

**COUNTRY REPORT 2 2010
ON EMPLOMENT, ETHNICITY AND MIGRANTS**

Greece

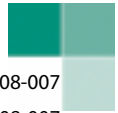
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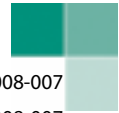
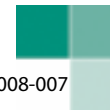


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1. INTRODUCTION

1.1. General considerations on the links between discrimination, migration and ethnicity

1. During the past twenty years Greece has become a host country as regards to immigration. The reasons for this development are both economic and political: Greece's strong economic growth (experienced especially up to 2004, thanks to the Athens Olympic Games), rising living standards, political stability and membership of the EU, combined with the breakdown of the former USSR, and the economic crisis and turmoil in the Balkans that followed, made Greece an attractive destination for economic migrants. The flows have recently changed somewhat with increasing flows from African and Asian countries. However, since 2009, many immigrants have been hit hard by the economic crisis. Especially male immigrant workers who were employed in the construction sector are now experiencing increased chances of unemployment since construction and other sectors have been seriously affected by the economic crisis. There are media reports about immigrants from countries such as Albania, Ukraine, Georgia and other third countries (i.e. countries outside the EU-27), who are deciding to return to their countries of origin, in view of dire employment prospects in Greece.
2. The Greek Law "3304" voted through Parliament in 2005 incorporates Community Directives 2000/43/EC and 2000/78/EC and foresees protection against discrimination on five grounds: of racial or ethnic origin, religious or other beliefs, disability, age and sexual orientation.
3. In the same context, the groups identified as facing the risk of discrimination in the Greek National Strategy for the 2007 European Year of Equal Opportunities For All¹ are immigrants, Roma, disabled persons, women, the elderly and the young, people belonging to different religious groups than the prevailing Christian Orthodox dogma and lesbian, gay, bisexual and transgender people (LGBT).
4. In Greece, most migrant workers, and mostly those coming from countries outside the EU-27, are usually employed in low-paid, temporary and seasonal jobs, which are often undeclared and uninsured. Moreover, migrants are at higher risk of belonging to the 'working poor'. More specifically, the poverty rate for workers is 13% for Greeks born in Greece, 19% for those born abroad (in general) and 21% for those born abroad with foreign nationality².
5. The unemployment rate for immigrants had been lower than that for Greek nationals up to the end of 2008. However, since early 2009, the unemployment rate for immigrants from countries outside the EU-27, has become higher than that

¹ Henceforth to be referred to as 'National Strategy'

² Data source: Report on the National Strategy for Social Protection 2008-2010, Statistical Annex

for nationals (14,7% for foreign nationals from countries outside the EU-27 and 11,6% for Greek Nationals in the first quarter of 2010, compared to 10,9% for the general population). Data by gender, show that male immigrants from countries outside the EU-27, have been much more affected by unemployment over the past two years, than female immigrants from countries outside the EU-27. This reflects the fact that many male immigrant workers were employed in the construction sector which has been hardest hit by the economic crisis, while female immigrant workers were mostly employed in care services, a sector suffering less from the economic crisis. Overall, it should also be mentioned that the bulk of immigrants is employed in low paid, precarious and often undeclared jobs and shows a higher risk of in-work poverty.

1.2. Definition of 'migrants' and 'ethnic minorities'

6. Large-scale economic migration is a relatively recent phenomenon in Greece, dating back to the early 1990s. According to official data³ approximately 800.000 people of foreign nationality live in Greece, a figure that constitutes around 7, 3% of the country's total population. However, if we add "undocumented" migration to the above, the actual number escalates to 10%⁴. Apart from the 2001 census, a more recent study⁵ estimates the immigrant population of Greece at about 1.3 million, or 12% of the total population of 11 million, composed of:
 - 678,000 legal migrants in 2008 (of those approximately 363,00 had a valid stay permit in March 2009 and another 314,000 are in the process of renewing their permits);
 - 185,000 migrants of Greek ethnic background from Albania with special identity cards, who have been encouraged to naturalise since 2006;
 - 155,000 returnees from the former Soviet Union who are of Greek ethnic background and have received Greek citizenship;
 - an estimated 280,000 irregular migrants in 2008⁶.
7. Another relatively recent study⁷ presents data on the legal migrant workers registered with the National Social Security Foundation (IKA). There is a lack of reliable estimates on irregular workers in Greece, but data on legal migrant workers registered with IKA cover dependent employees ranging from manual workers or cleaners to all types of business clerks and also high skilled jobs in the

³ National Census, 2001

⁴ According to a study of the institute of Migration Policy, the number of illegal immigrants is estimated between 172.250 and 209.402 thousands. To the above figure, one must add the large numbers of Greeks who were born abroad and have been repatriated but are not included in immigration figures.

⁵ Triandafyllidou A., Lazarescu D., The Impact of the Recent Global Economic Crisis on Migration, CARIM, 2009

⁶ Maroukis 2008

⁷ Gropas R. & Triantafyllidou A. (2008) "Discrimination in the Greek Workplace and the Challenge of Migration", ELIAMEP, EMILIE project

private sector. According to data provided by IKA in March 2007, 13.14% of the total employees registered were third country nationals. Of these, 53.25% were Albanians.

8. Among the foreign male registered social security contributors, 58.69% were Albanian, 7.96% were Pakistani, 5.03% were Romanian, and Russians made up 4.80%. Among the foreign female social security contributors, 38.93% were Albanian, 16.17% were Russian and 11.54% were Bulgarian. Approximately half of the Albanian workers were employed in the construction sector, 16% in the manufacturing sector, 13% in wholesale and retail trade and around 9% in the tourist and catering sector. In addition, over 68% are registered as unskilled workers. Thus, the overwhelming majority of the foreign workers legally employed and paying into the IKA social security system are employed in the unskilled and labour intensive sectors of the economy.
8. A separate group with migrant background are the Repatriated Greeks (*Omogeneis and Palinnostountes*) who were ethnic Greeks, born in countries outside Greece and are considered as a distinct category of migrants. Waves of immigrants of Greek descent moved to Greece and were located mostly in Northern Greece and Thrace in the early 1990s. They came in particular from countries such as Albania and the countries of the Commonwealth of Independent States during transition from Communism. They face poverty and language barriers, and a number of initiatives aim to combat their exclusion, thus, over the past two decades, they have been entitled to participate in schemes and subsidies specifically designed to aid their integration into Greek society and economy.
9. The codification of legislation on immigration provided by the Ministry of the Interior, compiling legislation between 2005 and 2009, offers the following definitions related to ethnic minorities of migrant background: a) Foreigner, is any individual that does not have the Greek citizenship or that does not have citizenship. B) third country national, is an individual that has neither Greek citizenship, nor the citizenship of another member state of European Union [...], e) Family reunification, is the entry and the stay in the country of family members of a third country national that resides legally in Greece, so that the family unit is maintained, irrespective of whether the familial bonds were created before or after the person's entry in the Country, f) long stay resident is the third country national that acquires the above status, according to Article 67 of the Law 3386/2005, present, g) Student, is a third country national that has been accepted in one of the educational institutions set by the Law 3386/2005 and to whom the entry and stay in the territory of the Country is allowed, so that his/her main activity can be to follow a program of study.
10. **Definition of 'ethnic minorities' / 'religious minorities':** The bulk of Greek citizens are Christian orthodox, which is referred to as the 'prevailing religion' in the Greek Constitution. Moreover, there is a large Muslim community

concentrated in Thrace (North-East Greece) with more than 100.000 members⁸. Another large religious group is the Catholic Community with 50.000 members, around 0, 5% of the population⁹. Catholics are mainly found in Athens and in Cyclades islands. In terms of the connection between religious and ethnic minorities, the Muslims living in areas of Greece outside the region of Thrace are in their majority immigrants from a variety of Muslim countries, while the Muslims of Thrace are mainly of Greek citizenship with Turkish ethnic background.

11. According to the National Strategy, there is no official data collection mechanism on the existing religions in Greece. Data from the Ministry of Education and Religious Affairs mention the presence of more than 70 religious communities in Greece¹⁰. Yet, there are no statistics considering the number of members and territorial distribution.
12. Aside from the lack of data, the Muslims and Pomaks of Thrace, as well as the Roma throughout Greece are examples of ethnic minorities without migrant background who are threatened by poverty, exclusion and discrimination in Greece.

1.3. An overview of the main discrimination issues and groups

1.3.1. Ethnic minorities with migrant background

13. There are no official and exact data on the number of immigrants who reside in Greece today. According to researcher Anna Triadafyllidou their number is estimated at 1.247.000 people. Most of the migrants come from neighbouring countries and the Balkans. About 70% have a valid residence and work permit. Children who are born in Greece but have foreign parents are exposed to discrimination, as they cannot acquire the Greek nationality, even though the current government is taking steps to remedy this situation. These “second generation migrants” are forced to apply for their own residence permits when they reach 18 years of age, like other foreigners. As a result many feel like “second class citizens” because even though in many cases they know no other country than Greece, Greece does not grant them Greek nationality. On the positive side, these second generation migrants do not face the language barrier since they are native Greek speakers and hence do have access to jobs in the private market. However, they do not have access to jobs in the public sector,

⁸ Data from the Ministry of Foreign Affairs www.mfa.gr

⁹ Data from the Catholic Ecclesia of Greece <http://www.cathecclesia.gr/hellas/>

¹⁰ Please refer to pages 8& 9 of the National Strategy for a complete list of the religious communities in Greece

since only Greek or EU citizens are entitled to sit examinations for entry into public sector jobs, hence this constitutes discrimination.

14. The ENAR Shadow Report 2008: Racism in Greece¹¹, states that human rights violations against migrants, refugees and asylum-seekers continued to be reported at Greece's borders during 2008. Protection for refugees, in particular, remained minimal. Such violations were consistent with reports received by Amnesty International throughout the year¹². There were frequent reports of individuals attempting to enter Greece by sea, many of whom drowned in the process or were blocked by members of the Coastguard. Those who did manage to reach land were usually returned to their country of origin without being offered legal aid, access to asylum procedures and without having had their cases examined individually. The 2009 report for Greece of Amnesty International adds that migrants and Roma are often the victims of undue use of violence by police officers, such as experienced during peaceful marches, in detention etc.¹³
15. The readmission protocol in existence between Greece and Turkey¹⁴ was used to return citizens mainly from Asian countries like Iraq, Afghanistan etc. from Greece to Turkey in spite of the concerns of the UN's refugee agency, UNHCR that Turkey often returned them to Iraq.
16. Last but not least, human trafficking is another grey spot in relation to migrants, since Greece is still both a transit and a destination country for women; boys and girls trafficked for sexual exploitation¹⁵. The European Network Against Racism argues that the number of trafficked women and girls recognized as such by the Greek authorities has remained unacceptably low, and resulted in women being unable to exercise their rights to assistance and protection. The few cases identified, were able to exercise these rights only on condition that they agreed to co-operate with the authorities in criminal proceedings brought against their suspected traffickers. This failed to recognize the women's fear of reprisals and was at variance with the Council of Europe Convention on Action against Trafficking in Human Beings, which Greece has failed to ratify and implement.
17. Recently (in Spring 2009), clashes took place between (extreme right wing) native Greeks and migrants in an Athens neighbourhood with a high concentrations of migrants, who mainly come from Afghanistan. Shops owned by migrants and

¹¹ European Network Against Racism (ENAR), Shadow Report 2008: Racism in Greece, by Samsideen Iddrisu – Community of Ghana and Adriana Mardaki – SOS Racism Greece

¹² Amnesty International, Report for Greece 2008.

¹³ Findings of the Amnesty International Report for Greece 2009, as reported on http://athens.indymedia.org/front.php3?lang=el&article_id=1175677, accessed 28 June 2010

¹⁴ In 2001, Greece and Turkey signed a Protocol on detailed co-operation procedures, for the readmission of citizens of either country or of a third country who had entered either country unlawfully.

¹⁵ European Network Against Racism (ENAR), Shadow Report 2008: Racism in Greece, by Samsideen Iddrisu – Community of Ghana and Adriana Mardaki – SOS Racism Greece

migrants themselves have been the victims of attacks from extreme right groups, such as the Golden Dawn (*Xrisi Avgi*) organisation in the neighbourhood of Agios Panteleimonas, not far from the centre of Athens. Native Greeks inhabiting the neighbourhood also created trouble in relation to the fact that immigrant children were using the playground in the central square of Agios Panteleimonas. The playground has since been closed to the public, while attacks by the extreme right on migrants continue.

1.3.2. Ethnic minorities without migrant background

18. Greece has recognized only one religious minority officially, and that is the Muslim minority in Thrace, most of whose members are of Turkish origin¹⁶.
19. The Greek government does not recognize ethnic minorities for political reasons that are linked to the so-called Macedonian community who live in the Northern part of Greece. This community faces prejudice and discrimination not only from the authorities but also from the rest of Greek society. The Greek government views the term “Macedonian” as a geographic term and denies the assertions of the ethnic Macedonians in Greece that they are a minority group. Officially, the State refers to them as “Slavophone Greeks” or bilinguals.
20. The *Pomaks (Pomakoi)*, are another group facing exclusion and discrimination. The Pomaks are also located in Thrace and have been living in remote mountainous villages for hundreds of years but have retained their traditions, their Muslim faith, and their language which is a mix of Slavic, Turkish and Greek words. They have low educational levels and low incomes and mainly work in agriculture and husbandry. Special training programmes are being set up to help their integration in the labour market.
21. The debate on a Muslim Mosque and Cemetery in Athens is illustrative of the discrimination issues facing both ethnic minorities without migrant background (such as the Muslims who have been born in Greece), but also Muslim minorities with migrant background in Greece. Currently, there is no Mosque in the city of Athens, albeit the existence of a large Muslim community¹⁷. Official mosques exist only in the border region of Thrace. Muslims living in the greater Athens area exercise their religious duties in around 60 informal prayer rooms situated, but without facing intolerance. The issue of a Muslim Mosque and Cemetery in Athens, was first raised during the 1980s, yet until today the construction of the Mosque remains only on paper¹⁸. Laws passed in 2000 and 2006 foresaw the

¹⁶ Idem

¹⁷ There are around 700.000 Muslims in the region of Attica (wider Athens district), *To Vima*, 26/5/2009

¹⁸ Because of length limitations, this section will cover the debate on the Mosque and Cemetery starting from the year 2000 when the first law on the construction of the Mosque was voted by the Greek

establishment of a Mosque in two different areas of Athens but plans were not realised. The Mosque issue came to light once more in 2009, following violent incidents between Muslim immigrants and the police. Muslim immigrants claim that during a routine paper control procedure, a policeman tore up a copy of the Koran found in their car. Clashes between immigrants and the police followed, which ended with shots being fired at an informal Muslim prayer room in central Athens, where five Bangladeshi immigrants were injured. In line with the Muslim community, social scientists underline that “*as long as we do not allow all aspects of Islam to acquire official and public discourse, spasmodic incidents as such will occur*” and “*...a Muslim who sees other public projects rapidly completed and the Mosque matter remaining on paper for years, feels he has been fooled*”¹⁹.

22. In the same context, the need of a Muslim cemetery in Athens has been repeatedly raised by the Muslim Community, since, currently, the dead have to be transferred by their families to Thrace or back to their countries of origin, which often entails high costs for low-paid or unemployed immigrants. In 2005, the Church of Greece offered a land plot of 30.000 sq. meters for the creation of a Muslim cemetery. Despite this, the cemetery has not yet been built.

23. The **Roma community** is another vulnerable group that is subject to prejudice and discrimination. Roma are almost automatically treated as thieves and suspects of illegal transactions by the general population and by the police, which in many occasions makes precautionary arrests, without proof. Violations against the Roma community such as forced evictions continued to be reported by the local human rights organizations. Repeatedly the European Roma Rights Centre (ERRC) expressed concern about the eviction of Albanian Romani families from their two settlements in Athens. The evictions appear to have taken place as part of a “cleansing” operation in front of a football stadium. The ERRC was concerned that in none of the cases were even the most rudimentary domestic or international legal standards concerning forced evictions applied. They took place despite the long-term intervention of the Ombudsman, who in October again wrote to the government urging an end to forced evictions²⁰.

1.3.3. Comparison of discrimination factors and the experiences of different groups

24. The above examples illustrate the different forms of discrimination that different groups are facing. More specifically, ethnic minorities with migrant background

Parliament.

¹⁹ Statements by S.Roussos, University of Peloponnese professor of Mediterranean, Middle east and Islamic studies and K. Patelo, Panteion professor published in “*To Vima*” daily newspaper on 26/05/2009.

²⁰ Ombudsman, Newsletter No.13, <http://www.synigoros.gr>

face more structural discrimination (due to language barriers, lack of legal status etc.), and they are being more affected by harassment, violence, direct discrimination, and discrimination by the police, etc. Ethnic minorities without migrant background such as Roma or Greek Muslims are also affected by structural discrimination in the labour market which is mainly related to low skills and low educational level. They are also affected by harassment and police violence but to a much lesser extent than people from ethnic minorities with migrant background.

2. GENERAL EMPLOYMENT SITUATION OF ETHNIC MINORITIES WITH/WITHOUT MIGRANT BACKGROUND

25. The situation regarding availability and quality of statistical information on the groups of population discriminated against or at-risk of discrimination in Greece has been described elsewhere in this Report. Briefly, available information is scant, comes from a variety of sources and is far from homogeneous with respect to definitions and data collection methods. Furthermore, no attempt has so far been made to evaluate, monitor and improve the existing data and data collection methods.
26. The main sources of information on the groups identified as being at risk is the European Labour Survey (LFS) and the EU-SILC survey. A limited amount of information can be derived from the Housing and Population Census, which nevertheless is conducted by the National Statistical Service of Greece (ESYE) once every 10 years. It should be pointed out that data from these sources suffer from a number of drawbacks, the most important of which is that these surveys are not designed so as to provide information on discrimination and hence whatever information becomes available in this context is only a “by product” of the general data. In addition, the EU-SILC survey is based on a relatively small sample. This inevitably causes some uncertainty over whether or not some of the results are representative of the actual population.
27. Statistical information collected for administrative purposes is probably even more problematic. There is a plethora of social security funds and welfare organizations in Greece, and each of these institutions operates under different organisational rules and procedures. This practically means that whatever data are collected, they are bound to be heterogeneous. Further, some of these organizations and especially the smaller ones, collect only the most elementary of information on their clients, while they tend to publish results with considerable time delay.

28. The apparent lack of data on people discriminated against or at risk of discrimination in Greece has been acknowledged by a recent compilation of sources of statistical information in the EU member states²¹. With these observations in mind, the situation facing the population groups threatened by discrimination or actually being discriminated against is summarized in the following paragraphs.

29. The following tables (Tables 1, 2 and 3) summarise the employment and unemployment data of ‘foreigners’, as opposed to Greek nationals. Foreigners are defined as those who are not Greek nationals, while the data distinguish between non-Greek nationals who are citizens of other EU-27 countries, and non-Greek nationals who are citizens of third countries outside the EU-27.

Table 1: Employment rates	2010q1	2009q4	2009q3	2009q2	2009q1	2008q4	2008q3	2008q2	2008q1
Nationals	59.6	60.2	61.1	61.0	60.5	61.1	61.6	61.7	60.8
Foreigners (total)	64.7	66.6	67.9	67.3	65.9	68.4	69.7	68.9	67.7
Non nationals but citizens of other EU-27 countries	64.3	65.6	64.4	64.3	59.7	62.8	63.8	61.6	59.5
Citizens of countries outside the EU-27	64.8	66.8	68.8	68.0	67.4	69.8	71.2	70.6	69.7
Total (15-64)	60.1	60.8	61.7	61.6	61.0	61.7	62.2	62.2	61.3

Source: Eurostat 2010, Labour Market Database

Table 2: Unemployment rates	2010q1	2009q4	2009q3	2009q2	2009q1	2008q4	2008q3	2008q2	2008q1
Nationals	11.6	10.3	9.4	9.0	9.4	8.1	7.4	7.4	8.5
Foreigners (total)	14.5	11.7	9.9	9.8	10.7	7.5	5.7	6.4	7.5
Non nationals but citizens of other EU-27 countries	13.5	12.0	11.0	9.9	13.6	9.1	5.3	6.5	8.9
Citizens of countries outside the EU-27	14.7	11.7	9.6	9.8	10.1	7.2	5.8	6.3	7.2
Total	11.9	10.5	9.4	9.0	9.5	8.1	7.3	7.3	8.4

Source: Eurostat 2010, Labour Market Database

²¹ European Commission (DG EMPL), How to measure progress in combating discrimination and promoting equality? Tables by country. Available at: <http://ec.europa.eu/social/main.jsp?catId=618&langId=en&moreDocuments=yes>

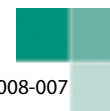


Table 3: Unemployment rates by gender (M-Male, F-Female)

	2010q1	2009q4	2009q3	2009q2	2009q1	2008q4	2008q3	2008q2	2008q1
Nationals-M	8.7	7.5	6.5	6.2	6.7	5.4	4.9	4.9	5.7
Nationals-F	15.6	14.2	13.4	12.8	13.1	11.9	11.0	11.0	12.4
Foreigners (total)-M	13.4	10.6	9.1	8.7	9.1	5.4	3.6	3.6	4.5
Foreigners (total)-F	16.3	13.6	11.1	11.6	13.7	11.2	9.4	11.5	12.9
Non nationals but citizens of other EU-27 countries-M	8.5	8.4	8.2	6.8	10.4				
Non nationals but citizens of other EU-27 countries-F	17.4	14.9	13.3	12.2	16.2	11.7	8.5	10.5	12.8
Citizens of countries outside the EU-27-M	14.1	10.9	9.3	9.0	8.9	5.3	3.9	3.8	4.5
Citizens of countries outside the EU-27-F	15.9	13.2	10.2	11.3	12.8	11.1	9.8	11.8	13.0
Total-M	9.2	7.8	6.7	6.5	6.9	5.4	4.8	4.8	5.6
Total-F	15.6	14.2	13.2	12.7	13.1	11.8	10.9	11.1	12.4

Source: Eurostat 2010, Labour Market Database

2.1. Ethnic minorities with migrant background

30. Discrimination against foreign labour is obvious in the informal and the secondary labour market. Wages and employment conditions are worse in the informal sector, where no rights are recognised. Foreign workers are seldom insured. The majority of the immigrant labour force comprises of unskilled or semi-skilled manual workers, occupied in the primary sector, in construction, in the tourist sector, in small trade and in specific manufacturing activities (textiles, furniture, food and beverages). A sizeable part of the immigrant labour force is employed by private households for care and proximity services. However, there are no data available on the size of this immigrant labour force.
31. In general, as can be seen from Table 1 above, migrant workers from countries outside the EU-27, exhibit consistently higher employment rates than Greek nationals, even through employment rates for both foreigners and nationals started to decline throughout 2009, as compared to 2008. This, however, might reflect necessity rather than choice. It is striking that the employment rates of foreign nationals coming from other EU-27 countries were comparable to the employment rates of Greek nationals up to the second quarter of 2009. Conversely, during the same period, the employment rates of foreign nationals from countries outside the EU-27 were nearly 10 percentage points higher than the employment rates of

Greek nationals throughout 2008, then hovered around 7 p.p. above the employment rates of Greek nationals throughout 2009 and ended up just 5 p.p. higher than the employment rates of Greek nationals during the first quarter of 2010.

32. Turning to unemployment rates, immigrants had been facing lower unemployment rates than Greek nationals up to the end of 2008. The first quarter of 2009 was a turning point since for the first time in recent years the unemployment rate of foreigners surpassed the unemployment rate of nationals. This situation remained as such throughout 2009, illustrating that foreigners are more affected than nationals by the current economic crisis suffered in Greece. It should be pointed out however, that, as illustrated in Table 2, the unemployment rates of Greek nationals increased in parallel with the unemployment rates of foreigners, albeit to a smaller extent. From the beginning of 2008 up to the beginning of 2010, the unemployment rate of Greek nationals increased by 3 percentage points, while the unemployment rate of the citizens of other EU-27 countries increased by 4.6 percentage points, and the unemployment rate of foreign citizens from countries outside the EU-27 increased by an alarmin 7.5 percentage points, doubling from 7.2% in 2008 to 14.7% in 2010. Nevertheless, the data indicate that both nationals and migrants have been affected by the current economic crisis hitting Greece. This finding confirms the idea that nationals and foreigners are not competitors in the Greek labour market rather they are complementary groups doing different types of jobs. Competition rather exists between groups of migrants, with some low-skilled, agricultural jobs being filled in recent years by increasing numbers of Bangladeshi immigrants, rather than, for example, Albanians, as was the case in the early 1990s.
33. When examining unemployment data by gender, in general the gap between the unemployment rates for men and women of Greek nationality has always been large and has remained so. However, a completely different picture emerges when the unemployment rates of immigrants from countries outside the EU-27 are considered: Table 3 shows that at the beginning of 2008, the unemployment rate of male migrants from outside the EU was just 4.5%, the unemployment rate of female migrants from outside the EU was 13%. This gap has been closing quickly. During the first quarter of 2010, the unemployment rate of male migrants from outside the EU had increased to 14.1%, compared to the unemployment rate of female migrants from outside the EU which had reached 15.9%. Thus, it becomes apparent that male immigrants from countries outside the EU-27 have been much more affected by unemployment over the past two years, than female immigrants from countries outside the EU-27. This reflects the fact that many male immigrant workers were employed in the construction sector which has been hardest hit by the economic crisis, while female immigrant workers were mostly employed in care services, a sector suffering less from the economic crisis.

34. For purely humanitarian reasons increased attention ought to be given to asylum seekers (mainly Kurds and Afghans fleeing persecution), a sub-category of the foreign population that is in a more precarious situation than the remaining immigrants. Existing facilities for refugees and individuals admitted for humanitarian reasons need urgent upgrading and new facilities need to be created. Financial and material assistance ought to be provided, including access to basic services.

2.2. Impact of the economic crisis on the labour market and employment opportunities on the various groups

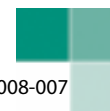
35. The impact of the recent global economic and financial crisis began to be felt in Greece towards the end of 2008 and culminated to a full blown crisis during the first half of 2010. This has mainly brought a stagnation of economic activity in the construction, retail and tourism sectors. Anecdotal evidence shows that immigrants are the first victims of the economic crisis, suffering wage cuts and job loss, while it is feared that uncertainty in the labour market may lead to social unrest and tensions between native Greeks and migrant workers, but also between old and new migrants.
36. Migrant workers are concentrated in specific sectors, including construction, agriculture, tourism and care services and in temporary and low-skilled jobs, rendering them particularly vulnerable in the context of the current economic downturn. In effect, during recessionary times, fear of competition for securing work often turns local populations against migrants, increasing social unrest at local level²².
37. The media have been reporting the lowering of wages especially for undocumented workers as well as dire competition between legal and undocumented immigrants for low skill manual jobs in particular (bringing down daily wages from EUR 50-60 for unskilled workers to sometimes EUR 15-20).
38. Triandafyllidou and Lazarescu (2009)²³ argue that it would be logical to assume that the negative economic climate would lead to a reduction of migration inflows as well as a growth in outflows. This is assuming that some immigrants will be motivated to return to their home countries while less immigrants will be inclined to come to Greece given the negative prospects as regards employment and wages. However, the situation is much more complex, firstly because the crisis affects in different ways different categories of immigrants and their families, and

²² 'From immigration to integration: local solutions to a global challenge', ed. Froy, F. and Giguere, S., OECD, 2009

²³ Triandafyllidou A., Lazarescu D., The Impact of the Recent Global Economic Crisis on Migration, CARIM, 2009

secondly because job prospects and wages are also worsening in source countries. Thus, the comparative profit from migration remains similar to the pre-crisis period.

39. Triandafyllidou and Lazarescu (2009) go on to argue that although it is early to assess to what extent the crisis has affected migration flows and employment, the economic crisis appears rather to have had an impact on wages than on overall rates of employment and unemployment. They note, however that wage differences are attributed to the length of employment of a certain worker, both in construction and in other services, and not simply to their nationality. Overall, foreign workers tend to have a shorter history of registered employment than Greeks and hence unavoidably receive lower wages. Having said this, there are indications that immigrants receive less than natives and that wage differences are less pronounced in construction – a sector that is now dominated by immigrants – than in other employment sectors. Thus, it may as well be that an increase in the wage difference between natives and foreigners in 2008 and 2009 suggests that migrants being more vulnerable to employer pressure ‘prefer’ to accept lower wages rather than risk unemployment.



3. ACCESS TO EMPLOYMENT

38. The main discrimination issues facing migrants in Greece in relation to their access to employment are that migrant workers often find that they only have access to low-skilled, low-paid, precarious jobs. Thus, even though the employment rates of migrants have been relatively high in Greece in recent years, as already discussed above, the quality of jobs that migrants are able to access is generally low. In addition, as the NCHR underlines, immigrants continue to face discrimination on several grounds such as the restrictions for free movement in the country in the field of employment and self-occupation²⁴.

3.1. Ethnic minorities with migrant background

40. **Greek citizenship for migrant children:** Acquiring Greek citizenship through the process of naturalisation is an overlong and daunting process filled with paperwork, personal interviews and a hefty and non-refundable EUR 1,500 application fee. It can take up to a decade for an application to be reviewed. This is about to change since the current government has launched an immigration overhaul. At the end of 2009, the socialist PASOK government tabled a bill on the volatile political issue of granting Greek citizenship to foreigners.
41. Under existing legislation, Greece is a jus sanguinis (“right of blood”) state that only recognises citizenship by blood. A person’s citizenship is determined by his or her parents’ citizenship, so only those with blood ties to Greece may be Greek citizens. The current push to redesign Greece’s citizenship code is aimed at finally addressing the growing number of children (an estimated 250,000 children) born in Greece to immigrant parents. These children do not face discrimination for jobs in the private sector but are discriminated against in the sense that they are not allowed to access public sector jobs because only Greek citizens are allowed to sit the examinations of the central recruitment body for public sector positions (ASEP). Most immigration advocates and local immigrant community leaders have hailed the government’s decision to finally create a path to citizenship for the children of immigrants. However, they see one big problem with the proposed application procedure - it requires the parents to be legal and permanent residents in Greece²⁵. Permanent residence in Greece is extremely difficult to secure. Based on data by the Ministry of the Interior²⁶, only an estimated 65,000 immigrants in

²⁴ The NCHR has criticised the tight rules that apply under Law 3386/2005 for immigrant worker’s free movement across Greece compared to the principle of free movement, enjoyed only by native Greeks. NCHR Annual Report 2007, page 182

²⁵ ‘Becoming a Greek Citizen’, Article by Kathy Tzilivakis in the ATHENS NEWS, Issue No. 13371, Dec 2009

²⁶ published by the Athens News, October 2009

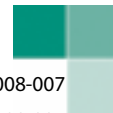
Greece have managed to secure long-term and permanent residence permits. This figure represents just 13% of the total number of immigrants holding a valid residence permit in Greece. Foreign citizenship from other EU or Western countries is not a hindrance for access to the labour market of these foreign citizens. Conversely, without there being overt discrimination, it appears that foreign citizens from Egypt, Pakistan, Bangladesh and other countries suffer from discrimination due to negative stereotypes that Greeks hold, possibly due to lack of familiarity with people of these nationalities in the past in Greece. .

42. In terms of public interventions to facilitate the access of migrant workers to employment, the EU co-funded Programme “ESTIA 2007-13”, which was launched by the Ministry of the Interior in 2009, is the first comprehensive action programme for the social inclusion of third country nationals who permanently live in Greece²⁷. The programme is sub-divided into six operational programmes covering all fields of inclusion policies and foreseeing actions such as public awareness raising and information and support for immigrants in order to facilitate access to the labour market and to health, education and housing services.

3.2. Ethnic minorities without migrant background

43. Access to employment initiates in education and several issues exist in Greece in relation to the schooling of Roma children. The effects of the low educational level of Roma and their low participation in general education has dire effects on the labour market situation of Roma, since it limits them to low-paid, low-skilled, temporary jobs. The ENAR State of Play Report 2007 reports that the enrolment of Roma children in primary schools continues to cause tensions, intolerance and violent reactions. This sometimes obliges Roma children to attend special Roma units in schools, despite the government’s firm commitment to avoid segregation in education. In the school year 2004-2005, repatriated Greek parents tried to obstruct Roma children from attending primary school in the area of Aspropyrgos, outside Athens. The report notes that those who instigated these racial discrimination incidents and violently opposed the enrolment of Roma children, were themselves migrants, notwithstanding of ethnic Greek origin, sharing the same downgraded industrial neighbourhood. The report cites the lack of educational infrastructure in the area as offering fertile ground for racial violence in this instance.
44. On the positive side, numerous EU funded projects have been promoted, especially in the Region of Eastern Macedonia and Thrace, aiming to improve the

²⁷ The programme budget is 26,2 billion € and it is co funded by Greece and the European Fund for Third Country Nationals (Press release of the Ministry of Interior, Public Administration and Decentralisation, 3rd of March 2009)



access to employment of the muslim minority, of Roma, and of repatriated Greeks. These projects have included education and training projects for all these target groups, as well as projects supporting entrepreneurship for these groups.

4. DISCRIMINATION IN EMPLOYMENT

4.1. Ethnic minorities with migrant background

45. The main discrimination issues facing migrants in employment are related to illegal and uninsured employment and lower wages.
46. According to estimates by the Hellenic Migration Policy Institute²⁸, there were around 200.000-250.000 undocumented immigrant workers in Greece by 2008, while NGOs estimated around 500.000 undocumented immigrants in Greece.
47. Another study²⁹ by the Hellenic Migration Policy Institute showed that 3% of the Gross National Product (GNP) results from the contribution of migrant workers in the areas of construction, trade, tourism, factories and house-keeping. Their participation in some sectors is extremely high (77% private house-keeping, 37% construction, etc). Discrimination of migrants' workers in the work place exists and results in migrant workers facing difficulties finding employment in their field of expertise. Discrimination is also one reason behind the fact that the wages of migrant workers are 30-40% lower than the wages of native Greeks.
48. Aside from migrants' contribution to taxation and their consumer expenditure, the most significant benefit of their economic activity, relates to the injections they make into the Greek social security fund deficit. 87% of migrant workers are insured by one of the funds. In one of the funds, 11% of the contributions are directly from migrant workers.
49. The ENAR Greece Shadow Report 2008, states that there does not exist a mechanism for effective surveillance and recording of discrimination at work. This was according to the Labour Inspectorate, when asked to provide statistics and data in relation to discrimination in the work place or violation of labour law in respect to foreigners.
50. Gropas and Triandafyllidou (2008) suggest, after examining the number of complaints made by foreigners to the Labour Inspectorate, that the number of cases that concerned foreigners remains small compared to the size of the immigrant working population in the Athens area. They add however, that the role of the labour inspectorates appears to be acquiring relevance for the defence of migrant workers' rights. Nevertheless, they argue that Labour Inspection offices do not appear to be aware that the cases they examine may involve

²⁸ Lianos Th., Kanellopoulos K., Gregou M., Gemi E. and Papakonstantinou P., Estimate of the illegal immigrant population in Greece, Hellenic Migration Policy Institute, April 2008).

²⁹ Zografakis S., Kontis A., Mitrakos Th., Economic incidence of migrants' employment during the last decade on Gross National Product, (Athens: Hellenic Migration Policy Institute, 2008)

discriminatory and not only **exploitative** practices, the distinction between the two being indeed sometimes quite subtle and difficult to prove.

51. More specifically, Gropas and Triandafyllidou (2008) present anecdotal evidence that migrant workers frequently turn to their local Labour Inspection Offices to denounce exploitation by employers (refusal to pay past wages, or to pay extra for overtime, nightshifts, working on weekends, and irregular firing practices). The article also presents data on the complaints received by a specific Labour Inspectorate Office in Northern Athens where many migrant workers are employed in agriculture. The data on complaints received from foreigners, compared to the total numbers of complaints received, show that roughly one quarter of total complaints to that office, came from foreigners.

Table 3: Complaints Received at a Labour Inspectorate Office in N. Athens

Year	Total Complaints	Complaints by foreigners	% of total
2007	360	91	25,27%
2006	299	50	16,72%
2005	343	100	29,15%
2004	355	75	21,12%
2003	391	103	26,34%

Source: Triandafyllidou and Maroufos 2008: table 7.1 on p.51.

52. Pavlou (2007)³⁰ presents data from the Labour Inspectorate on the number of cases of illegal employment of migrant workers found during inspections carried out by the agency, confirming the assessment of other researchers that the number of cases as being low in relation to the population of migrants working in the area.

Table 4: Cases of “illegal” employment of migrant workers found during inspections carried out by the Labour Inspectorate

Year	Number of Cases of “illegal” employment of migrant workers (illegal employment here refers both to the employment of undocumented migrants and to employment under illegal conditions, such as lack of social security coverage, exploitation etc.
2005	102
2004	115
2003	59
2002	35

³⁰ Pavlou M., Annual Report 2007, Racism and Discrimination against Immigrants and Ethnic Minorities in Greece: The State of Play, Hellenic League for Human Rights HLHR-KEMO, National Centre against Racism and Xenophobia, April 2007.

2001

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Source: Annual Report 2007, Racism and Discrimination against Imigrants and Ethnic Minorities in Greece: The State of Play, Hellenic League for Human Rights HLHR-KEMO

53. In a nation wide research carried out by the Research Centre for Equality (KETHI) and by the Greek National Centre for Social Research (EKKE), entitled “Female Immigration in Greece”³¹, a sample of 612 migrant women between the ages of 16-77 responded to a survey about the problems they face in terms of employment in Greece. The majority of women indicated that they mostly have problems when confronting bureaucracy for obtaining residence and work permits, as well as long working hours and for low wages, compared to the cost of living in Greece. The survey found that the 90% of migrant women are occupied as cleaners and carers for the elderly and for pre-school children. Thus, urban households use migrant labour to cover for the shortcomings of public infrastructure for dependents. 42,5% of the women surveyed responded that they were uninsured because of the employers’ unwillingness to insure them, while another 31,8% were uninsured because they did not have stable work and thus had to accept temporary, uninsured work out of necessity. Despite these difficult conditions, 38,5% of respondents ‘dream of staying in Greece and eventually set up their own business’.
54. Concerning data on average wages, even though the differences between native and immigrant workers have decreased in terms of wages, still there is a considerable inequality between Greeks and non-Greeks³². Wage inequality is smaller in the construction sector but it is more pronounced in the ‘other services’ category. Data for 2007, showed that in the case of workers employed in constructions the average wage of an Albanian male reached 85% of the average wage of a Greek worker. However, in the case of other services, the gap was greater, by far with an Albanian man earning, on average, 36% less than a native male worker. This gap appeared to grow further in 2008.
55. The employment sector appears to be where most violations of immigrant rights take place³³. The three cases below illustrate the scale of the problem and how foreign workers are affected by these issues in Greece.
56. **The case of Konstantina Kuneva:** On 22 December 2008, Ms Konstantina Kuneva became the victim of an attack and had caustic acid thrown on her face, head and shoulders. The attackers had waited for her outside her home upon her return from work. Ms Kuneva is the Secretary of the Attica Association of Cleaners and Domestic Workers, a very active association of precarious workers

³¹ Eleftherotypia Newspaper, 28 Dec. 2007, available at:

http://archive.enet.gr/online/online_text/c=112,dt=28.12.2007,id=82364784

³² Triandafyllidou A., Lazarescu D., The Impact of the Recent Global Economic Crisis on Migration

³³ European Network Against Racism (ENAR), Shadow Report 2008: Racism in Greece

in Greece, in particular, migrant women. The Chairman and Vice-president of the Association denounced the attack³⁴, which they believed emanated from employers in their attempts to terrorise all workers. They stated that Ms Kuneva was targeted because she is of Bulgarian origin and consequently more vulnerable to attack. The contracting company in which Ms Kuneva was working as a cleaner had two big government-owned clients: the urban railways (HSAP) and the Greek Industry of Vehicles (EBO). Prior to the attack, the Association had made complaints to these companies for the heavy exploitation suffered by the cleaning workers employed by the sub-contracting firm offering cleaning services to these public companies. Up until that stage, the government owned companies had not reacted to the complaints about the sub-contractor and did not intervene in favour of upholding employment legislation. The Association reported that the sub-contractor systematically terrorized its workers (often migrant women) and sacked women who asked for their basic rights. The Association had made numerous visits to the Labour Inspectorate, the Ministry of Employment and the main trade union organization (GSEE) but no action or inspections had been carried out on the sub-contractor. This attack on Ms Kuneva, initiated wide media coverage of the attack and the poor terms and working conditions of cleaners. Ms Kuneva herself remained in intensive care for a long period on her road to recovery. The attack gave rise to a series of reactions from the government, the social partners and the wider public. It also led to numerous expressions of support and solidarity for Ms Kuneva.

57. **The case of Manolada:** The terrible living conditions of migrants from Bangladesh, Pakistan, Bulgaria and other countries working in the strawberry fields of the village of Manolada in the Peloponese, were reported in the media³⁵. The media reports described the low wages and shanty neighbourhoods where the workers were living. These media reports were followed in April 2008, by a strike from migrants working in the strawberry fields. The workers went on strike demanding wage increases and decent living conditions since they were living in shelters without water or basic sanitary facilities. Strawberry farm owners attacked television journalists for reporting the incident and trade union representatives who they considered responsible for instigating the strike. Farm owners and workers reached an agreement for the wage to be increased from EUR 22 to EUR 26, while the workers were asking for an increase up to EUR 30³⁶. Multiple violations were discovered in many agricultural concerns employing migrants, once the authorities carried out inspections. These ranged from employing teenagers and undocumented migrants to employing uninsured workers.

58. **The case in Pierias,** where foreign workers from Bulgaria were forced to work

³⁴ <http://indy.gr/analysis/gia-tin-konstantina-koyneba>, accessed 29 June 2010

³⁵ Eleftherotipia newspaper, EPSILON magazine, 3 April 2008, article by Dina Daskalopoulou, http://athens.indymedia.org/front.php3?lang=el&article_id=851274, accessed 28 June 2010.

³⁶ <http://news.in.gr/greece/article/?aid=893544>, accessed 28 June 2010

for 14 hours a day for just 1.66 Euros³⁷. According to the police an organised ring of human traffickers had convinced the Bulgarian nationals that they could find them jobs in tobacco farms for about EUR 50 a day. Among the group was a teenage girl who moved in to a stable on the outskirts of Pierias. The migrants were forced to work from 4:30 am to 1pm and from 4:00pm to 10: 00 pm. As soon as the group reacted and protested, the culprits confiscated their passports and other legal documents and drove them away. The police was notified and discovered the Bulgarian nationals in a very bad mental and psychological state. The victims were taken to an NGO shelter until they return to their home country. Their Greek employer was arrested together with his Bulgarian associate and arraigned before the public prosecutor.

59. Despite the above picture, some good practices do exist, as reported in the ENAR Shadow Report for Greece (2009): For example, the Immigration Committee of the municipality of Piraeus (main port of Greece) announced in February 2008, that it would try to engage immigrants individually through their communities in order to realise specific programs on social tolerance and harmonic co-existence. The mayor emphasised that the municipality would encourage the participation of migrants in all sectors of society. Another example of good practice is that free transportation for migrants who are victims of job related accidents has been offered. Extension of the right to free transportation both urban and city transport and also within Greece by train, to non EU citizens of the European Union who are victims of incapacitated to work due to accidents they suffered on their jobs in Greece. This derives from a joint decision of the Ministry of Finance and the Ministry of Health.
60. Also on the positive side, it should be noted that in what concerns repatriated Greeks, they also enjoy positive discrimination by public interventions. That is, ethnic Greeks who have been repatriated from the CIS countries and from Albania, and who have located in their majority in the Greek Region of Eastern Macedonia and Thrace, benefit from quotas for active labour market policies and are the targets for local employment projects being undertaken in the region.

4.2. Ethnic minorities without migrant background

61. In what regards other religious minorities in Greece, the annual report for 2007 of the Hellenic League for Human Rights³⁸ reports that there are no religious diversity management policies in place in the country. Moreover, no quotas of jobs in the public or private sector are reserved for members of ethnic cultural

³⁷ Reported in the ENAR Shadow Report 2008: Racism in Greece

³⁸ Pavlou M., Annual Report 2007, Racism and Discrimination against Imigrants and Ethnic Minorities in Greece: The State of Play, Hellenic League for Human Rights HLHR-KEMO

minorities. Believers of religions other than Christian Orthodox are not allowed to abstain from work to exercise their religion, while no other religion's festivities are recognized in the employment sector for leave purposes. The Greek forum of migrants have been repeatedly asking for the recognition of Muslim festivities such as Bairam and Ramadan for legitimate absence from work. In early 2005, after the debate was raised in Parliament by an opposition MP, the Minister of Public Order responded that this cannot be granted, arguing that the large number of existing religions would make this very difficult to apply.

62. As already mentioned above, Roma people also face discrimination in employment due to their low educational level which limits their access to highly skilled and well paid jobs. Roma people also face prejudices in terms of lack of work ethic and lack of trustworthiness.

5. SOCIO-ECONOMIC ANALYSIS OF DISCRIMINATION OF ETHNIC MINORITIES IN EMPLOYMENT

63. As Gropas and Triandafyllidou (2008)³⁹ indicate, a significant percentage of immigrants in Greece have been, and continue to live and work in the countryside with an irregular or at least unstable legal status. This makes it difficult to present a complete and accurate picture of the Greek labour market and of the role of the migrant workforce. This is further complicated by the structure of the Greek labour market and the characteristics of the Greek economy. In effect, the country has a large informal sector and an economy built mainly on small and medium sized companies, frequently family owned and, where social networks are important for recruitment and doing business. Greece's employment structure has traditionally been very different to the rest of the EU Member States, with exceptionally high percentages of 'employers and self-employed' and 'family workers' (and comparatively lower percentages of waged and salaried employment).
64. In the past couple of decades, there has been a shift in this structure because of the decreasing importance of the agricultural sector and also because of the expansion of the migrant labour force in the category of 'salaried employment.' Migrant workers have so far mainly taken on what was previously performed by family labour – i.e. either in family enterprises or with respect to domestic care and care for dependents. Moreover, the migrant workforce has been prepared to work both for lower wages and/or "illegally". Two reasons have largely contributed to this. First, their irregular status within the country; and second, the widespread practice of 'undeclared' employment, (i.e. employment in part, or in total concealed from

³⁹ Gropas R. & Triandafyllidou A. (2008) "Discrimination in the Greek Workplace and the Challenge of Migration", ELIAMEP, EMILIE project

the relevant state authorities) particularly in the agricultural, construction and home care sectors of the economy.

65. In spite of the consecutive regularization programmes, a significant portion of the immigrant population in Greece falls in and out of legality because of bureaucratic hurdles in the process of renewing their permits, while others were unable to participate in any of the previous regularisation schemes and hence are trapped into an irregular status.
66. Turning to the legislative framework, the most prominent anti-discrimination legislative tool, Law 3304/2005⁴⁰, entrusts the promotion of the Principle of Equal Treatment to three administrative bodies: a) the Ombudsman, when anti-discrimination legislation is breached by public bodies, b) the Labour Inspectorate when discriminatory practices take place in the private sector, in the field of employment and occupation and c) the Equal Treatment Committee operating in the private sector in all other fields apart from occupation and employment. The Ombudsman works independently, while the Labour Inspectorate works under the supervision of the Minister of Employment and Social Protection and the Equal Treatment Committee operates under the supervision of the Minister of Justice.
67. Moreover, the Law⁴¹ attributes a key role to the Economic and Social Committee (ESC): the promotion of social dialogue and monitoring of the implementation of the Equal Treatment Principle. The National Commission for Human Rights (NCHR) is also significant. In addition, the Ministry of Labour and Social Affairs also has a key role in non-discrimination policies. Last but not least a range of non-governmental organisations in the field of non-discrimination help promote the Equal Treatment Principle.
68. Several criticisms have been expressed, regarding the performance of the three Equality Bodies in Greece. First of all, The ESC believes that the small number of complaints for violation of the Equal Treatment Principle in the field of employment made to the Labour Inspectorate, does not constitute an indication that Law 3304/2005 is implemented flawlessly. On the contrary, this absence of complaints brings into light “the Inspectors weakness in tracking down such cases, as well as the victims’ ignorance of their rights against employers’ discriminatory practices”⁴².
69. Similarly to the Labour Inspectorate, the Equal Treatment Committee examines complaints for violation of the principle in its area of competence and attempts to resolve the differences between conflicting parties, together with releasing reports and making recommendations on discrimination matters. However, it cannot

⁴⁰ Law 3304/2005 was published in the Government Journal of the Hellenic Republic, Issue: 16, on the 27th January 2005

⁴¹ Article 18

⁴² ESC, 2008a:13-14

impose sanctions. The Committee began to operate in October 2005 and since then it has examined very few complaints and issued a small number of recommendations⁴³. Nonetheless, the Committee recognises that this small amount of complaints underlines the necessity for coordinated actions, such as information campaigns to familiarise people with their rights under Law 3304/2005 in order react when becoming victims of discrimination. This point is also adopted by the ESC⁴⁴.

70. In its assessment⁴⁵ of the role of the specialized bodies in combating all forms of discrimination, the National Human Rights Committee similarly criticized the fact that these specialized equality bodies, and in particular the Equal Treatment Committee and the Labour Inspectorate:
- are limited to a role of conciliator or mediator between the accused and the victim;
 - do not have the competence to provide legal assistance to victims and intervene on their behalf;
 - lack institutional independence (since they are affiliated to the Ministries of Justice and Labour respectively); and,
 - are under-resourced both in terms of staff and finances.
71. Gropas and Triandafyllidou (2008) conclude, that, since 2005 when the Equality Bodies were established, the degree of active enforcement of the anti-discrimination legislation has been disappointingly low in Greece. On the positive side, they argue that now that the legislative and institutional framework is in place and that awareness raising on anti-discrimination has commenced, future prospects for the implementation of the anti-discrimination framework, are promising. Time is needed for a useful case-law to develop and for a shift in attitudes and expectations to take place.
72. Recent legislative steps taken confirm the positive future outlook for the fight against discrimination in the country. For instance, Law 3536/2007 on immigration policy provisions aspired to amend Law “3386/2005”. The added value of Law 3536/2007 is the simplification and speeding up of legalising procedures for immigrants (referring to issuing and renewing residence permits) in order to promote their inclusion into Greek society. For instance, the documental requirements for green card issue for those who entered and are staying in Greece before the 31st December 2004 (such as the need for a certified passport), constituted an impediment to the legalisation of a large number of

⁴³ The Equal Treatment Committee issued two recommendations in 2006 and investigated 4 complaints in 2007. Two complaints were found as falling outside to the Committee’s field of competence, one complaint was outside the scope of the anti-discrimination law 3304/2005 and the last one is still under investigation (ESC:2008, 15])

⁴⁴ ESC, 2008a:15

⁴⁵ NCHR, 2008a:188

immigrants⁴⁶. Yet, the actual effectiveness of the Law still remains to be judged according to the updated records on legalised immigrants.

70. A recent institutional restructuring step undertaken by the government which is of significance for migration policy, is that the Migration Policy Institute was closed down in May 2010. The institute had been established in 2002 with the remit to represent migration NGOs, to carry out research on migration and to sensitise the public on issues related to migration. The government judged that the Institute did not adequately achieve its aims and has transferred its responsibilities to a General Secretariat set up for this purpose in the Ministry of the Interior, Decentralisation and e-governance. Recent months have seen new information and sensitisation campaigns advertising the possibility of migrant workers to obtain a long-stay permit in Greece and the requirements in order to obtain such a permit.
71. Last but not least, the National Strategy Report on Social Inclusion 2008-2010 (NAPincl 2008-2010), sets five (5) “political priorities” for social inclusion for the coming years. The fourth priority “Social Inclusion of Persons with Disabilities, Immigrants and Persons/Groups Socially Vulnerable due to cultural characteristics” is directly related to anti-discrimination⁴⁷. Five “intervention axes” are set under this priority, with the first aiming to “combat discrimination-information- support” and including interventions such as combating racism and xenophobia in public services (through training of civil servants), and improvement of the quality of legislative provisions and of the existing public administration infrastructure. Other axes include actions to promote access in employment, education, training, infrastructures, goods and services, combined with ‘integrated and cohesive interventions’⁴⁸.

⁴⁶ ESC, 2007a:7

Recently (23rd December 2008) another Law on immigration was voted by the Greek Parliament (Law 3731/2008) which offers the possibility for children whose parents legally live in Greece to acquire the status of long term resident after the age of 18. Neither the NCHR, nor the ESC have issued any advisory opinions yet since the Law has been voted by the Parliament just recently. However, there are indications that Law 3731/2008 opposes to Community Directive 2003/109 since it excludes from the status of long term resident children whose parents are not legal residents. www.in.gr/news/article.asp?IngEntityID=980765&IngDtrID=244

⁴⁷ The other priorities are: “Increasing employment and making employment more attractive for women, long-term unemployed, young and other groups in an unfavourable position in the labour market”, “Addressing the Disadvantaged Position of Individuals and Groups as to Education and Training”, “Family support with an emphasis on children’s wellbeing and support of the elderly” and “Better governance”.

⁴⁸ For a more detailed analysis, please refer to the Greek NAPincl 2008-2010, pages 41-46 http://ec.europa.eu/employment_social/spsi/docs/social_inclusion/2008/nap/greece_en.pdf



6. CONCLUSIONS

73. During the past twenty years, Greece had experienced strong economic growth and political stability and this made the country an attractive destination for economic migrants. In Greece, most migrant workers are employed in low-paid, temporary and seasonal jobs, which are often undeclared and uninsured. Media reports and the scarce research on discrimination against ethnic minorities in the Greek labour market, indicate that migrant workers often face exploitation by employers (refusal to pay past wages, or to pay extra for overtime, nightshifts, working on weekends, and irregular firing practices).
74. Since 2009, immigrants have been hit hard by the economic crisis. Especially male immigrant workers who were employed in sectors affected by the economic crisis, such as those working in construction, are now facing increased risk of unemployment. The unemployment rate for immigrants had been lower than that for Greek nationals up to the end of 2008. However, since early 2009, the unemployment rate for immigrants from countries outside the EU-27, has become higher than that for nationals. Moreover, male immigrants from countries outside the EU-27, have been much more affected by unemployment over the past two years, than female immigrants from countries outside the EU-27.
75. One distinct group of migrant background facing problems with their economic and social integration in Greece are the Repatriated Greeks (*Omogeneis and Palinnostountes*). These are immigrants of Greek descent who moved to Greece from Albania and from ex-USSR states, in the early 1990s. They face poverty and language barriers, and a number of initiatives aim to combat their exclusion, thus, over the past two decades, they have been entitled to participate in schemes and subsidies specifically designed to assist them.
76. Considering ethnic minorities without migrant background, the Roma are a group that is subject to prejudice and discrimination in Greece, both by police and by the general population. Negative stereotypes and the low educational level of the Roma population also constitute barriers in their access to the labour market. Again, a number of EU co-funded initiatives over the past years have targeted the Roma community with the aim of increasing their participation in education and in employment.
77. Different groups are facing different forms of discrimination in the Greek labour market and more generally, in the Greek society. More specifically, ethnic minorities with migrant background face more structural discrimination (due to language barriers, lack of legal status and lack of knowledge on their rights in the labour market), and they are being more affected by harassment, violence, direct

discrimination, and discrimination by the police.

78. On the other hand, ethnic minorities without migrant background such as Roma or Greek Muslims are affected by discrimination in the labour market which is mainly related to their low skills and low educational level. They are also affected by harassment and police violence but to a much lesser extent than people from ethnic minorities with migrant background.
79. Turning to the legislative and institutional framework in order to combat discrimination, the previous two national SEN reports highlighted the lack of personnel on two out of the three public bodies entrusted by anti-discrimination law “3304/2005” to safeguard the implementation of the Equal Treatment Principle and expressed fears regarding the impact of the economic crisis on the effectiveness of anti-discrimination policies, since the government had decided to restrict public sector hiring with the exception of education and health⁴⁹. Given that the public deficit has shot up in 2010, and Greece is required to continuously take additional cost-cutting measures, these fears become even more acute today and raise serious concerns on the effectiveness of the governance of anti-discrimination policies.
73. There is also a general scarcity of data and research on the migrant population and on their situation, including their employment situation and on cases of discrimination that they face in the workplace.
74. The media do not help combat discrimination to the degree that they could in highlighting the situation of migrants and cases of discrimination they may be facing. Rather, the media often play to the nationalist sentiments of a minority of native Greeks, by giving coverage to small crime committed by migrants.
75. On the positive side, steps have been taken recently to modernize immigration policy, most notably to help simplify and speed up procedures for the legalisation of immigrants and to put in place the legislative and institutional framework to combat discrimination. The government has also recently decided to create a pathway to citizenship for the children of immigrants that have been born in Greece.
76. Government sponsored sensitization campaigns have also been taking place both for the general public, informing the public and in particular immigrants of their rights, such as the current information campaign about obtaining long-stay permits. Sensitisation is also taking place for public servants who are in positions of power, where they may observe discrimination. This includes public servants in immigration offices, judges etc. who will be trained in anti-discrimination issues within the context of the Operational Programme 2007-2013, on Administrative Reform. This is just one example of how EU initiatives and EU funding have

⁴⁹ Please see First National Report, page 12 and Second national Report p. 5

been used and have proved pivotal in kick-starting national initiatives and interest in the field of anti-discrimination for migrants and ethnic minorities.

77. The funding and awareness raising that has been made possible during the 2007 Equal Opportunities Year and the 2008 Multicultural Dialogue Year, or in the framework of the European Social Fund's EQUAL and PROGRESS programmes and beyond, have provided the platform, the resources and the wider context within which training programmes could be developed, awareness raising campaigns were organized by public authorities and civil society initiatives were able to be implemented.

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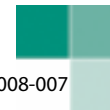
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ANNEX 1: Eurobarometer Findings

The findings of the Eurobarometer surveys (February & July 2008) regarding personal experience of discrimination⁵⁰, show that Greek responses are close to the EU average on the grounds of race and religion/belief: 76% of Greeks believe that discrimination on the grounds of ethnic origin is widespread in the country. On the other hand, Greeks exhibit among the lowest levels of comfort with someone from a different ethnic origin in the highest political office (4.7 compared to 6.4 EU average). With the exception of religion, Greece shows higher figures than EU average on perceived discrimination and the highest –together with Cyprus- on perceived discrimination on the grounds of sexual orientation⁵¹. On the other hand, 51% of Greek respondents believe that enough effort is being made in their country to fight all forms of discrimination (EU: 47%). 35% of Greek citizens replied that they do know their rights if they are victims of discrimination or harassment (EU: 33%).

Greece shows the lowest level of personal experience⁵² of discrimination in any of the six grounds (Answering ‘Yes’ in at least one ground: Greece 7%, EU: 15%). Regarding witnessed discrimination, 25% of Greek respondents answered that they have witnessed someone being discriminated or harassed on the basis of at least one of the six grounds, a figure lower than EU average (29%) but quite close to it.

Greek respondents are very much supportive of monitoring measures in the workplace such as ‘monitoring the composition of the workforce in order to evaluate the representation of people from ethnic minorities’ and ‘monitoring the recruitment procedures to ensure that candidates from ethnic minorities have the same chance of being selected for interview or hired as other candidates with similar skills and qualifications’ (77% and 76%, EU average 57% and 71% respectively).

⁵⁰ In the Eurobarometer survey of February 2008, ‘personal experience’ of discrimination refers to either the person questioned or somebody from his ‘close-knit’ circle of family friends and acquaintances’.

Flash Eurobarometer, February 2008, pages 47-53 (Race: Greece 17%, EU 19%, Age: Greece 15%, EU 16%, Multiple discrimination: Greece 13%, EU 16%, Gender: Greece 13%, EU 14%, Disability: Greece 13%, EU 14%, Religion/Belief: Greece 9%, EU 11%, Sexual orientation: Greece 7%, EU 8%)

⁵¹ Eurobarometer, July 2008, pages 34, 46, 52, 59, 66, 73, 80 (tables).

⁵² In the Eurobarometer survey of July 2008 the question for personal experience of discrimination refers to the person questioned himself and not to other people from his close-knit circle like in the question of February 2008 Eurobarometer.

ANNEX 2: Factualisation of Inequalities Tables

The following two tables present the factualisation of inequalities indicators. Table 2 is a proxy for the inequalities faced by ethnic minorities with migrant background, while Table 3, is a proxy for ethnic minorities without migrant background.

Table 5: Ethnic or racial origin

'Factualisation of inequalities' indicators		national average		average target group	
		m	F	m	f
A.	Job access conditions				
1.	Unemployment rate	5.2a	12.8a	4.2r	14.1r
2.	Percentage of long-term unemployed among job-seekers	2.2a	7.0a		
B.	Representation				
3.	Presence of the target group in media and culture				
4.	Representation in high positions of authority in public administration and government agencies				
5.	Percentage of elected officials				
6.	Make-up of boards of large corporations				
C.	Labour and working conditions				
7.	Percentage of individuals working part time (les than 30 hours/week)	1.1 a	4.7 a		
8.	Percentage of workers in insecure work (temporary workers, substitute and day workers, seasonal workers, informal work, domestic labour)	10.3 b	17.9 b		
9.	Horizontal segregation- distribution of jobs via sector of activity				
10.	Vertical segregation- percentage of executives by target group				
11.	Compensation – hourly salary / target group	681.0n			
D.	Affiliation with an organisation				
12.	Percentage of individuals from target groups affiliated with trade union or professional organisation				
13.	Proportion of political-party members from target group				
E.	Work Related				
14.	Percentage of recipients of welfare income				
15.	Percentage of individuals living under the poverty line	19h	21h		
16.	Rate of work-related disability and incapacity				
17.	Level of retirement pensions	1065.2m			
F.	Education				
18.	Secondary Education: Percentage having left school without diploma or secondary qualification	37d	39d	51.9s	
19.	Secondary Education: Orientation – technical / general education track distribution	63/35e	72/30e		
20.	Higher education – university segregation – percentage leaving higher education without a degree				
G.	Housing				
21.	Occupant's status – share of owners, first-time home owners and renters	84.6/ 11.1i			
22.	Occupancy ratio – average number of occupants per housing unit	1.4/ 1.3j			
23.	Type of housing – percentage of residents in areas deemed 'sensitive' or troubled	5.4k			
H.	Transportation				
24.	Autonomy- mobility – rate of possession of driving licence				
I.	Health				
25.	Prevention and access to social protection – percentage of individuals with public or private medical insurance				
26.	Access to information for health related issues				

J.	Access to credit				
27.	Share of individuals having had a credit request denied				
Indicators for measuring the progress of anti-discrimination policies					
B1.	Victim complaint data	total	target group		
1.	Number of discrimination complaints issues and reports made to relevant institutions	80t	41u		
2.	Number of complaints leading to legal proceedings	0v	0v		
B2.	Action by independent authorities				
3.	Ability to issue legally binding decisions/ codes of practice	YES			
B4.	Tools and measurements				
4.	Recognition of the use of statistical testing and proof in legal proceedings				
5.	Existence and effective implementation of monitoring with regard to the labour force employed by private companies and government organisations				
6.	Existence and implementation of an equality action plan	NO			
Indicators measuring the effects of anti-discrimination policies					
1.	Existence of survey of the public's perception of inequality				

Source: Eurostat Database, unless stated otherwise

Table 6: Religion or Belief

'Factualisation of inequalities' indicators

	national average		average target group	
	m	f	m	f
A. Job access conditions				
1. Unemployment rate	5.2a	12.8a		
2. Percentage of long-term unemployed among job-seekers	2.2a	7.0a		
B. Representation				
3. Presence of the target group in media and culture				
4. Representation in high positions of authority in public administration and government agencies				
5. Percentage of elected officials				
6. Make-up of boards of large corporations				
C. Labour and working conditions				
7. Percentage of individuals working part time (less than 30 hours/week)	1.1 a	4.7 a		
8. Percentage of workers in insecure work (temporary workers, substitute and day workers, seasonal workers, informal work, domestic labour)	10.3 b	17.9 b		
9. Horizontal segregation- distribution of jobs via sector of activity				
10. Vertical segregation- percentage of executives by target group				
11. Compensation – hourly salary / target group	681.0n			
D. Affiliation with an organisation				
12. Percentage of individuals from target groups affiliated with trade union or professional organisation				
13. Proportion of political-party members from target group				
E. Work Related				
14. Percentage of recipients of welfare income				
15. Percentage of individuals living under the poverty line	19h	21h		
16. Rate of work-related disability and incapacity				
17. Level of retirement pensions	1065.2m			
F. Education				
18. Secondary Education: Percentage having left school without diploma or secondary qualification	37d	39d		
19. Secondary Education: Orientation – technical / general education track distribution	63/35e	72/30e		
20. Higher education – university segregation – percentage leaving higher education without a degree				

G. Housing		
21.	Occupant's status – share of owners, first-time home owners and renters	84.6/ 11.1i
22.	Occupancy ratio – average number of occupants per housing unit	1.4/ 1.3j
23.	Type of housing – percentage of residents in areas deemed 'sensitive' or troubled	5.4k
H. Transportation		
24.	Autonomy- mobility – rate of possession of driving licence	
I. Health		
25.	Prevention and access to social protection – percentage of individuals with public or private medical insurance	
26.	Access to information for health related issues	
J. Access to credit		
27.	Share of individuals having had a credit request denied	

Indicators for measuring the progress of anti-discrimination policies		
B1. Victim complaint data	total	target group
1. Number of discrimination complaints issues and reports made tot relevant institutions	80t	
2. Number of complaints leading to legal proceedings	0v	
B2. Action by independent authorities		
3. Ability to issue legally binding decisions/ codes of practice	YES	
B4. Tools and measurements		
4. Recognition of the use of statistical testing and proof in legal proceedings		
5. Existence and effective implementation of monitoring with regard to the labour force employed by private companies and government organisations		
6. Existence and implementation of an equality action plan	NO	
Indicators measuring the effects of anti-discrimination policies		
1. Existence of survey of the public's perception of inequality	NO	

Source: Eurostat Database, unless stated other wise

Notes

a: Estimates refer to 2007, unemployment rate is calculated on the base of 15+

b: Employees in non-standard employment (part-time and/or fixed-term) as % of total employees. Estimates refer to 2007

c: Percentage of the population aged 18-24 with at most lower secondary education (ISCED level 2) and not in further education or training. Estimates refer to 2007

d: Percentage of the 25-to-64 year old population with primary or lower secondary education only. Estimates refer to 2006. Source: OECD, Education at a Glance, 2008 Edition.

e: Percentage of upper secondary graduates in the population at the typical age of graduation, by programme orientation. Estimates refer to 2005. Source: OECD, Education at a Glance, 2008 Edition.

f: Graduation rates in tertiary education. Tertiary-type A programmes (first-time graduation). Estimates refer to 2006. Source: OECD, Education at a Glance, 2008 Edition.

g: Graduation rates in tertiary education. Tertiary-type B programmes (first-time graduation). Estimates refer to 2006. Source: OECD, Education at a Glance, 2008 Edition

- h: At risk of poverty rate (cut-off point: 50% of mean equivalised income). Estimates refer to 2007
- i: Tenure status of accommodation (owners/renters), both sexes. Target group: One adult younger than 30 years. Data refer to 2001.
- j: Rooms per person (owners/renters), both sexes. Data refer to 2001.
- k: Percentage of total households with housing problems due to crime or vandalism, both sexes. Target group: One adult younger than 30 years. Data refer to 2001.
- m: Old age pension, in Euros. Estimates refer to 2006 (at constant 2000 prices)
- n: Minimum wage, both sexes in Euro. Data refer to 2008.
- o: Long-term unemployment (12 months or more) as a percentage of the total unemployment for a given sex and age group (%). Data refer to 2007
- p: Estimate refers to 2002 (LFS)
- q: Disability pension, in Euros. Estimate refers to 2006.
- r: Citizens of countries outside the EU-27. Estimate refers to 2007
- s: Proportion of third-country nationals aged 25-49 with less than upper secondary education, both sexes. Estimate refers to 2007
- t: The numbers refers to the total number of complaints on discriminatory treatment to the Greek Ombudsman since 2005, under anti-discrimination Law 3304/2005. Note that the Greek Ombudsman covers breach of anti-discrimination legislation by public bodies only. Regarding the private sector, the two Equality Bodies -the Labour Inspectorate and the Equal Treatment Committee- are short of statistical data on discrimination complaints⁵³.
- u: The numbers refer to the total number of complaints on discriminatory treatment to the Greek Ombudsman since 2005, under anti-discrimination Law 3304/2005, for each target group (source: Greek Ombudsman, Annual Report 2007 “The Greek Ombudsman as a National Equality Body”, page 6)
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