by Mobs Uninhibited by Police Presence
- 2.7. Harassment of Macedonian and Turkish Journalists and Writers

### **3. INHUMAN TREATMENT BY AND IMPUNITY OF POLICE OFFICERS**

- 3.1. Overview
- 3.2. Police Violence Against Minors
- 3.3. Police Violence Against Roma
- 3.4. Police Violence Against Asylum Seekers and Immigrants

### **4. CONDITIONS IN PRISONS AND DETENTION FACILITIES**

- 4.1. Overview

### **5. RACISM AND ANTI-SEMITISM**

- 5.1. Overview
- 5.2. Racially Motivated Decisions by Local Authorities
- 5.3. Racially Motivated Police Misconduct
- 5.4. Racism in Media
- 5.5. Anti-Semitism

### **6. FREEDOM OF RELIGION**

- 6.1. Overview
- 6.2. The Identity Card Reform
- 6.3. Muslims
- 6.4. Jehovah's Witnesses
- 6.5. Protestants
- 6.6. Old Calendarists
- 6.7. Buddhists

### **7. NATIONAL MINORITIES**

- 7.1. Overview
- 7.2. Regression to Traditional Intolerance Towards Ethno-National Minorities
- 7.3. Categorical Rejection of ECRI's Recommendations
- 7.4. Turkish Minority
- 7.5. Macedonian Minority
- 7.6. Roma Minority
- Overview

- Abandoned or Frequently Persecuted Destitute Roma Settlements
- Police Violence
- Bureaucratic Harassment
- Education
- Health Care

## **8. MIGRANT WORKERS**

- 8.1. Overview
- 8.2. Greek Ombudsman: Discrimination Against Foreigners
- 8.3. Painful Legalization and Arbitrary De-Legalization of Migrants
- 8.4. Humiliation in the Streets and in the Hospitals
- 8.5. Albanian: Usual Suspect, Convenient Scapegoat

## **9. HUMAN RIGHTS DEFENDERS**

- 9.1. Overview
- 9.2. Harassment of NGO Activists by the Greek Secret Service
- 9.3. Cancellation of NGO Activities by State Agencies
- 9.4. Entry Refusal for Macedonian and Turkish Minority Rights Defenders
- 9.5. Attempts to Hinder the International Work of Greek NGOs

## **APENDIX 1**

## 1. CITIZENSHIP AND STATELESSNESS

---

### 1.1. Overview

*“Since being a citizen of a country is directly associated with the exercise of fundamental political rights, citizenship is normally granted at the discretion of the responsible authorities and is usually considered the act of a sovereign state, which requires no justification and is not subject to control by the courts.” (Greek Ombudsman, Annual Report 1998)*

This is an internationally accepted norm, but cannot be interpreted as an abusive discretion of the state. Moreover, various U.N. documents commit the state parties to grant citizenship to stateless persons residing on their territories, so as to reduce statelessness. Unfortunately, the Greek state may allow applications for naturalization to remain unanswered for many years, even more than ten. While its repeated commitment to reduce statelessness is questioned by slow administrative procedures that seem encouraged by the absence of political will.

### 1.2. Naturalization of Foreigners of Non-Greek Descent

The following excerpt from the 1998 report of the Greek Ombudsman indicates the arbitrariness of the Greek authorities with respect to naturalization. A French citizen had been waiting for more than ten years to get an answer to her naturalization request. Following the intervention of the Ombudsman reported below, in 1998, the authorities granted citizenship to that person in the summer of 1999. The positive outcome indicates that she was clearly meeting the requirements but the administration did not feel constrained to process the application for more than a decade, certainly an abusive and humiliating attitude towards the individual concerned. The Ombudsman’s recommendation that a reasonable time limit for the response be set had to date been ignored by the Ministry.

*“Article 6 of the ‘Greek Citizenship Code’ specifies the conditions under which foreigners, whether of Greek descent or not, can acquire Greek citizenship by naturalization. For foreigners of non-Greek descent, one of the conditions is to have lived in Greece for at least ten out of the twelve years before submitting their applications or for five years afterwards. Serious difficulties in co-ordination between the Ministry of the Interior, Public Administration and Decentralization and the Ministry of Public Order cause problems for citizenship applicants.*

*For example, a French citizen married to a Greek submitted an application for naturalization to the Ministry of the Interior in 1987. From then until now, whenever the applicant asked about the progress of her application she was given the same answer: that the required legal investigation was being conducted. Furthermore, from time to time, she was asked to provide other documents not required by law, such as certification of the specific type of religious ceremony with which she was married.*

*The Ombudsman contacted the Ministry of the Interior, Public Administration and Decentralization and the Ministry of Public Order, requesting them the reactivation of the investigation which had apparently, for no reason, become dormant. As a result, the police requested the applicant to provide additional information and then sent their report to the Ministry of the Interior. The Ministry’s final decision concerning the naturalization application is still awaited (case 893/6.11.98).*

*It is true that current legislation does not require naturalization cases to be handled within the usual administrative time limits. It would, however, be illogical and contrary to the principle of good administration to claim that the obligation of the public authorities to respond to an application for citizenship is not subject to some reasonable time limit or that the passage of more than ten years since the application constitutes a reasonable delay.*

*(...) Article 5 of Law 2130/93 excludes citizenship applications from the time limits set by article 5 of Law 1943/91 for the answering of petitions. However, the absence of any time restrictions whatsoever has contributed substantially to the particularly long delay in examining such applications. Therefore, it is proposed that a reasonable time limit be set, for example, 18 months, for replying to applicants.”*

### 1.3. Greece’s “Article 19” Stateless Persons

Article 19 of the Greek Citizenship Code (Law 3370 of 1955) was an obvious case of discrimination. It allowed the Greek state to strip minority citizens of their citizenship, under the pretext they had permanently established abroad.

Following international embarrassment, Article 19 was abolished by a parliamentary voice vote on 11 June 1998. The abolition had no retroactive effect: past “victims” of that article cannot claim their citizenship back automatically. The latter are those who have remained stateless within Greece (estimates vary between 300-1,000) or abroad (some 1,400 in Turkey and an unknown number elsewhere) and those who adopted the nationality of another country after they moved there and lost Greek citizenship (the vast majority).

Stateless individuals in Greece have had difficulty receiving social services like health care and education and — until December 1997—were even denied the protection of the 1954 U.N. Convention Relating to the Status of Stateless Persons, which Greece ratified in 1975. As a result of pressure from NGOs and minority deputies and organizations, around one hundred ethnic Turks made stateless under Article 19 have received identity documents from Greek authorities in accordance with the 1954 U.N. Convention. It is important to mention here that these stateless residents of Greece had unjustly been stripped of their citizenship in first place, as they had never settled abroad, a prerequisite of Article 19. In the last two years, many ministers had been promising that stateless residing in Greece would recover their citizenship. Finally, in mid-1999, they were asked to apply for naturalization, as if they were foreigners. For comparison, tens of thousands of former Greek citizens who had been stripped of their citizenship for their participation in the country’s civil war in the late 1940’s recovered their citizenship in the early 1980s with a simple petition without going through the procedure of naturalization.

By early September 2000, only a dozen of the over 100 applicants have been granted citizenship. The whole process has been humiliating. It included a state recommendation that they change their names and an insistence they submit unnecessary documents. The first persons granted citizenship were Aysel Zeybek, Stateless Project Coordinator of Greek Helsinki Monitor (GHM) and Minority Rights Group-Greece (MRG-G, her mother and her sisters (but not her father), even though they refused to submit all unnecessary documents, thus proving that the procedure selected was abusive. The father, like all stateless who do not have a clean penal record, may need presidential pardons. The state promised in June 2000 to GHM swift procedures for all cases, but it once again did not honor its commitments. A. Zeybek’s statement on the day of her swearing in as Greek citizen (11 September 2000) is telling:

*“We are happy today, but it is not a great happiness. We are also sad and in wonder. There are 3 reasons for that...*

***First of all our father is still stateless.** And the reason that he is not given Greek citizenship is because he does not have a clean penal record. He was fined many times as he was operating a small shop in our village, Sahin/Echinos, without a license, which he could not get as he was a stateless person. As his penal record is not clear his acceptance to Greek citizenship is delayed. Our happiness is half, as our father is not granted Greek citizenship for this absurd reason.*

***The second reason of our half happiness is that the 100-150 stateless persons who live in Greece have not all been granted Greek citizenship.** As a member of Greek Helsinki Monitor & Minority Rights Group-Greece my major responsibility has been to monitor the situation of all stateless people. We know that most other stateless that we monitor have not been given Greek citizenship, contrary to the promise by East Macedonia and Thrace Regional State Secretary General who had said that all the stateless that have applied for Citizenship via Naturalization would be granted citizenship within 60 days. This promise made given to these people, who were stateless for years, has not been honoured.*

***The third point of our unhappiness is the procedure used to grant us Greek citizenship.** Stateless people living here in Greece were expecting their citizenship simply restored (as was the case with political refugees of the civil war period), rather than been asked to follow the procedure for foreigners who apply for Greek citizenship. We were not born foreign citizens. We were born Greek citizens. We were stripped of our Greek citizenship on the basis of the racist Article 19 of the Greek Citizenship Code. We expected our citizenship restored, and the naturalization procedure follow, as if we were citizens of another state has hurt us.*

*I want to recall a few things on this issue. We were living our lives normally, and one day we were informed via various ways that we had been stripped of our citizenships, although we had never committed any crime. For years we have experienced different types of problems. We were not able to continue our education. We were not insured. Some were not able to receive pensions. Others could not take a driving license. We were not able to travel. We existed in fact but not in law.*

*After the struggle that we had started 3 years ago we were able to take the stateless identity documents, which solved some of the problems in our daily life. But we continued our struggle to get back our*



*citizenship. The Greek state, to avoid further international embarrassment, was forced to first give us the identity documents and now citizenship. But, instead of restoring our citizenship, it has applied the naturalization procedure. This is humiliating for us and we are denouncing it."*

Greece must swiftly grant citizenship to all stateless residing in Greece regardless of their penal record. It should also introduce the possibility to grant citizenship to the few thousand former Greek citizens who are now living as stateless abroad. It should finally grant the former Greek citizens who have been stripped of their citizenship under Articles 19 or 20 of the Citizenship Code and live abroad with different citizenship (almost all are ethnic Turks or Macedonians) at least unhindered entrance to Greece, irrespective of their minority advocacy abroad; and examine favorably any possible (but expected to be rare) request for citizenship.

#### **1.4. Greece's Born Stateless Persons**

Another category of Muslims was born stateless. Their ancestors moved from Bulgaria and were considered to be Roma. Christian Roma and most Muslim Roma whose ancestors were born in Greece were granted citizenship in the 1970's (most Roma had been stateless until then). But these Roma (self-identified Turks) were forced by police to acquire expensive alien's residence permits valid only for one year: on them police authorities mentioned they were of "undefined" citizenship and of Turkish nationality (i.e. ethnicity). The police department of Komotini refused in 1999 and again in 2000 to give an identity document (an obligation under the relevant UN Convention) to one of them, Mr. Sezgin Durgut, when our NGOs pointed out to him the possibility. Eight months after his application and only after the Ombudsman stepped in, police alleged that the reference to an undefined citizenship was a mistake that had supposedly being repeated for years. They claimed that Mr. Sezgin had Bulgarian citizenship, and asked him to prove that he is not Bulgarian in order to consider him a stateless person. They made the same argument in answering a parliamentary question tabled by the Progressive Left Coalition MP, Maria Damanaki. On July 17, 1999, the Minister of Public Order had replied the following:

*"In general all cases regarding aliens are being examined thoroughly by the competent authorities. When it comes to the case of Durgut Sezgin, in particular, to his request to be provided with an identity card for stateless people, it should be stated clearly that issuing such a certificate presupposes giving him the status of a stateless person. Mr. Sezgin has no such status based on the documents that the competent authorities possess. He is a Bulgarian citizen, therefore an alien. It should also be stated that, indeed, the latter has received permission to stay in Greece as a person with undefined nationality. In order to be able to seek treatment as a stateless person, Mr. Sezgin was advised to provide the Greek authorities with a valid certificate stating that he is not a Bulgarian citizen. In case he was unable to do so, he was asked to submit a valid travel document from the Bulgarian authorities for his application, regarding permission to stay in Greece, to be considered under law 1975/1999."*

But as far back as in 1997, Sezgin Durgut had provided the Greek authorities with a Bulgarian Consulate certificate saying that he was not a Bulgarian citizen. The Greek state was aware of that but was regrettably deceptively pretending it was not. A year ago, in this OSCE forum, the Greek delegation, probably misled by local authorities, also provided inaccurate information:

*"The speaker (...) mentioned one instance, expanded at some length in the report, of one person, Mr. Sezgin, who has been trying to obtain Greek citizenship and whose efforts have not yet been successful. We welcome that such shortcomings of local administration in Greece are brought to our attention. I wonder, however, whether they are really worthy of being discussed in a forum like this, considering in particular that the persons involved cannot be said to be suffering let alone being endangered in any way. Those are cases of people going through a routine administrative process and encountering difficulties in it."<sup>1</sup>*

However, Mr. Durgut is suffering, as he has no identity papers at all. One consequence is that he cannot receive benefits for his children. So this bureaucratic harassment is affecting his life negatively. Moreover, his petition to receive Greek citizenship dates from 1990; even though he should have been granted citizenship immediately, as the son of a stateless father and a Greek mother, on the basis of Article 1 of the U.N. Convention for the Reduction of Cases of Stateless Persons (ratified as Law 535/1977 in Greece). After all, his sister was granted citizenship on that ground in 1993. Mr. Durgut resubmitted the same document of the Bulgarian authorities, in February 2000, applying for a second time to obtain a stateless identity card, but has not received any answer. His case was submitted to the Ombudsman who initiated a dialogue with all competent authorities, investigating the ground for such delay and bureaucratic harassment. The Greek Foreign Ministry has asked the Bulgarian Foreign Ministry to confirm the

---

<sup>1</sup> Statement Made by the Greek Delegation in Exercise of its Right of Reply, Vienna, 21 September 1999

information in the 1997 document issued by the Bulgarian Consulate in Salonica. Months have gone by and no progress is made. Is all that “routine administrative process,” as Greece claimed in this forum last year?

We appeal at this OSCE meeting to the Bulgarian Foreign Ministry to speed up whatever answer it has to give to the Greek authorities so as to help expose the latter’s real intentions: they do not want to admit that they had for years been harassing Mr. Durgut against all Greek and international laws and have even provided related misleading information to the Greek Parliament and the OSCE. In the meantime, for having dared challenge the Greek administration, for it Sezgin Durgut does not exist; he cannot travel abroad, have his driving license extended for his work or get a family allowance. Occasionally, policemen have even verbally abused him.

## **2. FREEDOM OF EXPRESSION**

---

### **2.1. Overview**

Greece is rated by the Freedom House as the worst in the respect of freedom of expression among countries with long democratic tradition. The International Press Institute (IPI) is also critical of the frequent criminal charges in cases of libel and defamation, as well as spying charges in cases of publications of leaked classified documents. The Greek government refutes these allegations and the need to amend the legislation so as to bring it up to international standards.

Moreover, courts can ban books whose content is considered offensive to various – usually conservative – groups, while foreign journalists and writers from countries with “sensitive” relations with Greece (like Macedonia and Turkey) have been refused entry or harassed by authorities.

Our NGOs, as well as all international press freedom organizations, have repeatedly asked for changes in the legislation so that libel be decriminalized and articles that criminalize the (even in extreme forms) expression of opinion (blasphemy, disturbance of international relations, etc.) or investigative reporting (publication of classified documents, etc.) be abolished.

The cases listed below are a non-exhaustive list for the last twelve months. Many more have been reported in the media, but our NGOs have not yet fully documented them.

### **2.2. Greece Scores Last Among Traditional Democracies**

Among the countries with long democratic tradition, Greece is regrettably the one with the least respect for the freedom of the press, as shown by a 2000 report of the international organization Freedom House. On a scale 0 [total freedom] – 100 [no freedom at all], Greece scores 30, which is the worst score a free country can get: from 31 start the partly free countries (and from 61 the not free ones). Almost all new democracies of Central Europe and the Baltics score better than Greece. In the OSCE area, only most (but not all) Balkan and former Soviet countries are worse off. The complete entry for Greece that explains this score is: *“Though the courts frequently convict journalists of libel for insulting officials, the press is generally free of government control. Many journalists were charged and sentenced this year for defamation. Self-censorship was common, particularly during the NATO air strikes in Yugoslavia. One radio station was raided and closed by the police.”*<sup>2</sup>

### **2.3. Greece Rejects IPI Appeal to Modernize Legislation**

In its report on Greece part of the *1999 World Press Freedom Review*<sup>3</sup>, International Press Institute (IPI) notes:

*“The press climate in Greece continues to be clouded by criminal charges brought against journalists and newspapers in cases of libel and defamation. The publication of leaked official documents is also bringing the media into direct confrontation with the authorities. Minister of Justice, Evangelos Yannopoulos, has repeatedly attacked and insulted journalists or other politicians who have been vocally critical of him, including by bringing charges against them.*”

---

<sup>2</sup> Freedom House, “Censor Dot Gov: The Internet and Press Freedom 2000, The Annual Survey of Press Freedom.”

<sup>3</sup> <http://www.freemedia.at/archive97/greece.htm>

*As IPI and other organizations have regularly pointed out, criminal charges brought against journalists constitutes the main threat to press freedom in Greece. It is considered essential for a functioning democracy to have a free and vocal press. Issuing prison sentences in libel and defamation cases, suspended or otherwise, impedes the free flow of opinions and ideas. Any person who feels exposed to false, harmful reporting should have the right to bring a case before a civil court, and if proved right, be able to demand a public apology or retraction, and financial compensation for demonstrable damages. This is not yet the case in Greece. As the catalogue of selected cases listed above indicates, Greek journalists face a barrage of litigation, which can only ultimately serve to stifle freedom of expression.*

*When IPI approached the Greek authorities for comment on this issue, a spokesman said: “Criminal proceedings for members of the press are identical for all those exercised for all other citizens who come into conflict with the law. Therefore, any case of incorrect or slanderous information issued via the press is subject to the general legal provisions governing slander.” While IPI is an organization that promotes press freedom, it does not seek preferential treatment for journalists. The institute holds that slander, libel and defamation should be covered in the civil code and that no citizen, be they a journalist or otherwise, should face the prospect of a criminal record and a prison sentence for what they say or write. The spokesman went on to say that “...in legal practice, courts are often seen to be more lenient in their sentences in cases involving the press, than otherwise. This further confirms not only the sensitivity of Greek justice, but also of Greek jurisprudence in general, when applied to the principle of the freedom of the press.”*

*“If the cases listed [herein], along with the astounding array of cases documented in recent years, point to a ‘sensitivity’ of any kind, it is surely to the sensitivity of public figures who – counter to international standards and practices – do not feel they should receive more scrutiny or accept more criticism than private individuals.”*

#### **2.4. Criminal Convictions on Libel and Defamation Charges**

- On 9 November 1999, an Athens Court postponed for May 2000 the trial of Sotiris Bletsas, member of the Society for Aroumanian (Vlach) Culture. He was indicted because in 1995 he had distributed a publication of the European Union’s Bureau for Lesser Used Languages (in which Sotiris Bletsas was the Greek “observer”) which mentioned the minority languages in Greece. The prosecution for dissemination of false information (article 191 of the penal code) was triggered by charges pressed by ND deputy Eugene Haitidis and the prosecution’s witnesses included the leadership of the Panhellenic Union of Vlach Associations. They considered the reference to the Vlach language as minority language defamatory to the Valchs. The trial was postponed again in May 2000.
- In November 1999, the Public Prosecutor of Mytilini indicted two journalists for defamation and aggravated defamation (articles 362 and 363 respectively) after charges were brought by the police of Lesbos. The two journalists, Stratis Balaskas and George Kondiloudis, had written an article in the Eleftherotypia newspaper. The article referred to alleged relations of police officers of Lesbos with smugglers in a local olive press.
- On 6 December 1999, a three-member Misdemeanor Court of Athens convicted Dimitris Rizos, publisher of *Adesmeftos Typos*, for aggravated defamation of Costas Mitsis, publisher of another newspaper with the same name, *Adesmeftos Typos*. He was sentenced to ten months in prison but was set free on appeal.
- On 5 January 2000 a Three-Member Appeals Court of Athens convicted Prefect of Athens Theodore Katrivanos to 15 months in prison for aggravated defamation of the Minister of Justice Evangelos Yannopoulos, because he had publicly challenged the latter’s controversial resistance record during the Second World War. During the long trial, the Minister insulted veteran journalist Yannis Voultepsis calling him a “stool;” and brought charges against the communist daily *Rizospastis* for aggravated defamation along with a civil suit for 500 million drs. The newspaper had published Katrivanos’ arguments challenging the Minister’s record; it has been indicted for these charges.
- On 12 January 2000, an Appeals Court of Komotini acquitted Greek Helsinki Monitor Spokesperson Panayote Dimitras from charges of defamation. On 4 May 1999 a Misdemeanor Court in Xanthi had convicted him to a suspended sentence of 5 months in prison for defamation of minority lawyer Orhan Hadjiibram. Dimitras was not properly summoned but was nevertheless tried in absentia. That court had considered defamatory a GHM statement critical of Hadjiibram’s handling of the stateless issue, even though it stated that the facts therein were

true. The court did not specify which words, phrases or sentences were defamatory, but considered that there was intent to defame the lawyer.

- On 3 March 2000, world-renowned violinist Leonidas Kavakos was given a four-month suspended prison sentence for defamatory statements he made in an interview. Kavakos was convicted by the three-member First Instance Court in Salonica, and for defamation of three members of the artistic board of the Salonica State Orchestra. He was ordered to pay a fine of 200,000 drachmas (USD 510) for damages to each of the plaintiffs. The defamatory statements were made by Kavakos during a March 1999 interview in a local newspaper. Kavakos appealed the sentence and was set free pending that appeal.
- On 3 March 2000, novelist Mimis Androulakis and his publisher Thanasis Kastaniotis were indicted for blasphemy by a Salonica prosecutor for breach of Article 199 of the penal code, for allegedly committing blasphemy against a religion and its founder. In Androulakis' new book *M to the Nth Power*, the author reportedly presents Jesus Christ as having had sexual relationships and out-of-wedlock children. On 4 February, charges were brought against the two men by three fundamentalist Orthodox Christians. The expedient indictment, without any prior investigation of the charges, is a very rare procedure used only for serious crimes. It is also noteworthy that in late January fundamentalist Christians from Salonica burnt copies of the book the day it was presented publicly and attacked the bookstore where the launch was taking place. No arrests were made at the time and no charges have been brought against the perpetrators of these actions. On the contrary, in the following days Archbishop Christodoulos condemned the attacks, but also publicly stated that the book was blasphemous and implied that there was a need to bring charges for blasphemy against the novelist. Greek newspapers claim that the prosecutor's action was a consequence of the archbishop's statements. The indictment was condemned by politicians across the political spectrum, including Foreign Minister George Papandreou, who compare the prosecution of the novelist and his publisher to that of Galileo by the Catholic Church.
- On 7 March 2000, composer Manolis Rasoulis was given a twelve-month prison sentence (that can be "bought off" for 1,500 drachmas, or USD 4 per day) for defamatory statements he made in an interview to the daily *Exousia* on 14 April 1998. Rasoulis was convicted by the three-member First Instance (Misdemeanor) Court in Athens for "aggravated defamation" of singer Yorgos Dalaras. The Court considered defamatory the statement made by Rasoulis that "Dalaras did not give the benefit concert in Cyprus for free but was paid by 'Alpha Sound'. He is a go-getter, he has created an establishment around him, and he once even tried to stifle me." Rasoulis was tried *in absentia* as he left Greece on the eve of the trial "forever," as he declared. The Court acquitted the newspaper, as it considered that it had no intent to defame but was only presenting the issue out of justified interest.

## 2.5. Banning a Radio Station, a Book or a Concert

- On 2 December 1999, twelve police officers raided the administrative offices of the non-profit association 'Biblical Circle' running Channel Station 2000 Radio, and arrested 73-year-old retired pastor Lakis Regas, who was working as a technician on the premises when the police arrived. Regas spent the night in jail. He was released the next day by a judge's order. Greek authorities accused Channel Station 2000 of not having the proper operating license, despite the fact that it is well known that no private radio station has ever managed to get one. A trial set for 31 January 2000 was postponed. In 1994, the government shut down Greece's only Evangelical television station, Hellas 62.
- On 9 March 2000, Salonica judge Maria Robbi banned a best-selling book that was condemned by the Greek Orthodox Church because of passages about the possible sexual longings of Jesus Christ. She justified the ban as a means to prevent "outbreaks of violence" after religious zealots threatened to take action against the author and bookstores selling the book. The ban remained in effect until September 2000, when following a hearing on a suit to permanently halt the sale of *M to the Power of N*, the courts dismissed the suit. The suit was filed by fundamentalist Orthodox and Byzantine history teacher Marios Pilavakis, who argues that Christ's life cannot be open to fictional reinterpretation. He has been joined by a mix of ultra-nationalists and religious fanatics. At the 8 March court hearing, dozens of black-robed priests and monks stormed the court house and Robbi's chambers, chanting "blasphemers" and "antichrists" at Androulakis' defense lawyer, Thomas Trikoukis, who was beaten by some protesters. No arrests were made, though such attacks committed in a courtroom are considered especially serious by the Greek penal code. For blasphemy charges against the author and the publisher see above.
- On 15 September 2000, the Prefect of Salonica Costas Papadopoulos was reported to have refused a license for the use of the state-owned Lazarists' Monastery in Salonica for a public concert to be held there on 16

September 2000. The concert was organized by the NGOs “Citizens’ Movement” and “European Expression” in solidarity with the Yugoslav student opposition movement OTPOR (resistance). The Prefect stated that the concert would be “an intrusion in the internal affairs of another country.” The concert ran into major problems from the beginning and the initial plans to hold it in the city’s centrally located port area were cancelled as pro-communist (KKE) groups threatened to organize disruptive counter-demonstrations. It was then moved to another location, but the persistent reactions led to the ban. As editor-in-chief Sifis Polimilis wrote in *Eleftherotypia* (15 September 2000):

*“We have seen in this country -and rightly so- hundreds of concerts held in solidarity with movements and organizations which were fighting for the restoration of democracy in their fatherland. . . . Now some are imposing an arbitrary ban on a public event. Worse, this terrorizing effort is tolerated by authorities who are supposed to protect the freedom of expression of all citizens. . . . They try to identify all Greeks with the shabbiness of the Milosevic regime. Worst of all, no one is moved, no one is bothered by such actions, lest we embarrass the KKE.”*

## **2.6. Journalists Harassed by Mobs Uninhibited by Police Presence**

- On 21 October 1999, two journalists from Halkidiki’s “Super Channel” were beaten by a mob led by Mayor Costas Papayannis, in Kasandra, Halkidiki (Northern Greece). Costas Glykos and Michalis Katsamiras were covering the mob’s attempt to prevent the local Jehovah’s Witnesses from starting the construction of their house of worship; construction that had been authorized by the authorities. During the violent incident, Jehovah’s Witnesses as well as two representatives of the Ombudsman’s office were harassed by the mob. The two journalists and the Jehovah’s Witnesses pressed charges against the mayor and some alleged accomplices. On 22 October, the prosecutor formally indicted the mayor and his accomplices for crimes that included inciting to religious hatred. Nevertheless, neither during the incident, nor in the ensuing forty-eight hours, did the police arrest the alleged perpetrators of the crimes as called for by the code of criminal procedure.
- On 8 June 2000, journalist Panos Lambrou of the weekly *Epochi* was verbally and physically harassed by a mob led by municipal council members in Nea Kios (Argolida, Peloponese), while police stood by. Lambrou was participating in a visit by forty members of an antiracist group, members of parties and other organizations, who came from Athens to Nea Kios, in solidarity with the local Roma community, which has been facing racist attacks by local citizens and authorities. The visitors were declared undesirable by the local municipal authority “for lack of good intentions”. Without any police interference, local citizens impeded the group’s movement and harassed the journalist in front of the city hall. For background on this most racist situation, see the section on Roma rights. On 11 June, GHM and MRG-G denounced the journalist’s harassment and the setting on fire of a Roma hut in Nea Kios on the following day. The two organizations held the town’s municipal authority responsible for instigating these crimes. The organizations denounced “the town’s extremely racist decisions”, accusing municipal leaders of having created an explosive atmosphere bound to lead to such excesses. Taking into account the unanimous character of the decisions by the municipal council and the absence of any outspoken denunciation of the racist behavior of the municipal counselors by their parties, PASOK, New Democracy, Communist Party of Greece (KKE) and Syn, the latter are sharing responsibility for a fact which exposes Greece internationally, “reminiscent of ‘the American south’ of another era”, according to the organizations. Finally, the organizations called upon the minister of justice to immediately introduce proceedings against all those responsible for these racist and criminal acts, as prescribed by Greek law and by the international covenants. “Otherwise, the Greek state will be considered an accomplice because of inaction”, declared the two NGOs. On 16 June 2000, in a rare move, the Minister of Justice ordered a judicial investigation of the two cases and all necessary indictments to follow.

## **2.7. Harassment of Macedonian and Turkish Journalists and Writers**

- On 30 May 2000, writer Vasko Karadza, Macedonian citizen and resident of Skopje, Macedonia, was denied entrance into Greece at the Greek-Macedonian border because he was “registered in an inadmissible list”. This occurred even though he held a legal visa issued by the Greek Consulate in Skopje on 29 May. Karadza had previously visited Greece in 1998, when he was invited by a state National Book Center to participate in the Balkan Writers Laboratory. Karadza is an author who has published books in Macedonia and Greece. He was born in Greece, and left the country during the civil war, when he was stripped of his citizenship. In 1982, when the Greek state gave a blank amnesty to all civil war refugees abroad, it exempted those who “were not of Greek origin” (i.e. those who identified as Macedonians). The latter have frequently been arbitrarily “blacklisted” as “undesirable” and denied entry into Greece. Many Macedonians, whether born in Greece or not, who are active in Macedonian human rights or cultural organizations abroad, are

being denied entry into the country. Mr. Karadza appealed his case to the Greek Ombudsman, in September 2000.

*“This Mr. Karatzas must be an awfully dangerous guy. Something like a Skopjan James Bond, who’s capable on his own of overpowering the entire Hellenic Armed Forces. Otherwise, it’s beyond me why the Greek State would even recall its own visa! A little compassion wouldn’t hurt. Nor would a little common sense. These incidents are heard about abroad, and malign our country’s image,”* wrote fellow writer Nikos Dimou in his weekly column in *Ethnos* (27 August 2000).

- On 15 July 2000, at around 1:00 p.m., three journalists were temporarily arrested by four Greek police officers, on the road between Xanthi and Echinus (in Greek Thrace). The arrested included reporters Beyza Guducu and Didem Ozbahceci, and cameraman Alihan Sonmez, from TGRT-TV. Ayca Guducu, Guducu’s sister, and a Greek driver of their rented car, accompanied them. The journalists had come to Greece to prepare a documentary on Greek people who had moved to the Echinus region in 1923, following the population exchange between Greece and Turkey, and on the Turkish minority living in the area. They had secured a written license from the Greek Ministry of Mass Media (in both English and Greek) to work and take photographs. On their way to Echinus, two plainclothes policemen followed them in an unmarked car. When they reached the eighth kilometer of the road, they were stopped by another official police jeep with two officers who appeared to be waiting for them. They were told that they were not allowed to proceed any further, as they did not have the proper license for entering the restricted zone. The journalists showed the police officers their documents, which were written in both English and Greek, but the officers told them that this was not enough, and they had to wait at that point of the road. They were then advised over the telephone by legal defenders Mehmet Dukkanci and Aysel Zeybek of the GHM’s Thrace Office to return to police headquarters in Xanthi, and ask for an explanation of the incident. However, the policemen refused to let them go, and illegally held them in custody for 45 minutes. At 1:45 p.m., more policemen arrived, increasing the number of police cars to five (including three unmarked), and the total number of officers to ten (including six plainclothes officers). Policemen then checked and confiscated the passports of those involved in an abrupt manner. At 2:00 p.m., the journalists and the people traveling with them were forced to drive to the Xanthi police station with a police escort in front of their car, and two unmarked cars behind them. The journalists’ team leader, Guducu, told GHM what happened at the Xanthi police headquarters:

*“When we reached the headquarters, only I was taken into the building. The others remained in police custody in the rented car. I left all our equipment, microphones, mobile phones, etc., and was taken from one office to another, from one floor to another, for no apparent reason. Finally, in one office, four officers questioned me: ‘Why you are here? What are your purposes?’ I told them the story from the beginning, and showed them our permission from the Ministry of the Press. They told me that this was not enough, that the region is a restricted zone, and to be able to go over there, I had to apply for a different permit. I told them that I am a journalist and that I had visited Kosovo in war time, where I never faced such police control. The police then argued that no citizen can pass the border between Turkey and Syria without a passport and other required documentation. I replied that I was not intending to enter Bulgaria, or even come close to the border. I was merely intending to speak with and interview the local people. Then I added ‘I am a journalist. I have to go and work!’ to which one officer replied, ‘I am a police officer. And you cannot go!’ They added that to be able to go over there, I had to apply for permission from the GES (Army Chief of Staff) in Athens. And that this process takes at least three days.”*

Around 2:45 p.m., the journalists were released from custody, after being illegally held for one hour and 45 minutes. The journalists remained under surveillance by plainclothes officers throughout the rest of their stay in Xanthi - while they packed, had lunch, and left for Turkey since their project had been aborted. They were followed all the way to the Greek-Turkish border.

- The latest case concerns Slavko Mangovski, editor-in-chief of the weekly magazine *Makedonsko Sonce* published in Skopje. He is also known for his defense of the rights of Macedonian minorities in the Balkans. As Mangovski wrote in a complaint he filed to the Greek Ombudsman on 1 September 2000,

*“I wanted to enter Greece through the Evzoni border crossing on the afternoon of 25 August to visit a village festival in northern Greece. I was informed by the border authorities that there was a problem with my status after the computer check, and that if I wanted to wait they would send a fax to the Central Police in Athens and verify whether I could gain entry. After a prolonged wait, I decided to return rather than spend hours waiting. On 28 August, I attempted entry at the border crossing of Niki in order to visit another village festival. After the routine computer check, I was advised to wait and*

*after approximately 10 minutes was summoned to the office of what appeared to be the chief of the police and given a Notification Certificate for the Refusal of Entry specifying 'other reasons' as grounds for the refusal. At the same time, a crossed stamp was placed in my U.S. passport, apparently in order to alert border authorities that I'm effectively banned from ever entering Greece."*

Although no reason was provided, it is believed that Mangovski (born in Bitola, Macedonia) is on the list of "undesirable" because of his outspoken criticism of Greek policy towards the Macedonians. It is also improper for the authorities of Greece to stamp, i.e. deface, another state's document (in this case, a U.S. passport) which makes the bearer of the latter possibly look suspect to third countries' border authorities, besides Greece and the U.S., when he attempts to enter any other country.

### **3. INHUMAN TREATMENT BY AND IMPUNITY OF POLICE OFFICERS**

---

#### **3.1. Overview**

Greece is not immune from the worldwide tendency of law enforcement officials to frequently abuse the rights of citizens during arrests, interrogations, detention or imprisonment. Such attitude is facilitated by the practice of court authorities to rarely prosecute such criminal behavior. When they do so, cases reach the court many years after the facts. This happens even in cases backed with forensic evidence. Occasionally, compelling incriminating evidence in addition to forensic certificates is ignored by the courts, which end up acquitting police officers. The latter may stay in the force during all these years of investigation and court procedures, thus still able to exert undue influence on those who dare prosecuting them. Such practices discourage many victims of police violence to file charges against policemen. Finally, many police stations have either inadequate or overcrowded facilities: as a result, detainees are treated in a degrading way. Some recent examples are provided below. Competent state authorities do not appear very sensitive to such allegations; hence little progress has been made recently. Finally, some media have been reporting (usually fatal) shooting of individuals by police officers who have not suffered any consequence for such acts: authorities leave such reports unanswered, confirming the impression of generalized impunity.<sup>4</sup>

#### **3.2. Police Violence Against Minors**

- Perhaps one of the most characteristic cases of police violence, including torture, that can remain without any consequences for the perpetrators of such acts is the case of two minors, aged 14 (initials: P.T.) and 16 (D.A.). In 19 August 1994, they were arrested and brought to the police station of Kassandreia, Halkidiki (Northern Greece), as suspects for the theft of 460,000 drachmas (around USD 2,000 at the time) from their employers. During their interrogation, three police officers, separately or jointly and for more than an hour, were beating the two minors with their hands, feet, truncheons, and shafts. They even took off the pants of one minor and obliged him to bend and shout "I am a fag," while threatening him that they will force one shaft into his behind and submit him to electroshock. All this, so as to extort confessions from them. In the end, it turned out they were wrongly suspected in first place and were set free. A forensic report verified the injuries and the probable causes. The previous acts were thus described in the 1263/1998 judgment of the Three-Member Misdemeanor Court of Halikidki, which convicted the three policemen for torture (article 137A of the penal code) and sentenced them to 4 years in prison each and 5 years deprivation of their civil rights. Despite the gravity of the action, though, the three policemen were set free on appeal. Worse, they were not even suspended from the police force. On 3 March 2000, the Three-Member Appeals Court of Salonica ... acquitted the three policemen from these charges, arguing that the incidents of torture were "exaggerated by the minors" and the injuries were caused by their employers, before the minors were brought to the police station. The prosecutor, who had asked for the policemen's conviction, subsequently filed to the Supreme Court for the cassation of the court's decision.

#### **3.3. Police Violence Against Roma**

Amidst repeated allegations of excessive police violence against Roma in recent years, the murder of one Rom and torture of two others in 1998, backed by forensic evidence, led to no disciplinary measures against the police officers involved: officers indicted in 1998 for homicide or torture have remained in office and the proceedings continued as of this writing. This happened despite court indictments. The Ministry simply launched an inconclusive "sworn administrative investigation." Our NGOs have been asking even in international fora from the Greek state to

---

<sup>4</sup> See Appendix 1.

provide information on these cases and explain the continuing impunity but in vain. We present here the three most serious cases. For many additional cases of humiliating treatment if not torture see the section on Roma Rights.

- In November 1996 during a police control on a public road in Viotia, Rom A. Mouratis, father of 6 children, was murdered in cold blood. While he was lying on the ground at gunpoint, Mouratis raised his head to take a look at his children who were also on the ground. This movement was considered as “threatening” by a policeman who shot and killed him. The officer was suspended while the Sworn Administrative Investigation was in progress. He was indicted by the District Attorney, but was released pending his trial. No date is known to have been set for the trial.
- In April 1998, Angelos Celal, a 28-year-old Rom, was killed by police officers in Partheni (near Salonica), while trying to escape police control. The forensic report certified that Celal died of a head wound caused by a bullet shot in the back of his head. In addition, he had another wound in the back. In June 1998, the prosecutor informed the police that he had indicted three police officers for murder, conspiracy to commit murder and other charges. The police officers were not suspended. However, on March 29, 2000, the Council of First Instance Judges of Salonica issued an order to dismiss all charges against the police officers. The reasoning behind this decision was that they were acting in legitimate self-defense. Angelos Celal was unarmed - even according to the police - and was shot at the back as he drove away from the scene of a police ambush. According to police investigation, seventeen spent cartridges originating from firearms of the police were found at the scene of the shooting, while an additional one, possibly originating from a non-police weapon, was recovered. Such evidence can hardly justify legitimate self-defense, pointing instead to deliberate shoot to kill. Appeals lodged by the deceased’s father and by GHM and MRG-G have been thrown out on small technicalities or disregarded. The Greek justice appears definitely determined not to prosecute the case.
- In May 1998, Lazaros Bekos and Eleftherios Kotropoulos (17 and 18 years old respectively) were ill-treated by police officers during their detention at the police station in the town of Mesolongi. According to a forensic certificate, they had “medium bodily injuries, inflicted with a broken instrument.” In July 1998, the two Roma pressed charges against the police and, in December, three officers were indicted for violation of article 137A of the criminal code on “torture and other offenses against human dignity.” Specifically, they were accused of having violated paragraph 3, section 1, for “concurrent bodily harm caused by a person, whose duties are the investigation of possible criminal acts, with the intent to extort from another person under his authority a confession, a deposition or an information.” Throughout 1998 and again in 1999, the Roma youth were harassed by these police officers to retract their statements. Even after their indictment, the three police officers were neither transferred nor suspended from duty. The case has yet to reach the courts.

#### **3.4. Police Violence Against Asylum Seekers and Immigrants**

In recent years, some 500-700,000 immigrants have settled in Greece, mostly illegally; two-thirds of them are Albanians, and most belong to minority religions, but no official figures are available. In 1998, a legalization procedure for those immigrants was launched, eventually involving some 230,000 people applying for residence permits. Only some 35,000 had been granted permits by the end of 1999. Migrants are subjected to frequent “sweeping operations” aiming at the summary expulsion of all those without any legal documents. Frequent allegations that migrants are subjected to degrading and humiliating, sometimes violent, treatment by policemen during these operations are routinely rejected without any investigation by state authorities.

- The best-known recent example happened on 3 July 1999. All foreigners found in the streets were rounded up by the police and, even if holders of legal residence documents, taken to police stations or open-air stadiums and had their fingerprints taken for possible match against pending criminal cases. Illegal immigrants were expelled from the country, with TV crews filming the operation. Over 300 intellectuals signed a protest petition, but only the outcry of the Greek farmers, worried about their crops in the absence of cheap foreign labor force, persuaded the government to return to stop mass expulsions. Similar, less publicized “sweeping operations” recurrently took place throughout 1999.

In answering a similar report of our NGOs presented in the related OSCE Supplementary Human Dimension Meeting , on 27 March 2000, the Greek government claimed:

*“Concerning the treatment of immigrants by police, every effort is being made by the Government in order for the rights and dignity of the immigrants to be scrupulously respected. A concrete piece of evidence of such concern is the fact that all arresting officers are obliged by law to hand to every individual at the moment of his/her arrest an ‘information bulletin’, in which the detainee’s rights are spelled out in detail.*



*Those bulletins are available in 14 languages, and there different bulletins for detainees and for persons being detained for deportation. Copies of the bulletins I have available here.”<sup>5</sup>*

We would like to assure the OSCE that it was the first time that GHM saw these documents at the hands of the Greek diplomat in the OSCE meeting. We then asked all lawyers we are working with and all persons who had been detained and were interviewed by us: we want to inform the OSCE that none of the 163 such persons had ever seen the document. In fact, a few days after the Vienna meeting, Athens best known human rights lawyer asked Greece’s largest and most important detention center at the Athens Police General Directorate for it: even police officers were not aware of the existence of the “information bulletin.” Certainly a pioneer initiative of a sensitive minister of public order in the mid 1990s, it has remained a dead letter, whose only purpose seems to be for Greece to “show off” in international fora.

## **4. CONDITIONS IN PRISONS AND DETENTION FACILITIES**

---

### **4.1. Overview**

On 20 August 1999, the Ombudsman carried out an “autopsy” in the detention facilities of the (Athens Center) Omonoia Square Police Station, following citizens’ complaints. In a letter to the Minister of Public Order (7905/99/2.3-27-8-1999), the Ombudsman stated that the facility was overcrowded: between 55-115 detainees in premises with an – otherwise inadequate - infrastructure for just 30 detainees. One consequence was that minors and adults were kept together, against the law. Another, in conjunction with the lack of light and air, that they were all forced to wear only their underwear, given the heat, “in violation of the respect to their dignity.” The only two toilets’ cleanliness was “unacceptable to say the least.” Most detainees had skin and infectious diseases that were not at all or inadequately treated by doctors.

The most serious problem, noted the Ombudsman, was the lengthy (sometimes up to six months) detention of foreigners awaiting expulsion, which “informally transforms their places of detention into prisons, without any prior indictment of these inmates.” “In combination with the prevailing appalling material conditions, that detention could be considered de facto ‘inhuman and degrading treatment.’” Noting that the use of the term “sweeping operations” [see above] is “very offending for human dignity,” the Ombudsman recommended that, when there are no adequate facilities, no such operations leading to mass detention of foreigners be carried out. He added that foreigners who cannot be expelled immediately [for lack of country ready to accept them] be granted temporary permission to stay in the country and be set free. Following this report, short-lived improvements were noticed in that police station. Nevertheless, these conditions prevail throughout the country wherever detention centers are inadequately equipped and/or overcrowded. This incident as well as other allegations on police brutality have been included in the *Annual Report 1999* of the Greek Ombudsman (pp. 101-103).

*“The measures of arrest, detention and imprisonment of both Greek citizens and foreigners are closely related with their right to personal freedom, since they are important limitations of that freedom. In any case, the competent authorities, especially the police, must follow the procedures specified by the law and must ensure the respect for the human dignity. Relevant complaints to the Ombudsman pose a problem. The Ombudsman is asked to investigate the truth of the allegations made both by the plaintiff and the police when, for the actual facts under dispute, the versions of the involved parties are diametrically contradictory.*

*During a police investigation in the area of Zappeio [Athens], police officers in plain clothes handcuffed a French citizen and asked him to follow them at the police station for identification. According to the allegations of the plaintiff, one of the police officers who brought him at the police station used force against him without reason, he was not allowed, despite his repeated requests, to call his kin who could*

---

<sup>5</sup> Statement by the Greek Delegation to the OSCE Supplementary Human Dimension Meeting on Human Rights and Inhuman Treatment or Punishment” Vienna, 27 March 2000.

*help and facilitate his communication with the police officers and was taken into custody. Finally, after being held for four hours, he was released without any explanation for the suffering he had been through.*

*The Ombudsman appealed to the General Secretary of the Ministry of Public Order requesting an administrative investigation into the accusations made by the French citizen. The investigation took place immediately and it was concluded that there was no improper conduct on behalf of the police officers involved in the case. However, the Ombudsman found that, during the investigation, the accusations were not investigated in detail and the conclusions were neither complete nor justified. Specifically it was found that the people conducting the investigation adopted, without second thoughts, in their conclusions the testimonies of the police officers in question without taking into account the opposite testimonies of the plaintiff and the witnesses, while some of the reported events were not investigated at all.*

*The Ombudsman, aiming at fairly distributing the responsibilities that exist and at lifting any possible suspicions of cover-up and partiality, requested an additional investigation into the facts that were not investigated and pointed out the parts where the procedure and the justification of the conclusions of the original administrative investigation are not complete. The Directorate of the State Security Police informed the Ombudsman that a new administrative investigation is taking place following the Ombudsman's recommendations (complaint 9292/99).*

*On the other hand, under investigation by the General Police Directorate of Attica, is the complaint by a citizen, where, according to his claims, while working with his friend in his father's office, two police officers entered, handcuffed them and led them at gunpoint at the police station in Kalithea, accusing them of trying to break in the apartment. According to the allegations of the plaintiffs, the police officers did not pay any attention to the facts that could prove that it was not a break in, refused to accept any explanations given, even the testimony of the owner of the building who confirmed the identity of the two young men and tried to prevent the arrest. While at the police station, the two young men were detained, were not allowed to call their families and were released with great delay even when the father of one of them and owner of the office identified the young men and confirmed their claims.*

*According to the allegations of the plaintiffs, the conduct of the police officers was extreme and obviously disproportionate to the arrest conditions. It was also against the provisions of article 74 par.15 and 120 of the presidential decree 141/91 which specify the procedure followed by the police officers in cases of arrest and identification. The Ombudsman has requested the conduct of an investigation for the above complaints and the General Police Directorate of Athens has informed the Ombudsman that a relevant administrative investigation has been ordered (complaint 8723/99).*

*Due to the increasing entry of economic refugees in our country, the number of foreigners, lacking valid documents of residency, who are arrested and deported or send back to their own country has increased dramatically. The necessary police measures often put extreme workload on police officers while it is proved daily that the already problematic building installations as well as the general infrastructure of the Greek Police are insufficient. More specifically, in the last years, a spectacular increase in the number of foreigners held at police stations is observed. Many of them, due to unavoidable delays in the required formalities for the deportation, have become a permanent population of police stations. This phenomenon becomes even worse when large-scale operations to combat illegal immigration, often called 'sweeping operations', term humiliating for the human dignity, take place. The crowding of the detention places and the long duration of detention of the foreigners to be deported often have as an unavoidable consequence the degrading of the living conditions and the insult of the dignity of all the detainees both foreigners and Greeks. In cases of long-term detention of certain foreigners due to delays in the formalities required, their continuing detention under these conditions, becomes inhuman and humiliating, something which is clearly forbidden by the Constitution and international conventions to which our country is a party. Finally, these phenomena pose a threat both for the health of the detainees' visitors as well as the police officers and public health in general.*

*The Ombudsman came to these conclusions after investigating complaints submitted by Greek citizens who were visiting foreign detainees at the Police Station at Omonia, Athens. The seriousness of the complaints provoked the immediate reaction of the Ombudsman by ordering the carrying out of an unannounced visit and inspection of the detention areas. The people carrying out the investigation concluded that there was serious danger both for the health of detainees and police officers as well as the public health in general, since the vast majority of detainees had pimples and different kinds of skin deterioration, probably symptoms of infectious diseases. These observations, under the existing circumstances of crowding, high*

*temperature, insufficient ventilation and sanitary facilities made the immediate visit of medical personnel necessary. The Minister of Public Order responded immediately to the relevant proposals made by the Ombudsman to the Police Directorate of Athens and ordered the visit of medical personnel to examine the detainees and the taking of measures to de-congest and disinfect the areas of detention. The above actions took place the following day. Furthermore, the Ombudsman drew up, based on the relevant investigation report, the conclusions which on one hand assess the detention conditions under the provisions of the Code for the Treatment of Detainees, of the Penal Procedure Code, the legislative acts which govern the actions the Greek Police, the Constitution, the relevant international conventions for the protection of human rights and on the other hand makes alternative proposals for the immediate dealing with this problems, based on the above legislative acts. The noted search for new detention areas, the effort for quicker dealing with the deportation cases, the more frequent use of the facilities offered by our legislation for the release of the detainees under deportation by putting them under probation etc are evidence showing that the recommendations made by the Ombudsman have been taken seriously into account (complaint 7905/99).”<sup>6</sup>*

## **5. RACISM AND ANTI-SEMITISM**

---

### **5.1. Overview**

Like in all OSCE countries, there are many phenomena of racism in Greece, at the administrative, the intellectual and media, as well as the public opinion level. What, though, differentiates Greece from most traditional democracies is the lack of reaction to racism, to the extent that one has the impression that racist actions, opinions and ideas are acceptable variants in society. Lack of reaction not only to obviously extremist racist actions, but also to “mainstream extremist” statements – made by persons not considered to be extremists - that would lead anywhere else at least to strong criticism if not outright condemnation.

Our organizations welcomed the state’s admission and condemnation of extensive racial prejudice towards Roma, in the Greek delegation’s response to NGO statements in the September 1999 Vienna OSCE Review Meeting:

*“Another serious obstacle to the Government efforts is prejudice toward the Gypsies, which, bred over many long years, is still widespread among large segments of the population and is hard to eradicate. Such prejudice, which finds expression in everyday life, takes on more alarming and dangerous character when it is displayed by police officers or by elected officials at the local administration level. We regret – and condemn - the incidents of racist remarks by elected officials and violent acts by police officers mentioned earlier by the representatives of two Greek NGOs.”*

Such statements, however, seem to reflect more the views of the diplomat and perhaps some other middle-level officials than those of the Greek government. This is why, a few months later, Greece strongly rejected the carefully worded criticism of the European Commission against Racism and Intolerance (ECRI) report (as reported below). As current Minister of Justice Mihalis Stathopoulos, a non-politician with a NGO background said, commenting on these reactions to the ECRI report (on 29 June 2000, in a seminar in the Amphitheater of the Foreign Ministry), “*all those who boast for the absence of racism in Greece are people who are not used to criticism and self-criticism.*” This is the Minister who dared initiate in May 2000 the suppression of the reference to one’s religion on the identity cards. Significantly, the move triggered reactions by the Orthodox Church and many sectors of the Greek public that were not only verbally violent but often outright racist and especially anti-Semitic. Many condemned the verbal violence but hardly any the racist overtones. Just as few if any condemned most of the cases of racism reported here, not to mention that some went almost unreported.

On the contrary, the country’s political and intellectual leadership unanimously supported the nomination of eminent composer Mikis Theodorakis for the Nobel Peace Prize, at about the same time he was delivering a keynote speech in the national day celebration at the University of Salonica.<sup>7</sup> There he praised “*the DNA of the Greek character*” and he insisted on “*the contrast between two worlds, the Greek and the other one. And when I say concisely ‘the other’ I mean together Eastern despotism, Judaic monotheism, Roman militarism, and Western absolutism.*” So as to conclude that “*every time Greece comes close to the top, there come the foreigners – and first among them our*

---

<sup>6</sup> See also Appendix 1.

<sup>7</sup> See *Pontiki*, 30 March 2000.

*implacable friends to tumble it down to erebus.”*

In the following, only a few cases recorded by Greek Helsinki Monitor – Minority Rights Group-Greece have been highlighted.

## **5.2. Racially Motivated Decisions by Local Authorities**

Some mayors and/or municipal councils take explicit racist or xenophobic decisions without any condemnation by the state, nor any disciplinary or other criminal action – called by the respective legislation - ever taken against them.

- On 11 July 1999 Mayor Costas Papayannis incited the residents of Kassandreia (in Halkidiki, Northern Greece) to hold a protest rally to impede the construction of a lecture hall by local Jehovah’s Witnesses, who had obtained all necessary licenses. During the protest the mob dug a trench around the Jehovah’s Witnesses’ property using the municipality’s bulldozer and then proceeded to park cars in front of the property to make access impossible. After a new series of impediments, works resumed in October. On 21 October 1999, two journalists from Halkidiki’s “Super Channel” were beaten by a mob led by Mayor Papayannis. Costas Glykos and Michalis Katsamiras were covering the mob’s attempt to prevent the Jehovah’s Witnesses from starting the construction of their house of worship. During the violent incident, Jehovah’s Witnesses as well as two representatives of the Ombudsman’s office were harassed by the mob. The two journalists and the Jehovah’s Witnesses pressed charges against the mayor and some alleged accomplices. The Ombudsman called the issue a challenge to state authority. On 22 October, the prosecutor formally indicted the mayor and his accomplices for crimes that included inciting to religious hatred. Nevertheless, neither during the incident, nor in the ensuing forty-eight hours, did the police arrest the alleged perpetrators of the crimes as called for by the code of criminal procedure. Eventually, reactions calmed down and the works were completed in November, but no administrative or disciplinary sanction against the Mayor has been issued.
- On 6 October 1999, the municipal council of Istiaia (in Euboea, Central Greece) voted a nearly unanimous anti-immigrant appeal. Only a few newspapers and a minor party condemned the action. The main points:

*“The establishment in Greece of illegal immigrants is a brutal violation of the Greek Constitution, the country’s independence, civil liberties and all kinds of interests of the Greek people. (...) We therefore ask the expulsion of all illegal immigrants. (...) We refuse the demographic alteration of the country’s population as it could lead to national dangers and eventual basis for territorial claims against Greece by neighboring states. We call upon Mayors and Commune Presidents throughout the country (...) to call similar council meetings and ask for the expulsion of all illegal immigrants, for the salvation of the Greek Nation.”*

- On 20 May 2000, the municipal council of Nea Kios (in Argolida, Southern Greece) unanimously decided to evict all Roma living in their municipality, holding them collectively responsible for allegedly (but not verified by any police data) rising criminality. The government called the incident a case of “personal vendetta.” Excerpts of the decision:

*We declare that we do not want the gypsies to be present, move or stay in our Municipality until the issue is settled in principle. We denounce all those who have sold land to gypsies up to now and we consider them instigators of the present situation. Those who do likewise will have to face the entire Municipality of Nea Kios as well the community itself. There is no room for more gypsies in our town. We invite those of the gypsies who have bought land in the area, since they cannot abide by the law and order, to return their property and we declare that we are willing to play a decisive part in this procedure.*

- On 31 May 2000, the municipal council of Nea Tiryntha (in Argolida, Southern Greece) unanimously decided to evict all Roma living in their municipality, holding them again collectively responsible for allegedly (but not verified by any police data) rising criminality. Here the eviction decision was encouraged by the Ministry of Justice. Excerpts:

*“The document of the Ministry of Justice with protocol no. 100324/24-9-99 concerns the decision for the allotment of a plot of land for the widening of the present road connecting the National Road with the Provincial Road that is adjacent to the Gypsy settlement. We are required to proceed regarding the following:*

*a. Fencing the remaining property of the Country Prison*

*b. Eviction of the settlement of the Athiganoi.*

*The above-mentioned allotment of land will be cancelled in case the previous two requirements are not provided for.*

*It is unanimously decided that the illegal settlement of Athiganoi will be evicted immediately from the area on the Provincial Road of Nafplio-Nea Kios, which belongs to the Municipality of Nea Kios and the State. This must be completed so that road-widening works can freely begin on the Country Road connecting the Nafplio-Argos National Road with the Provincial Road of Nafplio-Nea Kios. We request the assistance of the Public Prosecutor, the Police, the Prefectural Authority, and all other agencies for the eviction of the Athiganoi by the deadline date of 31 August 2000.”*

- In July 2000, the municipal council of Midea (in Argolida, Southern Greece) unanimously decided (resolution 165/2000) to evict its Roma population, again collectively held responsible for unsubstantiated crimes. Excerpts:

*“The area where Athiganoi live is an important crossroad used by the residents of all districts of the Municipality of Midea along with many other transit visitors. This puts at stake the sense of security of all passers-by, including of the Athiganoi. This crossroad includes the road leading to the archaeological sites of the Municipality (Dendra, Midea). As a result, many of the Greek and foreign visitors of those sites have been repeatedly assaulted and robbed by the Athiganoi.*

*To the increasing number of registered municipal residents of Midea, a large number of non-registered residents is being added, resulting to the highest criminality rates within the Prefecture.*

*Local Athiganoi with real estate property should remain in our region, though not at the existing site. Their property should be replaced with other land elsewhere. Regarding those Athiganoi without real estate, the Municipal Council should insist on its initial position namely the allocation of a suitable place for the accommodation of all Athiganoi in the Prefecture with the best possible infrastructure (water and electricity supply, sewage system, telephone, etc).*

*This proposal is submitted after having taken into consideration the feelings of anger of the municipal residents, resulting from all sorts of Athiganoi’s illegal activity. As well as from the large number of immigrants living in our region, which, for lack of personnel, the Police is in no position to control.”*

### **5.3. Racially Motivated Police Misconduct**

In many cases monitored by NGOs, it has become evident that in the Greek police force there is deeply rooted institutionalized racism towards the Roma. Many cases are documented in the sections of this report on Roma and on police brutality. In answering NGO charges on one of these cases, in Nea Kios, the Greek Police General Staff wrote the following to the Human Rights Directorate of the Greek Foreign Ministry.<sup>8</sup>

*“It is well known that Athiganoi are a traditionally nomadic people who in recent years have shown a tendency to permanently settle, without, however, overcoming their former living habits. This fact, combined with their illiteracy, moral standards, customs and occupations, creates an obstacle both to their adaptation to the native population and their acceptance by this native population. A consequence of what has been briefly mentioned above is the manifestation of their unlawful behavior in such a way that is usually the expression of daily life. This behavior usually takes the form of illegal driving and other violations of the motor vehicle code, violations of the Codes of Sanitation, Building and Commerce, illicit trade, unlawful weapons possession and, often, unlawful weapons use, theft, possession and trafficking of narcotic substances, etc.”*

On 6 July 2000, police made a blanket raid on Greece’s largest and Europe’s most destitute Roma settlement, in Gallikos River, near Salonica, in search for drugs and weapons. That same day, the state-run Macedonian Press Agency published a wanton, defamatory and racist “news” report of the event, which totally inaccurately stated that “illegal aliens” were also arrested during the “clean-up raid,” and that “a number of the detainees are fugitives from justice, wanted for robbery, burglary, fraud, and other offenses, and that they are expected to be arraigned tomorrow.” GHM has intervened to the director of the MPA, asking for a full rebuttal to the publication and either the imposition of sanctions on its author or information on the person (most probably a police officer) who induced

---

<sup>8</sup> As published in *Argoliki Enimerosi*, 31 August 2000.

him to write such inaccuracies. Unfortunately, the only thing the MPA did was to repeat the news item the next day, maintaining that some of the detainees had prior “arrest warrants for burglary.” Even this was erroneous since all had already been released. This time, however, the MPA named “the director of the Thessaloniki Security Police, Fil. Karaghiozides,” as the source of the erroneous and defamatory information. Our NGOs asked from the Ministers of Public Order and Mass Media to engage disciplinary proceedings against the police and media persons involved. There has been no answer to that move, except that on 10 July MPA attributed the false information again to police sources - but did not even apologize to the Roma. So the leading police officer(s) responsible for unjustifiably slandering scores of Roma of Gallikos as “robbers, burglars, cons” have to date not even been under investigation.

#### 5.4. Racism in Media

Greek media and public discourse are full of “hate speech” towards minorities and migrants that is hardly ever met even with simple condemnation by the state, let alone, when applicable, by the use of the special law prohibiting incitement to racial hatred. Extensive documentation of the negative stereotypes and hate speech in the media towards national, ethnic, and religious minorities for the period 1994-1998 is available in *Balkan Neighbours*<sup>9</sup> and Mariana Lenkova (Ed.) *Hate Speech in the Balkans*<sup>10</sup>.

It is almost regular practice that Greek media refer to the ethnic or national identity of an alleged perpetrator of a crime, when s/he belongs to a minority or migrant group; while almost all crimes with no known suspects are reported as having “Albanian suspects.” When, in many cases, it is found that the perpetrators are Greek, the story is hardly at all reported. The most telling recent example concerned the case of “*Albanians shot in cold blood the partner of a 17-year old girl in Aghia Paraskevi*” – repeated by almost all media on 8 July 2000. In some cases, extensive televised coverage was given to interviews with residents of this Athens affluent suburb who alleged all kinds of problems with Albanians. A fortnight later (22/7), it was revealed that the perpetrator was a Greek prison fugitive, the incident had taken place in another area. It was “small print” news for most media that did not even link it to the previous coverage so as to present the mistake. There was absolutely no reaction by any competent authority or journalists’ union.

A case of “mainstreaming” of racist speech, is the following. The publication of a profoundly racist article on the Roma, first, on 26 November 1999, in the extreme-right newspaper *Chrysi Avgi* and then in the local paper *Proini* in Korinthos (Southern Greece), on 15 and 16 December 1999, did not draw neither any condemnation nor any action by the prosecutor. In the article entitled “Let’s talk about... Gypsies”, Roma (“gyftoi” in Greek, which has a pejorative meaning, like “gypts”) were presented as follows:

*“Gyps are abnormal hybrids of the three races: the yellow, the black and the white. (...) They are all tasteless, unable to organize themselves and produce spiritual work; they are liars and dishonest people. They are parasites, living at the expense of the others, which is visible in their ‘artistic’ contributions. They have polluted the European culture and tradition, just like the Jews. (...) It was a real fortune that for years they were living in the margin of society. For some of them, this is still the case. The word Gyps in Greek has a derogatory meaning. Everyone who dealt with Gyps knows that they are thieves, drug traffickers, and smugglers. The latest events in the Czech Republic show that Gyps are hated by all White Men.”*

Another recent example of racist speech been uninhibitedly distributed by a state university concerns the “University of Thrace.” It maintains one electronic discussion list where from time to time postings with anti-Semitic and/or other racist content are made. When queried about such “tolerance of intolerance,” the university answered, on 14 February 2000, that “*it is a democratic university that does not interfere with the expression of opinions, even when it may find them objectionable.*”<sup>11</sup> The racist, usually anti-Semitic postings continued.

Even when sanctions exist for racist speech, the competent authorities do not bother to use them. On 28 March 2000, Greek Helsinki Monitor appealed to the National Radio and Television Council (ESR) to stop a xenophobic pre-election spot of the extreme right “National Alliance” that was broadcast not only by the party’s own television channel “Tele Tora” but also by one of the major channel “Alpha.” The message included a reference to “*the major national problem of migrants who assassinate the quiet and the peace of the land.*” GHM never received any answer by the ESR. However, it was later discovered that that spot was broadcast a very large number of times by “Alpha” corresponding to an advertising budget that even mainstream parties could not afford. The suspicion that

<sup>9</sup> Issues 1-8, 1995-1999, published by ACCESS, Sofia.

<sup>10</sup> Athens: ETEPE, 1998.

<sup>11</sup> <http://www.egroups.com/group/thrace/6130.html>

the mainstream channel was promoting the extremist party were confirmed a few months later, when it was revealed that “Alpha” bought “Tele Tora.”

## 5.5. Anti-Semitism

Latent anti-Semitism in Greece has resurfaced in the open in the last twelve months, reaching new heights during the Orthodox Church’s campaign against the removal of the reference to religion from the identity cards.

On 6 October 1999, the leader of Greece’s small Jewish community complained about a letter from George Katsanevakis, the prefect of Hania (Crete), questioning why a restored 400-year-old synagogue was being reopened on the island of Crete even though there is only one Jewish resident in the town. In the letter, the prefect wrote he favored “maintaining and promoting even more the monument and its historical values and remove the religious services ... when there is not an adequate number of faithful for their participation and admission. (...) The services and ceremonies of the synagogue are directed at whom?” the letter continued. “An empty monument, idle tourists or those transported from another congregation?” What was behind these concerns? A local activist wrote in *Avghi* (7 October 1999), referring also to other reactions:

*“One may understand the ridiculous fear of the ‘Priests from Sfakia’ group and of Mr. Doxakis that, after the synagogue’s inauguration, Hania will be swamped by ... Jewish agents who will settle in our city so as to alter its national character and eventually ... annex Crete to Israel! ... What is not understandable is for the Prefect to express similar fears (though slightly veiled).”*

- Anti-Semitic attacks on unprotected Jewish monuments in Salonica took place in the night of 20 to 21 April 2000. Swastikas and anti-Semitic slogans (“Juden Raus! We are coming!”) were written on the Holocaust Monument and a Synagogue of Salonica at a time coinciding with Jewish Passover and the 33<sup>rd</sup> anniversary of the 21 April 1967 military coup. The signs were “signed” by Chrysi Avghi, a well-known neo-Nazi organization. More worrisome than these actions was the fact that the following day only one newspaper (*Kathimerini*) reported the incident with a very short news article (another, *Vima* reported only a Nazi attack against a synagogue – in Erfurt, Germany). There was no reaction from the government or any political party. Quite unlike what happens when Greek Orthodox sacred places are desecrated, for example, in Istanbul.

The President of the Jewish Community of Salonica Andreas Sefiha, in an emotional statement<sup>12</sup> spoke of a “revival of Fascism and Nazism 55 years after the end of the Second World War.” He then mentioned that “its heirs entered government in Austria. Only yesterday, the President of the Federal Republic of Germany Mr. Rau came to us, saw us, but went on without feeling a duty to honor the memory of the victims of Nazism. Today, two unprotected sacred places of ours are desecrated, certainly because some people here, following these incidents, believe they are justified to think the road is open to them. (...) Is Nazism knocking on our door again? Is it gaining ground as a result of the acquiescence and the insufficient alert of our conscience?”

- On 24 May 2000, swastikas were painted on the wall of Jules Dassin in Athens. Being the widower of venerated Melina Merkouri, the event stirred some reactions but they were low key.
- On 29 May 2000, Greece’s largest Jewish cemetery in Nikaia (Greater Athens) was vastly desecrated with swastikas and neo-Nazi slogans. This time, the government and even the Orthodox Archbishop condemned the act, but again the event and the statements went underreported in the media.

However, the worst case of anti-Semitism resulted from the debate on the removal of the reference to religion from the Greeks’ identity cards. Although over ten years there have been many pressures in that direction, as the reference is a human rights violation, from Greek and international NGOs and IGOs, most supporters of keeping the reference chose to present, misleadingly, the move as an acquiescence by Greece to Jewish pressures. (Euro)deputies from both major parties, like Mr. Papathelemis from governing PASOK and Messrs. Marinos, Yakoumatos and Karatzaferis from opposition New Democracy (the latter was later expelled but for other reasons) made such claims when they did not outright call even the Prime Minister “high priest of modern Judaism” (Yakoumatos in Parliament, 6 September 2000). For example, the following discriminatory statements were given by key Church-affiliated clergy and laity:

- On 21 June 2000, daily *Avghi* wrote that the Church’s spokesperson Bishop Daniel of Kaisariani refused to comment, let alone condemn, on the headline of a major church-related weekly *Orthodox Typos*, which was

---

<sup>12</sup> Available in Greek at [http://www.mpa.gr/article.html?doc\\_id=110235](http://www.mpa.gr/article.html?doc_id=110235)

being freely distributed in the Holy Synod's offices. The headline read: "Simitis is a Jew, Rozakis is a Jew." Costas Simitis is Greece's Prime Minister and has no known Jewish affiliation. Professor Christos Rozakis is the Vice-President of the European Court for Human Rights, and advisor to the Prime Minister. He has Jewish ancestors, and has been attacked even in Parliament in 1996 (by Mr. Karatzaferis) for them –with no political party disapproving that attack, which contributed to his resignation a few weeks later.

- *"I would like you to show me the names of Catholics or Jews who were killed during the epic war in Albania [in the Second World War]. It is a matter of blood and sacrifice. Will we be the ones to get killed while the others will be enjoying freedoms? Let them go where their fatherland is"*, said Bishop Anthimos of Alexandroupolis, according to *Avghi* (27 August 2000).
- *"Those who appeal to the European Court of Human Rights are self-interested fanatic followers of extreme religious beliefs and sects who offend and embarrass the Greek state as allegedly illiberal and fundamentalist"*, stated Bishop Prokopiso of Kavala, according to *Eleftheros Typos* (27 August 2000). Those who have appealed to the ECHR are Catholics, Jehovah's Witnesses, Muslims, and Pentecostals.
- *"The removal of the reference to religion is a satisfaction of a demand of the Jewish-American lobby, as 'Eleftheros Typos' [the leading conservative newspaper] wrote on 13/3/1999: 'Jewish Pressures for New Identity Cards,'" according to Father Argyris Ierotheos, Press Secretary of the Holy Synod of the Church of Greece. (Eleftheros Typos, 3 September 2000).*

## 6. FREEDOM OF RELIGION<sup>13</sup>

---

### 6.1. Overview

NGOs and all observers of the human rights scene in Greece welcomed Minister of Justice Mihalis Stathopoulos' initiative to point out that it is necessary for Greek legislation or practice to be adjusted to the international obligations of the country on human rights issues, such as the removal of the entry on religion on identity cards, and the introduction of a secular oath and a secular funeral. They also greeted the ensuing decision of the Authority for the Protection of Personal Data to modernize identity cards by removing the data on religion, profession and the husband's name. The reform led to a protracted crisis in Greece with opposition to it led by the Orthodox Church. By September 2000, the government steadfastly repeats that the new identity cards will be used but has yet to introduce them. In the meantime, the Church of Greece has launched a petition drive to gather millions of signature so as to pressure the government to back down or organize a referendum on the matter. Public opinion surveys indicate that more than 75% want a mandatory or optional reference to religion on the cards to be maintained, and 50% support a referendum on the issue (even though only 12% are regular churchgoers). The difficulty to introduce what is a minor reform when compared with other reforms Greece should implement on human rights matters, and the attitude of the public shows how unfamiliar with, if not hostile to, modern human rights norms Greeks are.

#### **More important reforms related to freedom of religion and related concerns include:**

- Revision of the pre-war legislation on proselytism and operation of houses of worship in order to ensure the state's neutrality towards the various creeds. Amendments of articles 175 and 176 of the penal code to remove references to pretense of authority or to wearing of religious uniform. Regulation of the legal status of the Catholic Church. Removal of the reference to religion from identity cards.
- Election of the management committees of the *wakfs* (promised before the elections by the Minister of the Interior). Thorough revision of the procedure for the selection of the *muftis*, which must be carried out in a way that will ensure the general acceptance of the Muslims. Mosques must be opened in areas where there is a considerable number of Muslims.
- Abolition of the punitive character of the conscientious objectors' civilian service by considerably reducing its duration. Court convictions of objectors should be erased from their criminal record, as they obstruct the objectors' professional advancement.

### 6.2. The Identity Card Reform

---

<sup>13</sup> In other sections of these reports, there are many references to issues also pertaining to freedom of religion.



On 8 May 2000, the new Minister of Justice, Professor Mihalis Stathopoulos, in an interview to the daily *Ethnos* stated *inter alia* that the inscription of one's religion in the state-issued identity cards – until now obligatory-violated the Law on the Protection of Personal Data. On 15 May, the relevant Independent Authority established by that 1997 law issued a binding ruling that asked the state to remove religion as well as other personal data (fingerprints, citizenship, spouse's name, and profession) from the identity cards. The removal of religion has been one of many pending demands of a handful of human rights groups and of all religious minorities. They argued that such mention violated international human rights standards and also helped discriminate against religious minorities in Greece, a country notorious for its religious intolerance. After all, in the last ten years, the European Court of Human Rights had convicted Greece in cases involving all its major religious minorities (Muslims, Jehovah's Witnesses, Catholics, Protestants). In addition, the UN Special Rapporteur had submitted to the General Assembly in 1996 a report severely critical of the lack of religious freedom in Greece.

Within a month, a deep division had been created in the country. The socialist (PASOK) government held steadfastly to respect the authority's regulation, but very few ministers or deputies of that party publicly backed that choice. Most stayed silent if they did not implicitly or explicitly criticize the government's handling of the issue, if not the decision itself. In fact, many of them in private conversations and at least two with public statements asked that the Minister of Justice resigned to "help diffuse the crisis." On the contrary, almost all politicians of two small parliamentary parties, the Liberals and the Progressive Left Coalition, as well as the latter's new splinter Renewal Modernizing Movement of the Left (AEKA), became the main public backers of that decision. At the other end, the conservative New Democracy, the splinter socialist Democratic Social Movement (DIKKI), as well as the Communist Party of Greece (KKE), directly or indirectly backed the Church's protest and found no words to oppose the holding of these two huge rallies. The first two even opposed the removal of religion from the cards, preferring instead, like the Church, the optional mention.

In June mass rallies, with high turnouts by today's standards, took place in Athens and Salonica. The pictures from these rallies that were broadcast around the world showed scores of black-robed bishops sitting on a podium under the main speaker, the Archbishop of Greece Christodoulos. The populist if not obscurantist public calls by Church leaders – who like all clergy are civil servants in Greece – for civil disobedience ("*if a law is unacceptable it should not be applied*" and "*the Scripture is above the law*") were in stark contrast with the country's entrance to the club of modernist and secularist states that are abolishing borders and currencies, the EU's EMU.<sup>14</sup>

### **6.3. Muslims**

- On 26 April 2000, the official, state-approved Muftia of Komotini reported that the Topographic Agency of Rodopi, by refusing to issue a certificate, disputed in fact the ownership 70 strema (70,000 square meters) of cultivable fields in Mikro Kranovounio, which have belonged to the Vakif of Komitini since 1456. Interestingly so, no Greek media reported the Muftia's protest. It should be recalled that, in 1997, the ECHR had convicted Greece for a similar case involving property held by the Catholic Church in Greece for centuries.

### **6.4. Jehovah's Witnesses**

- On 6 April 2000, in the case of Thlimmenos v. Greece, the European Court of Human Rights held unanimously that there had been a violation of Article 14 (prohibition of discrimination) in connection with Article 9 (freedom of thought, conscience and religion) and a violation of Article 6 § 1 (right to a hearing within a reasonable time) of the European Convention on Human Rights. Under Article 41 (just satisfaction) of the Convention, the Court awarded the applicant 9,000,000 Greek drachmas (USD 23,000) for non-pecuniary damage and for legal costs and expenses. Iakovos Thlimmenos was refused the right to work as a chartered accountant in 1989, although he had passed the professional examination. That decision was based on his penal record which was not clean, following a conviction for refusal to serve in the army, because of his religious belief. It was the ninth conviction of Greece for the violation of the rights of Jehovah's Witnesses.

### **6.5. Protestants**

- Besides the raid against the Protestant radio station Channel 2000 (see above on freedom of expression), on 5 November 1999, a Salonica court acquitted Yannis Dimitriadis, a pastor of the First Pentecostal Church in Salonica, charged by the police with operating a church without a permit. Prosecution had gone ahead even though the church had a license dated 1938, and a license to move its premises to the present ones dated 1969.

---

<sup>14</sup> For the anti-Semitic consequences of this debate see the section on racism.

- On 25 October 1999, a Three-Member Misdemeanor Court in Larisa convicted Pastor George Yfantidis and Mr. Apostolos Rizos to a suspended sentence of 6 months in prison because they had not put in the entrance of their “Christian Education Center” a sign mentioning “Laboratory of Liberal Studies.” The Center was a lecture hall of the local branch of the Greek Evangelical Church, and no courses were ever held there. The court argued that since its statutes included the possibility to offer foreign language classes, the sign was mandatory. It is noteworthy that many really private schools of foreign language do not have such signs, while never were any language classes held in that Center.

#### **6.6. Old Calendarists**

- The (New Calendarist) official Orthodox Church, with the acquiescence of the municipal and police authorities, continues to hold the little church of St Savas on a hill atop the Athens suburb of Galatsi, which it seized in 1998 from the Old Calendarists who had built it and owned it until then. This is the last of many similar cases since the split between the two Orthodox Churches in the inter-war period.

#### **6.7. Buddhists**

- On 13 June 2000, Hara Kalomoiri was convicted by a Three-Member Misdemeanor Court of Salonica to a suspended – for a three-year period – sentence of two months in prison for having operated, between September 1994 and March 1995, a house of worship without state license. The verdict refers to the “Karma Rik Drol Ling-Center of Practical Philosophy and Psychology” residential center in Trapezi, Halkidiki (near Salonica and Mount Athos), whose Hara Kalomoiri was an administrator until 1995. The court inferred the building was a “temple of Buddhist cult” because its residents “engaged in Buddhist acts of cult, concretely ... in meditation.” A Single-Member Misdemeanor Court of Salonica first convicted Hara Kalomoiri to three months in prison – convertible to a fine – on 24 March 1996. A Three-Member Misdemeanor Court of Salonica issued a guilty verdict with a reduced and suspended sentence of two months on 14 March 1997. On 20 March 1998, the Supreme Court overturned the latter verdict and sent the case back to the Three-Member Misdemeanor Court of Salonica. According to GHM, considering meditation as an act of cult is inadmissible, and certainly a violation of freedom of expression and of religion.

### **7. NATIONAL MINORITIES**

---

#### **7.1. Overview**

The hopes raised in mid-1999, following public statements of Foreign Minister George Papandreou supporting the right of minorities to self-identification and announcing the ratification of the Framework Convention on National Minorities during the fall 1999 parliamentary session were have since been dispelled. Probably as a result of the very strong backlash against the Minister (and the human rights NGOs and the minority activists supporting that right) at the time, this long awaited modernization of Greece’s minority policy was cancelled. In 2000, the Minister himself reverted to the old policy of “one, prospering, religious minority of Muslims” while his Ministry rebutted with strong words ECRI’s recommendations that Greece recognize its multicultural character and respects the identity of its minorities. Moreover, Greek courts continued to ignore international minority rights norms and case law when dealing with minorities, at the same time Greece was convicted three times (and barely avoided a fourth conviction) by the European Court of Human Rights on Turkish minority cases.

#### **7.2. Regression to Traditional Intolerance Towards Ethno-National Minorities**

In late July 1999, for the first time in Greece’s modern history, there was a debate on the possible modernization of the country’s minority and citizenship policies. Under the impetus of Foreign Minister George Papandreou, then considered as supporter of multiculturalism, the public was informed that Greece was finally moving towards the application of the internationally accepted norms for national minorities and the recognition of the right to self-identification for Macedonians and Turks. G. Papandreou then said:

*“If a Greek citizen feels that he belongs to some ethnic group, international treaties allow this. And Greece is a country that respects international agreements... No one challenges the fact that there are [in Greece] many Muslims of Turkish origin. Of course, the [Lausanne] treaties refer to Muslims. If the borders are not*

*challenged, it concerns me little if someone calls himself a Turk, a Bulgarian or a Pomak... Whoever feels he has such a [Macedonian] origin, Greece has nothing to fear from it and I want to stress this is not just my thought. It is a well-established practice that allows the integration of minorities throughout Europe, as well as in other countries like Canada, Australia, and the USA. Such an attitude defuses whatever problems might have existed, allows the real blossoming of democratic institutions, as well as gives these people the feeling that they too are citizens of this country” (Klik, 26/7/99).*

Coincidentally, on 23 July, a public appeal for the recognition of a Macedonian and a Turkish minority, the unconditional ratification by Parliament of the Council of Europe’s Framework Convention, and the respect of these minorities’ rights was made by the three Turkish minority deputies in the Greek Parliament, three Macedonian, seven Turkish and three human rights NGOs (including the GHM and MRG-G, which initiated the appeal). The reaction to these cases showed that neither the Greek public, nor the Greek opinion-makers were ready to accept such a progressive stand. There was a near unanimous verbally violent reaction to the appeal, enriched with xenophobic and other “hate speech” and even some defamatory personal attacks against the signatories.

*“There could not be even one Greek citizen, however conciliatory, ready to even discuss the presence or racial minorities. The Greek people is one and indivisible. With various religious beliefs that do not however affect the unity of the total population. The government should immediately rectify a lapse, even involuntary, that gestates obvious and less obvious dangers.”<sup>15</sup>*

The Framework Convention was never sent to Parliament for ratification. A year later, G. Papandreou had changed his attitude:

*“Our position is that, according to the Council of Europe’s Convention, that we have signed and will ratify in Parliament, minority is a legal term. (...) Every country’s government has the right to define which minority it recognizes. We recognize as minority the Muslim minority. This does not mean that we do not acknowledge that there are some Slav-speakers in our country. They are not a minority in the legal sense. A minority in the legal sense has consequences concerning its rights, e.g. schools or whatever. Secondly, we recognize this minority as Muslim. This does not mean, however, that there is no individual right to define oneself: ‘I have Turkish roots, so I am a Turk’, ‘I am a Pomak’ etc. This is what the OSCE and van der Stoep says.”*

This is certainly an awkward, if not distorted, way to interpret the OSCE documents and the OSCE High Commissioner for National Minorities positions. Suffice it so say that all elected leaders of the “Muslim minority” claim the right for the minority to be recognized as Turkish. This is in line with reality. An EU “Euromosaic” survey<sup>16</sup> carried out among minority members registered in 1995 that 80% of its members have a Turkish identity (vs. 10% who have a Greek identity).

Consistent with that position was the answer of the Greek government, via its Spokesperson Minister for the Press and the Mass Media Dimitris Reppas, to an appeal by the European Parliament’s “Green and European Free Alliance” group to Prime Minister Costas Simitis, in May 2000, for the recognition of the Macedonian language and its introduction in the education system: “We are not concerned by such issue.”<sup>17</sup>

### **7.3. Categorical Rejection of ECRI’s Recommendations**

In its *Second Report on Greece* – released on 27 June 2000 – the European Commission against Racism and Intolerance (ECRI) recorded the situation in Greece concerning the minorities as follows:

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

*In the following report, ECRI recommends to the Greek authorities that further action be taken to combat racism, xenophobia, anti-Semitism and intolerance in a number of areas. These recommendations cover, inter alia, the need for the fine-tuning and effective implementation of existing legislation, the need to*

---

<sup>15</sup> *To Vima*, 30 July 1999.

<sup>16</sup> <http://www.uoc.es/euromosaic/web/document/turc/an/e1/e1.html>

<sup>17</sup> *Avghi*, 26 May 2000.

*strengthen and effectively implement existing policy initiatives, the need to address the situation as well as the specific problems faced by non-ethnic Greeks, and the need to raise the awareness among the general public of the multicultural reality of Greek society.*

*(...) ECRI welcomes the ratification by Greece in 1997 of the International Covenant on Civil and Political Rights and its first Optional Protocol, as suggested in ECRI's first report. In 1997, Greece also signed the Framework Convention for the Protection of National Minorities. (...) ECRI urges the authorities to (...) ratify the Convention. ECRI suggested in its first report that Greece sign and ratify without delay the UNESCO Convention against Discrimination in Education and the European Charter for Regional or Minority Languages. ECRI has been informed that signature and ratification of these instruments are currently under consideration and urges the Greek authorities to speed up the work in this respect.*

*(...) Article 20 of the Citizenship Code allows the government to strip citizenship from those citizens living abroad who "commit acts contrary to the interests of Greece for the benefit of a foreign state". Although this Article is applicable equally to all Greek citizens regardless of ethnic background, so far it has been applied mostly to persons who identify themselves as Macedonians. The authorities have stated that in the period 1994-1998, Article 20 has been applied only in very few cases. ECRI considers that more transparency as concerns the application of Article 20 is desirable.*

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

*(...) As regards Greek citizens wishing to express and promote their ethnic Macedonian identity, ECRI notes that, in July 1998, the European Court of Human Rights found Greece in violation of the right to freedom of association, based on her refusal to register an association aimed essentially at promoting Macedonian culture [See Case of Sidiropoulos and others Vs Greece, (57/1997/841/1047)]. ECRI also notes reports of cases where the right to freedom of expression of this group has not been respected. ECRI encourages the authorities to ensure that all groups in Greece effectively enjoy the right to freedom of association and to freedom of expression, in accordance with international legal standards.*

*(...) Greece has in recent years been experiencing major changes in migration patterns. In the last decade in particular, it has become increasingly a country of immigration. This has contributed to the emergence of a number of significant communities of foreign origin. These developments, taken together with the presence of a significant Roma/Gypsy population, cast doubt on the continuing validity of the traditional view of Greece – that is as a country with only one, relatively small and self-contained minority recognised as such. It remains the case that there are continuing concerns regarding the Muslim minority in Western Thrace which is mostly of Turkish origin. The reality is, however, that there are now other important minority groups which are significant in size and which experience distinctive, long-term problems and needs; conflicts between certain minority groups and the exacerbation of social prejudices which this may entail are examples. Precise statistics are not available, but taking together the various estimates of the size of the communities referred to above, it could be argued that they comprise between 5 – 10% of the population of Greece with the potential for further growth. The long-term implications are therefore considerable. There are indications that the significance of these developments is recognised at the highest political level in Greece, and some welcome policy initiatives have been undertaken. In the view of ECRI, however, it is open to question whether this perception is shared by public opinion as a whole, which still tends to see recognition of multiculturalism as a threat to national identity. It is also a matter of concern that such attitudes may be reflected at the lower levels of local and national administration. It is, therefore, felt that all possible efforts should be made to promote tolerance and respect for difference within Greek society and to ensure that governmental policy and constitutional guarantees are effectively applied at the local level. Against this background, ECRI is pleased to note the practical manifestations of the shift towards a higher recognition of the multicultural reality of Greek society. This approach is reflected in various measures, including reportedly the new immigration and citizenship bill, the proposed transfer of responsibility for immigration to the Ministry of the Interior, the action plan for the social integration of Roma/Gypsies and initiatives in education targeting the Muslim minority. However, ECRI stresses that these measures can be effective only if they are continued over the long term and it therefore hopes that the political will backing these initiatives will persist.*

*(...) The situation of the Muslim minority of Western Thrace is determined by the Treaty of Lausanne of 1923 and various other international agreements. The majority within the Muslim minority identify themselves as Turks, although this general category includes Pomaks and Muslim Roma as well. Greece officially recognises the Muslim minority in accordance with the Treaty of Lausanne. Many members of this minority of Turkish origin, however, feel discriminated against and persecuted for reasons arising out of the practical implementation of the Treaty of Lausanne.*

*Although positive steps have been taken by the Greek Government, including the repeal of Article 19 of the Citizenship Code, in the view of ECRI there is still room for further improvement of the situation of the Muslim minority of Western Thrace. ECRI recognises the complexity of the issues. However, there are actions within the power of the Greek authorities that ECRI considers could contribute to improving the present climate and which would build on the welcome moves that have already been made.*

*The Muslims of Western Thrace experience some restrictions of their freedom of expression. While individuals of Turkish origin can call themselves "tourkos" (Turk), the official use of this term, for example in titles of organisations or as collective descriptions, is prohibited. In December 1997, the European Court of Human Rights ruled that a Muslim member of the Greek Parliament whom a local court had found guilty of disturbing the peace by using the word "Turk" when referring to Muslims in Western Thrace, had not exhausted all domestic remedies before filing his complaint on Article 10 of ECHR. However, the European Commission of Human Rights had found that there had been a violation of Article 10, noting that the imposed sentence could not be regarded as a "necessary" measure in a democratic society. ECRI stresses that expression of ethnic identity should be respected and guaranteed.*

*A further restriction concerns the administration of private charitable foundations used to support education, social welfare and minority activities. Members of the Muslim minority complain that their right to establish, manage and control such foundations is not respected by the Greek state, due to the role played by the latter in the appointment of the management boards of these foundations. ECRI considers that the right of the Muslim minority to establish, manage and control such foundations should be fully respected in accordance with Greek domestic law and the Treaty of Lausanne. It is also noted that, although Mosques operate freely in Western Thrace, the Greek Government retains and exercises the right to appoint muftis (Islamic judges and religious leaders), arguing that the appointment by the government is necessary due to the fact that muftis have judicial functions in certain civil matters (e.g. marriage and divorce, alimony, guardianship and emancipation of minors, interstate succession, etc.). This position is unsatisfactory to many members of the Muslim minority of Western Thrace. Some Muslim communities have, however, elected unofficial muftis, and in 1998 one of them was fined, - after receiving a prison sentence from a court of first instance - for usurping the authority of the official mufti. ECRI stresses that the right of the Muslim minority to democratically choose its religious leaders should be respected. ECRI suggests that, given such an over-riding principle, it would be possible to find a means of ensuring that the persons in question have the necessary abilities to carry out these administrative duties.*

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

*welcomes the teacher training programmes introduced by the Government in 1997 and the plans to recognise the equivalence of teachers' diplomas obtained in Turkey in order that these teachers may be appointed to minority schools. ECRI encourages the Greek authorities to continue and multiply their initiatives in this field."*

To this ECRI criticism - based mainly on information gathered from NGO reports and meetings with minority representatives - the Greek government's rebuttal was a almost categorical rejection. The answer included a few cases of misleading information.

*(...) The Greek authorities wish to assure the members of the Commission, as well as everybody concerned, that the Greek Government and the Greek society are well aware of the reality prevailing in the country; we see the challenges before us, but we feel comfortable that we can deal with them, and we are not threatened by them. What we are not keen to do is adhere to preconceived and ideological notions as to the character of our society.*

*(...) The policies of the Greek Government in the fields falling in the purview of the ECRI, as indeed in all fields, are determined by its understanding of the needs of the persons who live in the country - without distinction as to the persons' nationality, ethnic origin, religion or even the legality of their presence in Greece - and do not stem from any theoretical/ideological position as to the compositional character of the Greek society. And of course they do not imply adherence by the Greek Government to the notion of a multicultural character of the Greek society. This notion, repeatedly mentioned in the report, has in our view not been sufficiently analyzed in all its political and legal implications, and therefore cannot be resorted to lightly.*

*(...) Concerning the political representation of the Muslim minority in Thrace, it is curious to note that the complaint is registered, in para 9, that it is difficult for members of the minority to be elected prefects or prefectural councillors, but no place is found to report the fact that three members of the minority sit in Parliament. Failure to report this fact seems to constitute a case of an error of omission being as grave as an error of commission.*

*(...) In para 24, the wording used to indicate a certain group of Greek citizens [i.e. Macedonians], both in the title and in the main body, betrays a certain parti pris on the part of the drafters in a matter of known controversy. A more neutral language is used in para, 5 and could be used here as well: "Greek citizens who identify themselves as Macedonians".*

*(...) In para 44, the authors of the report take the view that the right of the Muslim minority to establish, manage and control charitable foundations is restricted or compromised. That is not the case. Law 1091/80 provides for the free election of the boards of such foundations. In terms of the same legislation, the foundations, as indeed all such institutions in Greece, must declare all the property owned by them. The election is delayed until such time as this requirement is fulfilled.*

*(...) Concerning the appointment of muftis, treated in the same paragraph, it would be useful to clarify that the Muslim community is involved in the appointment process, since it is the minority that selects and submits to the Minister for Education and Religious Affairs a list of three candidates, out of whom the Minister makes the final appointment."*

It must be pointed out here that George Papandreou has repeatedly and publicly acknowledged the multicultural character of Greek society, hence the rejection of that concept by his ministry and the Greek government is perplexing. Otherwise, in an effort to refute the argument on the difficulty of the Turkish minority to elect prefects, the government countered with the presence of three minority deputies in parliament last year. Now, after the last election, only one was elected: does it mean that there is a problem even there?

As to the argument itself, the facts corroborate ECRI's concern. There have been two measures introduced specifically to prevent the unhindered participation of Turks in public affairs. First, following the election of one or two independent Turkish deputies in the three elections of 1989 and 1990, a 3% nationwide threshold was introduced in late 1990. This effectively eliminated Turkish deputies from the 1993 parliament, as independent candidates exceeded or just missed the local threshold for election but were not elected as their votes were far from the nationwide 3%. Subsequently, Turkish voters started backing minority candidates of the mainstream parties that could exceed the 3% nationwide. The 3% threshold was also later introduced for the elections of the European parliament. Since 1994 prefects in Greece are elected. Nevertheless, the related law included a gerrymandering

which merged one of the two major minority prefectures, Xanthi, with adjacent Kavala and Drama; and the other prefecture, Rodopi (the Komotini area), with adjacent Evros (the Alexandroupolis area); lest the minority elects its own prefects or a runoff between a Greek and an independent Turkish candidates makes the choice of the Greek parties an “impossible” one.

It is also a novel argument Greece’s claim that Muslim charitable foundations (*wakfs*) cannot elect their boards because it is said they have not declared their property. These foundations have now appointed boards that manage well-known and declared property; moreover, these foundations were electing their boards until the 1967 dictatorship abolished elections, without anyone having raised such a problem. Finally, it is regrettable that Greece tries to mislead once again an international body like ECRI when it claims, unabashedly, that “*the Muslim community is involved in the appointment process, since it is the minority that selects and submits to the Minister for Education and Religious Affairs a list of three candidates, out of whom the Minister makes the final appointment.*” The three candidates are in fact selected by an eleven-member advisory committee that includes ten Muslims appointed by the state’s Secretary General of the Region, rather than the minority itself. In its first implementation, for the *Mufti* of Xanthi, the Minister chose from the three candidates the one with the smaller number of votes.

#### **7.4. Turkish Minority**

One of the Turks’ most serious problems is certainly that of the continuous prosecution of their elected *muftis*.

- Mehmet Emin Aga’s prosecution is a serious case of violation of the human rights of an individual in Greece. He was elected by minority members *Mufti* of Xanthi in August 1990. In August 1991 the Greek government applied a new 1990 law abolishing the old 1920 one that called for elections of muftis. The government appointed Emin Sinikoglu as Mufti of Xanthi. Mr. Aga has been charged with violation of Art.175.2 of the penal code (pretense of authority) because he has issued some 50 messages to the Muslims on religious holidays, signing them as Mufti of Xanthi. In February 1998, Amnesty International stated that Greece was acting in violation of international law in sentencing Mr. Aga to imprisonment solely for the peaceful exercise of his right to freedom of expression. To this day, First Instance Courts have convicted him to 139 months imprisonment. Appeal Courts have reduced the sentences of seven cases from 114 months to 69 months. Mr. Aga has spent six months in prison and has bought off the balance, at considerable financial cost. Two of the convictions happened on 31 May 2000: the courts had thus snubbed the case law of the European Court of Human Rights, (see below). Moreover our NGOs condemn the postponement sine die of four additional cases against Mehmet Emin Aga, to be held in Xanthi in 2 June (3) and 3 June (1) and their transfer to Serres or Kavala on the -insulting- assumption that Muslims in Xanthi are fanatics and may disturb the proceedings. Aga has many cases pending in the Supreme Court and in the ECHR.<sup>18</sup>
- The European Court of Human Rights convicted Greece for the similar case of Ibrahim Serif on 14 December 1999. Mr. Serif was elected the Mufti of Komotini on 28 December 1990 by those attending Friday prayers at the mosques. He was subsequently convicted by a Greek court also for pretense of authority for messages he issued, and for wearing the mufti’s clothes. The ECHR held unanimously that there had been a violation of Article 9 (freedom of thought, conscience and religion) of the European Convention on Human Rights. “In the Court’s view, punishing a person for the mere fact that he acted as the religious leader of a group that willingly followed him could hardly be considered compatible with the demands of religious pluralism in a democratic society. Moreover, the Court did not consider that, in democratic societies, the State needed to take measures to ensure that religious communities remained or were brought under a unified leadership. The Court recognized that it was possible that tension was created in situations where a religious or any other community became divided. However, it considered that this was one of the unavoidable consequences of pluralism. The role of the authorities in such circumstances was not to remove the cause of tension by eliminating pluralism, but to ensure that the competing groups tolerated each other.”
- It is important to mention that the then minority deputies appealed the appointments of the muftis of Xanthi and Komotini to the Council of State, in 1991 (MP Faik Faikoglu) and 1990 (MP Sadik Ahmet) respectively. For a decade, the country’s higher administrative court, in violation of Greek and international law and any sense of decency, has been postponing the hearing of the cases, year after year after year. It obviously hopes that in that way it will delay possible recourses to the ECHR.

Other legal cases involving minority members include:

---

<sup>18</sup> For details see Amnesty International “Greece: Freedom of religion and expression on trial - the case of Mehmet Emin Aga, Mufti of Xanthi.” February 2000.

- On 19 October 1999, and then again on 6 June 2000, twelve Turkish minority teachers (Case of Raif Oglu et al.) appeared before the Three-Member Appeals Court of Patras. The minority teachers' union members were appealing a suspended sentence of eight months handed down by the Three-Member Misdemeanor Court of Agrinio, on 5 June 1997. They had been convicted for the violation of Article 188 of the Greek penal code ("participating in an association the aims of which are contrary to criminal provisions") because they had signed, on 21 March 1994, a union document that included the name of the "Union of Turkish Teachers of Western Thrace." That "Union" (founded in 1936) had been dissolved in November 1987 after the Supreme Court decision 1729/1987 affirmed the relevant Court of Appeals of Thrace decision 159/1986. The courts had held that the word "Turkish" referred to citizens of Turkey and could not be used to describe citizens of Greece, and that the use of the word "Turkish" to describe Greek Muslims endangered public order. The case was postponed in October 1999 and they were finally acquitted in June 2000.
- On 25 January 2000, the European Court of Human Rights found a violation of Article 6§1 concerning the length of criminal proceedings in the case of Mehmet Emin Aga v. Greece. Just satisfaction of 2,000,000 Greek drachmas (USD 5,130) was awarded for non-pecuniary damage.
- On 29 June 2000, the European Court of Human Rights struck off the list the case of Raif Oglu v. Greece, after Greece had agreed to pay the plaintiff seven million drachmas of unpaid salaries for having unduly fired him as teacher. Atnan Raif Oglu is a member of the Turkish minority. On 4 February 1993 he was suspended for a year from his job as a primary school teacher in the minority school of Xanthi in Thrace for using the term "Turkish teacher" and using old Turkish names for villages. On 2 February 1994 he was told he could not resume teaching as there were no posts available and on 24 September 1996 he was dismissed from his job for engaging in activities which "could harm the interests of the State". Both decisions were quashed by the Administrative Court of Appeal. Mr Raif Oglu complained that the Greek authorities had not complied with the Court of Appeal judgments, invoking Articles 6 § 1 (right to effective judicial protection) and 14 (freedom from discrimination) of the European Convention on Human Rights. He was rehired on 17 February 1998 and on 25 February 2000 was paid 7,108,572 Greek drachmas (USD 18,230), a sum equal to his salary and social security contributions for the period 4 February 1994 to 22 February 1998. However, he maintained his claim for non-pecuniary damage and legal costs. By six votes to one, the European Court of Human Rights decided to strike out the case on the ground that the applicant could no longer be considered a victim within the meaning of Article 34 of the Convention.
- On 6 July 2000, the ECHR convicted again Greece for a length of proceedings case (Tsingour v. Greece). Djahit Tsingour, a Greek national of the Turkish minority, is a chemist. He complained under Article 6 § 1 of the Convention about the length of the proceedings to which he was a party before the Council of State (which lasted more than four years and six months) arising out of the Xanthi Pharmaceutical Association's refusal to accept him as a member. The Court held unanimously that there had been a violation of Article 6§1 and awarded him 3,000,000 drachmas (USD 7,700) for pecuniary damage, 1,000,000 drachmas (USD 2,560) for non-pecuniary damage and 1,000,000 drachmas for costs and expenses. In the meantime, he finally became a member of the association.

Another remnant of the past is the "restricted zone" just north of the minority-inhabited district capitals Xanthi and Komotini. A score of minority-populated mountain villages are located in this area. Greek authorities sometimes claim they abolished the zone in 1995, but as local authorities have repeatedly confirmed to our NGOs the abolition is valid only for Greek citizens who can now freely move in and out of that zone. Foreigners need special permits, issued by the Greek army, to enter the zone and only during daytime. If they attempt to enter without permits, police authorities can turn them back or even detain them, as happened in August 2000 with a team of Turkish journalists (see section on freedom of expression). Moreover, the upper road linking Xanthi with Komotini is also restricted for foreign diplomats (as some have reported us and local officials have confirmed). As a new Xanthi campus of the University of Thrace is located along that road, it probably has the distinction of being the only university facility in a restricted zone in the OSCE area.

## 7.5. Macedonian Minority

Perhaps the most indicative case of both hostility and violence against minorities in recent years was the attack against and eventual sacking of the offices of the Macedonian minority party "Rainbow" in 1995. The perpetrators



had not been brought to justice by mid-2000, unlike the “Rainbow” leaders who did face trial for the public use of their mother tongue.

It is noteworthy that the witnesses of the prosecution included the local leaders of all five main Greek parties at the time (PASOK, ND, Political Spring, KKE, and Coalition); as well as leaders of professional associations (lawyers, merchants, priests, taxi drivers). Most of them, in their pre-trial depositions characterized the defendants as “paid agents of Skopjan propaganda”, “anti-Greeks”, etc.

“Rainbow” opened an office on 6/9/1995 in Florina, with a sign mentioning “Rainbow - Florina Committee” in both Greek and Macedonian. On the evening and night of 13 (and early hours of 14 September 1995), the office was attacked and eventually sacked by a “mob”, led by the mayor of Florina. Before the sacking, police acting on the prosecutor’s order removed the sign, while the prosecutor announced the indictment of the “Rainbow” leaders for having incited discord among citizens through the use of the Macedonian language in their sign. No political party, nor any media condemned the sacking of the party offices. On the contrary it was praised by extreme right nationalistic papers like “Stohos” and “Chrysi Avgghi,” whose members reportedly took part in the sacking. And the use of the bilingual sign was condemned by all mainstream political parties and other social groups: the local PASOK (Socialist governing party) organization even initiated a court procedure, later withdrawn as it appeared that many signatures on it had been put without the knowledge of those concerned.

The indictment said:

*“Vasilis Romas, Costas Tasopoulos, Petros Vasiliadis, and Pavlos Voskopoulos are responsible for, having acted jointly and in public, in any way having caused and incited mutual hatred among the citizens, so that common peace was disturbed on September 6, 1995 in Florina. Specifically, in the aforementioned place and time, as legally representing the party with the name “Rainbow” (“Ouranio Toxo”), the four defendants hanged a sign in that party’s office - in N. Hasou and St. Dragoumi streets. Among other words written therein, there were the words “Lerinski Komitet” written in a Slavic linguistic idiom. These words, in combination with the fact that they were written in a foreign language, in the specific Slavic linguistic idiom, provoked and incited discord among the area’s citizens. The latter justifiably, besides other things, identify these words with an old terrorist organization of Slavic-speaking alien nationals which was active in the area and which, with genocide crimes, pillages and depredations against the indigenous Greek population, attempted the annihilation of the Greek element and the annexation of the greater area of the age-long Greek Macedonia to a neighboring country, which at the time was Greece’s enemy.”*

On 15 September 1998, the defendants were eventually acquitted, partly because the trial attracted international attention.<sup>19</sup>

Charges pressed in 1995 by “Rainbow” leaders against suspected perpetrators, accomplices and instigators of the sacking of the offices (which included the local mayor and bishop) were quashed on 27 October 1999 by the Council of Misdemeanor Judges of Florina, which saw no reason to even set a trial date. Explaining their decision, the judges argued, *inter alia*, that the reaction of individuals and groups in Florina were justified by the fact that the sign was provoking concern to them. So the inflammatory and defamatory statements (e.g. “anti-Greeks!,” “traitors!,” “you will die!”) and the incitement to violence by priests, local authorities etc. were considered in this case “objectively necessary to express their disapproval of the raising of the so-called minority issue.” On 5 April 2000, the Council of Appeals Judges of Kozani reiterated the quashing of the charges. The “Rainbow” leaders appealed to the Supreme Court on 4 May 2000. Until now, the courts have given the impression that “hate speech” is acceptable and justifiable in arguments and actions against what the authorities consider as “non-existent” minority.

## **7.6. Roma Minority**

### **Overview**

When the government of Prime Minister Costas Simitis came to power, in January 1996, many hopes were raised that Greece will finally engage in a modernist course that will include full respect of human and minority rights. Mr. Simitis was in fact given an opportunity right away, in February 1996, to justify such expectations. A televised live police raid of a destitute Roma settlement in Aspropyrgos, near Athens, with police using excessive violence, made

---

<sup>19</sup> A comprehensive file of the prosecution can be found in GHM & MRG-G “Greece Against its Macedonian Minority: The “Rainbow” Trial (Athens, ETEPE, 1998)

him order heavy sanctions against the instigators and damages to be paid to the victims. In his speech inaugurating the EU's campaign against racism a year later, in February 1997, he mentioned that police action as an example of racism in Greece. In the meantime, upon his instructions, three ministers launched in July 1996 an ambitious "Framework Program" of 3 billion drachmas (USD 7.7 million). through the end of 1997. It included, *inter alia*, the "immediate, within 1996" setting up of five temporary but adequately equipped settlements (in Menemeni, Messini, Thebes, Karditsa, Rhodes) and the resettlement of two other communities in Antirrio and Serres.

Regrettably, the implementation of that policy to fight institutionalized racism and provide decent living conditions to the Roma failed dismally. The government's own *Implementation Review for 1996-2000* mentions that the aforementioned (re)settlements are still in the implementation phase. Moreover, not only no Aspropyrgos Romani family has ever received any funds for the 1996 damages, but the government's "review" does not even mention any plans to provide that community with decent living conditions. So, the local authorities have interpreted that silence as a go ahead for their "divide and cleanse plan" they have been implementing since 1997. The few Roma living in the Aspropyrgos-Ano Liosia settlements who are registered in these municipalities have been offered money or supposed better conditions to move away, while the vast majority of the other Roma, who had migrated from the rest of the country, have been summarily, brutally and illegally evicted. Four such evictions have occurred since 1997. The most recent one was going on in the summer of 2000.

All efforts to prevent these evictions – as well as similar ones in Greater Athens (in Aghia Paraskevi, Halandri, Nea Ionia) - or find alternative sites to house these Roma have failed as local authorities have been claiming they want the land on which Roma are or can be settled to build sports or other facilities for the 2004 Athens Olympic Games. A GHM and MRG-G letter sent to the International Olympic Committee (IOC) President Juan Antonio Samaranch, in August 2000 - asking the IOC not to tolerate a cleansed, Roma-free, Greater Athens as the host of these Games - has reportedly led to a letter of concern by the IOC President to the Greek authorities. It is hoped that it may finally make the latter seriously plan Roma relocation – rather than "cleansing"- in the country's capital, including speeding up still frustratingly slow efforts that have been engaged following pressure by NGOs and the Greek Ombudsman Office (like in Halandri).

The Executive Director of the European Roma Rights Center, Dimitrina Petrova, after her field mission in Greece, stated to the French News Agency (12 May 1998) that:

*"Roma are not treated and do not live like humans, they exist outside society, their situation is totally unacceptable."... Education for Greek [Roma], of whom 80 percent are illiterate according to local NGOs, is at the root of many of their problems,"* Petrova noted."*... "In this field, Greece is the worst country in East and Central Europe,"* she said.

Petrova described as "stupefying" the poverty in which many Roma exist and the level of police violence to which they are subjected. *"In many regions, it seems routine to badly treat and subject arrested [Roma] to brutality,"* Petrova said, adding that these incidents were never taken up by the authorities.

The Vice-President of Doctors of the World-Greece, Yannis Boukovinas, said to state television station ET-3 on 24 October 1998 about the largest Roma settlement near Salonica (near the Gallikos river): *"It is worse than the refugee camps I have visited with our organization in occupied Palestine or war-torn Irak."*

The government's "review" does mention that Gallikos Romani community. It claimed (when submitted to parliament, in response to a question by MP Maria Damanaki, in February 2000) that its relocation to a fully-equipped settlement, in Gonou, was being completed. But, in September 1998, answering another parliamentary question by MP Stella Alfieri, the government had already promised that the mine-sweeping of the former barracks of Gonou would have been finished by November 1998, which meant that the infrastructure would have been ready by February 1999. While, when probed by the OSCE High Commissioner on National Minorities (HCNM), in May 1999, the government had promised that the resettlement would be completed by September 1999.<sup>20</sup> Before the April 2000 elections, work was temporarily speeded up for the local politicians – like Minister of Defense Akis Tsohatzopoulos – to be able to boast in front of television cameras that completion was imminent, so as to be able to gather votes. Today, in mid-September 2000, work is still in progress: the government had in the meantime announced a 30 July 2000 deadline<sup>21</sup> not honored either. On 13 September 2000, homes were allocated to the Romani families, with the promise that they will be settled on time for the Prime Minister to have the opportunity to inaugurate their model settlement. Had it not been for the continuous pressure by the local DROM and other

---

<sup>20</sup> OSCE HCNM, *Report on the Situation of Roma and Sinti in the OSCE Area*, April 2000, p. 115.

<sup>21</sup> Macedonian Press Agency, 19 July 2000.

national NGOs (which had even brought charges against the state for negligence in 1997), the Gonou project (not included in the original 1996 Framework Program) would not have existed or would have been abandoned, as implicitly acknowledged even by the OSCE/HCNM. Already, DROM advocate Thanasis Triaridis has counted 11 deadlines set by the state and never respected.<sup>22</sup>

The Greek government proved beyond any doubt that it lacked the political will to house Europe's most destitute Roma when it mobilized the administration in September 1999 for the victims of the Athens earthquake. Free space was found instantaneously to locate temporary housing for an earthquake-stricken population larger than the total number of destitute Roma in Greece. Infrastructure works were completed almost overnight and pre-fabricated houses were allocated to all homeless victims. Ironically, there was an abundance of land for earthquake victims in municipalities near Athens, like Ano Liosia and Aspropyrgos, where its scarcity had been the primary excuse for the inability to relocate the Roma living there.

Greece's disheartening reality was aptly described by the OSCE/HCNM:

*"The experience of Roma settlements in Greece highlights a problem that has salience in many countries. The effectiveness of any policy vis-à-vis Roma can turn upon the cooperation of multiple layers of government. But responsibility for inadequate policy implementation cannot be laid solely at the doorstep of local authorities. In some countries that have undertaken initiatives to develop comprehensive Roma policies, national officials appointed to implement those policies operate without adequate support at the most senior levels of government. In order to be effective, public servants require the support of national leaders and local officials."*<sup>23</sup>

And not only of them, it could be added. Even the Rector of the University of Patras, Professor S. Alahiotes, (in a meeting with GHM, MRG-G and the Prime Minister's Office for Quality of Life, on 1 December 1999, to discuss ways to help Roma squatting on or near university property) stated, without offering even a shred of evidence when probed, that:

*"Gypsies know that they are entitled to certain rights and they play the fool... They constantly rob, there have been people arrested. (...) The University is an international forum. What kind of sensitivity can there exist towards people who are trespassing private property, embarrassing the institution internationally when their goats show up in the amphitheaters? (...) We want to protect the reputation of the University, it is an international forum, a showcase. We cannot tolerate that someone drives by it and a Gypsy throws stones..."*

When, after a sustained NGO and – unprecedented for Greece - local media campaign, the mayor of Patras finally acknowledged in July 2000 his responsibility for the welfare of the Romani community of Riganokampos (university property but far away from its campus), and decided to provide it with running water as a first step, the Rector opposed the measure. He argued it may lead to semi-legalizing the Roma's presence in the area. So the water tabs were put instead alongside the adjacent road. The government's "review" has no provision for this settlement.

The Greek government has recently been seen to implicitly encourage explicitly racist municipal decisions branding all Roma criminals and asking for their forced eviction, even banning – in one case - their presence within town limits. Such unanimous decisions were taken in May and July 2000 by the municipal councils of Nea Kios, Nea Tyrintha and Midea (all in Argolida): in Nea Tyrintha, in fact, the eviction had been requested also by the Ministry of Justice. They helped create an explosive climate in the area that led, in June 2000, *inter alia*, to the burning of one Romani hut, the shooting of a Romani youth, the harassment of one journalist, and the ban of an anti-racist group from entering Nea Kios. When asked to condemn these openly racist and cleansing actions, the Government Spokesman Minister Dimitris Reppas rejected such suggestions and described these actions as "personal disputes, instances of 'vendetta' that often break out in certain areas."

The Greek Ombudsman's Office has repeatedly warned of the illegal and sometimes racist character of eviction decisions or actions, and "blanket" police raids of Romani settlements in search of possible crime suspects, usually without the presence of a Public Prosecutor. In its 1 June 2000 letter to the Nea Kios Mayor and Municipal Council, it called parts of the text of the eviction decision as "*characteristic manifestations of hate speech and, especially, incitement of others, and specifically your citizens - to racial discrimination and actions of racial hatred.*" It also reminded these authorities that their decision, including the creation of citizens' guards, were leading to actions

<sup>22</sup> See "Unconventional Thoughts on the Plight of Roma in Greece: On the Value of Sleeping Restlessly," AIM Athens, 29 August 2000, at <http://www.aimpress.org/dyn/trae/archive/data/200008/00829-005-trae-ath.htm>

<sup>23</sup> OSCE HCNM, p. 116-117.

punishable by articles 1, 2 and 3 of the anti-racist law of 927/1979 on incitement to racial discrimination and hatred; on forming groups and organizing propaganda or activities aiming at racial discrimination; and on refusal to serve people on racial criteria.

Moreover, in a letter to the Salonica Police (11 August 2000), it pointed out that Romani huts are covered as homes by article 9 of the constitution; “*contrary opinion would discriminate in an unequivocally racist – and hence unconstitutional - way the dwellings of these groups of Greece’s population on the basis of their nomadic way of life.*” It has also urged them to “*avoid the creation of the stereotype of ‘usual suspects’ at the expense of racial minorities like the Roma*” and called a blanket police raid of the Gallikos Romani community, on 6 July 2000, a possible “*indication of the stereotypical view that links Roma with serious criminal offenses.*” While, in a 25 July 2000 “*extremely urgent*” letter to the Aspropyrgos Mayor and City Council, it reminded them that evictions from municipal property required “*protocols of administrative eviction*” issued by municipal authorities after a decision of the city council, which are to be served to the squatters first. It asked for prompt information on whether the late July 2000 “*cleaning*” – according to police – of the Romani settlements: in reality “*cleansing*” them including through the leveling of Romani huts. If not, the police and municipal operation was in breach of article 241 (violation of the security of the home) and 331 (self-adjudication) of the Greek penal code.

The Ombudsman will probably be once again ignored. GHC and MRG-G believe that no Public Prosecutor will seriously investigate these cases, even when charges are pressed, if we judge by recent practice. Nor will there be an internal investigation. As the Ombudsman wrote in its *Annual Report 1999*:

*“Human rights violations by the administration (...) can be codified with the words arbitrariness-indifference-bias-impunity; they take their most acute form when applied on vulnerable social groups (p. 18). Often the administration arbitrarily uses public interest as an excuse to restrict individual rights or shows illegal idleness when there is a constitutional obligation to protect human rights. These phenomena will not be eliminated as long as existing disciplinary procedures remain idle. (...) The administration, reproducing the most backward reflexes of our society, often shows its worst face when dealing with members of minority groups (p. 70). The pathology of human rights in our country is mainly a problem of implementing existing constitutional and legal provisions rather than lack thereof (p. 69). It is common wisdom that in the administration prevails a feeling of impunity, that in some cases favors occasional illegal actions, or in other cases it perpetuates a status of generalized anomy and corruption (p.70).”*

Finally, the Council of Europe’s European Commission against Racism and Intolerance (ECRI), in its *Second Report on Greece* (released on 27 June 2000) comes to similar conclusions with the OSCE/HCNM and the Greek Ombudsman, and adds:

*“There have been consistent reports that Roma/Gypsies, Albanians and other immigrants are frequently victims of misbehaviour on the part of the police in Greece. In particular, Roma/Gypsies are often reported to be victims of excessive use of force -in some cases resulting in death- ill treatment and verbal abuse on the part of the police. Discriminatory checks involving members of these groups are widespread. In most cases there is reported to be little investigation of these cases, and little transparency on the results of these investigations. Although most of these incidents do not generally result in a complaint being filed by the victim, when charges have been pressed the victims have reportedly in some cases been subjected to pressure to drop such charges. ECRI stresses the urgent need for the improvement of the response of the internal and external control mechanisms to the complaints of misbehaviour vis-à-vis members of minority groups on the part of the police. In this respect, ECRI notes with interest the recent establishment of a body to examine complaints of the most serious cases of misbehaviour on the part of the police and emphasises the importance of its independence and of its accessibility by members of minority groups” (p. 13).*

In our detailed report below, there are many examples of such negligence of the judicial and disciplinary authorities. Even in cases where there was conclusive and incriminating forensic and other evidence of torture (Bekos and Kotropoulos case) or murder (Celal case) of Roma at the hands of the police, that had led initially to grave indictments of police officers. The report offers also ample documentation for the failure to implement the ambitious Framework Program mentioned before, as well as short references to the grave health problems of the tent-dwelling Roma and the assimilatory educational program with no respect for Romani language and culture of the Greek government.

As previously argued in a GHM and MRG-G submission to the UN Committee on the Elimination of Racial Discrimination (CERD),<sup>24</sup> whatever measures taken by the Greek government to fight racism are insufficient to ensure the effective implementation of the ICERD, particularly in regard to Articles 2, 3, 4, 5, 6 and 7, and with respect to the Roma population.

*Article 2:* Discrimination and violence against Roma are widespread in Greece. Legal protection against discrimination and racially motivated violence is rather inadequate. However, more acute problem is the failure to ensure the effective implementation of existing laws.

*Article 3:* As in several other countries in Europe, governmental policies towards Roma, most notably in the fields of housing and education but also in other areas, have proven to this date ineffective to reverse racial segregation. No other segment of the Greek population is subjected to the same conditions of living as the Roma.

*Article 4:* Some public officials, as well as the police force in Greece have made racist speech or have taken racist decisions targeting Roma, thereby encouraging racism rather than combating it in the society they govern. No one has been sanctioned or punished for such statements.

*Article 5:* The Greek government has failed to ensure Roma (as well as other minorities or migrant group) equal protection of the law. Roma suffer widespread discrimination in the justice system, and are the victims of violence at the hands of law enforcement authorities. In addition, Roma are commonly discriminated against with respect to a broad range of rights, like employment, housing, health care, education, and access to public goods and services.

*Article 6:* Widespread breaches of the Convention perpetrated against Roma in Greece, are facilitated by pervasive impunity. Protection of the Roma is lacking or ineffective, and remedies non-existent or inadequate.

*Article 7:* Promotion of racial tolerance, through educational and media campaigns to familiarize the public with the Convention and its standards, is entirely absent in Greece.

On 23 July 2000, on the occasion of the commemoration of Greece's 26<sup>th</sup> anniversary of the restoration of democracy, GHM and MRG-G issued a public statement recalling that:

*"We wish to point out that the quality of democracy is judged by how it treats the weakest groups of its population. Among Greek citizens, there are more than 100,000 Roma (Gypsies) who live in destitute settlements, 'enjoying the democratic state of law' as permanent victims of institutionalized racism by state agencies. Not only do the perpetrators usually go unpunished, but also they are indirectly encouraged by governmental statements that downplay, if not arrogantly negate, the undisputed violations of Roma rights."*

The following is an indicative, but not exhaustive, list of violations of Roma rights, noting that, for those cases referred to the Ombudsman, the latter had confirmed the charges made by the Non-Governmental Organizations (NGOs). These events, covering the period 1996-2000, took the form of a "tally" of the supposed implementation of the governmental "Policy Framework on Greek Gypsies," launched in July 1996.<sup>25</sup>

- Racist Decisions by Municipal Councils Explicitly Referring to Roma Evictions (3):

*Localities:* Rio (1999), Nea Kios, Argolida (2000) and Nea Tiryntha, Argolida (2000)

- Illegal Evictions with No Resettlement Provisions (7):

*Localities:* Evosmos, Salonica (1998), Ano Liosia, Attica (1997, 1999), Anatoli, Ioannina (1999), Makryianni, Patras (1997), Phoinikas, Salonica (1997) and Trikala, Pyrgos (1997).

- Attempted Evictions Averted By Protest (10):

*Localities:* Halandri (1999), Aspropyrgos (Nea Zoi 1999, Homateri 2000), Aghia Paraskevi, Attica (1997), Trikala (Kokkinos Pyrgos, 1998), Larissa (Neapoli, 1998), Nea Alikarnassos, Crete (1999), Spata (1997), Kalamata (1997) and Phoinikas, Salonica (2000).

---

<sup>24</sup> See GHM & MRG-G, *Racial Discrimination And Violence Against Roma In Greece*, 31 July 2000, at <http://www.greekhelsinki.gr/pdf/CERD-roma-Greece.PDF>

<sup>25</sup> The detailed report below provides short additional information on these cases, while specific details are available at: <http://www.greekhelsinki.gr/roma-in-greece.html>.

- Destitute Settlements (15):

*Localities:* Riganokampos/Kato Souli Patras, Damaria Lamia, Alan Koyu (Andrianoupoleos) Komotini, Halastra Salonica, Nea Zoi and Homateri Aspropyrgos, Nea Tirynta Argolida, Gallikos River Salonica, District Hospital and Kato Kastritsi Rio Achaia, Sageika Achaia, Aetoliko Aetoloakarnania. Supposed “model organized settlements” (according to the government, “appalling models” according to NGOs) with substandard infrastructure: Menemeni Salonica, Makryianni Patras.

- Police Raids with No Public Prosecutor Present:

*Localities:* Gallikos River Salonica (2000), Aspropyrgos Attika (2000).

- Police Violence (Verbal to Fatal) Against the Roma:

Death of Individuals: A. Mouratis (Livadia 1996) and A. Celal (Partheni Salonica, 1998).<sup>26</sup>

- Bureaucratic Harassment:

No response to naturalization application made in 1990 by the stateless Sezgin Durgut (Komotini). His application for a stateless identity document has been repeatedly refused since 1998. Since 1999, the Komotini Hospital refuses to provide his wife Songiul Durgut with an official answer as to why her uterus was removed during a miscarriage procedure.

In September 1999, during the OSCE Implementation Review Meeting in Vienna, the official Greek delegation, responding once again to a related presentation by NGOs, described and explained the Roma situation in Greece with remarkable candor and accuracy:

*“Last year, when I spoke on the subject of Roma and Sinti at the Warsaw Human-Dimension Implementation Review Meeting, I made two main points: (a) that the situation of the Roma in Greece is, in the eyes of the Greek Government, unsatisfactory and indeed unacceptable, and (b) that the Greek Government is determined to do everything in its power to remedy the situation.*

*I wish to assure this forum, and in particular those with more direct interest in the matter, that the determination of the Government of Greece has not changed. As for the first point mentioned above, namely, the real situation of the Roma in Greece, I wish I were in a position to say that it has changed dramatically for the better (...).*

*As I said earlier, the Government’s efforts proceed at a slower pace than we would have liked and encounter various impediments. I have already mentioned bureaucratic sluggishness as one of the latter. Another important, but not unexpected, reason for the slow progress achieved is the fact that the Government programs must, at all stages, be inclusive of those concerned, i.e., the Roma themselves, and not be carried out in their absence. Consensus is therefore vital; and building it - a time consuming exercise under all circumstances - is particularly arduous when dealing with a social group composed of smaller groups, scattered around the country, which do not easily speak in one voice.*

*Another serious obstacle to the Government efforts is prejudice toward the Gypsies, which, bred over many long years, is still widespread among large segments of the population and is hard to eradicate. Such prejudice, which finds expression in everyday life, takes on more alarming and dangerous character when it is displayed by police officers or by elected officials at the local administration level. We regret -and condemn- the incidents of racist remarks by elected officials and violent acts by police officers mentioned earlier by the representatives of two Greek NGOs.”<sup>27</sup>*

Unfortunately, the above text only reflects the sincere will of a few middle-level staff from the Ministry of Foreign Affairs and the Prime Minister’s Office for Quality of Life. By themselves, they can do little to help solve the problems. The necessary high-level support needed to empower the middle-level officials, a sine qua non for them to be effective as even the OSCE/HCNM pointed out (see above), is missing in Greece, hence the middle-level officials’ declarations have usually little practical consequences. For example, the manager of the Prime Minister’s Office for Quality of Life Mr. Angelides recently stated that *“before the first autumn rainfalls, all Roma tent-dwellers would have been relocated to prefabricated houses. We have already allocated more than 500 of them.”*<sup>28</sup>

<sup>26</sup> *From Degrading Treatment to Torture of Individuals:* L. Bekos – E. Kotropoulos (Messolonghi 1998), N. Katsaris (Nafplio, 1999), Z. Cemiloglu, Y. Cemiloglu, and Y. Alioglu (Xanthi, 1998).

<sup>27</sup> Permanent Mission of Greece to the OSCE, Statement made by the Greek Delegation on Roma and Sinti, Vienna, 22 September 1999.

<sup>28</sup> Daily *Eleftherotypia*, 24 June 2000, p. 17

Keeping such a promise is highly unlikely when even the first project of relocation in Gonou, near Salonica, (see below) is overdue already by almost 20 months.

The competent ministries, first and foremost among them the Ministry of Interior and Public Administration, continue to give the impression that they lack the necessary will for the implementation of the declared policy as well as of the respect for Roma rights. As the effort of the Ministry has been so far solely confined to the unscrutinized commissioning of programs and the giving away of subsidies of a total worth of several billion drachmas, it is not surprising that, since 1996, all attempts made as part of the government's Policy Framework for Roma have been abandoned half-way through. According to a lengthy "Implementation Review for 1996-1999" provided by the Ministry of Interior to Progressive Left Coalition MP Maria Damanaki in February 2000, as an answer to the latter's parliamentary question, it seems that the only part of the program that had been completed in the past three years was a survey of the housing needs of the Roma.

In theory "government efforts in housing concentrate on finding permanent solutions, through the construction of houses, the allocation of land, and the granting of housing loans, and on creating settlements of a transitional nature until permanent solutions are found."<sup>29</sup> Yet, up to now there has been no example of a destitute Roma settlement relocated satisfactorily. On the contrary, numerous communities of Roma tent-dwellers were evicted or threatened with eviction, or, worse still, relocated in allegedly "model settlements" which are merely "models of deception of the government" by local authorities in collaboration with other public agencies. In its recent report on Greece, the European Commission against Racism and Intolerance (ECRI), makes specific reference to the Roma's housing problems and destitute living conditions:

*"Roma/Gypsies living in camps often face extremely harsh living conditions. In recent years, including 1999, some municipal authorities have expelled communities of Roma/Gypsies from the camps in which they had lived for many years, in certain cases without providing alternative accommodation. This has sometimes resulted in Roma/Gypsies being repeatedly expelled from each new place they attempted to settle. These expulsions were sometimes accompanied, apparently unhindered by the police, by the destruction and arson of houses, and by threats and humiliating treatment by local authorities and municipal employees. ECRI urges the Greek authorities to devote immediate attention to these problems (...) Roma/Gypsies are also reported to experience discrimination in various areas of public life. They face discrimination when attempting to rent accommodation"* (ECRI, pp. 15-16).

What exemplifies the absence of will of competent authorities to deal with the Roma tent-dwellers in question and with the non-governmental organizations promoting solutions to these Roma's problems, is the arbitrary decision of the Ministry of Interior to call off - in an anti-democratic fashion- the formation of a Committee for the Problems of the Roma Tent-Dwellers. The creation of the committee was decided in mid-June 1999 after a meeting, in that very Ministry, with the parties concerned; it would have been made up of government officials, non-governmental organizations and Roma organizations. Instead, in January 2000, an inter-ministerial body was set up by the government so as to better coordinate its action for Roma. This body was put under the responsibility of the Ministry of Interior. It included only the state-launched Inter-municipal Network ROM and (assimilationist) Panhellenic Federation of Greek Roma Associations (two groups the Greek delegations to the OSCE in 1998 and 1999 had held responsible for Greece's poor achievements regarding Roma's resettlement). However, it ignored Roma associations and human rights NGOs active in promoting the tent-dwellers' rights.

In spring 1999, NGOs in collaboration with the Coalition party submitted to the Prime Minister's Office for Quality of Life a comprehensive draft bill - the end product of their long experience with settlements - for the creation of self-managed Roma settlements meeting all requirements as to improve the living conditions of the Roma and their smooth integration in society. Providing shelter to homeless Greek citizens is a constitutional mandate (Article 21, § 4): the state ought to have - but for 25 years has not had - introduced laws to ensure the implementation of this article as well as the implementation of Article 11(1) of the United Nations Covenant on Economic, Social and Cultural Rights.

*"The UN Committee on Economic, Social and Cultural Rights in interpreting Article 11(1) of the ICESCR regarding the right to housing has emphasized in particular that 'instances of forced eviction are prima facie incompatible with the requirements of the Covenant and can only be justified in the most exceptional circumstances, and in accordance with the relevant principles of international law.' While not all involuntary evictions violate the ICESCR, they generally are incompatible with the right to adequate housing when individuals are removed against their will from the homes they occupy 'without the provision*

---

<sup>29</sup> Permanent Mission of Greece to the OSCE, *op.cit.*

*of, and access to, appropriate forms of legal and other protection.’ The Committee has also admonished that evictions ‘should not result in individuals being rendered homeless or vulnerable to the violation of other human rights. Where those affected are unable to provide for themselves, the State Party must take all appropriate measures, to the maximum of its available resources, to ensure that adequate alternative housing, resettlement or access to productive land, as the case may be, is available’” (OSCE, op.cit., p. 114-115).*

At the same time, abuse of violence on Roma by police officers continues: even in cases when policemen have been indicted for homicide or torture, they have not been suspended or even transferred, let alone disciplined by their department or tried in a court of law. Sworn Administrative Investigations and legal proceedings against them advance at a snail’s pace. All these are consequences of institutionalised racism in the police force. Its presence has been confirmed in a recent letter sent by the Greek Police General Staff (Archigio) to the Human Rights Directorate of the Greek Foreign Ministry, in which the Greek Police tried to refute charges of racism and police apathy made in consecutive reports and releases of GHM and MRG-G related to anti-Roma racist incidents in Nea Kios (Argolida). The letter was never sent to GHM and MRG-G but was published in a local newspaper.<sup>30</sup> The beginning of the letter is a “textbook case” of racist stereotypes against Roma:

*“It is well known that Athiganoi [a pejorative, if not racist, Greek word for Roma, equivalent to calling African-Americans in the U.S. “blacks”] are a traditionally nomadic people who in recent years have shown a tendency to permanently settle, without, however, overcoming their former living habits. This fact, combined with their illiteracy, moral standards, customs and occupations, creates an obstacle both to their adaptation to the native population and their acceptance by this native population. A consequence of what has been briefly mentioned above is the manifestation of their unlawful behavior in such a way that is usually the expression of daily life. This behavior usually takes the form of illegal driving and other violations of the motor vehicle code, violations of the Codes of Sanitation, Building and Commerce, illicit trade, unlawful weapons possession and, often, unlawful weapons use, theft, possession and trafficking of narcotic substances, etc.”*

As far as education is concerned, few Roma of compulsory schooling age (between 6 to 15) attend school owing to indifference, if not racist attitude of state officials (municipal counselors, schoolteachers and directors). Even if the claim of the Greek authorities to the ECRI regarding a recent 30% increase in the number of Roma pupils is true, Romani school attendance is still very low, especially when it comes to tent-dwellers. Moreover, the promotion of cultural diversity, despite relevant recommendations by international institutions such as the UN, the Council of Europe and the European Union, is not among the priorities of the Greek educational system, which in essence, remains ethnocentric and assimilationist. The existing Educational Program for Roma, run by the University of Ioannina under the auspices of the Greek Ministry of Education, seems to be undermining the importance of the Roma’s cultural and linguistic identity, and the program’s director has repeatedly publicly criticized multiculturalism.<sup>31</sup> In that he is in line with the official Greek rejection of the multicultural character of Greek society in the government’s answer to ECRI, appended in the latter’s report.

#### ECRI recommendation:

*“ECRI considers, however, that there is a serious need to educate the Greek public to the benefits of a multicultural society. (...) Specific courses focusing on issues of tolerance and respect for differences should be offered and teachers should be trained in this area. In addition, in its general policy recommendation N° 1 on combating racism, xenophobia, anti-Semitism and intolerance, ECRI recommends member States ‘to ensure that school-curricula, for example in the field of history teaching, are set up in such a way to enhance the appreciation of cultural diversity.’”<sup>32</sup>*

#### Greek government answer:

*“The policies of the Greek Government in the fields falling in the purview of the ECRI (...) of course ... do not imply adherence by the Greek Government to the notion of a multicultural character of the Greek society.”<sup>33</sup>*

---

<sup>30</sup> *Argoliki Enimerosi*, 31 August 2000.

<sup>31</sup> For example, eg. A. Gotovos, “Democracy and Otherness” in *To Vima*, 23 July 2000 Book Review Supplement, pp. 8-9.

<sup>32</sup> European Commission against Racism and Intolerance (ECRI), *Second Report on Greece*, released on 27 June 2000, p 9.

<sup>33</sup> *Ibid*, p. 26.



Moreover, international and national surveys by the Doctors of the World and the Doctors of the World-Greece show that the health problems of Roma tent-dwellers in Greece are among the worst in Europe. According to the aforementioned organizations, the living conditions in many of the settlements that will be mentioned hereafter are worse than refugee camps in different areas of Asia and Africa where they have visited. ECRI concurs:

*“Roma/Gypsies are reported to be excluded from many normal citizenship rights and benefits. The integration of Roma/Gypsies in the social security system is low. The vast majority of Roma/Gypsies living in camps are not insured by the public social security system, since they are unable or unwilling to make the required contributions. Like all Greek citizens, indigent Roma/Gypsies are entitled to free health care. However, it is reported that most Roma/Gypsies are not aware of their rights.”<sup>34</sup>*

## **Abandoned or Often Persecuted Destitute Roma Settlements**

### A. Settlements from where Roma were evicted (5)

- Evosmos (Salonica):

By a court decision, after an appeal by the local authorities and the owners of the land, in 1997, 3,500 tent-dwellers were ordered to leave an area with zero infrastructure where they had been living for 30 years. After the intervention of non-governmental organizations, the state undertook to transfer them to a properly arranged area at the former military barracks of Gonou and the eviction was postponed. One year later, construction had not begun, while the adjoining municipalities issued a resolution that they would prevent such relocation even if they had to resort to violence; no authority punished them for this illegal and certainly racist action. At the same time, following action taken by the municipality of Evosmos, Roma were threatened with imprisonment, fines, as well as police violence unless they leave. When neighboring municipalities turned them away, they ended up in the dried-up bed of Gallikos river after a month's wandering, in August 1998.

After continuous pressure by NGOs -pressing charges against competent authorities, publicizing the case in Greek and international media, securing repeated parliamentary questions by Coalition MPs- and after the Roma had found themselves in serious danger because of the river floods, the Prefecture of Salonica in cooperation with competent ministries started the works at the Gonou barracks. Nevertheless, the work has been proceeding at a very slow pace and with considerable delay. By May 2000, the barrack was connected to the electricity and water supply but had no sewage system yet. In March and April 2000, because of the upcoming elections, 69 prefabricated houses -originally used for the earthquake victims in Athens- were transferred to the settlement, while the remaining 190 reportedly were on the way. After the parliamentary elections of April 9<sup>th</sup>, construction work was halted. The new deadline for the transfer of Roma to the settlement had been set for 30 July 2000, but the authorities did not meet it. Following the allotment of homes to the Roma families on 13 September 2000, a new deadline for the relocation was set for early October 2000. As a reminder, the first deadline for this transfer had been set for February 1999.

This relocation will be the first one ever carried out by a Prefecture in accordance with the draft bill for the creation of self-managed settlements of the NGOs, and is implemented under the supervision of the Prime Minister's Office for Quality of Life in collaboration with the NGOs.

In the meantime, on July 6, 2000, around 6 a.m., police raided the settlement by the river Gallikos in search of drugs, weapons and suspects. Approximately one hundred people were brought to the police station. Against some of them, police found pending warrants for unpaid fines for trading or driving without license. Neither weapons nor drugs were found during the investigation. In an unprecedented action, the Prefecture of Salonica denounced the absence of a Public Prosecutor and the racist character of the police action. Nevertheless, the state Macedonian Press Agency (MPA) covered the incident (6 July) in a way that stigmatized the Roma: it reported falsely that among those taken into custody there were fugitives and suspects of robberies, frauds and other unlawful acts, as well as illegal immigrants. When GHM asked the authorities to investigate and punish both the irregular police raid and the slandering state agency coverage, MPA attributed the initial “exaggerated” information to the police, but did not apologize (10 July). The local association of Roma tent-dwellers, with the help of GHM, filed a report to the Ombudsman denouncing their racist and improper treatment.

- Ano Liosia (Attica):

In October 1996, under the pretext of a search for drugs, police burst into the Roma camp. Rumors about drug trafficking paved the way for the local authorities to evict the Roma in April 1997. 25 out of 70 families -municipal citizens - were transferred to metal prefabricated houses in a near-by area. The rest of the tent-dwellers were given

---

<sup>34</sup> Ibid, p.15

an ultimatum to leave. The new site was quite isolated, lacked infrastructure (the houses were never connected with a water supply or a sewage system) and was fenced with barbed wire. The new camp had been one of the deceptive “models” until December 1999 when it ceased to exist. At that time, history repeated itself; the local authorities split the population into two once more, transferring the municipal citizens (10 out of the 20 families) to prefabricated houses for earthquake victims and “velvety” evicting the rest. Most of them found resort at the garbage dump.

- Ioannina (Epiros):

In August 1999 the local authorities evicted 30 Roma families (both Greek and Albanian) from an area lacking infrastructure (Anatoli), which they had been renting for 7 years. Roma were not serviced with protocols of eviction. The first threats of eviction started in May 1999. After an intervention of the researchers of the University of Ioannina Program for Roma, in which the camp had been included, the authorities withdrew and undertook to look into the possibility of relocation. That promise was never kept.

- Phoenikas (Salonica):

In May 2000, there was an attempt to evict three Roma families and demolish their houses. The latter were accused of trespassing private land and building illegally. Protocols of eviction were serviced to them by a legal functionary at the presence of the police and municipal employees. Following the Roma’s strong reactions, the eviction was postponed. The families in question have been living in the constantly developing region for more than 30 years. The attempted eviction took place even though the case from the legal point of view was still pending. Roma families claim to have rights on the land too and their recourses have so far not been examined.

- Trikala - Pyrgos or Agroviz area (Thessaly):

On 29 May 1997 local authorities, in the presence of the police, evicted 20 Roma families from the area of Pyrgos or Agroviz after they had been pressed upon by owners of near-by nightclubs. These Roma had been evicted from another area in Trikala 8 years ago and were being evicted again.

#### B. Settlements threatened with eviction (12)

- Rio (Patras, border between Continental Greece and the Peloponese):

In October 1999, the municipal council of Rio voted in favor of the eviction of the Roma for their alleged criminal activities, poor hygiene standard, and trespassing of public property. Most of them had settled in the region at least five years ago, in an area belonging to the University of Patras, having moved there from other parts of the county. The local university has showed so far no real interest in finding a solution to the problem. On the contrary, in a meeting with GHM, MRG-G and the Prime Minister’s Office for Quality of Life, on December 1<sup>st</sup>, 1999, the Rector of the University, Professor S. Alahiotis, made racist anti-Roma comments, and offered absolutely no evidence for his charges when probed:

*“Gypsies know that they are entitled to certain rights and they play the fool... They constantly rob, there have been people arrested. (...) The University is an international forum. What kind of sensitivity can there exist towards people who are trespassing private property, embarrassing the institution internationally when their goats show up in the amphitheaters? (...) We want to protect the reputation of the University, it is an international forum, a showcase. We cannot tolerate that someone drives by it and a Gypsy throws stones...”*

Other families, living on municipal land in Rio, in autumn 1999 were also threatened with eviction. A traffic policeman had asked them to leave the place but they refused to obey. In December 1999, GHM, MRG-G and the Prime Minister’s Office for Quality of Life visited the settlements and had meetings with representatives from the local and prefecture authorities and the Rector of the University. The result of the visit led to a commitment of the prefecture authorities - but not the municipal authorities nor the university - that they would not allow an eviction to take place unless the Roma were provided with satisfactory alternative housing solutions. On 27 May 2000, a meeting on the local Roma took place at the Prefecture of Achaia with the participation of the municipalities concerned, the Prime Minister’s Office for Quality of Life and the President of the Public Estate Company. The Mayor of Rio did not attend this meeting, demonstrating his lack of interest. The official position of the municipality is that it acknowledges the need for housing initiatives only for three local Roma families who are municipal citizens.

- Halandri (Attica):

Thirteen out of 30 families of the settlement received court-ordered evictions in a case judged in abstentia in an area lacking infrastructure where they have been living for about 20 years. They were charged with trespassing. After strenuous negotiations with the District Attorney and the police that would enforce the decision, they were granted

an extension until the end of April 1999. In the meantime, local authorities were claiming that the area of the settlement needed to be cleared to make way for a new highway in the framework of the 2004 Olympic Games. As a result of repeated negotiations of NGOs, the Prime Minister's Office for Quality of Life and the Coalition with the local authorities, it was agreed that proposals would be made to the owners that the Roma would lease the site for a period of 6-12 months until a permanent site for relocation was found. During a parliamentary debate over the matter initiated by the Coalition, the government promised to subsidize the lease. This idea was never put into practice and the eviction remained pending. In addition, the owners of the site resorted to the Ombudsman to claim their property. The NGOs initiated a housing scheme with the Office for Quality of Life and the Ombudsman's support. Plots of land in the wider area are to be purchased and allocated to the local Roma population. As the scheme is still in its initial phase, the eviction exists as a possibility.

- **Aspropyrgos-Nea Zoe (Attica):**

In February 1999, local authorities, escorted by the police, set fire to 5 Roma lodgings of the Nea Zoe settlement in Aspropyrgos, where 100 families have been living since 1990. The operation took place in the absence of a District Attorney and without protocols of eviction; it was based only on a discriminatory decision of the Service of Town Planning to pull down Roma shacks because the whole residential area - inhabited by both Roma and non-Roma - lacks town planning. The NGOs and the Coalition M.P. Ms. Stella Alfieri pressed charges against the local authorities, while international organizations protested to the Greek government for violation of international treaties and agreements binding for Greece. This, however, did not prevent the Deputy Minister of Interior Mr. Florides, in an answer to a relevant parliamentary question, from trying to justify the use of violence by the municipality, arguing that the Roma had taken possession of the area illegally. A few days later, there were threats that the operation would be resumed. Pre-election promises of the municipality that living conditions in the settlement would be improved remained empty words. In the meantime, the NGOs and the Prime Minister's Office for Quality of Life proposed a site for the creation of a self-managed Roma settlement of the whole precinct; it is a forest area within the limits of the adjoining municipality of Ano Liosia. The Mayor of Ano Liosia, Mr. Papademas, rejected this solution while his superior, the elected Prefect Mr. Papapetros, has shown no interest whatsoever. The excuse in this case is the alleged construction of Olympic sports facilities both in Nea Zoe and in the forest area. The arson of Roma shacks has been the second traumatic experience for the Roma of Aspropyrgos after the violent police raid of 1996 - with machine guns and knives in front of TV cameras which sent out the images of Roma being held at gun-point by policemen. It was these scenes that had triggered the announcement of the *1996 Framework Policy on Roma*. A third traumatic experience came afterwards; in May 2000, local residents started to collect signatures in favor of the expulsion of the Roma from their region. In July 2000, following the eviction of the Roma from the neighboring site of the garbage dump (see immediately below), in the borders of Aspropyrgos with the municipality of Ano Liosia, the Roma residents of Nea Zoe were once more threatened with eviction. By 26 July, half of the shacks in the Nea Zoe settlements were demolished by the municipal bulldozers.

- **Aspropyrgos-Ano Liosia / Garbage dump:**

On July 14, 2000, a municipal bulldozer, in the presence of the Mayor of Aspropyrgos and the police, entered the settlement and demolished most of the huts. The huts belonged to Greek and Albanian Roma tent-dwellers and were full of family equipment. Around 7-8 (Greek) Roma families, with sick members and without possibility to move, were given an ultimatum to leave the site by 17 July. The operation took place without the necessary prior municipal decisions, nor was eviction protocols being given to the Roma families; no Public Prosecutor was present. According to the police, that was a "cleaning operation" of the municipality which emptied the site from vacant shacks belonging to "Albanian Gypsies." Greek Helsinki Monitor countered that what happened was in fact a "cleansing operation", violating the asylum and property rights of the tent-dwellers. Following these developments, local Roma, with the help of GHM, filed a complaint to the Ombudsman. The latter summoned the municipality to immediately justify its action and provide the necessary legal documentation (25 July), but the municipality ignored the request. A few days prior to the operation, the Mayor of Ano Liosia proceeded with a "velvet" eviction of the Roma tent-dwellers in the upper part of the dump by offering 100,000 drachmas (USD 256) per family to leave the area, and then leveling their huts. The site around the garbage dump has been existing for years in a semi-legal way. Following the police raid of 1996 in Aspropyrgos, the municipality allowed Roma tent-dwellers to camp in the region, also making promises for water supply and garbage collection. None of these promises were kept. Roma kept on living among the garbage and the rats, in a remote area with zero infrastructure.

- **Agia Paraskevi (Attica):**

In July 1997, the municipality of Agia Paraskevi tore down 10 out of 28 shanties belonging to the local Roma who had been living in the area for up to 30 years. The latter were charged with trespassing private property and building without a license. A few days later, the mayor attempted to destroy the rest of the shanties with the presence of the police. However, it failed to do so owing to the intervention of non-governmental organizations. For a long time, the matter had been pending as there were protocols of eviction serviced to the Roma. The municipality persistently

claims that there is no available land for relocation, while the adjacent 35 acres of land are intended for the building of sport facilities. In November 1999, the mayor of Agia Paraskevi agreed to provide each Roma family with 3 million drachmas (USD 7,700) for the purchase of land in the greater district of Geraka and Agia Paraskevi. The housing scheme of the municipality, in cooperation with the Prime Minister's Office for Quality of Life and the NGOs, was underway. It aimed at enabling the local Roma to acquire land and to purchase houses by means of loans. The scheme has not yet been implemented and, in this light, the eviction exists as a possibility.

- Trikala - Kokinos Pyrgos area (Thessaly):

Roma tent-dwellers, who camped near a Rudar (Romanian-speaking people sometimes considered as Roma) settlement on a site lacking infrastructure were threatened with expulsion twice by the local authorities in May 1998. It, however, did not service them with protocols of eviction. The first time, municipal workers accompanied by numerous police officers tore down Roma tents, which were put up again later. Reportedly, Roma were finally evicted from the place some time later by orders of the mayor. Eventually, it was reported that in July 2000, they were transferred to a municipal site in prefabricated houses allocated by the Prime Minister's Office for Quality of Life. The new site in the area "Kipaki-Agroviz" is close to the main city with reportedly comprehensive infrastructure.

- Larissa - Neapoli area (Thessaly):

In May 1998, Roma (about 50 families) were threatened with eviction by the police in the orders of the mayor. The majority of these Roma were citizens registered in the municipality and had been living in the area for 30 years.

- Tyrnavos (Thessaly):

Four hundred Roma families, owners of the land they live on, dwell in tents because of the authorities' refusal to include the area in the city-planning scheme, in hope to discourage their permanent settlement. There is no water or electricity supply, nor a sewage system. Roma have attempted to build lavatories or rooms in order to improve their living conditions themselves, but in vain. Local authorities pulled them down and imposed high fines on the Roma.

- Tarsina Corinthias (Peloponese):

There had been a similar attempt to coerce the Roma as in Tyrnavos. Even though local Roma were owners of the land, they had been living for years with zero infrastructure. In 1999, local residents bought off Romanies' land in order to make them leave the area.

- Nea Kios (Argolida, Peloponese):

The local authority claimed that the presence of Roma had contributed to the high crime rate in the area although the allegation was groundless, according to police reports. The municipal council issued a racist decision on 20 May 2000 to evict all Roma from the region. Police was asked to take action and implement the decision within 48 hours. The Roma's presence, even in transit, in that municipality was officially characterized as undesirable. On 25 May 2000, police raided the local Romani settlements to find guns and drugs but in vain: it only found suspects for stealing electricity. Even though the municipal authorities received a letter from the Ombudsman, on June 1, pinpointing their possible criminal liability, the prohibitions and abuses went on. A group of leftist party-members, human rights and ecological associations, who visited Nea Kios on June 8 to express solidarity with the local Roma, were denied entrance to the city. "Indignant" citizens had blocked the streets while police stood by idly. Local residents, gathered outside the town hall on the mayor's instructions, abused a delegation attempting to meet with the municipal authorities, including journalist Panos Lambrou of the weekly *Epohi*. The following day, on 9 June, a Romani hut was burned down. Roma attributed the arson to a group of non-Roma citizens who had threatened the residents of the hut prior to the fire.

On 15 June 2000, a 17-year-old Rom, Christos Demetropoulos, was shot at and lightly wounded in the arm. Based on his testimony, the perpetrators were non-Roma citizens of Nea Kios who shot at him without any reason. The police did not investigate his allegations, instead it immediately accused Demetropoulos of perjury and arrested him and his mother. The police had arbitrarily concluded that Demetropoulos was shot by an unknown Rom. Worse, police claimed that they had found drugs near his tent, which was refuted by laboratory evidence the next day. When faced with NGO charges of lying and framing of the Roma, police claimed that its version of the facts was based on hearsay evidence. An unnamed person had allegedly told the local police chief whatever was convenient for him to substantiate his false charges against the Roma. This "eyewitness" was never asked to testify under oath as required, hence strengthening the impression of framing of the Roma by the local racist police. In a 1 August 2000 letter to GHM, Greek Police General Staff ("Archigio") regrettably subscribed to that version. However, during arraignment, the Public Prosecutor released the Roma and ordered a preliminary investigation, obviously having considered the supposition of the police rather unsubstantiated.

In the meantime, international reaction to the preceding harassment of the journalist and the arson of the hut led to the Minister of Justice's 16 June 2000 decision of having a preliminary investigation by the local Public Prosecutor on the NGO's allegations. On 30 June, a complaint signed by 15 people, including members of political parties and human rights associations, was also filed for the whole series of events.

- Nea Tiryntha (Argolida, Peloponese):

On May 31, 2000, the municipal council of Nea Tiryntha unanimously decided the eviction of local Roma from the area of the former agricultural jail. The Minister of Justice allocated part of this area to the municipality for the widening of the main city street in September 1999, setting one of the prerequisites for the expulsion of the Roma settlement. The Roma were given a three months' deadline, they have until August 2000 to leave the place. Roma families in Nea Tiryntha had settled down in the region about 20 years ago, following their eviction from another part of the municipality. They have been living without any infrastructure in one of Greece's most destitute camp. The Mayor had publicly admitted that the municipality never took action to improve the Romanies' living conditions on the ground that the camp was illegal. The case was referred to the Ombudsman by a local Rom though GHM.

- Midea (Argolida, Peloponese):

With the unanimous racist resolution 165/2000 (published on 7 August 2000 in the local daily *Nea tis Argolidas*), the municipal council of Midea decided to evict all Roma living in a tourist road junction, after accusing them collectively, and without any evidence, of attacks against passers-by. Those who own property there should exchange it with other land elsewhere in Midea, while the others were summoned to move anywhere, outside Midea, the Prefecture would find a suitable place. The municipal decision also implied that immigrants residing in Midea were linked with criminal activity, and had a veiled threat that the non-Romani citizens would react if the decision was not implemented.

### C. Settlements Having to Date Narrowly Escaped Eviction (3)

- Nea Alikarnassos (Crete):

In November 1997, a violent police raid had taken place in the settlement after persistent rumors of Roma involving in drug trafficking activities. In March 1999, the municipality initiated the eviction procedure of the Roma by making use of a town council resolution dating from 1997, arguing that the area was going to be reconstructed. Protocols of eviction were serviced to 102 families living for months with the threat of expulsion. In the meantime, older requests for basic infrastructure at the settlement remained unanswered. In addition, Roma relocation was very difficult to proceed as none of the neighboring municipalities wanted tent-dwellers at their precincts. Their transfer to a former military barrack and the creation of a self-managed settlement, according to the proposal of the NGOs with the collaboration of the Prime Minister's Office for Quality of Life, faced the persistent opposition of the mayor who had declared his intention to evict the Roma from his town. It was only due to much of NGO pressure that this relocation scheme could go under way. In a precedent-setting ruling (976/12-11-1999), the Heraklion County Court annulled the municipal eviction orders as abusive. This facilitated the progress of the scheme. The latter was put under the responsibility of the Regional Governor of Crete. Suddenly, the municipality abusively issued new eviction orders serviced in mid-summer 2000, although it had never appealed the unfavorable to it court 1999 decision. The Roma appealed to the Ombudsman who warned the municipality that its action was in principle legally unfounded.

- Spata (Attica):

In November 1997, there was an attempt to evict 100 Roma from an area where they had been living since 1992. The reasoning behind the attempt was illegal building and was based on a court verdict *in absentia*. The attempt was carried out in the presence of the police and was supported by the local residents who did not want the settlement to be near a newly built nursery school. Following NGO reactions, the eviction was suspended. The local authorities promised to look into the possibility of relocation in another area. Currently, in cooperation with the Prime Minister's Office, the municipal authorities have initiated a relocation scheme. Land was allocated to Roma by the municipality while the Office for Quality of Life will secure prefabricated houses for all 20 families. Infrastructure works will be conducted by the municipality.

- Kalamata (Peloponese):

In 1997, the municipality filed a suit against 70 Roma families in the industrial quarter of Kalamata where they had been living for about 5 years. The reasoning for the eviction was that the area was going to be reconstructed. Roma won the case only after strenuous pressure from local non-governmental organizations. In the end, a proposal for the purchase of building plots in another area was adopted. Following a public bidding, the land was to be bought by the Prefecture and subsidized by the Ministry of Environment. The dossier of the case was delivered to the Secretary

General for the Region and by November 1999 the committee to realize the bidding was formed. The bidding took place but did not yield any results as no landowner offered to sell his/her plots to the Prefecture. The idea to proceed with compulsory expropriations of land has been suggested. Yet, it is likely that compulsory expropriations will raise reactions on behalf of the concerned local residents. After overcoming the problem of land, the scheme, in its second phase, provides for the construction of houses to be taken over by the state-run Organization of Workers' Houses. According to the existing plan, Roma would be temporarily transferred to the public areas of the future settlement - with full infrastructure - till the construction of houses is over. Reportedly, local residents are negatively predisposed towards the Roma, gathering signatures and sending letters to the authorities to evict Roma from the region. For the time Roma live in a destitute camp in the region, lacking basic infrastructure.

#### D. Destitute Settlements (6)

- Aetoliko (Continental Greece):

600 people live in 3 settlements in the area. Only two of the settlements have water. The prefecture promised a settlement with all necessary infrastructure, but progress has been slow. In spring 2000, prefabricated houses were allocated to local Roma residents, following initiatives of the Prime Minister's Office for Quality of Life.

- Patras - Kato Souli or Riganocampos area (Peloponese):

Near the rubbish dump, 30 families have been living for more than 20 years without any infrastructure, in an area belonging to the University of Patras. During the last three to four years, around 10 families of Albanian Roma joined the camp. The municipality refused to clean up the area for a fee and supply the camp with water. Right next to it, part of the dump that has been planted with saplings is watered by an automatic irrigation system. Until mid-2000, the municipality had neglected the settlement. Following a persistent campaign by GHM and MRG-G, echoed in an unprecedented series of helpful articles in the local press, things started to change. In its June 2000 proposal to the Prefecture, the municipality had at least vaguely proposed the allocation of prefabricated houses to all families in the camp, although without offering any possible sites for relocation. The finding of sites was left to the University of Patras, which, on various occasions, has made clear that it will not allocate the land to the Roma. In July 2000, the municipality made a first step to improve the Romanies' destitute living conditions by providing them with external water tabs. The initiative was strongly opposed by the University of Patras and its Rector, Professor Alahiotis, who argued that it may lead to semi-legalizing the Romanies' presence in the region. As a result, the municipality reportedly installed the water tabs on the public road outside the settlement, rather than near their huts.

- Lamia - Damaria area (Continental Greece):

At the old quarry of the town, near a stream, about 100 families - 60 members of which are locally registered citizens - live in huts, surrounded by rubbish, with hardly enough water and no other infrastructure.

- Komotini - Alan Koyu (Andrianoupoleos) (Thrace):

350 Muslim Roma families have lived in tin huts for more than 70 years. The scant public lavatories are in bad shape. The decision for their relocation to another area with the help of the Organization of Workers' Houses has been pending for many years. So does the improvement in the Roma's destitute living conditions. In August 2000, their relocation was once again publicly announced.

- Halastra (Salonica):

38 Muslim Roma families have camped on a stretch of land belonging to the municipality since 1989. These Roma have lived in the area for 35 to 40 years. Their living conditions are squalid, as there is no infrastructure except for one water pump.

- Sagaiika (Peloponese):

Roma tent-dwellers have been living in an area neighboring a Roma settlement without any infrastructure for more than 30 years. Since 1998, there has been no improvement to their squalid living conditions despite the fact that their problems were reported to the competent municipal and prefecture authorities.

#### E. Settlements which are Minimally Supported by the Local Authorities (5)

- Argostoli Kefalonia (Ionian Islands):

After they had been turned away from an area near the sea, 11 families -about 100 people- moved to the slaughterhouse ground, under the initiative of the local authorities. The stink of the slaughterhouse and the sandy soil that absorbed the sun's heat in summer made life in the tin huts unbearable. When the municipality took over the slaughterhouse, the stink was considerably reduced. Meanwhile, minor efforts were made to improve other aspects of their living conditions. There are lavatories, two main water pumps and electricity. Nevertheless, the

situation remains unpleasant. The mayor never responded to the NGOs' call for a meeting with representatives from the Prime Minister's Office for Quality of Life to discuss possibilities to relocate the Roma. Since 1999, there has been no improvement to the Roma's living conditions.

- Sofades, Karditsa (Thessaly):

500 families - 2,500 people in total - live in a built-up area where, apart from 100 detached houses, there are huts and tents. The roads have been paved with asphalt, water, electricity, lavatories and rubbish bins are available. Provision has been made to let the tent-dwellers have the ground of the rubbish dump as soon as this area is closed down. The relocation scheme is already under way. The houses are to be built by the Organization of Workers' Houses.

- Chios (Aegean Islands):

In early 1997, on the mayor's initiative, 10 Roma families were allotted land by the island's ecclesiastical authorities. The local people and the Police Commissioner reacted negatively to the settlement of these Roma in the area.

- Gastouni and Amaliada (Peloponese):

Both municipalities initiated a housing scheme for all local Roma in cooperation with the Prime Minister's Office for Quality of Life. Tent-dwellers are to be temporarily transferred to prefabricated houses with full infrastructure. In the long-term, Roma will be enabled to acquire their own house through the Organization of Workers' Houses or the loan scheme.

#### F. "Official Ghetto" Settlements (3)

- Trikala - Raxa area (Thessaly):

Roma from various parts of Trikala were moved to the Raxa area with the promise that the site would function as an organized camp. In May 1998, the water was cut off without warning. For a long time, local authorities neglected to restore water supply, which in all probability was cut off by local people who wanted to send the Roma away. There was no lavatories or sewage system. In 2000, half of the residents of the site were transferred to prefabricated houses with full infrastructure in the area "Kipaki-Agroviz." The remaining 37 families are to be transferred to prefabricated houses as soon as a new series of houses is allocated to the municipality. Most of them object to their removal from Raxa, arguing that the site in Kipaki is not large enough to host all Roma tent-dwellers in the region. The Roma's local association in Raxa has proposed to the mayor that they would stay in prefabricated houses in Raxa. The municipality has not officially rejected this proposal.

- Patras - Makriyanni area (Peloponese):

In November 1997, local authorities with the consent of 25 Roma families - registered citizens of Patras - pulled down 23 shanties and built up the settlement again after they had evicted all Roma who were not registered citizens of the area. Roma had to put up with a small plot of land, which confined them considerably, even though there were lavatories and water supply. In May 1998, the settlement was full of rubbish and dead rats. A year before, 15 cases of meningitis had been reported in the settlement. By May 2000, the prefecture authorities had made efforts to provide the Roma with alternative housing solutions. 8 out of the 15 families of the camp left the site by making use of the prefect's rent subsidies scheme.

- Menemeni (Salonica):

A "model" settlement was built in an area full of chemical plants and besides an oil pipeline. Twenty-four Roma families (about 120 people) were moved with promises by the authorities that they would be offered the means for a decent living. Initially the settlement had two lavatories and water but no electricity, forcing the Roma to steal power from a nearby pole. From 1996 until today, there has been no improvement despite the dramatic increase in the settlement's population.

#### **Police Violence**

- Police officers indicted by the Prosecutor's Office of ill-treating two Roma youth - E. Kotropoulos and L. Bekos who were arrested for attempted ice-cream theft at the Mesolonghi police station (8 May 1998) - were not removed from their job, nor have they been transferred elsewhere. Instead, they have exercised pressure to the victims to stop the proceedings against them. There was an unambiguous forensic report, charges pressed by the victims, and the active involvement of Greek and international non-governmental organizations with letters of protest and memos to competent authorities. Even more, the Public Prosecutor indicted three police officers

“for torture and other deeds that are offensive to human dignity,” However, not even a day in court has been set. While the police and the Ministry ordered a sworn administrative investigation for public order after much NGO pressure, it is not known to have reached any conclusions. Following an appeal to the Ombudsman, the latter, on 22 August 2000, asked the Greek Police to inform the Roma on the outcome of the investigation and the reason of the lack of transfer of the indicted policemen.

- A Rom, Angelos Celal, was killed by policemen in Partheni, Salonica, on 1 April 1998. A sworn administrative investigation was ordered by the competent Police Directorate and the Ministry for Public Order only after much of NGO pressure. The father of the victim pressed charges against the responsible police officers. In May 1998, the District Attorney’s Office announced that three policemen were being prosecuted for murder, attempted murder, illegal possession and use of firearms, among other offenses. However, on March 29, 2000, the Council of First Instance Judges of Salonica issued an order to dismiss all charges against the police officers. The reasoning behind this decision was that they were acting in legitimate self-defense. Angelos Celal was unarmed - even according to the police - and was shot at the back as he drove away from the scene of a police ambush. According to police investigation, seventeen spent cartridges originating from firearms of the police were found at the scene of the shooting, while an additional one, possibly originating from a non-police weapon, was recovered. Such evidence can hardly justify legitimate self-defense, suggesting to deliberate shoot to kill. A request to the Office of the Prosecutor of the Appeal Court of Salonica to challenge the Court’s ruling, lodged on 24 April 2000, by GHM and MRG-G has been disregarded. The appeal lodged by the father in May 2000 was rejected in July 2000, because of a mere minor technicality concerning the initial pressing of the charges. The Greek justice appears definitely determined not to prosecute the case. Angelos Celal was 29 years old, married and is the father to a child.
- In November 1996 during a police control on a public road in Viotia, Rom A. Mouratis, father of 6 children, was murdered in cold blood. While he was lying on the ground at gunpoint, Mouratis raised his head to take a look at his children who were also on the ground. This movement was considered as “threatening” by a policeman who shot and killed him. The officer was suspended while the sworn administrative investigation was in progress. He was indicted by the District Attorney, but was released pending his trial. No date is known to be set for the trial.
- On 12 September 1999, Nikos Katsaris, a 23-year-old Rom living in the Halandri camp was in a car heading towards Nafplio with his father, his underage brother and a cousin. On this Sunday, they wanted to have a look at three open-air markets, without having to deal with the sellers immediately. All three open-air markets were surrounded by barbed wire. When leaving the third market, three police officers stopped the Roma at gunpoint, telling them to get out of the car, and to put their hands up. The officer did a body search - swearing, kicking and beating them. The Roma claimed that they had only come to look at cars to buy, and not to steal, as the police suspected. To prove this, they even showed the officers the notes with names and mobile phone numbers of the owners of the cars to prove their intention to buy a car. Nevertheless, they were taken to the police station and kept in two separate cells with ten other people, mostly immigrants awaiting deportation. They were detained because the police found court decisions against Nikos Katsaris and his father involved unpaid fines. The two underage youths were released the same day while Nikos Katsaris and his father were only released after their relatives paid the bail the next day. On 27 October, Nikos Katsaris, with the help of the GHM and MRG-G, pressed charges against the policemen involved and subsequently filed a complaint to the Ombudsman’s Office. The police did not even deem the case worth of a “sworn administrative investigation,” stating that an internal review in that police station showed that none of the allegations were well founded.
- In May 2000, Dimitris Panayotopoulos, Rom resident of Rio, while driving towards Zefyri in Athens was stopped for police inspection. The police officers were pointing at Panayotopoulos and his wife with their guns, telling them to put their hands up and to get out of the car. In the course of the inspection, the officers in question were addressing the couple as “dirty Gypsies” and “bloody Gypsies.”
- In April 2000, Christos Tsirikos, Rom, also resident of Rio, visited a house in Trikala together with three friends. Local residents who thought of them as suspects for robbery called the police. Tsirikos and his friends were stopped by plainclothes officers while driving towards Ioannina. Swearing and pointing at them with their guns, the policemen asked them to lie down on their belly. While in this position, they were beaten with truncheons. They were then brought to the police station of Trikala where they were also beaten while the aforementioned officers were looking for pending warrants against them. They were detained, spending the night in different cells, with water only from the toilet tab, without regular meals and blankets. They were not allowed to make phone calls. They were not informed of their rights and were never explained the reason for their detention. Most probably they were considered suspects of robbery. Police reportedly confiscated 500,000



drachmas (USD1,280) they had been carrying with them as the alleged product of the robbery. Tsirikos was subsequently sentenced to 2 months in prison, for charges he did not quite understand.

- During the police raid of May 25, 2000 in the Romani settlements of Nea Kios, Rom Kostas Demetropoulos, his sons and his nephews were ill-treated by police officers. At around 6.30 a.m., police entered his hut with guns to conduct searches. K. Demetropoulos addressed himself to the Public Prosecutor and the officers, asking the reason for such an investigation. He was then dragged outside the hut and kept into a police car. His sons, Gerasimos, 16 years old and Thanasis, 17 years old, followed the police officers outside the hut, asking for the proper treatment of their father as he was ill. They were both being ill-treated. They were kicked and beaten with truncheons, and insulted. Together with three of his nephews, his two sons and his son-in-law who was just paying a visit to his fiancée, K. Demetropoulos was brought to the police station accused of stealing electricity. Around 15 people were kept in a small stinking cell. Demetropoulos invoked the police to take account of his illness and to put him in a less crowded cell, but it was in vain. Even when he fainted, the police officers denied him medical treatment and he was simply kept outside the cell with an old Romani woman. According to Demetropoulos, none of the detainees was informed of his/her rights and no one was allowed to make phone calls. Christos Demetropoulos, nephew of Kostas, (17 years old, who was also resident of Nea Kios) was beaten once with a truncheon in the back when he protested against the ill-treatment of his uncle. Christos was brought to the police station together with his two brothers Thanasis and Kostas. They were set free when no pending warrants were found against them. Police officers had also entered his hut in the very morning of 25 May, with guns, swearing and pointing at him and his family.
- Niki Karagounis, a 59-year-old widow, was the Romani woman who was kept separately, outside the cell of the other 15 detainees of Nea Kios. She was also accused of stealing electricity. Karagounis had her foot wounded and could hardly walk. When relatives of hers brought food and blankets, police officers did not accept them. Her neighbor, 25-years-old Vasilis Theodoropoulos, was one of the aforementioned detainees, confirmed that the cell was very small and overcrowded. He also mentioned that no telephone calls were allowed and no food and blankets were distributed to them.
- In October 1998, Ziniye Cemiloglu, her father Yasar Ali Oglu, and her daughter-in-law Yasariye Yasaroglu were ill-treated by police officers in Xanthi, Thrace. Her son, Ceiyan, and her pregnant daughter-in-law, Yasariye, driving their new motorcycle that still lacked some of the certificates, were asked to stop for police inspection. They tried to escape and the police chased after them until Ziniye's parents' house where their relatives were commemorating an uncle's death. The police entered the house beating and swearing at the family members, Ziniye and her parents. The police officers were plainclothes and did not reveal their identity to Ziniye from the very beginning, the latter tried to prevent them from entering the place. She was arrested together with her father for resistance and was brought to the police station in Xanthi with her pregnant daughter-in-law. In the police station, they were being beaten, threatened and insulted by police officers who were trying to make them reveal where Ziniye's son was. Ziniye and her father spent the night in jail. Due to the lack of women officers, body search was performed on Ziniye by a man in a humiliating way. Her father, who was sick, was not allowed to see a doctor. They were asked to sign testimonies which were never read to them (both Ziniye and her father are illiterate in Greek). Despite the obligation stated in the Lausanne Treaty, *inter alia*, that an interpreter of the Turkish language must be present, Yasariye who speaks no Greek was interrogated - in German (as confirmed in her related sworn statement). They were not informed of their rights and they were totally ignorant of the reasons for their detention. The police was persistently asking for Ziniye's son, accusing him of drug trafficking. The accusation was allegedly based on a denunciation made by a family friend and friend of Ziniye's friend. Their trial for resisting arrest has already been postponed many times. The state hospital refused to certify her and the father's wounds from the ill-treatment, therefore, they had to resort to a private doctor's certificates.

### **Bureaucratic Harassment**

- For the case of a stateless Rom, Sezgin Durgut, please see chapter I: Citizenship and Statelessness
- Songiul Durgut, wife of Sezgin Durgut, on 11 March 1999 miscarried twins. She went to the public hospital of Komotini where she was told that she had to stay there for at least one day to allow for the necessary medical tests. Being afraid that the doctors in the public hospital would not take care of her, Songiul Durgut went to her private gynecologist. The latter told her that the embryos were dead, adding that she needed to undergo an operation, which required anesthesia. To her great surprise, Songiul Durgut woke up in the public hospital of Komotini. During the surgical intervention of the private doctor, some complications had occurred, so the doctor himself took his patient to the hospital in a state of shock. The doctors in the hospital explained to her

that, since she had a perforated womb, they had to take out the vital organ. It took her a few seconds to realize the implications of this operation: she would never be able to give birth again. Songiul Durgut decided to investigate the matter and find out what the gynecologist's share of responsibility was. Once again, she addressed the hospital of Komotini asking for a certificate stating the reasons why her womb had been taken out. At first, she was told that for such a certificate to be issued, she would have to wait for at least one month, while the organ is being examined in the hospital's laboratory. The second time she was told to wait even longer. Yet, she discerned that it was an effort made by the personnel to discourage her from pursuing the case. After consulting with the GHM, Songiul Durgut addressed the hospital for the third time. She was told that the organ was never examined, nor was there any possibility for that to be done in the hospital. Songiul Durgut stated that it was her indisputable right to know what had really happened and that it was the hospital's responsibility to provide her with an explanation. Following this development, with the help of GHM, in February 2000, she filed a complaint to the Ombudsman asking for a proper investigation of the matter. In its first answer to the Ombudsman, the director of the hospital failed to provide the Ombudsman's Office and the victim with a concrete answer regarding the reasons for such an operation. However, the director acknowledged that when she arrived the hospital, her life was in very serious danger. The case remains pending.

- The Directorate of the Town Planning Service in the Prefect of Lesvos (Aegean Sea) fined the municipality of Mytilini for illegally constructing a Roma settlement two kilometers outside the main town of the island. In 1997, the municipal authorities took the initiative to resolve the housing problem of the Roma and provided them with some decent living conditions. The Association of Merchants in Mytilini, however, filed a complaint with the Directorate of the Town Planning Service accusing the municipality of Mytilini of illegal construction. The reason behind this complaint was due to the fear of the non-Roma merchants to their Roma business competitors. The buildings were pronounced illegal and the municipality got a 2 million drachmas (USD5,130) fine. In the last few years, old buildings in Mytilini proclaimed as "national treasures" have been reconstructed without the necessary permits and without any intervention from the Town Planning Service.

## Education

*"In education, a 3-year project is now in progress, carried out by the Ministry of Education in cooperation with the University of Ioannina, which aims at providing continual education to teachers of Roma children, publication of teaching materials, strengthening intercultural schools, helping high school students, etc. Also, in order to facilitate pupils who move frequently from one place to another, the system of the individual transit-pupil card has been introduced,"*said Permanent Mission of Greece to the OSCE ( op.cit.).

In Greece, most Roma and almost all tent-dwelling Roma speak the Romani language. Yet, the aforementioned Education Program on Roma provides for preparatory classes and teaching material solely in the Greek language. Unlike similar education programs in other European countries, the Greek one seems to undermine the Roma identity of the children. On various occasions, Professor A. Gotovos - the director of the program - and his associates have argued that, in the name of diversity, ghetto policies in education have many times been legitimized. In Mr. Gotovos' own words, during the third annual meeting of the Program's associates in January 2000, the aim of this program is "to minimize the importance of cultural background as a contributing element to the organization of a class." Despite the billions of drachmas allocated to the program, the percentage of illiteracy among Greek Roma, especially among tent-dwellers, remains at extremely high levels - 80%, occasionally reaching 90%. From comparative data of the Doctors of the World it becomes apparent that the percentage of Roma tent-dwellers who can write and read is 6% in Athens and 60% in Montpellier, France.

On 13 January 2000, Doctors of the World-Greece gave a press conference at which they presented the scientific results from their research in four camps in Athens: Agia Paraskevi, Halandri and Aspropyrgos (in Nea Zoe and the garbage dump). The overall population in the aforementioned settlements is estimated around 1,800. Based on this research, one in five children begs in the streets. Only 14% of the Roma have some sort of education. 91% of them have a primary school degree, 7% were registered at the high school level and only 2% at the college level. Literacy seems to be higher whenever there is a school near the settlement.

In addition, as a result of diffused prejudice among state officials (schoolteachers, directors, municipal and prefecture leaders) as well as common people against the Roma, their children's education is seriously impeded. On 22 May 2000, the daily *Eleftherotypia* reported that Roma children in the municipality of Velo (Corinthia, Peloponese) were not allowed to attend classes in the local primary school, following the reactions of non-Roma residents and teachers who locked the school. As a result, the children missed more than one year of preparatory classes under the Educational Program for Roma. The municipality and local society's behavior towards the

children's parents was not much different. In one case, a resident even asked the exhumation of a Rom who was buried next to a non-Rom. The aforementioned Roma children were victims of similar racist reactions in a near-by municipality in 1997. Under the pretext of lack of space, the school authorities in Tarsina refused to accept Roma children for morning preparatory classes under the Ministry's program. Evening classes were not allowed either; the school was used by non-Roma children as a playground in the afternoons, and apparently football and classes could not coincide. The municipality helped the local residents to buy off the land where the camp was established, in order to force the Roma to leave. The settlement ceased to exist and Roma were scattered around in neighboring sites.

As a rule, non-Roma parents react negatively at the idea of their children's coexistence with Roma schoolmates under the same roof, arguing that the level of education will be downgraded. Non Roma parents try to prevent Roma children's enrollment in schools. When they fail to do so, they take their children from the mixed schools. The third primary school of Zefyri (Western Attica) and the Christian school in Evlalo - an ethnically mixed village in Western Thrace populated by Muslim Turks and Christian Roma and Greek families - are indicative examples of previously mixed schools turned into "Roma schools."

Another discrimination is observed in Xanthi (Thrace). Muslim Roma children in the district of Drosero attend the Greek school program even though Greece is obliged to offer them Muslim minority education like every other Muslim, according to the Treaty of Lausanne. These children are not exempted from attending the morning prayer or the subject of (Orthodox Christian) religion. They have to parade on national holidays wearing Greek national costumes.

### **Health Care**

An international survey by the Doctors of the World<sup>35</sup> directly associates the odious living conditions in the settlements with the poor health of Roma tent-dwellers. The results of hepatitis tests in Nea Liosia and Aspropyrgos are significant: 99% of the population has been exposed to hepatitis A. The same percentage for Hepatitis B is 50%: 18% are carriers while the healthy remainder of 32% are adolescents aged 10-18, most of whom go to school. These percentages are high in comparison to the rest of the population. Comparative data from other European cities show that percentages of Roma tent-dwellers in Greece with health problems are higher (42% for the women, 32% for the men). The Roma's access to the health system is insignificant. The Doctors of the World have found the Roma were living completely lack of first aid, vaccination and medical information. Roma do not trust hospitals and First Aid Services, and they find it impossible to follow the pace and procedures in practice in these institutions, except for cases when the doctor has created an atmosphere of trust. Only 15% of them receive benefits. Out of the 40% of Roma who have social security, only 30% are fully covered. These percentages are less than half of the equivalent average for Roma in other European cities. Based on research conducted by the Doctors of the World-Greece in Athenian camps, the average age of the Romani woman who gives birth for the first time is 16 years old. The average monthly income of a Roma family in these camps is estimated to be around 76,000 drachmas (USD 195), approximately half of the minimum salary in Greece.

## **8. MIGRANT WORKERS**

---

### **8.1. Overview**

The Greek government initiated three years ago a legalization procedure for the country's 600,000-1,000,000 undocumented migrants. In principle, it was supposed to be a liberal procedure aiming at rationalizing the situation. The country's economy needed a large number of migrant labor and the authorities were ready to admit it and set regulations for the migrants' residence in Greece. As a result, Greece, last among its EU partners, was going to finally acquire a coherent migrants' policy.

Three years later, it is safe to conclude that the experiment failed. Most migrants remain undocumented. A large number of those who at least attempted to legalize their presence in Greece have gone through humiliating experiences. For many, the effort to regularize themselves ended up in a failure even though they seemed to have both the prerequisites and the goodwill: what they lacked was the cooperation of the Greek authorities. Others, successful at first, found themselves later "de-regularized" through arbitrary procedures that have given the

---

<sup>35</sup> ROMEUROPE Program, Medecins du Monde, Juin 1999.

impression that the authorities have now adopted an unannounced policy of minimizing the number of documented migrants. Another group still holds tight on the legal documents which they have to show to policemen during frequent, blanket, humiliating and racist “random document checks.” At the same time, the - in principle *bona fide* - effort of the authorities to fight corruption in state hospitals has included an inhuman dimension: migrants who show up for treatment may face the policemen before having consulted the doctors.

One thing is certain. Greece still has no migration policy, no comprehensive legislation on the rights of the legal migrants, and no measures to secure their smooth integration into Greek society. What follows are only highlights of the problems, as our NGOs have only recently started systematic work on migrants in Greece. One dimension of that work is certainly the cooperation with the Ombudsman’s Office that has shown, on this as in every other issue, a commitment to lobby the administration so that the latter respects and implements not only Greek laws but also international human rights principles. Migrants and Roma are, in Greece as in most European countries, the victims of most human rights violations. The attitude of the Greek authorities has been described by the Ombudsman, in its *Annual Report 1999*, with strong words that no NGO has ever used:

*“Human rights violations by the administration (...) can be codified with the words arbitrariness-indifference-bias-impunity; they take their most acute form when applied on vulnerable social groups. Often the administration arbitrarily uses public interest as an excuse to restrict individual rights or shows illegal idleness when there is a constitutional obligation to protect human rights. These phenomena will not be eliminated as long as existing disciplinary procedures remain idle (p. 18). (...) The administration, reproducing the most backward reflexes of our society, often shows its worst face when dealing with members of minority groups (p. 70). (...) The pathology of human rights in our country is mainly a problem of implementing existing constitutional and legal provisions rather than lack thereof (p. 69). (...) It is common wisdom that in the administration prevails a feeling of impunity, that in some cases favors occasional illegal actions, or in other cases it perpetuates a status of generalized anomy and corruption (p.70).”*

## **8.2. Greek Ombudsman: Discrimination Against Foreigners**

The following are relevant excerpts from the *Annual Report 1999* of the Greek Ombudsman (pp. 89-95):

*“With respect to legal treatment and social acceptance it is very hard for a foreigner to be treated equally with a Greek due to the fact that traditionally there is mistrust towards foreign nationalities by legal orders. It is characteristic that the principle of equity, as stated in the Greek Constitution article 4 par.1, grants that right only to Greek citizens. Social rights are also granted in principle only to Greek citizens, as according to article.4, par.5 of the Constitution, they are the ones who contribute to the public charges and hence the duty of social and national solidarity of article 25, par. 4 exists only for them.*

*However, the free development of personality is granted to all those living in Greece including foreigners. Unfair discrimination against foreigners by the administration is violating the principle of good management and contradicts the international conventions for the protection of human rights.*

*The legal and social treatment of foreigners in a society is a very sensitive area where the respect of human rights as well as the principle of equity is intensively tested. In our country, foreigners have to deal with unfair discrimination in many areas of their economic and social life.*

*By issuing presidential decrees 358/97 and 359/97 the government has tried to deal with the problem of illegal immigration by registering and legalizing the foreigners who were illegally residing in the country. However, OAED (Employment Agency) which is not the sole competent authority, but has been entrusted the responsibility to manage the process of legalization, proved unprepared to cope with the increased demands and consequently fundamental rules of the administrative procedure have been massively violated.*

*A typical case is that of a Polish woman, who tried with her employer, twice unsuccessfully, to submit her application for her ‘green card’. The employees at the OAED at Hania (Crete) refused to accept her application because they claimed she did not have a certificate that she had submitted an application to get a penal record certificate. After the Ombudsman found that she failed to submit the above certificate because it was unjustifiably refused to her, it took all the necessary steps to give her one. Following the Ombudsman’s suggestion she submitted an application to the Second Instance Special Committee of article*

5 of the presidential decree 359/97. However it is estimated that, with the rate applications are being examined, her application will be examined in the Summer 2000 and as a result the woman is illegally staying in Greece from April 1999 on without her being responsible for the delay (complaint 6200/99).

The case of the Polish migrant is not unique. The Ombudsman has found from many complaints that the oral refusal by the local offices of OAED to accept incomplete applications, regardless of who was responsible for the incomplete status, was a common policy. This practice, which violates article 12 of the Code of Administrative Procedure, deprives the applicants of their right to have their application examined by the competent authority. They were not allowed to have their applications examined by the competent committees of articles 2 and 5 of the presidential decree 359/97 but also by the Special Committee of article 5 of the presidential decree 359/97 which can exceptionally issue 'green cards' for humanitarian reasons even when all the legal requirements are not fulfilled.

The Ombudsman proposed to OAED to acknowledge the possibility of submitting an appeal to the competent committees of the presidential decree 359/97 when the inability to submit a full dossier is justified. The Employment Directorate at OAED replied that it is possible if the request is directly submitted to the Second Instance Special Committee of article 5 of the PD 359/97. Several appeals to the Ombudsman showed though that the local authorities still refused orally to accept applications for the Special Committee, therefore preventing the application from being examined by the competent authority. To deal with the problem, Ombudsman reminded the local offices of OAED of their obligation to accept applications and to forward them to the Special Committee. Furthermore, due to the fact that filing the appeal does not justify residency of the applicant in the country during the lengthy waiting period for the Committee's reply, the Ombudsman proposed to the Ministry of Public Order that the applicants will not be considered illegal until their cases have been examined. The Directorate of State Security Police informed the Ombudsman that the appeals against deportation decisions are usually dealt on favorably once the foreigner has submitted an application to the Special Committee for a 'green card' before they were arrested for illegal residency.

Finally, the Department of Citizenship of the Ministry of the Interior has repeatedly refused to receive applications for naturalization of foreigners who already have a 'green card' or 'a certificate of green card [application]' although the documents are legal titles of residency of the foreigner and required them to submit a residency permit according to Law1975/91 which is issued by the local competent security police authorities. This requirement gave the wrong impression that the 'green card' is an inferior type of residency permit which does not guarantee any rights to the foreigners. The Ombudsman managed to persuade the responsible authorities to deal, in the above case, the 'green card' as granting the same rights as the old permits. The Ministry of Interior agencies replied that their refusal to accept naturalization requests of 'green card' holders is due to the fact that the agencies of the Ministry of Public Order have refused to investigate and to state the "moral character" of the foreigner 'green card' holders as required by the existing naturalization procedure. After communicating with the Ministry of Public Order the above information has not been firmly confirmed. Information and co-ordination between the agencies above and OAED is necessary in order to dispel the impression that every state agency follows its own policy (complaint 5629/99).

(...) A typical case is the complaint of 11 foreign dancers at a night club which were arrested by the Athens Police Security and were taken to court with the in flagrant procedure, accused of working in the country without a legal permit. However the foreign dancers in question were acquitted since they possessed either 'white' or 'green cards', issued by OAED, which grant the right of temporary residency and work in the country. Although they were acquitted, seven of them still remained in custody and the Athens Police Security proposed to the Minister of Public Order to deport them alleging general reasons of public order and security, and public health.

The detention of the seven dancers shall be considered as legal since the competent agency considers that there are reasons of public interest imposing their deportation and their detention until then, and has submitted the relevant proposal to the Minister.

However, legal issues arise from the reasons for which their detention and deportation was considered necessary. Specifically in order for a "white" or 'green card' to be issued a clean penal record certificate and a certificate from a hospital that they are healthy is required. Therefore in order for the competent agency to prove that there are reasons of public interest, security or health imposing their deportation and detention, it must justify specifically the request for deportation and detention, referring to actual facts. In

*other words, the reasons presented by Athens Security Police are of doubtful legality, although at this stage the Ombudsman cannot argue this with certainty (case report 3631/99).*

*(...) The certified political refugees regardless of their nationality have the same rights as Greek citizens when it comes to social welfare according to article 23 of the 1951 Geneva Convention which after being ratified by Greece with the relative legislative decree 3989/59 overrides any other provisions according to article 28, par.1 of the Constitution.*

*A complaint was filed to the Ombudsman stating that a certified political refugee of Iraqi citizenship with certified serious mental illness was refused the disability allowance by the Directorate of Social Welfare of the Municipality of Athens because he was a foreigner. The Ombudsman sent a letter to Ministry of Health and Welfare, Directorate on Disabled Persons, requesting the immediate payment of the benefit to the foreigner in question as well as granting that right to all political refugees in compliance with the conventions on an issue which presents a highly humanitarian interest (complaint 7188/99). Until the end of 1999 the Ministry had not answered.”*

### **8.3. Painful Legalization and Arbitrary De-Legalization of Migrants**

Nearly three years have past since the publication of the presidential decrees concerning the “green card.” These decrees were intended to put the labor market in order while giving immigrants a means out of the illegal condition they had been living in for several years. The procedure concerned all those undocumented migrants present in Greece in December 1997. The pro-government’s daily *Ta Nea* (3 July 2000) recently made a telling balance sheet:

*“The most recent data from the Ministry of Labor and Social Security show that a total of 225,691 aliens filed applications for ‘green cards’ (applications to register for the entire procedure of legalization were made by 373,196 illegal immigrants, although the total number of immigrants in Greece is estimated to be 600,000-700,000). To date, fewer than 120,000 ‘green cards’ have been issued, while only 50,000 have been renewed because most individuals do not accumulate the 150 social security stamps required for renewal. (...) Given the estimate that currently 600,000-700,000 illegal immigrants are living in our country, the entire venture to legalize those aliens living illegally in our country appears not to have had the expected results. Rather, it has created serious operational problems for the National Employment Agency (OAED), and has led the aliens who took part in the whole procedure through an incredible ordeal.”*

Our NGOs believe therefore that Greece, like Italy, Portugal and Spain before it, should give a “second chance” to undocumented migrants for the country to be able to rationalize its labor market. Such alternative does not appear to be on the horizon, and thus a large mass of people will be condemned once again to total social and labor marginalization.

Here are some reasons for the small number of “green cards” given when compared with the number of undocumented migrants:

- Many immigrants who meet the conditions have been waiting, or will have to wait, for more than two years to receive that document, as the various agencies are unprepared, understaffed if not corrupted. Endless queues often form outside the employment agency (OAED) offices. At some OAED offices immigrants start queuing up at 2 in the morning. This situation encourages the creation of various bureaus that exploit immigrants’ needs. If they turn to them, for a hefty fee, then things can be speeded up significantly.
- Some immigrants did not manage to fulfill the conditions for a “green card,” either because they didn’t have enough social security stamps or because they didn’t have electric, telephone or bank accounts in their own name as proof that they had been in Greece prior to December 1997. They are offered the opportunity of an appeal to the Second Instance Special Committee. The Ombudsman (see above) has well described how difficult that may be, while the Special Committee takes at least one year to respond, and some have been told it is normal to wait 3 years for an answer. In the meantime, the document they receive from OAED states that “this document does not stand in place of a residence permit or a work permit pending the decision of the Special Committee.” In short, despite the fact that many immigrants in this category fulfill the conditions for residency, they must live for a considerable period of time being more illegal than legal. The State Security Police may have assured the Ombudsman (see above) that they do not deport holders of such documents, but reality says otherwise.

- OAED has been rejecting “green card” applications in cases of carriers of HBV, HCV and HIV, considering them to be covered by the 358/97 law’s provision to exclude “those suffering from infectious diseases that are dangerous to public health.” However, the state’s most competent authority, the Center for the Control of Special Infections” (KEEL) of the Ministry of Health and Welfare, ascertained in the beginning of the legalization procedure (letter of 5 February 1998) that the carriers of HBV, HCV and HIV should not be excluded and, even more, checking for such viruses is “redundant” and – in the case of HIV - a violation of human rights. Our NGOs are though aware of the continuous use of such tests and of cases where HBV carriers have been excluded.
- Cases have been recorded in which police authorities have refused to issue immigrants the necessary supporting documents (e.g. verification of “lost green card”) as provided for in the pertinent state circulars. The result is that the immigrants in question risk losing their right to a “green card” because OAED would not issue them one if they did not produce the necessary supporting document.
- There are even cases where Albanian citizens apply for a migrant’s “green card ” but the state refuses it claiming that they are members of the Greek minority in Albania for which a special, preferential procedure applies, even though the applicant makes no such claim. To benefit for that procedure, the applicant will have to go back to Albania, get a new visa and reapply, a difficult and uncertain procedure.

Besides, there are cases of persons who start as legal and are soon de-legalized in arbitrary ways by authorities.

- OAED employees have refused to fill in the names of the legalized immigrant’s wife and child(ren) on the “green card” hence leaving the family members out in the limbo.
- In other cases, they recall the “green card ”after a year and a half because they then realized that the immigrant did not produce some supporting document, even though it was not the latter’s responsibility nor was it ever requested of him.
- Police authorities have de-legalized immigrants, on the grounds that they did not have an exit stamp from Greece on their passports when they showed up at the border, although this was the fault of the passport authority that forgot or chose not to stamp them.
- In other cases, policemen seize “green card certificates” that have a 1999 but not a 2000 stamp on them, claiming it is no longer a valid temporary resident permit, even though OAED has announced that it does not put 2000 stamps on 1999 documents. Nevertheless, when OAED receives the police request for de-legalization it accepts it.
- There are cases where one dependent family member was found with an alleged falsified stamp on her passport, when crossing the border, but the authorities penalized by expelling the whole family, held collectively guilty for an alleged impropriety of one of its members (sometimes committed out of ignorance rather than with intent).

The regularization legislation provides for persons with well-documented legal presence in the country for long periods to be given long-term residency and work permits. However, cases have been reported where, arbitrarily, OAED has given such people only short-term permits.

In most of the cases above, migrants tend to be victimized because they are not aware of their rights. There is no independent information center or other service anywhere in Greece for them. Hence, their newspapers and some radio programs tend often to be recipients of complaints and queries and try, exhausting their goodwill, to help, though this is not their role. Migrant NGOs are regrettably nearly inactive on such matters.

#### **8.4. Humiliation in the Streets and in the Hospitals**

Another source of incredible harassment and discrimination not to mention humiliation for immigrants continues to be the random inspections that take place in the street and on means of mass transit. Even when carrying the necessary documentation (confirmation of “green card,” or confirmation of “green card” renewal), many immigrants are taken to some police station on the pretext of “verification of data”. There, they have to may wait for as many as 4 or more hours for their data to be verified. In addition to the harassment and discrimination of face control, they often loose a day’s wages. There are cases of immigrants who were forced on 3 or 4 occasions to go to various police stations for verification of their papers. These controls, often taking the form of racially motivated “sweeping

operations,” have denounced by the Ombudsman. For example, police officers get on buses and order all foreigners to get off the bus for control: simply being a foreigner makes one a suspect.

Starting on 13 July 2000, migrants are now rather unwelcome in hospitals. Based on the decision taken by the Ministry of Health and Welfare, state hospitals must deny medical care, except emergency treatment, to undocumented migrants in Greece. Human rights advocates and doctors’ union leaders have characterized this move as one more “hardball” and “racist” immigration government policy. They argue that such a tactic weighs heavily on the backs of hundreds of thousands of undocumented migrants, including whole families with young children. Health and Welfare Minister Alekos Papadopoulos (knowing for his opposition to the legalization of Albanians in 1997) justified his Ministry’s decision on the grounds that medical treatment of undocumented migrants costs the state billions of drachmas each year. He also said that he would put forward a proposal to the EU for a common law to protect every Member State from this “exploitation”.

According to the circular, doctors at state hospitals are to refuse non-emergency health care and to report to police when an undocumented migrant seeks any kind of medical attention. Such a policy will discourage undocumented migrants from seeking any medical attention out of a fear of being turned away or turned in to the police by doctors. Those who are sick will ignore the symptoms until it is too late, while in some cases may pose a danger to public health (tuberculosis is on the rise in Greece).

It is uncertain, however, if doctors at state hospitals will observe this new policy. In an interview with the English-language daily *Athens News* (29 July 2000), the president of the Association of Hospital Doctors of Athens and Piraeus (EINAP) Stathis Tsoukalos characterized the Health and Welfare Ministry’s decision as “inhuman” and said that it is unlikely doctors would ever refuse treatment to migrants based on their illegal residence status, or even report such cases to the police. However, hospital administration has in some cases rejected migrants or called the police in.

#### **8.5. Albanian: Usual Suspect, Convenient Scapegoat**

It has often been argued that courts are particularly harsh on Albanian defendants, when compared with Greek defendants. The stereotype of “Albanian = criminal, killer” appears to have affected the courts’ objectivity.

- On the occasion of the 1997 International Day Against Racism: an Albanian was convicted to 6.5 years in prison for having stolen a wallet and resisted arrest (plus for being illegal in Greece), at about the same time that a Greek received a 3.5 year sentence for attempted murder of four Albanians.
- In a scandalous court verdict of 19 April 2000, 23-year old Vata Safeti, received a life sentence for the murder of an elderly person plus 20 years for robbery; both acts were allegedly committed with two other Albanians who were never caught. None of the six witnesses recognized the defendant, nor was there any evidence that he was in Lefkadia (Naousa) when the crime took place, on 24 December 1996. On the contrary the latter produced sworn statements testifying that he was in Albania at that time, which were discarded. The defendant had just a court-appointed lawyer he met immediately before the trial. He denied all along that he had anything to do with the crime and has told our NGOs that he persisted in that position although he was tortured during interrogation to confess to the crime. The verdict appears to be a scandal both for the heavy sentence for a first-time offender who was alleged by witnesses to be drunk during the crime, if he had committed it, and for the fact that in the court’s proceedings there appears to be not one piece of evidence pointing to the possible involvement of the defendant in that crime, except that his name was given previously by some other Albanian allegedly related to the crime, who was not even summoned to testify. All that confirms the impression that Vata Safeti seemed to be the convenient scapegoat for a crime police was pressed to “solve.”

## **9. HUMAN RIGHTS DEFENDERS**

---

### **9.1. Overview**

In last 1999 OSCE Review Conference, we expressed our profound sorrow over the tragic death, on 14 September 1999, of Alternate Foreign Minister Yannis Kranidiotis, who had contributed methodically to the consolidation and respect of human rights in Greece and the strengthening of the role of NGOs. He has since been missed even more,



as the dialog he had launched with NGOs dealing with “sensitive” issues (like ethno-national minorities) has been abandoned.

Indeed, it was he who first asked, in autumn 1998, our NGOs to provide ahead of time to the Greek Foreign Ministry copies of their reports to IGOs, so that the ministry could prepare constructive answers: the various OSCE fora have indeed been witnesses of such useful exchanges. He also created an informal consultative committee on human rights to advise him, with the participation even of NGOs critical of Greece’s record and of concerned minorities, an unprecedented experience. The committee was abandoned after his death. Finally, upon his insistence, Greece struck in 1999 with amicable settlements with its Jehovah’s Witnesses to avoid European Court of Human Rights convictions, a practice not repeated since.

In the same period, current Foreign Minister George Papandreou (then Alternate Foreign Minister) initiated a dialog with the countries’ ethno-national and religious minorities, including those not officially recognized. After the end of that first meeting, in December 1998, he promised to hold regularly similar meetings.

However, following (and perhaps as a consequence of) a backlash against G. Papandreou during a July 1999 public debate on minority rights, the Greek government appeared to have reverted to the traditional, rather intolerant, attitude towards minorities and NGOs defending minority rights. First, despite repeated requests, G. Papandreou, has declined to come to any similar meeting with the minorities, nor has there been any such contact at any other level of the administration. In fact, when OSCE/HCNM Max van der Stoep made a short topical visit to Greece in October 1999, the Foreign Ministry tried to avoid him meeting with the minorities, which he did in the end only at the invitation of GHM and MRG-G. While, in mid-2000, the ministry refused to give to GHM and MRG-G the state report submitted to UN CERD, despite the explicit recommendation of the latter that governments publicize their reports upon submission.

It is characteristic that, for most of the specific incidents mentioned below, the Greek Foreign Ministry – usually the Minister himself - has received appeals and letters, and has opted to leave them unanswered and not to initiate any action according to the country’s international obligations. One has thus the impression that harassment of NGO activists by the Greek secret service “for reasons of national security;” cancellation of NGO activities by state agencies because of disagreement with their agenda; entry refusal for “blacklisted” Macedonian and Turkish minority defenders critical of the country’s policies; and (successful or unsuccessful) attempts to hinder the international work of Greek NGOs critical of Greece’s minority policies. All these practices have been accepted if not initiated by the Greek government at its highest level.

Finally, the Greek government likes to boast that it has put in place a National Human Rights Commission with NGO participation. What it does not mention is that not only a year later the Commission has not been heard of, but that the four NGOs participating in it were chosen by law (unanimously approved). Their selection was most likely due to the fact that they are not known to have ever reported any violations of human rights in Greece in sensitive areas; while instead they are known to have provided counseling to the Foreign Ministry on how to answer similar charges and other related matters.

## **9.2. Harassment of NGO Activists by the Greek Secret Service**

The Greek secret service and/or the security department of the Greek police have traditionally been tailing or otherwise harassing human rights and minority activists (as well as diplomats meeting with them), especially in border or minority inhabited areas. The practice had appeared to become less systematic and/or more discrete in recent years, but it came back in force in the last twelve months. In one case, the agency had no problem even admitting that it was doing so “for reasons of national security.”

### Harassment of GHM Human Rights Defender Aysel Zeybek

The Greek Ombudsman’s Office, with a letter dated on 9 June 2000, informed Aysel Zeybek, GHM’s Stateless Project Coordinator – and until September 2000 a Turkish minority stateless herself - that an illegal and humiliating Greek-Turkish border control she underwent in December 1999 was “the responsibility of the National Intelligence Service (EYP).” EYP, in a 2 June 2000 letter to the Ombudsman, stated that this action was “in the framework of EYP responsibilities in intelligence gathering on national security matters.”

In her complaint to the Ombudsman (dated 15 December 1999), Aysel Zeybek had underlined that she was the only person among bus passengers (on 8 December 1999) singled out for such control, explicitly because of her human rights advocacy. Even her personal belongings, including her telephone and appointment book (she was returning

from a mission to Ankara) were thoroughly reviewed. When she asked for the reason for this examination and her three-hour ordeal, mentioning moreover that she was making this request on behalf also of GHM of which she is an activist, the EYP agent (“Kostas”) responded:

*“Here, the organization doesn’t represent you and you don’t represent your organization or anyone else. We do whatever we want here, and we control everything.”*

Aysel Zeybek also added:

*“When a customs official, who recognized me from my previous trips, tried to come to my defense, the gentleman in question took him aside and they squabbled. When their spat was over, the customs officer came over and asked me what organization I belong to and if I’m fighting for the rights of Thrace Turks. Given all the above, combined with the fact that no other passenger underwent a similar inspection, it is obvious that this selective, abusive and humiliating inspection occurred because of my status as an activist of a human rights organization. After the incident, the driver and the other passengers kept giving me strange looks and stares, asking, ‘what did you do wrong’, ‘what did you do to make Kostas so angry,’ and so on. I avoided answering, and the situation was most unpleasant.”*

The Ombudsman’s Office, having no competence on EYP activities, was forced to shelve the case. Letters of protest to the Greek authorities by the IHF, the (FIDH- and OMCT- operated) Observatory of Human Rights Defenders, and the Euro- Mediterranean Human Rights Network have remained unanswered.

#### Harassment of Amnesty International, GHM, MRG-G and Turkish Minority Members During and After a Mehmet Emin Aga Trial

On 31 May 2000 in Lamia, GHM and MRG-G, along with Amnesty International, observed a trial of Mehmet Emin Aga (the elected mufti of Xanthi, who was convicted that day on appeal to seven months in prison for four cases of “pretense of authority”). They noticed once again that well known state security officers serving in Xanthi closely followed the NGO observers, even repeatedly overlooking the notes they were taking. Besides, on the eve of the trial, one of these officers repeatedly called one of the observers insisting on finding out about the presence and travel plans in Greece of the NGO observers. Finally, the two buses with minority members from Xanthi who were in Lamia for the trial, on their way back to Xanthi, were stopped by the police near Larisa for fifteen minutes, until their “tail” from Larisa could reach them and follow them. In this way, the police confirmed the harassment of the minority members attending the trial. This multiple harassment is in clear violation of Greece’s international commitments and will be reported to appropriate international institutions.

### **9.3. Cancellation of NGO Activities by State Agencies**

Two “sensitive” issues in Greece have been the reluctance to even debate on minority issues, and the near-unanimous support to the Milosevic regime. Although things are somewhat less monolithic today, this “sensitivity” can lead to the cancellation by state authorities of NGO activities that deal with such issues in “politically incorrect” ways.

#### Cancellation of an International Seminar on Minority Languages

An international seminar on “Greece and the European Charter on Regional or Minority Languages,” co-organized by the Council of Europe and the Minority Groups Research Center (KEMO), was to be held on 28 June 2000 in the Amphitheater of the Greek MFA. Participants included the (Greek) President of ECRI, and representatives of the Council of Europe and the EU-sponsored European Bureau for Lesser Used Languages (EBLUL). It was supposed to be the conclusion of a controversial series of semi-restricted seminars on Greece’s minority languages. KEMO’s membership includes many regular or occasional experts of the MFA. The Greek Foreign Minister had already sent his opening message.<sup>36</sup>

A week before the seminar, four of the most senior leaders of the opposition New Democracy (ND) party, tabled a parliamentary question, protesting that the seminar “leads to presenting as minorities either non-existent groups or people who do not wish to be treated as minorities”.<sup>37</sup> Soon after, the Greek MFA withdrew the authorization for the use of its Amphitheater, thus leading to the cancellation of the seminar. Although the official reason given was

---

<sup>36</sup> Kathimerini, 29 June 2000.

<sup>37</sup> Avghi, 24 June 2000.

“technical”<sup>38</sup>, potential participants not informed of the cancellation who went to the Foreign Ministry saw that the Amphitheater was empty, hence available: the next day, another seminar was indeed held there (on the new ECRI report on Greece). Greece and Turkey are now the only Council of Europe countries that have prevented such a seminar to be held.<sup>39</sup>

#### Cancellation of a Solidarity Concert to Serb Opposition Student Movement OTPOR

On 14 September 2000, the Prefect of Salonica Costas Papadopoulos refused a license for the use of the state-owned cultural center “Lazarists’ Monastery” in Salonica for a public concert to be held there on 16 September 2000. The concert was organized by the NGOs “Citizens’ Movement” and “European Expression” (with Greek Foreign Ministry’s support) in solidarity with the Yugoslav student opposition movement OTPOR (“resistance”). The Prefect stated that the concert would be “an intrusion in the internal affairs of another country.” The concert had run into major problems from the beginning and the initial plans to hold it in the city’s centrally located port area were cancelled as pro-communist (KKE) groups threatened to organize disruptive counter-demonstrations. It was then moved to another location, but the persistent reactions led to the ban. Finally, the concert venue changed again and it was held in a university area that required no state permission.

As editor-in-chief Sifis Polimilis wrote in *Eleftherotypia* (15 September 2000): “We have seen in this country - and rightly so- hundreds of concerts held in solidarity with movements and organizations which were fighting for the restoration of democracy in their fatherland... Now some are imposing an arbitrary ban on a public event. Worse, authorities that are supposed to protect the freedom of expression of all citizens tolerate this terrorizing effort... They try to identify all Greeks with the shabbiness of the Milosevic regime. Worst of all, no one is moved, no one is bothered by such actions, lest we embarrass the KKE.”

#### **9.4. Entry Refusal for Macedonian and Turkish Minority Rights Defenders**

Greece has traditionally been very hostile to members of organizations residing abroad and defending the rights primarily of the (“non-existent”) Macedonian and Turkish minorities. These people are understandably very critical of Greece, even though some may occasionally (be perceived to) use inflammatory and/or inappropriate arguments. Those who were born in Greece had often been stripped of their citizenship under Articles 19 (for “having settled abroad” – article abolished in 1998 but without retroactive effect) and 20 (for “anti-national activities”) of the Greek Citizenship Code. Following that, they found themselves treated in the same way with like-minded activists holding citizenship of other countries: they are “blacklisted” as “undesirables” and their entry to Greece is frequently - if not always - refused, as if the country is afraid that their visit may “disturb public order.” In so doing, Greece violates its international obligations towards human rights defenders prescribed in the related OSCE and UN documents.

#### Entry Refusal for Macedonian Editor and Activist Slavko Mangovski

Slavko Mangovski is editor-in-chief of the weekly magazine *Makedonsko Sonce*, published in Skopje, and is also known for his defense of the rights of Macedonian minorities in the Balkans. As S. Mangovski wrote in a complaint he filed to the Greek Ombudsman on 1 September 2000:

*“I wanted to enter Greece through the Evzoni border crossing in the afternoon of 25 August 2000 to visit a village festival in Northern Greece. I was informed by the border authorities that there is a problem with my status after the computer check and that if I wanted to wait they would send a fax to the Central Police in Athens and verify whether I could gain entry. After a prolonged wait I decided to return rather than spend hours waiting. On 28 August 2000 I attempted an entry at the border crossing of Niki in order to visit another village festival. After the routine computer check, I was advised to wait and after approximately 10 minutes was summoned to the office of what appeared to be the chief of the police and given a Notification Certificate for the Refusal of Entry specifying “other reasons” as ground for the refusal. In the same time a crossed stamp was placed in my U.S. passport, apparently in order to alert border authorities that I’m effectively banned from ever entering Greece.”*

Although no reason was provided, it is believed that S. Mangovski (born in Bitola, Macedonia) is on the list of “undesirable” because of his outspoken criticism of Greek policy towards Macedonians. It is also improper for the authorities of Greece to stamp, i.e. deface, another state’s document (here U.S. passport) which makes the bearer of

---

<sup>38</sup> *Avghi*, 28 June 2000.

<sup>39</sup> *Ibid.*

the latter possibly look suspect to third countries' border authorities, besides Greece and the U.S., when he attempts to enter any other country.

#### Entry Refusal for Turkish Activists Halit Eren and Taner Mustafaoglu

Halit Eren and Taner Mustafaoglu, Turkish citizens and former presidents of the "Solidarity Association of Western Thracian Turks in Istanbul" were refused visas to Greece in the summer of 2000. They intended to visit the minority-inhabited area of Western Thrace, the former to see his very old mother and the second to attend a memorial service for former deputy Sadik Ahmet, attended otherwise by many Turks from Turkey, including government officials. Both were refused visas in the past as well. No formal reason for the refusals is ever given but it is widely believed that their activism was the sole reason.

#### **9.5. Attempts to Hinder the International Work of Greek NGOs**

Greece's traditional hostility towards NGOs and minority groups that have been voicing criticism of the country's human rights record, especially in international fora, has been reflected in the authorities' attempts to isolate these groups, while promoting their "favorite" NGOs or (assimilationist) minority organizations instead. While they have found willing assistance among most media and many NGOs generally supportive of official policy in Greece, they have not been so successful internationally. Most international NGO or IGO or even foreign government reports on the human rights situation in Greece draw significantly if not exclusively on the work of groups the Greek authorities try to isolate: the recent reports by ECRI on Greece and by the OSCE HCNM on Roma in Europe (and hence Greece) are telling evidence to that effect. There were three major cases in 2000 where the Greek government attempted to hinder the international work of NGOs, namely those co-authoring this report, GHM and MRG-G.

#### Unsuccessful Effort to Prevent GHM's Presence in the ECAR

In May 2000, the Greek Foreign Ministry representative in the "Technical Working Group" for the UN-sponsored regional preparatory "European Conference Against Racism" (ECAR, 10-13 October 2000) tried, unsuccessfully and embarrassingly for the country, to prevent the participation of GHM at the ECAR. He promoted instead the participation of one of the NGOs already selected by the state as a member (and indeed the chair) of the National Human Rights Commission. When that failed, he announced that some Greek NGOs were going to select another representative. Regrettably, a few NGOs around the two Greek representatives to the European Network Against Racism (ENAR) appeared to volunteer in that role. The respective European NGO Resource Group had initially selected GHM for that meeting. GHM was finally invited, two months after all other NGO participants, in mid-July, certainly thus affecting its possibility to co-ordinate with other Greek NGOs on the matter.

#### Successful Removal of a MRG Project from the Stability Pact's Project List

The Greek Foreign Ministry succeeded in removing from the Stability Pact (SP) list of projects a minority advocacy training program for the Southern Balkans (proposed by Minority Rights Group International and Minority Rights Group-Greece). The program had previously been selected to be funded by the respective Task Force of the SP, because it included minorities in Greece. In the related document of the "Portoroz meeting," it was said (emphasis added):

*"The Task Force has given special attention to three NGO proposals, **an advocacy and rights training program developed by MRG**, and a Human Rights Training Program and a major Prevention of Victimization Program proposed by the Open Society Network. The latter program has already obtained pledges of 2.34 million EURO to cover an estimated 3.47 million EURO of total costs."*

To find out what was happening, MRG-G talked on 11 August 2000 with Donald B. Kursch, Principal Special Coordinator of the SP. He confirmed indeed that the project was removed "following a request of the Greek government, a major sponsor and partner of the SP, because the project was to be implemented in Greece." MRG-G pointed out that the project concerned training and mentoring of minority activists from all Southern Balkan countries, including Greece, so it was to be implemented in the region and not just in Greece, which is after all a Balkan country. His reply was that Greece could not be included even as part of a project implementation. MRG-G then countered that this is not accurate since they are aware of many SP projects that are partly implemented in Greece, and that in fact GHM is involved in some of them. Mr. Kursch then insisted that since the Greek government saw it this way, the SP had to go along with that objection.

It seems obvious that the difference between the other SP projects partly implemented in Greece and this one is the fact that this one deals with minority rights and minority advocates including those in Greece. And the two cooperating organizations, GHM and MRG-G, are the only NGOs in Greece that systematically monitor and report on these issues. The Greek government, with its well-known related attitude, wants to prevent any such work. It also gives the impression to want to prevent even the training of minority activists according to international standards, perhaps preferring instead they remain ignorant and thus passive (or resort only to nationalist rhetoric, equally harmless for governments). It appears that the other SP governments have acquiesced with something that runs counter to the very principles of the SP and all recent declarations and other international documents European countries have signed.

#### Refusal to Provide NGOs with the State Report Submitted to UN CERD

Greece for the last eight years had disregarded its obligation to submit, every two years, a report to the UN CERD regarding the implementation of the International Convention on the Elimination of all Forms of Racial Discrimination and to provide answers -pending since 1992- to the grave recommendations of the UN Committee. It was welcomed that Greece submitted at the last moment a report to the UN, thus avoiding being exposed to a Review on Information (ROI) by the Committee without a state report but only with NGO reports (including an IHF/GHM/MRG-G one), on 15/3/2000. Greece's state report was submitted as a result of a GHM and MRG-G campaign. The two NGOs appealed to Foreign Minister George Papandreou through e-mails, newspaper articles, and even a parliamentary question. The Minister confirmed in a public meeting on 14 March 2000 that the submission was the direct result of that appeal and that all other overdue reports (to all UN Treaty Bodies) will be submitted as well.

However, the Greek government has insistently been refusing to provide NGOs with a copy of the report submitted to CERD. Though NGOs pointed out the CERD practice to request governments to publicize widely their reports (and the UN web links with the reports of states to be reviewed in August 2000), Minister Papandreou's office (through the head of the NGO relations section) has refused repeated requests claiming, in a blatantly untruthful way, that the state report was confidential until the CERD review of the country. The most recent CERD recommendation for report publicity is included in its August 2000 recommendations to the UK. It calls for:

*“State party's reports being made readily available to the public from the time they are submitted and that the Committee's observations on them be similarly publicized.”*

GHM has informed CERD of this unfortunate practice that is indeed a complete reversal of the approach of late Yannis Kranidiotis, presented in the beginning of this section.

## APPENDIX 1

Extract from an article by Dionysis Eleftheratos, in *Exousia*, 29 June 2000: **“The (Non)uniform ‘Law’”**

*“Do you wear a uniform? Then you get a suspended sentence...These (aspiring) gunfighters have gotten the message loud and clear: They can take the lives of unarmed people without restraint! Hence, police lieutenant K. Vantoulis, who shot and killed 17-year-old M. Bulatovic, is a free man... Yes, I can imagine the objection: “Isn’t it possible that it was really just a bad moment?” Nothing is possible on its own. And the fact that these “accidental incidents” keep occurring disproves such a characterization! Was it an accident that this young Serb died, or an accident with the Pontian Greek? Police bullets have taken the lives of dozens of unarmed people in recent years. In most cases, it was the...metaphysical abilities of the self-firing revolvers that were “incriminated”. Who’s kidding whom? What’s more, when they can’t invoke the “bad moment”, they dredge up that old “excessive zeal”. It’s a convenient term. It contains elements of censure, but...the offender is exculpated! Bull’s eye...Unarmed Albanians were killed by police officers I. Seitaridis (9/11/92), D. Yannopoulos (27/12/92), D. Karakaidos (20/1/96), N. Kouvouspakis (9/3/94), I. Rigas (25/11/94), L. Karayannidis (2/12/95). The first three cases were relegated to the files; Karakaidos was punished with a two-month leave; and the rest with...fines of 10,000 or 15,000 drachmas!*

### **...and in the future?**

*The grim list is endless...The musician Theodoros Yakas was riddled by the bullets of police officer B. Lagoyannis (10/1/94) in a deserted area of Moschato. His “crime”? He ran when two men in plain clothes yelled at him to stop – possibly because he thought they were suspicious. Who knows, maybe now somewhere up there he’s composing the ballad of the unjustly lost lives, together with the 15-year-old student Dimitris Kikeris (March 1990), the waiter Yanis Tzitzis (April 1993), the gypsy Tassos Mouratis (November 1996). And just let some of us stop confusing the knave with the castor oil, calling for the need “to clarify on an institutional level the potential of officers to use their weapons”. Has the idiot ever existed who reproached the police for shooting armed, dangerous criminals? Unfortunately, the contempt for human life has always thrived in certain branches of the Hellenic Police force. But this, too, and not just the corruption, must be fought against. The cop “on the take” poses a major problem. The one kills without cause, certain that he’ll get off scot-free, creates an incomparably deeper wound. I’m sure that [Minister of Public Order] Michalis Chrysochoides is the last person to disagree with this... “*

**Extract from an article by Dionysis Eleftheratos, in *Exousia*, 1 July 2000: “‘Accidental’ Bullets, No. 2...”**

*“My article on the ‘black list’ of unjustifiable police violence (in Thursday’s edition) received a number telephone calls from our readers. Since they asked if ‘perhaps these were the most extreme incidents’ or if ‘there were other similar cases,’ I continue today with this little sampling. By some miracle, Y. Ioannides’ escaped death (Kefalari, 24/6/93) when he was shot by police officer Y. Alexopoulos. The reason: Ioannides murmured, ‘do they give you a ticket if you aren’t wearing your glasses?’ to his friend, the driver of a car stopped by the officer. Considering this remark an insult, Alexopoulos told Ioannides to get out of the car. Seconds later, Alexopoulos’ bullet passed through the victim’s lung to lodge near his heart. ‘Accidental discharge (of the gun),’ read the official Police statement. T. Kostarakis died from a bullet he received a bullet to the head (Pylos, 7/10/93). He was deemed suspicious because he and a friend paused beside a parked vehicle and looked inside... According the Kalamata Police Department, the officer responsible fired a shot in the air as a warning, but...he tripped. It’s seems to be a habit...”*