

## Greece

### Country Reports on Human Rights Practices - [2005](#)

Released by the Bureau of Democracy, Human Rights, and Labor  
March 8, 2006

Greece is a constitutional republic and multiparty parliamentary democracy, with an estimated population of 11 million. In March 2004 the New Democracy Party won the majority of seats in the unicameral Vouli (Parliament) in free and fair elections, and Constantinos Karamanlis became the prime minister. The civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens; however, there were problems in some areas. The following human rights abuses were reported:

- abuse by security forces, particularly of illegal immigrants and Roma
- overcrowding and harsh conditions in some prisons
- detention of undocumented migrants in squalid conditions
- limits on the freedom of association of ethnic minorities
- restrictions on freedom of speech
- restrictions and administrative obstacles faced by members of non-Orthodox religions
- detention and deportation of unaccompanied or separated immigrant minors, including asylum seekers
- domestic violence against women
- trafficking in persons
- discrimination against ethnic minorities and Roma
- substandard living conditions for Roma
- inadequate access to schools for Romani children
- child exploitation in nontraditional labor

### RESPECT FOR HUMAN RIGHTS

#### Section 1 Respect for the Integrity of the Person, Including Freedom From:

##### a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

At year's end authorities had taken no action in the August 2004 killing of an Albanian immigrant beaten to death by a person whom witnesses identified as a policeman. Likewise, no trial date had been set for two police officers charged for the 2003 killing of a person who failed to stop at a routine automobile checkpoint in Crete.

In March an appeals court suspended the 13-year sentence of a police officer for the 2001 homicide of a Romani man who had not stopped for a routine traffic check. The Romani community protested the suspended sentence, both formally and with demonstrations during which a public bus was destroyed.

The trial of a border policeman charged with felony reckless homicide in the 2003 shooting and killing of an Albanian trying to cross illegally into the country remained pending at year's end. The policeman's original trial, scheduled for February, was cancelled when the court ruled the summons invalid. The Misdemeanor Council reduced the charges to a misdemeanor.

Eight migrants were killed and two others were severely injured during the year in minefields along the border with Turkey.

In December, 15 members of the "17 November" terrorist organization, who were found guilty and sentenced in 2003 for more than 2,500 crimes including homicide, appeared in court to appeal their convictions. At year's end a five-member panel of judges had begun considering the appeals.

#### b. Disappearance

There were no reports of politically motivated disappearances.

#### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and other inhuman or degrading treatment or punishment; however, security forces abused a few persons, particularly immigrants and Roma (see section 5).

International organizations and human rights nongovernmental organizations (NGOs) repeatedly alleged that illegal immigrants and refugees were subjected to violence by border guards and coast guard officers when caught entering the country illegally. Violence also occurred as immigration officials tried to prevent illegal immigrants from leaving the country en route to other European Union (EU) countries.

At year's end no results had been released concerning the investigation of a case of two civilians who alleged in August 2004 that police beat them in Pyrgos, Peloponnese, during a routine identity check. Similarly, no results had been announced regarding allegations that 3 armed forces officers abused and beat 10 illegal immigrants on an islet in the Aegean Sea in September 2004.

At year's end no date had been set for the trial of two police officers charged with subjecting a group of Afghan asylum seekers in December 2004 to interrogation techniques that allegedly included torture. There were no developments in either the civil lawsuit against three officers or the police investigation of allegations by two Kalamata high school students that police beat them during a routine identity check in 2003. Likewise, there were no developments in the 2003 cases of two British citizens who alleged that police beat them or of three migrants who alleged police tortured them when they attempted to return to Albania.

In a letter to the Ministry of Public Order (MPO) made public in January, the deputy ombudsman for human rights noted numerous procedural and substantive shortcomings in the investigation concerning the alleged police torture in 2002 of Nigerian citizen Joseph Okeke and the alleged 2002 beating and torture of Yannis Papacostas in a police station near Athens. The deputy ombudsman called the police to re-evaluate its report on Okeke, arguing that the procedure suffered from gross errors concerning the evaluation and appraisal of the available evidence. At year's end an application based on this case was pending with the European Court of Human Rights (ECHR) alleging violation of the article in the European Convention on Human Rights that prohibits torture and inhuman or degrading treatment or punishment.

In December the ECHR ordered the government to pay a fine of \$12 thousand (10 thousand euros) to each of 2 Roma men for inhuman and degrading treatment by police in Mesolonghi in 1998. According to forensics reports, police severely beat the men during interrogation after arresting them for allegedly breaking into a kiosk. The country was found to be in violation of the European Convention on Human Rights for failure to conduct an effective investigation into an incident with possible racist motives, a violation of the procedural provision against racial discrimination.

In December 2004 the ECHR ordered the government to pay a fine of \$18 thousand (15 thousand euros) for failing to carry out an effective investigation of a 1995 shooting incident in which police officers seriously injured an unarmed person. The ECHR criticized authorities for being unable to identify all the officers involved in shooting and injuring the person.

Police were more likely to abuse Roma than other minority groups. Immigrants, including Albanians, also accused police of abuse (see section 5).

#### Prison and Detention Center Conditions

Prison conditions remained harsh due to continued overcrowding and outdated facilities. As of December the Ministry of Justice reported that the total prison population was 9,984, while the total capacity of the prison system was 5,584. Pretrial detainees were held with a few convicted prisoners awaiting trials in Korydallos Prison in central Piraeus.

In an August-September visit, the European Committee for the Prevention of Torture examined the treatment of persons detained by law enforcement authorities, especially focusing on detention facilities for illegal immigrants in the eastern Aegean and Thrace. The delegation visited prisons, police detention centers, police stations, holding facilities for illegal immigrants, and psychiatric hospitals. Its findings had not been made public at year's end.

Conditions in detention centers for illegal immigrants remained harsh, particularly for women at detention centers in Athens (see section 2.d.). The deputy ombudsman for human rights noted in his annual report that detention centers for foreigners awaiting deportation and police detention centers were "an insult to human dignity." Amnesty International (AI) reported in October that conditions of detention for aliens "in some cases amounted to cruel, inhuman, and degrading treatment," and that overcrowding remained a serious problem.

In June a citizen who had been arrested for possession of hashish died in handcuffs in the Ptolemais police holding center in the northern part of the country after he set the mattress in his cell on fire.

Disciplinary actions were initiated in late September against two police officers who allegedly disturbed four jailed Muslims during prayer at the police detention center in Aspropyrgos.

Local and international independent human rights observers reported that the government did not consistently permit them to visit police detention centers, detention centers for illegal immigrants, or prisons. International human rights observers reported fewer problems receiving permission for visits than did local human rights observers, and the International Committee of the Red Cross had a regular program for prison visits. There was insufficient access to detention centers for independent organizations wanting to screen for victims of trafficking in persons.

The Office of the UN High Commissioner for Refugees (UNHCR) reported in June that conditions in reception facilities for registered asylum seekers had improved but suggested increasing capacity beyond the current level of less than 1,200, considering there were more than 5 thousand asylum seekers in the year. UNHCR particularly called for increased capacity and improved conditions, especially for unaccompanied children and children separated from their families. By year's end improvements were observed in reception capacity for unaccompanied minors at NGO centers operating with funding from the European Council on Refugees and the government.

#### d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention. However, police conducted large-scale sweeps and temporarily detained large numbers of foreigners, often under crowded and squalid conditions, while determining their residence status. Unlike in the past, there were no reports that foreigners were detained indefinitely without judicial review.

#### Role of the Police and Security Apparatus

The police are responsible for law enforcement and maintenance of order within the country and are under the authority of the MPO. The coast guard is responsible for law enforcement in territorial waters and is under the authority of the Ministry of Mercantile Marine. The country's law enforcement agencies were generally effective. However, police did not adequately respond to or prevent attacks by self-styled "anti-imperialist" anarchists, who operated with impunity, particularly in central Athens, and who used crude gas canister bombs and Molotov cocktails to attack property, government offices, targets representing "Western" interests," and the police (see sections 1.e. and 3).

Police corruption was a problem. A police anticorruption unit in the MPO's Bureau of Internal Affairs investigated alleged abuses, but human rights and antitrafficking groups said that anticorruption efforts needed to be given higher priority.

The Bureau of Internal Affairs took several disciplinary measures, including dismissal and suspension, against officers involved in corruption, primarily for forging documents and taking bribes. In 2004 a total of 325 complaints were filed with the bureau. Most charges against police involved violation of duty, false certificates, abuse of power, corruption, violations with arms and explosives, illegal release of persons in police custody, procuring, and violations related to alien registration. In 2004 the bureau filed lawsuits against 75 police officers, 20 civil servants, and 78 civilians.

In February a police precinct commander in Charilaou, Thessaloniki, was arrested for taking monthly bribes from a restaurant owner. The precinct commander was charged with blackmail, fraud, and illegal possession of firearms; his trial was pending at year's end.

The press and NGOs alleged that penalties for corrupt or abusive police were too weak and discouraged citizens from pressing charges against police. A weak record of prosecution of police misbehavior supported these claims.

The MPO conducted regular training, including on corruption and police abuses, to address these problems.

### Arrest and Detention

The law requires judicial warrants for arrests except when they are made during the commission of a crime, and it prohibits arbitrary arrest orders. Authorities generally respected these provisions in practice. Police must bring persons who are detained or arrested before an examining magistrate within 24 hours. The magistrate must issue a detention warrant or order their release within three days unless special circumstances justify a two-day extension of this limit. Bail is available for defendants detained or arrested on felony charges, unless the judicial officer determines that such incentives would not adequately assure the defendant's appearance at trial or that the defendant is a flight risk or a danger to the community. The judge may apply additional conditions to the granting of bail, such as ordering the defendant to remain at a particular address or restricting the defendant's travel. Bail may be granted by the examining magistrate, with the consent of the prosecutor.

Defendants have the right to legal counsel. In felony cases the bar association provides lawyers to defendants who prove they cannot afford legal counsel.

Defendants brought to court on the day following the alleged commission of a misdemeanor may be tried immediately under expedited procedures. Although legal safeguards, including representation by counsel, apply in expedited procedure cases, the short time period limited defendants' ability to present an adequate defense. Defendants may request a delay to prepare a defense, but the court is not obliged to grant it. Expedited procedures were used in less than 10 percent of applicable cases.

According to a September deputy ombudsman's report, police took citizens to detention centers for arbitrary identity checks, used insulting language and threats of force, and conducted bodily searches in public. The report found that police targeted persons based on their race, color, nationality, or presence in "high-crime" areas (see section 5).

In December the chief prosecutor of the Supreme Court opened investigations into allegations by 28 Pakistanis resident in the country that in July they were abducted, hooded, held for up to 7 days in a secret location, and interrogated by persons who claimed to be police officers. One of the claimants also alleged that he was beaten. The minister of public order reported that up to five thousand foreign national residents were legally questioned in the aftermath of the July London bombings but that no such abuses took place. At year's end the investigation was ongoing.

While members of the Church of Jesus Christ of Latter-day Saints (Mormons) and Jehovah's Witnesses reported having difficulties with harassment and police detention due to antiproselytizing laws, they noted a marked improvement during the year (see section 2.c.).

There were no reports of political detainees.

The law allows pretrial detention for up to 18 months for felonies and 9 months for misdemeanors. Defense lawyers asserted that pretrial detention is excessively long and overused by judges. A panel of judges may release detainees pending trial, with or without bail. Pretrial detainees made up approximately 30 percent of those incarcerated and contributed to overcrowding, according to figures provided by the Ministry of Justice.

#### e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected this provision in practice. The judiciary was subject to influence and was found by the ECHR to be inefficient. During the year a number of judges were under investigation or had been dismissed on corruption-related charges (see section 3). The judiciary acted leniently toward anarchists found guilty of violent acts, such as giving them suspended prison sentences in lieu of prison time or punitive fines (see section 1.d.).

The judicial system consists of three levels of civil courts (first instance, appeals, and supreme), three levels of criminal courts (first instance, divided into misdemeanor and felony divisions; appeals; and supreme), appointed judges, and an examining magistrate system, with trials by judicial panels.

#### Trial Procedures

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right. Trials are public and juries are used. Defendants have the right to be present and to consult with an attorney in a timely manner. An attorney is provided at public expense if indigent defendants face serious criminal charges. Defendants may confront and question witnesses against them and present witnesses and evidence on their behalf. Defendants and their attorneys have access to government-held evidence relevant to their cases. Defendants enjoy a presumption of innocence and have the right to appeal. Defendants who do not speak Greek have the right to a court-appointed interpreter. According to several immigrant associations in Athens, the low fees paid for such work often resulted in poor interpretation. Foreign defendants who used these interpreters frequently complained that they did not understand the proceedings at their trials. Defendants often were not advised of their rights during arrest in a language that they could understand. Several complained that they were not shown the Hellenic Police Informational Bulletin, which contains prisoners' rights in a variety of languages, and that they were forced to sign blank documents later used for their deportation.

In May the ECHR ordered the government to pay \$18 thousand (15 thousand euros) for nonpecuniary damages to an applicant for the undue length of a criminal proceeding. The court noted that proceedings in a defamation and insult case had lasted nearly four years and nine months at three levels of jurisdiction, and it found that the trial's length was excessive and failed to comply with the reasonable-time requirement of the European Convention on Human Rights. The court also held unanimously that there had also been a violation of the article calling for the presumption of innocence.

#### Political Prisoners

There were no reports of political prisoners.

#### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits the invasion of privacy and searches without warrants and permits the monitoring of personal communications only under strict judicial controls; however, these provisions were not always respected in practice.

Turcophone and Slavophone activists complained of continued police surveillance. Police conducted regular raids and searches of Romani neighborhoods for alleged criminal suspects, drugs, and weapons. Local authorities threatened to evict Roma from camps and tent dwellings during the year (see section 5).

#### Section 2 Respect for Civil Liberties, Including:

#### a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the government generally respected these rights in practice; however, legal restrictions on free speech remained in force. The law prohibits exposing to danger of disturbance the friendly relations of the state with foreign states, spreading false information and rumors liable to create concern and fear among citizens and cause disturbances in the country's international relations, and inciting citizens to rivalry and division leading to disturbing the peace or acts of violence. However, these prohibitions were very rarely invoked. In most criminal defamation cases, defendants were released on bail pending appeal without serving time in jail.

At year's end the results had not been made public of an inquiry by the Mercantile Marine Ministry into August 2004 allegations made by two foreign journalists that members of the coast guard arrested and beat them when they attempted to film a restricted security area during the Olympic Games.

There were numerous independent newspapers and magazines. Satirical and opposition newspapers routinely criticized state authorities. Members of minority ethnic, religious, and linguistic groups were generally able to publish materials freely, often in their native languages.

The law provides that the government exercise "immediate control" over radio and television and establishes ownership limits on media frequencies. The Ministry of Press and Mass Media has authority over radio and television licensing, while the National Radio and Television Council (ESR) has an advisory role.

Independent radio and television stations were active and expressed a wide variety of views with little government restriction. State-operated stations tended to emphasize the government's views but also reported objectively on other parties' programs and positions. Turkish-language television programs were widely available via satellite in Thrace.

The law allows for seizure, by order of the public prosecutor, of publications that insult the president, offend Christianity "or any other known religion," contain obscene articles, advocate violent overthrow of the political system, or disclose military and defense information. There were no such seizures during the year.

In February an Internet artist who created a satirical Web site entitled "Dirty Works in Greece," which described corruption in the civil service hiring process, was arrested for Internet fraud, and police confiscated his computer, notes, and other materials. The artist was released on bail after three days.

In April an Athens appeals court overturned the six-month suspended sentence for blasphemy given in January to the Austrian author of a comic book translated and sold in the country and deemed by authorities to be insulting to the Christian faith. In 2003 police had confiscated approximately 50 copies of the comic book from bookstores.

In June an art curator of a public gallery was acquitted of blasphemy; in 2003 he allowed the exhibition of Belgian artwork considered insulting to the Orthodox faith.

In August a regional newspaper in the northern part of the country censored an article on the controversy surrounding the Slavophone dialect, referred to as "Macedonian," that was to be published in a regular column. The European Bureau for Lesser Used Languages and the Greek Helsinki Monitor (GHM) expressed concern over the newspaper's refusal to publish the article.

In December the Supreme Court Council of State overturned an ESR decision in November that ordered the closure of FM radio station Best 92.6 for what it considered "low quality programs."

The government did not restrict academic freedom.

#### b. Freedom of Peaceful Assembly and Association

##### Freedom of Assembly

The law provides for freedom of assembly, and the government generally respected this right in practice.

#### Freedom of Association

The law provides for freedom of association; however, the courts continued to place legal restrictions on the names of associations involving ethnic minorities.

In February the Supreme Court announced its rejection of the appeal of the Turkish Union of Xanthi, upholding the 1983 lower court decision to dissolve the association because it used the adjective "Turkish" in its title. The same court rejected the application for registration of the Rodopi Turkish Women's Cultural Association for the same reason. The supreme court ruling ended a 20-year legal struggle for recognition by the Turkish Union, which had normal legal status from 1927 to 1983. The Turkish Union of Xanthi and the Rodopi Cultural Association applied to the ECHR for redress, but at year's end no decision had been reached.

#### c. Freedom of Religion

The law provides for freedom of religion; however, non-Orthodox groups at times faced administrative obstacles or legal restrictions on religious practices.

The law establishes the Eastern Orthodox Church of Christ (Greek Orthodoxy) as the "prevailing" religion. The Greek Orthodox Church exercised significant political and economic influence. The government financially supported the Greek Orthodox Church and also paid the salaries and some expenses of the two official Muslim religious leaders in Thrace.

The government, by virtue of the Greek Orthodox Church's status as the prevailing religion, recognizes de facto its canon law. Privileges and legal prerogatives granted to the Orthodox Church are not extended routinely to other recognized religions. Orthodox Church officials refused to enter into dialogue with religious groups that they considered harmful to Orthodox worshippers, and they instructed their members to shun followers of these faiths.

Several religious denominations reported difficulties dealing with authorities on a variety of administrative matters, including gaining recognition as a "known religion," renewing visas of religious workers, opening new houses of worship, and moving a house of worship from one location to another.

No formal mechanism exists to gain recognition as a "known religion." Recognition is granted indirectly by applying for and receiving a "house of prayer" permit from the Ministry of Education and Religion. By law the ministry may base its decision to issue permits on the opinion of the local Orthodox bishop. Some religions had problems obtaining these permits.

According to Ministry of Education and Religion officials, applications for additional places of worship are numerous and are approved routinely once a recognized religion receives a permit; however, members of the Church of Scientology have not been able to register or build a house of prayer. A group that follows the ancient polytheistic Hellenic tradition applied twice in the last three years for a house of prayer permit, but at year's end the group had not received an official response to its applications. Jehovah's Witnesses had three cases pending before the Council of State on the legality of operating of houses of worship in Halkidiki and Serres. In addition non-Orthodox religious groups must provide separate and lengthy applications to authorities on such matters as gaining permission to move an official house of prayer to a larger facility.

In May 2004 a former Greek Orthodox priest who became a priest of the Macedonian Orthodox Church was issued a three-month prison sentence, later suspended, for holding religious services without a house of prayer permit. He appealed the sentence, but at year's end there was no decision.

Although parliament approved a bill in 2000 allowing construction of the first Islamic cultural center and mosque in the Athens area, no construction had started by year's end. As a result, Muslims in Athens

continued congregating in dozens of unofficial prayer rooms and were forced to travel to Thrace for official weddings and funerals because there were no official Muslim clerics outside of Thrace.

Muslims are accorded the status of an official minority in Thrace, and the government selects two official Muslim religious leaders, or *muftis*, there. While part of the community accepted the two officially appointed *muftis*, some Muslims, with support from Turkey, "elected" two different *muftis*. In the past the courts repeatedly convicted one "elected" *mufti* for usurping the authority of the official *mufti*; however, his sentences remained suspended and were pending appeal at year's end.

Non-Orthodox citizens claimed that they faced career limits in the military, police, fire-fighting forces, and civil service due to their religion.

The law specifically prohibits proselytizing and stipulates that religious rites must not disturb public order or offend moral principles. Police conducted arbitrary identity checks and arrested and detained Mormons and members of Jehovah's Witnesses, usually after witnessing or receiving complaints that they were engaged in proselytizing. In most cases police held persons for several hours and then released them without filing charges. Some persons reported that police did not allow them to call their lawyers and verbally abused them for their religious beliefs. However, the proselytizers reported a marked improvement during the year due to increased training and instruction given to police officers.

Several foreign religious groups, including Protestant groups and Mormons, continued to report difficulty renewing the visas of their non-EU citizen ministers and religious workers. The immigration law passed in August provides for some categories of religious worker visas.

Religious instruction is mandatory for all Greek Orthodox students in primary and secondary schools but not for non-Orthodox students. Some government-approved religious textbooks made derogatory statements about non-Greek Orthodox faiths. Since schools did not supervise non-Orthodox children while Greek Orthodox children were taking religious instruction, non-Orthodox parents complained that they were effectively forced to have their children attend Greek Orthodox classes. In Thrace the government subsidized public schools for the Muslim minority and two Koranic schools. Turcophone activists criticized the quality of instruction at the minority schools and the state-sponsored Pedagogical Academy that trains teachers.

#### Societal Abuses and Discrimination

Members of non-Orthodox faiths reported incidents of societal discrimination, such as local Greek Orthodox bishops warning parishioners not to visit clergy or members of these faiths and requesting that police arrest missionaries for proselytizing. Some non-Orthodox religious communities encountered difficulty in communicating with officials of the Orthodox Church and claimed that the attitude of the Orthodox Church toward their faiths has increased societal intolerance toward their religions. However, with the exception of the growing Muslim population, most members of non-Orthodox faiths considered themselves satisfactorily integrated into society.

The Orthodox Church has issued a list of religious groups--including Mormons, Jehovah's Witnesses, evangelical Protestants, Scientologists, Baha'is, and others--and practices that it considers sacrilegious.

The Jewish community has approximately five thousand members. Anti-Semitism continued to exist, particularly in the extremist press. The mainstream press and public often did not clearly distinguish between criticism of Israel and comments about Jews. In 2004 the European Commission against Racism and Intolerance (ECRI), the Wiesenthal Center, the Anti-Defamation League, and GHM criticized the press for carrying anti-Semitic stories and cartoons on several occasions.

Vandalism of Jewish monuments decreased. At year's end police had not found the perpetrators of the 2004 desecration of Holocaust memorials in Komotini in Thrace or the 2003 desecration of monuments in Ioannina, and the cases were still open. Extreme right-wing groups, including "Golden Dawn," painted anti-Semitic graffiti along with their symbols and organization names at several locations, for example on the Athens-Corinth highway, near the main Athens Court Complex, in the Athens suburb of Kifissia, and on the island of Tinos. Some schoolbooks carried negative references



to Roman Catholics, Jewish persons, members of Jehovah's Witnesses, and others. Bookstores sold and displayed anti-Semitic literature, including *The Protocols of the Elders of Zion*.

Negotiations continued at year's end between the Jewish community of Thessaloniki and the government to find acceptable restitution for the community's cemetery, expropriated after its destruction during the Holocaust. Aristotle University, a public institution, was built on top of the expropriated cemetery.

Jewish community leaders condemned anti-Semitic broadcasts on small private television stations, but authorities did not brought charges against these largely unlicensed operators.

In October the government again participated in the organization of a seminar on teaching the Holocaust. Held under the auspices of the Ministry of Education, it addressed 150 educators and Athens University education majors and aimed to provide guidance on the teaching of the Holocaust in secondary schools. Also in October a follow-up seminar on teaching the Holocaust was held in Thessaloniki for primary school teachers. In November the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research approved the country's full membership in the organization. It had been a liaison (adjunct) member for several years.

The country observed Holocaust Remembrance Day on January 27 in Thessaloniki, the origin of most of the country's Holocaust victims. The Ministry of Education distributed teaching materials to schools on the history of the Holocaust.

For a more detailed discussion, see the [2005 International Religious Freedom Report](#).

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for free movement or residence in the country as well as free entry and exit of citizens and noncitizens. The government generally respected these rights in practice.

The law prohibits forced exile, and the government did not employ it.

The law permits the government to remove citizenship from persons who commit acts contrary to the interests of the country for the benefit of a foreign state. While the law applies to citizens regardless of ethnicity, it has been enforced in all but one case only against persons who identified themselves as members of the "Macedonian minority." The government did not reveal the number of such cases, but it was believed to be low, and there were no reports of new cases during the year. Dual citizens who lost their citizenship under this provision sometimes were prevented from entering the country on the passport of their second nationality. Activists charged that several expatriate "Slavo-Macedonians" whose names appeared on a "black list" were barred from entering the country.

The Ministry of Interior reported to parliament in May that 46,638 Muslims from Thrace and the Dodecanese islands lost their Greek citizenship when they left the country between 1955 and 1998. The law that permitted this divestment of citizenship was repealed in 1998, and the "stateless" residents are eligible to recover their citizenship as long as they live in Greece. According to the Ministry of Foreign Affairs (MFA), there were 64 persons in possession of government-issued identification documents characterizing them as "stateless." At year's end the MFA reported that approximately 55 applications were pending for citizenship through naturalization by these residents. A Muslim minority activist reported that dozens of stateless persons submitted applications during the year for revocation of the administrative order that divested them of citizenship, an alternate and less expensive method to have citizenship restored; at year's end decisions on the applications were pending.

Due to serious bureaucratic problems in the legalization process for immigrants, many aliens were in a semilegal status (had expired permits but had filed for renewal or were entitled to renewal, but a renewal stamp had not yet been placed in their passports) and were subject to deportation without legal process following police sweeps. In August a new immigration law was passed that provides for legalization of undocumented migrants who could prove by a visa stamp or possession of a tax roll number that they entered the country before December 31, 2004. Immigrants and human rights

organizations complained that out of an estimated population of 450 thousand undocumented immigrants, only a few thousand immigrants had successfully legalized under the new law by the end of the year because many immigrants did not meet the qualification of legal entry into the country or due to stringent application requirements. The government extended the deadline for filing for legalization to February 28, 2006.

### Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol. However, the government largely has not implemented a 1999 presidential decree that brought the law into compliance with the standards of the UNHCR with regard to asylum procedures. In practice the government provided some protection against *refoulement*, the return of persons to a country where they feared persecution. Although the UNHCR observed an attempt by the government for a more realistic and humanitarian approach to refugees during the year, together with the Greek Council for Refugees, the ombudsman, and the ECRI, it expressed concern that very few applicants were granted asylum. During the first 10 months of the year, the government granted refugee status to 23 of 7,633 applicants and provided humanitarian status to approximately 35 persons who did not qualify as asylees or refugees under the 1951 convention and the 1967 protocol, an overall recognition status of less than 2 percent.

Although the government cooperated with the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers, the UNHCR and others expressed concern over the country's asylum policy and practices, citing its insufficient reception facilities, underdeveloped systems for providing for refugee welfare, insufficient counseling to assist integration of refugees and asylum seekers, and lack of appropriate treatment for unaccompanied minors who were potential asylum seekers. In June the UNHCR issued a position paper on refugee protection with 25 recommendations for the government regarding improvement of reception capacity and living conditions; provision of legal counseling; and protection for asylum-seeking children, women, and victims of human trafficking. In October the ombudsman pointed out inadequacies in laws for detaining and deporting underage foreign nationals, including asylum seekers, and a lack of infrastructure and services for handling juvenile detainees who tried to enter the country illegally or sought asylum.

At year's end 2 policemen were awaiting trial for allegedly subjecting a group of 40 to 60 Afghan asylum seekers to interrogation techniques that included torture in December 2004.

Conditions for illegal immigrants and asylum seekers detained by authorities were sometimes unsatisfactory. In September the local Red Cross described conditions in the facility on Samos as harsh, due to overcrowding. In October both AI and GHM cited poor conditions at the Chios facility, where detainees lived in metal containers. Human rights groups reported limited provisions and medical care as well as lack of hot water at some facilities. Improvement was noted in some parts of the Evros region, but old warehouses continued to be used to house illegal immigrants.

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

#### Elections and Political Participation

In the most recent elections, held in March 2004 and considered free and fair, the New Democracy Party won the majority of seats in parliament. Opposition parties functioned freely and had broad access to the media.

Romani representatives reported that local authorities sometimes deprived Roma of the right to vote by refusing to register them. Many Roma had difficulty meeting municipal residency requirements to register to vote. There were a few complaints that the government harassed the Rainbow Party, a small political party that included Slavophone activists, prior to the 2004 elections.

Voting is mandatory for citizens over age 18, according to the law; however, there are many conditions under which citizens may be exempted, and the government did not apply a penalty for not voting.

There were 38 women in the 300-seat parliament and 1 woman in the 19-member cabinet. A quota system requires 30 percent of all local government candidates to be women. At the 3 high courts, there were 14 women out of 61 council of state justices, 28 women out of 59 supreme administrative court justices, and 3 women out of 62 supreme court justices.

There was 1 member of the Muslim minority in the 300-seat parliament. There were no minority members in the cabinet.

A government-appointed regional administrator of Eastern Macedonia and Thrace has statutory responsibility for oversight of rights provided to the Muslim minority in Thrace, but the MFA retains an important advisory role.

#### Government Corruption and Transparency

Corruption was a problem. International NGOs and human rights and antitrafficking groups stated that anticorruption efforts needed to be a higher government priority, and opinion polls suggested widespread public perception of corruption in the executive and legislative branches. Mutual accusations of corruption between political parties were a daily staple of political life.

At year's end at least 13 justices had been dismissed, 9 were temporarily suspended from duty, 2 were detained and being prosecuted for money laundering and receiving bribes, 17 were indicted, and disciplinary action had been initiated against 40 for charges related to corruption. In October the deputy minister of the National Economy and Finance Ministry resigned amid corruption allegations.

The constitution establishes the right to collect, receive, and disseminate information and specifically provides the right of access to government-held information. A freedom of information law provides that any interested party, upon written application, may receive access to administrative documents unless the document concerns the private or family life of a third party or there is violation of confidentiality stipulated by special provisions. The administrative authority may refuse to provide the requested document if it refers to the discussions of the Cabinet of Ministers or if providing the document may substantially obstruct the investigation of judicial, police, or military authorities concerning the commission of a crime or an administrative violation. Information is free.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups generally operated without restriction in the country, investigating and publishing their findings on human rights cases. Cooperation with domestic groups varied; some received government funding, while others received no official or unofficial cooperation. In April government officials accused some NGOs of inflating estimates of human trafficking victims in the country in an attempt to "blackmail the government for higher financing by the MFA." The government provided no official or unofficial estimate of numbers of trafficking victims in the country. The government usually cooperated with international human rights groups and made an effort to be responsive to their views.

The UN Special Rapporteur on the Sale of Children, Child Prostitution, and Child Pornography, after a November 8-14 visit, called on the government to foster a more efficient and cooperative relationship with NGOs "to make children a recognized priority for the country beyond political, institutional, and ideological disputes"; appoint a focal point on children's issues; improve institutional capacity for protecting unaccompanied minors, street children, and victims of trafficking; and complete the bilateral child repatriation agreement with Albania. He recommended that the state take specific measures to improve the living conditions of Roma and give Roma children alternatives to street work and prostitution as survival strategies. He also recommended the creation of an advisory board of civil society and public authorities to coordinate children's policies as well as the creation of a joint Greek-Albanian Commission to investigate the "disappearances" from a children's institution from

1998 to 2003 (see section 5). He called NGOs an "indispensable asset" in implementing the measures.

On November 29, the government, the International Organization for Migration (IOM), and 12 NGOs signed a memorandum of cooperation on combating trafficking in persons and providing aid to victims, scheduled to be implemented in 2006.

The law provides for an independent ombudsman, whose office provided an effective means for citizens to address human rights and religious freedom problems. The widely recognized office was granted adequate resources to perform its functions: mediating between private individuals and public administration and defending and promoting children's rights. There were five deputy ombudsmen who dealt respectively with human rights, children's rights, citizen-state relations, health and social welfare, and quality of life. The Department of Human Rights received 1,860 complaints in 2004, 681 of which were pending in January. Problems included minority education in Thrace, "stateless" persons (see section 2.d.), and complaints regarding residence and work provisions for immigrants and asylum seekers.

The government-funded National Human Rights Committee is an autonomous human rights body that operates independently of government or party control or influence. The committee is the government's advisory organ on protection of human rights and had adequate resources. It cooperated effectively with the government to promote legislation protecting and enhancing human rights. During the year it produced reports and recommendations on human rights problems, including gender equality and affirmative action and refugee matters. The committee opined in February that the law incorporating EU decisions about the European arrest warrant into domestic legislation contravened constitutional provisions about justice, protection of privacy. There was no government response to the recommendations of the committee.

## Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides that "all persons living within the Greek territory shall enjoy full protection of their life, honor, and liberty irrespective of nationality, race, or language and of religious or political beliefs." The constitution also provides that all citizens are equal before the law and that men and women have equal rights and equal obligations; however, government respect for these rights was inconsistent in practice. Violence against women and children, trafficking in persons, and discrimination against ethnic minorities (particularly Roma) and homosexuals were problems.

### Women

Domestic violence, including spousal abuse, continued to be a problem. The law does not specifically prohibit domestic violence; however, it can be prosecuted under the general assault statute. The General Secretariat for the Equality of the Sexes (GSES), an independent government agency, estimated that only 6 to 10 percent of victims contacted the police, and only a small fraction of those cases reached trial. The GSES claimed that police tended to discourage women from pursuing domestic violence charges, instead encouraging them to undertake reconciliation efforts, and that courts were lenient when dealing with domestic violence cases. The GSES, in cooperation with the MPO, continued courses to train police on ways to deal with domestic violence victims.

The GSES provided counseling and assistance to domestic violence victims. Two GSES shelters for battered women and their children, in Athens and Piraeus, offered services, including legal and psychological help. The GSES operated a 24-hour emergency telephone hot line for abused women. A unit of the Ministry of Health and Welfare also operated a hot line that provided referrals and psychological counseling. There were additional shelters operated by the municipality of Athens, the Orthodox Church, and various NGOs for domestic violence victims.

Nonconsensual sex in any setting is a crime; however, there is no specific spousal rape law. Conviction rates for rape were low for first-time offenders, but sentences were harsh for repeat offenders. There have been no cases of spousal rape before the courts in recent years. According to the MPO, 177 rapes were reported, down from 191 in 2004, as well as 71 attempted rapes, up from 64 in 2004. Researchers estimated that 6 percent of rapes were reported to police, 1 percent came to trial, and approximately 1 in 450 offenders was incarcerated for more than 5 years. Medical,

psychological, social, and legal support from the government and NGOs for victims of maltreatment was usually also available to rape victims.

Prostitution is legal at the age of 18. Prostitutes must register at the local prefecture and carry a medical card that is updated every two weeks. It was estimated that fewer than one thousand women were legally employed as prostitutes. Approximately 20 thousand women, most of foreign origin, were engaged in illegal prostitution. According to academics, many illegal prostitutes may have been trafficking victims (see section 5, Trafficking). While there were reports that prostitutes were abused and subjected to violence and harassment, there were no reports that prostitutes were specifically targeted for abuse.

The law prohibits sexual harassment, but penalties are lenient. At year's end the government had not implemented an EU directive on sexual harassment that provides guidelines for sanctions, legal action, and compensation for victims. Labor unions reported that lawsuits for sexual harassment were very rare and that only four women had filed such charges in the past six years. In all four cases, the courts reportedly imposed very lenient civil sentences. The state-operated Research Center for Gender Equality (KETHI) reported that the vast majority of women who experienced sexual harassment in the workplace quit their jobs and did not file charges. KETHI estimated that 30 to 50 percent of working women and 10 percent of working men have experienced sexual harassment at their work place.

The law provides for equal pay for equal work; however, according to official 2004 statistics, women's pay amounted to 75.8 percent of men's pay. Although relatively few occupied senior positions, women continued to enter traditionally male-dominated professions such as law and medicine in larger numbers. Women were underrepresented in labor union leadership. A 2004 central bank report noted that unemployment was much higher among women than men and that women's employment in part-time jobs was 8.1 percent while men's was 2.3 percent.

The GSES operated regional employment offices for women in Thessaloniki and Patras that provided vocational training for unemployed women, programs to reinforce entrepreneurship, subsidies to establish businesses, and information and counseling to unemployed women. It also operated childcare facilities to enable unemployed women to attend training courses and look for jobs.

In February KETHI organized and cosponsored an international conference to raise public awareness of the value of women's participation in politics, the economy, and society in general.

## Children

The government was strongly committed to children's rights and welfare.

The law provides for free and compulsory education for a minimum of nine years. According to the 2001 census, 99.4 percent of school-age children attended school, and most children completed secondary education. However, noncompliance with the compulsory education requirement was a significant problem in the Romani community. Research conducted by the Aghlaia Kyriakou state hospital showed that 63 percent of Romani children did not attend school. There were reports of non-Romani parents withdrawing their children from schools attended by Romani children, and of non-Romani parents attempting to prevent Romani children from studying at the same schools that their children attended. International organizations and NGOs expressed concern over a reported Ministry of Education order issued in May to school directors to not grant year-end certificates to students who were illegal residents.

Boys and girls had equal access to medical care.

Violence against children occurred, particularly against street children. The law prohibits the mistreatment of children and sets penalties for violators, and the government generally enforced these provisions effectively. According to the UN Children's Fund (UNICEF) and local NGOs, the majority of street children (often indigenous Roma or Albanian Roma) were exploited by family members who forced them to work in the streets, usually begging or selling small items.

Child marriage was not common in mainstream society. However, human rights activists, the deputy ombudsman for children's rights, and Romani community representatives reported that underage marriage was a common occurrence among the itinerant half of the estimated 100 thousand to 350 thousand members of the Roma population. Additionally, there were limited numbers of marriages of persons under 18 among the Muslim minority in Thrace and Athens. The state-appointed *muftis*, who may apply Shari'a in family matters, noted that they do not allow marriage of children under age 15. In November the official *mufti* of Komotini reported issuing instruction to imams in Thrace not to conduct underage marriages. In November he refused permission to a 12-year-old girl to marry a 14-year-old boy. The government has youth centers, parent counseling, and programs that address poverty and lack of education, factors which were believed to contribute to child marriage.

Welfare laws provide for preventive and treatment programs for abused and neglected children and seek to ensure the availability of alternative family care or institutional placement. However, children's rights advocacy groups claimed that government residential care centers provided inadequate and low quality protection of children at high risk of abuse due to a lack of coordination between welfare services and the courts, inadequate funding of the welfare system, and poor staffing of the care centers.

In 2004 the UN Committee Against Torture expressed concern that inadequate measures had been taken to protect 502 Albanian children who remained unaccounted for after being picked up by the security police and kept in state custody at the Agia Varvara institution between 1998 and 2003. The prosecutor accepted a criminal complaint submitted by the GHM and an appeal by the UN Committee Against Torture, and in December 2004 it pressed felony charges against members of the administration of the institution relating to the case; however, no action was reported on the case during the year. The UN Special Rapporteur on the Sale of Children, Child Prostitution, and Child Pornography who visited in November noted a "deficiency in the design of the educational and social methodology" of the Agia Varvara institution.

There were reports that trafficking of children, mainly for forced labor and sexual exploitation, was a problem (see section 5, Trafficking, and section 6.d.). In February and October police dismantled networks dealing in child pornography through the Internet. Six citizens, identified to be members of international networks, were arrested and charged under child pornography statutes. The newly established Internet Crime Police Division arrested 9 persons and filed lawsuits against 19 others for dealing in Internet child pornography during the coordinated EU operation "Purity" in April. The division, which prioritized and aggressively pursued child pornography cases, reported a 600 percent annual increase of crime through the Internet.

In June the government, the UNHCR, and the deputy ombudsman for children's rights announced guidelines for the management of separated children seeking asylum, based on internally agreed upon principles of separated child protection. Among the 11 detailed guidelines is one specifying the appointment of a "special temporary guardian" as soon as a separated child is identified and if that child is applying for asylum. However, at year's end there remained problems with the implementation of the guidelines, and the UNHCR, Greek Council for Refugees, and deputy ombudsman for children's rights called on the government to improve protection for separated migrant children, notably potential asylum seekers and victims of trafficking, and appoint legal guardians for them.

#### Trafficking in Persons

The law prohibits trafficking in persons; however, the country was both a transit and destination country for significant numbers of women, children, and smaller numbers of men trafficked for the purposes of sexual exploitation and forced labor. There were allegations that some police officers were involved in trafficking rings or accepted bribes from traffickers.

The law considers trafficking in persons a criminal offense and provides for imprisonment of up to 10 years and fines of approximately \$12 thousand to \$60 thousand (10 thousand to 50 thousand euros) for convicted traffickers. Penalties are harsher for traffickers of children.

During the first 6 months of the year, police reported that they charged 162 persons with crimes under the section of law that includes trafficking and located 79 trafficking victims, although there were estimated to be many more such victims during the period. In January a trafficker was convicted in

Kavala to more than 12 years' imprisonment and fined \$63,150 (52,625 euros); at year's end he had been released from prison on bail.

There is an interministerial committee to coordinate antitrafficking efforts. During the year the government participated in international investigations in cooperation with regional authorities, including the Southeast European Cooperative Initiative.

Major countries of origin for trafficking victims included Nigeria, Ukraine, Russia, Bulgaria, Albania, Moldova, Romania, and Belarus. Women from many other countries were trafficked to the country and in some cases were reportedly trafficked on to Italy and other EU countries as well as to the Middle East.

According to an academic observer, trafficking in women and children for sexual exploitation in the country decreased from approximately 20 thousand victims in 2003 to approximately 10 thousand during the year. Unofficial NGO estimates placed approximately 13 thousand to 14 thousand trafficked persons in the country at any given time.

Trafficking of children was a problem. Most child trafficking victims were Albanian Romani children trafficked for labor exploitation or teenage girls trafficked for commercial sexual exploitation. Albanian children made up the majority of children trafficked for forced labor, begging, and stealing. NGOs reported that the practice of "renting" children had dramatically decreased as it became easier for Albanian parents to emigrate to the country. An NGO working on child-trafficking problems reported that some legalized and illegal Albanian immigrants residing in the country exploited their children.

Problems persisted with police detaining minors trafficked into the country as criminals or repatriating them without ensuring proper reception by their home country authorities.

Women and children arrived as "tourists" or illegal immigrants and were lured into prostitution by club owners who threatened them with deportation. There were reports that traffickers kidnapped victims, including minors, from their homes abroad and smuggled them into the country, where they were sold to local procurers. Traffickers less frequently confined victims to apartments, hotels, and clubs against their will, failed to register them with authorities, and forced them to surrender their passports. Some rescued victims reported being given small stipends, mobile phones, and limited freedoms but nevertheless were coerced, threatened, and abused by their traffickers.

Many antitrafficking activists alleged that some police officers were involved in trafficking rings or accepted bribes from traffickers, including organized crime networks. In December 2004 three police officers were given suspended sentences for their part in a prostitution ring involving underage girls. The MPO's Bureau of Internal Affairs investigated charges of police involvement in trafficking cases.

The lack of an effective screening and referral mechanism meant that probable victims of trafficking were deported without having been identified. Some trafficking victims were prosecuted for immigration violations, sometimes alongside their traffickers. To remedy the situation, during the year parliament passed an immigration law that provided a "reflection period" for trafficking victims facing deportation. A few trafficking victims and NGOs that supported them stated that inadequate police protection for victims who were witnesses in trials meant that those victims lived in constant fear of their traffickers.

During the year the government issued special residence/work permits to trafficking victims; however, anecdotal reports indicated that trafficking victims continued to be deported. The government reported that 22 residence permits had been issued to trafficking victims by October.

A number of domestic NGOs also worked on trafficking problems, but victim protection measures and referral mechanisms remained weak. The government supported a 24-hour hot line for trafficking victims, operated by an NGO.

There were NGO-operated shelters that assisted trafficking victims in Athens, Thessaloniki, and Ioannina, and in October, 2 additional shelters in Athens were opened: a 50-bed shelter funded by the government and operated by the NGO of the Orthodox Church and a 22-bed shelter in premises

offered by the Ministry of Health. Several government-operated shelters opened in 2004 but were forced to close temporarily due to budget constraints.

NGOs distributed antitrafficking brochures with funds from the MFA. The MPO published a multilingual "know-your-rights" pamphlet designed to inform persons identified by police as possible trafficking victims of resources at their disposal. The government supported prevention activities in source countries through grants from its MFA.

In December the deputy foreign minister joined the Transnational Action against Child Trafficking project in Albania, committing \$600 thousand to the program over 3 years. The program's aim was to raise awareness to prevent child trafficking, provide social and educational assistance to at-risk children and families, assist in voluntary returns, and reintegrate children trafficked to Greece.

#### Persons with Disabilities

The law provides that persons with disabilities are entitled to benefit from measures ensuring their self-sufficiency, professional integration, and participation in the social, economic, and political life of the country. There was no systemic discrimination against persons with disabilities in employment, education, access to health care, or the provision of other government services. The law mandates access to buildings for persons with disabilities; however, authorities enforced this law poorly. Only 5 percent of public buildings were fully accessible to persons with disabilities; most buildings with special ramps did not have special elevators and lavatories. The deputy ombudsman for social welfare handled complaints related to persons with special needs, especially related to employment, social security, and transportation.

The Ministry of Welfare estimated that there were 180 thousand to 200 thousand children with special education needs, out of whom only 18,585 were attending school in 2004 due to either lack of special schools in their area or deficient accessibility.

In July the deputy ombudsman reported that nearly 60 percent of persons with disabilities had been barred from the benefits of affirmative action employment to which they were entitled because they were misinformed or inadequately informed about the supporting documents they should provide and because of unclear interpretations of the law itself. The deputy ombudsman stated that unemployment was the greatest social problem for persons with disabilities and recommended that the government prepare new legislation or improve existing laws.

#### National/Racial/Ethnic Minorities

Albanian immigrants, who made up approximately 5 percent of the population, faced widespread societal discrimination, although Albanian community representatives said that it was slowly decreasing. Immigrants accused police of physical, verbal, and other mistreatment. They also reported the confiscation and destruction of personal documents, particularly during police sweeps to apprehend illegal immigrants. The media blamed Albanians and immigrants for a reported rise in crime in recent years. AI, GHM, and the deputy ombudsman for human rights alleged that complaints of police ill-treatment of Albanians were rejected as unfounded, although the authenticity of the complaints was supported by documents such as certificates from state hospitals concerning recent injuries and issued shortly after the complainants' release from police stations. Albanian community leaders reported that it was difficult to be granted citizenship, even after all objective citizenship requirements had been met.

A September deputy ombudsman's report on police abuse found that police took citizens to detention centers for arbitrary identity checks, used insulting language and threats of force, conducted bodily searches in public, and did not inform citizens on the progress of internal investigations unless cases were made public through the press. The report found that the police conducted arbitrary identity checks on the basis of stereotypes, targeting persons based on their race, color, nationality, or who happened to be in "high-crime" areas (see section 1.d.).

In contrast with 2004, there was no public debate or mention of "foreign" students carrying the country's flag at National Day parades.



The trial of a person charged with the September 2004 killing of an Albanian immigrant following a soccer game, originally set for November, was postponed. At year's end no new trial date had been set.

A number of citizens identified themselves as Turks, Pomaks, Vlachs, Roma, Arvanites (Orthodox Christians who speak a dialect of Albanian), or "Macedonians" or "Slavomacedonians." While some members of these groups sought to be identified as "minorities," or "linguistic minorities," others did not consider that these identifications made them members of a "minority." The government formally recognized only the "Muslim minority" and did not officially acknowledge the existence of any indigenous ethnic groups, principally Slavophones, under the term "minority." The previous government, however, affirmed an individual right of self-identification. Some individuals who defined themselves as members of a "minority" found it difficult to express their identity freely and maintain their culture. Use of the terms *Tourkos* and *Tourkikos* ("Turk" and "Turkish") is prohibited in titles of organizations, although individuals legally may call themselves *Tourkos* (see section 2.b.). To most Greeks the words *Tourkos* and *Tourkikos* connote Turkish identity or loyalties, and many objected to their use by Greek citizens of Turkish origin.

The government and public opinion considered that minorities were defined exclusively in the Treaty of Lausanne and reacted negatively to any definition of "minorities" based on the mathematical standard of a group being referred to as a "minority" because it does not form a "majority" or a plurality of the total population.

The government did not recognize the Slavic dialect spoken by persons in the northwestern area of the country as "Macedonian," a language distinct from Bulgarian. Most speakers of the dialect referred to themselves as "natives." A small number of Slavic speakers insisted on the use of the term "Macedonian," a designation which generated strong opposition from the ethnic Greek population. These activists claimed that the government pursued a policy designed to discourage use of their language.

On October 20, the ECHR ordered the government to pay \$42,294 (35,245 euros) to the Rainbow Party for violations of 2 ECHR articles: the right to a fair hearing and the right to freedom of assembly and association. The ruling faulted police for failing to take measures to prevent, or at least contain, violence during a 1995 demonstration instigated by the town council and local priests, during which Rainbow Party members were assaulted after the group hung a sign written in both Greek and the "Slavomacedonian dialect" outside party headquarters. The ECHR also held that the seven years and one month that authorities took to investigate the case was an excessive and unreasonable amount of time.

Roma continued to face widespread governmental and societal discrimination. In April 2004 the European Roma Rights Center (ERRC) issued a report that claimed Roma were subject to systematic police abuse; mistreatment while in police custody; regular raids and searches of their neighborhoods for criminal suspects, drugs, and weapons; and educational discrimination (see section 1.c.). A 2004 ECRI report noted with concern that the situation of Roma remained serious and that Roma continued to face discrimination and difficulty in the areas of housing, employment, education, and access to public services.

In June the European Committee of Social Rights held that government policies regarding housing and accommodation of Roma infringed the European Social Charter, due to insufficient number of dwellings to meet the needs of settled Roma, insufficient number of stopping places for Roma who follow an itinerant lifestyle, and systemic eviction of Roma from sites or dwellings. The committee also found that the government had failed to take sufficient measures to improve the living conditions of Roma and had not taken measures to constrain or sanction municipalities that were not diligent in selecting appropriate sites or were reluctant to provide the appropriate infrastructure for itinerant Roma. The International Helsinki Federation found in June that approximately half of the Roma lived segregated from non-Roma in substandard housing conditions.

In October AI published a report criticizing the government for its treatment of Roma, pointing to racial discrimination, a pattern of targeting Albanian Roma homes for demolition, and failure to carry out investigations in attacks against the Roma of Riganokampos, among other criticisms.

The law prohibits the encampment of "wandering nomads" without a permit and forces Roma to establish settlements outside inhabited areas and far from permanent housing. There were approximately 70 Romani camps in the country. Local and international NGOs charged that the enforced separation contravened the country's commitments under the International Convention on the Elimination of All Forms of Racial Discrimination.

There were frequent police raids on Romani settlements and harsh police treatment of Roma. Romani families who had lived for decades in settlements near Olympic venues were evicted and left to find alternate shelter. Local municipalities reportedly did not fulfill their commitment to provide replacement housing with subsidized rent for the families. In 2004 AI and the UN Committee Against Torture expressed concern at instances of ill-treatment of Roma by public officials in situations of forced evictions or relocation.

The UN special rapporteur's statement after his November visit called the housing and sanitation conditions of the Roma settlement he visited unacceptable, highlighting that "access to health and education is limited or lacking and social programs are not providing assistance to the community." He recommended that the state take specific measures to develop and improve living conditions in Romani communities to give Romani children alternatives to street work or prostitution as survival strategies for them and their families.

Local authorities continued to harass and threaten to evict Roma from their camps or other dwellings. In February a Romani house was demolished in Agia Paraskevi, Athens, and two other families were served with eviction orders. The community had been promised relocation to the neighboring municipality of Spata in 2002, but due to resistance of the Spata authorities and the failure to provide housing there, the Romani families continued living in Agia Paraskevi in extremely substandard conditions.

In June eight local and international NGOs, including the ERRC, formally appealed to the government after Romani tent-dwellers in the Riganokampos area outside Patras were threatened with eviction. The ERRC and GHM criticized the demolition in June of 11 makeshift homes of Romani families in Riganokampos and the failure of Greek authorities to investigate the alleged arson attacks in May against the community.

Nine local and international NGOs, including the ERRC, appealed to the mayor of Athens in July over the announced evictions without resettlement provisions of approximately 70 Albanian Romani families from squalid conditions in communities around Votanikos, Athens, to make way for a new soccer stadium. At year's end the evictions were still planned, but no action had been taken.

Roma frequently faced societal discrimination in employment and in housing, particularly when attempting to rent accommodations. The illiteracy rate among Roma was estimated at 80 percent. Poverty, illiteracy, and societal prejudice were most severe among migrant Roma or those who lived in quasi-permanent settlements. Most Romani camps had no running water, electricity, garbage disposal, or sewage treatment. The approximately 400 Romani families in Tyrnavos, Thessaly, lived in tents because authorities refused to include the area in city planning. The municipality of Rachoula in Larissa took action to delay the permanent settlement of Roma in the region on property owned by Roma.

Romani representatives reported that some local authorities have refused to register Roma as residents or that the Roma were unable to satisfy the requirements to be registered. Until registered with a municipality, a citizen cannot vote or exercise other civil rights, such as contribute to social security or obtain an official marriage, commercial, or driver's license. It was estimated that 90 percent of Roma were not insured by the public social security system because they were unable to make the required contributions. Indigent Roma were entitled to free health care provided all citizens; however, their access at times was hindered by the distance between their encampments and public health facilities.

The government considered the Roma to be a "socially excluded" or "sensitive" group, not a "minority." As a result, government policy was to encourage the integration of Roma. The Ministry of Education has instructed school principals to promote integration.

The Ministry of Interior headed an interministerial committee that coordinated projects for the 85 thousand to 120 thousand Roma the government estimated were in the country (unofficial estimates ranged from 250 thousand to 350 thousand). By September 2004 only 30 cities had responded to the Ministry of Interior's 2003 invitation to 75 cities with Romani populations to identify areas in which it could build housing for Roma. Among the program's provisions were very low interest housing loans for Roma, which have had varying success rates in different areas of the country.

The Ministry of Health and Welfare and the MFA continued projects to address the chronic problems of the Romani community, including training courses for civil servants, police, and teachers to increase their sensitivity to Romani problems; the development of teaching materials for Romani children; the establishment of youth centers in areas close to Romani communities; and the deployment of mobile health units and community social workers to address the needs of itinerant Roma. However, Roma community representatives reported that these programs either did not always reach their communities or were of limited effectiveness.

#### Other Societal Abuses and Discrimination

The NGO Greek Homosexual Community (EOK) alleged that police often abused and harassed homosexuals and transvestites and subjected them to arbitrary identity checks and bodily searches in public places.

In December 2004 the broadcasting regulator ESR fined a radio station over insulting language used on a radio show presented by a lesbian, and the station subsequently cancelled the show. The Gay and Lesbian Community of Greece and EOK condemned the ESR ruling as homophobic and lodged complaints with the government over what it described as a discriminatory decision. The government took no action regarding the complaints.

#### Section 6 Worker Rights

##### a. The Right of Association

The law provides that all workers, with the exception of members of the military, have the right to form and join unions of their choice, and workers exercised this right. Approximately 26 percent of nonagricultural salaried employees were union members. Unions received most of their funding from the Workers' Hearth, a Ministry of Labor organization, which distributes mandatory contributions from employees and employers. Workers, employers, and the state were represented in equal numbers on the board of directors of the Workers' Hearth. The law prohibits antiunion discrimination by employers, and there were no complaints of such discrimination during the year.

##### b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government protected this right in practice. The law generally provides for the right to bargain collectively in the private sector and in public corporations, and unions exercised this right freely. All workers are covered by collective bargaining agreements regardless of whether they are members of unions. The law provides for the right to strike, and workers in the private sector and in public corporations exercised this right in practice. Civil servants have the right to organize, to bargain collectively with the Ministry of Public Administration, and to strike. Police have the right to organize and demonstrate but not to strike.

There are some legal restrictions on strikes, including a mandatory notice period of 4 days for public utilities and 24 hours for the private sector. The law mandates a skeleton staff during strikes affecting public services. Courts may declare a strike illegal; however, such decisions were seldom enforced. Unions complained that this judicial power deterred some of their members from participating in strikes. Courts declared some strikes illegal during the year for reasons such as failure of the union to give adequate advance notice of the strike or a union making new demands during the course of the strike, but no workers were prosecuted for striking.

There are no special laws or exemptions from regular labor laws in the country's three free trade zones.

### c. Prohibition of Forced or Compulsory Labor

The law prohibits all forced or compulsory labor; however, there were reports that such practices occurred (see section 5).

### d. Prohibition of Child Labor and Minimum Age for Employment

The government effectively implemented laws and policies to protect children from exploitation in the workplace. However, the government did not adequately protect children who were exploited in nontraditional environments, such as begging on the street.

The minimum age for employment in the industrial sector is 15 years, with higher limits for some activities. The minimum age is 12 years in family businesses, theaters, and the cinema. These limits were enforced by occasional spot checks and were generally observed. However, families engaged in agriculture, food service, and merchandising often had younger family members assisting them at least part time.

Child labor was a problem, although international and local observers agreed that the number of working children had decreased in recent years. A number of children begged or tried to persuade persons to buy small items, such as tissues, in the streets. The government and NGOs reported that the majority of beggars were either indigenous or Albanian Roma.

There were reports that children from Albania were trafficked and forced to beg; however, antitrafficking NGOs reported a decrease in this abuse as more Albanian parents entered the country themselves with their children (see section 5). Some parents forced their children to beg for money or food.

The government provided funding to NGOs such as the Association for the Social Support of Youth (ARSIS), which worked to prevent child trafficking and child exploitation and did street outreach to address child labor on the streets. ARSIS had close cooperation with NGOs in Albania and during the year opened a satellite office in Albania.

The government supported prevention activities in source countries through grants from its MFA.

### e. Acceptable Conditions of Work

The Greek General Confederation of Labor (GSEE) and the Employers' Association determine a national minimum wage through collective bargaining. The Ministry of Labor routinely ratified this minimum wage, which has the force of law and applies to all workers. The minimum wage of approximately \$35 (29 euros) daily and \$779 (649 euros) monthly provided a decent standard of living for a worker and family.

The maximum legal workweek is 40 hours in the private sector and 37.5 hours in the public sector. The law provides for at least 1 24-hour rest period per week, mandates paid vacation of 1 month per year, and sets limits on overtime.

The law provides for minimum standards of occupational health and safety. The GSEE characterized health and safety laws as satisfactory but stated that enforcement by the labor inspectorate was inadequate. Workers do not have the legal right to remove themselves from situations that they believe endanger their health; however, they have the right to lodge a confidential complaint with the labor inspectorate. Inspectors have the right to close down machinery or a process for up to five days if they see safety or health hazards that they believe represent an imminent danger to the workers.

The law protects foreign workers; however, their wages were lower and they worked longer hours than citizens. Officially, wages should be the same for local and foreign workers, but in practice there were some reports of undocumented foreign workers being exploited by employers, receiving low wages and no social security contributions. Many employers did not make social security contributions for illegal foreign workers, making their legalization impossible.