

2005 Data Collection

RAXEN National Report

**European Racism and Xenophobia Information
Network**

National Focal Point for GREECE

ANTIGONE – Information and Documentation Centre

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1. Executive Summary

Positive facts:

- In early 2005 the anti-discrimination directives were transposed into the Greek legal order and a set of equality bodies with complementary mandates was provided. In mid 2005 a new major migration law was approved by the parliament and a new regularization program for illegally residing immigrants was launched.
- There is a constant activity, especially through EU funding of employment-oriented good practices encouraged and promoted by the Greek State.
- An important amount of work on discrimination and policy perspectives and proposals especially regarding migration comes from a wide spectrum of independent or wider public administration bodies monitoring human and civil rights violations, as well as from civil society organizations. Here fits the case of the Greek Ombudsman, as well as the Greek National Committee for Human Rights, as well as a notable policy oriented NGO activity, in view of the new migration law to be implemented in late 2005, including, for the first time with such intensity, the immigrants' associations. It should also be noticed that the Migration Policy Institute presents a dynamic research activity in the rather limited timeframe of its two-year operation.
- An increasing number of noteworthy good practices and civil society's voluntary activities depict a rather robust and dynamic landscape of anti-discrimination action, some having significant impact on the public sphere.
- The religion-oriented racism is not usually the case in the Greek society and intolerance towards Muslims or islamophobia incidents have not occurred, while public policies are not terror-fear driven and no particular security measures have been taken towards Muslim religious minority group in Greece.

Issues of concern:

- Often policies and provisions prove to be insufficient for the special groups' needs. Therefore, the housing solutions for Roma needs have not responded to the group's humanitarian emergency conditions, while evictions cause serious tensions and racist violence at local level.
- Perhaps the most serious violations of human rights are those of Roma children as far as living conditions and education are concerned, as well as those of immigrant minors in detention and under administrative expulsion.
- Different surveys, research and data show that immigrant workers receive lower wages, and most of them are still employed in informal economy. Integration of immigrants through employment is hard to achieve under a rather strict and technically rigid migration legal framework, which introduces a number of 'citizenship exceptions' to access and flexibility to employment and labor market, while the protection from informal labour and exploitation is not strong enough, due also to limited resources.
- The same goes for public infrastructure and funding. Police and administrative detention facilities, as well as viability of EU funded good practices and social welfare activities constitute a typical example. The effect of public finance austerity becomes visible in the human rights' policy.
- While major racist episodes are limited in number and intensity, intolerance and tensions persist in specific social and geographical areas, especially in relation to Roma minority group and Albanian immigrants.
- Notwithstanding the great numbers of immigrants of Muslim religion and the practical absence of racist tensions against them, no official mosque exists outside of the Western Thrace Region, while a notable number of unofficial mosques operate informally, though without intolerance problems, in Athens. No special treatment is provided to other religions in work or schooling, except the optional exception from Religion classes.
- There is lack of major public mainstreaming, campaigning and promoting through targeted programs equal treatment and anti-discrimination practices and attitudes, either to specific target groups or to the general population.
- Firm determination and commitment in combatting racism and discrimination is yet to be implemented through the application of anti-discrimination legislation and the full operation of the equality bodies in this matter.

2. Trends and developments

An increasing public debate on immigrants' integration and rights

Under the light of public discussion regarding the management of migration it is obvious that something has changed indeed in terms of dealing with immigrants as subjects entitled to basic rights, while the declarative perspective is their integration, rather than their exclusion, in Greek society.

A lot of activities and conferences which represent good practices during this period have focused on public consultation between operators and stakeholders about immigrants' integration, migration policy planning and citizenship policy.¹

In this perspective it is the first time in Greece that a major political party, the opposition socialist party (PASOK), which until recently has been for many years in government, has invited migrants to political participation, while a considerable number of them were elected members of the party's organs during the recent party congress².

The debate about concession of political rights to immigrants has initiated, and all parliamentary parties propose full political rights especially to long-term residents and for local or national elections, except for the right majority party in government.

In this context, it is not of secondary importance the fact that the newly elected president of the Hellenic Republic at his presidential address to the nation for the occasion of national independence anniversary of 25/3/2005, has put like this integration of immigrants as one of the future challenges for Greek democracy: *'(...) the protection of human rights and personal freedoms without discrimination and smooth integration of immigrants, are serious challenges for modern Greece'*³.

¹ Cfr. the *Hellenic League for Human Rights (HLHR)-Research Centre for Minority Groups (KEMO)* as *European Migration Dialogue* network national partners, proposals for a rights-oriented effective and generous transposition of EU dirs as well as for long term integration policies, protection against expulsion and citizenship rights to immigrants, 'Proposals for Immigrants' Integration - Proposals and Conclusions of Migration National Dialogue Meeting'' (15.02.2005), and the HLHR's conference and proposals for the introduction of jus soli in the Greek Citizenship Code, (15.02.2005).

² *Athens News*, 'Pasok party sends invitation to migrants', (21.01.2005), 'Papandreou - meeting with migrants elected members of the PASOK national council', (21.03.2005).

³ *Presidency of the Hellenic Republic*, (24.03.2005).

New and old aspects of racist violence

As stressed in the 2004 national report despite campaigns and intense anti-discrimination activity, negative stereotypes against minority groups and legitimizing of racial violence prove to be hard-to-die. Any incidental event (e.g. a football game) readily sets off racist tension against the major immigrant group (Albanians). This has also been the case of the return match between Greek and Albanian football teams, however with less violent attacks and incidents.

As in the past years, extreme right-wing groups target specific areas, especially where anti-racist and pro-immigrant activity is particularly vivid (the cases of Rethimno and Chios in March 2005). However, the impact of such violence is minimal, when the operation of such groups in Greece is strongly contrasted by all parties, as the example of the cancelled international 'hatewave' festival in summer 2005 shows.

Violence against Romas, especially in cases of housing – settlements and education is marked by the appearance of a new 'intra-group' aspect. Those strongly and violently opposing to enrolment of Roma children in school are ethnic Greek immigrants living in the same downgraded suburban industrial area. Once more, the shortcomings are lack of infrastructure, human and material resources, in particular in education. In this way, the lacking process of integrating roma children in school system, while declared as a major priority, becomes the fertile ground for the emergence of racist violence.

Spatial Integration through open society and intercultural activities

A considerable part of substantial good practices in spatial integration and promotion of multicultural society with tangible results are cultural activities.

According to the 2001 census, the latest census in Greece, migrants amount up to 17 per cent of the City of Athens total population. This translates to an increased activity by the Athens Mayor. Among others, the Athens municipality radio network has started to operate a frequency (FM 104.4) dedicated to immigrants by providing specialized information for migration law, general and financial as well as political news and entertainment in 12 languages.

A significant number of local initiatives by civil society organizations are focused to intercultural contact and exchanges as well as to specialized support to vulnerable groups, especially immigrant and refugees-asylum seekers, women and minors (antiracist festivals in the centre of major cities such as Athens, Thessaloniki, Rethymno, with mass participation by immigrants and greek nationals, artistic expositions and manifestations, immigrant communities festivals) Through their opening to community these activities contribute in improving the spatial integration of minority groups in the Greek society,

raising visibility, positive perceptions and awareness about problems and perspectives of multicultural cohesive societies.

During 2004-2005 Greek cinematography has produced three films, with a strong reference to the migration phenomena and the way it shapes Greek modern society, by major Greek directors ('Omiros' / 'Hostage' by Yannaris, 'Delivery' by Panayotopoulos, 'The other' by Rikaki), while a special cinema tribute dedicated to migration has been realized in Thessaloniki.

The impact of such activities may be measured also through the consolidation of a pro-multicultural public discourse in major media, stakeholders and representatives up to the point of dominating positively the rhetoric of parliament discussion about the new migration law.

3. Five main areas

Employment

1. The situation regarding racism and xenophobia in employment.

The central issue about discrimination practices in employment is the fact that as research indicates (see below) immigrant workers generally receive lower wages than national workers, and in their majority are still employed in informal economy. The Greek state is proceeding to its third (and proclaimed to be the last of the series) major immigrant workers' regularization program.

During spring 2005, a characteristic case of discrimination in payments occurred in Thessaly (Central-North Greece). The Tirnavos' mayor issued an announcement in Albanian, threatening the Albanian workers in agriculture asking for a raise that if they insisted in their claim he would proceed to expulsions (sic) and the farmers instead would hire Polish workers to do the job. After anti-racist reactions on a local (Greek workers and agriculture unions) and national level (publications, media exposure) the threat has been withdrawn and finally an agreement was reached for a 2 € increase (~28%). It goes noted that the immigrants working in agriculture are self-insured themselves keeping low their daily wage, a real bargain for Greek farmers⁴.

Other media reports⁵ confirm that the average daily wage for seasonal employment in agriculture is 20-30 € or in some cases (tobacco harvest) up to 35-40€. In precarious work in agriculture, regarding often rejected asylum seekers (usually when expulsion is not applicable) the media report that the daily wage is calculated by quantity of fruit they are able to collect in a harvest day, leading to even lower wages (15-16 € per ton of oranges)⁶ (Athens Indymedia).

The new migration law (n.3386/2005) provides for a new regularization program according to which immigrants are required to pay, by declaring their work, past social security contributions, in order to regularize their residence in the country. Those that hold expired work permits in case they have no social security contributions are made in the past years are invited to pay themselves a minimum of 150 working days ('ensima') per year (par.10b of art.91 of law n.3386/2005). Those that wish to regularize their presence in the country and

⁴ Vounatsos (2005), Parerminefsate tis dilosi mou lei tora o Nasikas (My words have been misinterpreted, says Nasikas), In: *Ta Nea* (10.05.2005), 'Ekviazoun tous metanastes gia merokamata pinas' (They are blackmailing immigrants for bare subsistence wages) In: *Rizospastis*, (07.05.2005).

⁵ *Macedonian Press Agency*, '60.000 eisagomeni agrotas sti Voria Ellada' (60.000 'imported' agriculture workers in Northern Greece), (07.05.2005), K.Tziliavakis, 'Migrant workers and social (in)security', In: *Athens News*, 18.02.2005.

⁶ *Athens Indymedia*, 'Conditions of Employment', (11.03.2005).

hold no previously issued permit are invited to pay such amount of social security contributions for one year (par.11.γ.v of art.91 of law n.3386/2005). Under such provision many not working immigrants (young students, elderly people) had to pay workers contributions, while some immigrants workers while already paying social contributions but not holding any residence permit had to additional pay such contributions, therefore performing a double payment of their social security obligations as workers. Once again, the regularization program requires social security payment from informal workers and provides tacit amnesty for employers (no financial or any obligation whatsoever or declaration of any binding work contract), who employ immigrant workers at a mass-scale in informal economy

1.1. New sources of data

In view of lack of any official or third party data regarding racism and discrimination in employment, the major source of information about discriminatory practices in work for immigrants and minorities is the media and special surveys when they occur.

1.2. Statistical data and information

No available statistical data on racism and discrimination in employment.

The data concerning residence and work permits (see annex) depict a landscape of widespread undeclared work. The valid residence permits (of all types) in July 2005 were 436000⁷, that means less than 50 per cent of the total of applications for residence permits during the last 4 years⁸ and less than half of the total number of immigrants estimated to live in the country in the end of 2004 (1,15 milion).⁹

Among those employed in salary work, the number of insured workers (including also those that are self-insured for regularization purposes) amount 346 thousand workers¹⁰, equal to 30 per cent of the total immigrant population residing in Greece.

⁷ According to data provided by the Interior Ministry to the NFP 'Antigone' in July 2005.

⁸ According relevant data provided by the Interior Ministry to the NFP 'Antigone' in January 2005.

⁹ According to January 2005 IMEPO – Hellenic Migration Policy Institute estimates In: *IMEPO (MPI) Study (Conducted by Mediterranean Migration Observatory)*, Statistical Data on Immigrants in Greece, November 2004.

¹⁰ According to data provided by IKA (the major social security fund for dependant workers) 18.03.2005, the total number of foreign insured salary workers is equal to 12,86 per cent of the total number of workers irrespective of nationality (I.Georgakis, 'Immigrants are 12,5 per cent of the insured at IKA', in: *Ta Nea*(28.02.2005), while according to a HMPI research conducted by EKKE (National Centre for Social Research), the total number of insured foreign workers amounts 410.000. Maratou-Alipranti, L. - Gazon E., 'Migration and health-welfare, *HMPI study*, Athens, 2005, M.S, 'Low wage, high contributions for immigrants, 410.000 insured in Greece'

This number is expected to increase thanks to the newly introduced legalization program to be implemented in late 2005. However, immigrants are expected to come out of illegality in work exclusively on their own expenses, for obtaining a regular one year stay in Greece¹¹. In the meantime, they are not given any new means or tools for ensuring their visibility and protection in regular work job posts. The new legalization program is not accompanied by any particular measure, incentive or pro-active, to keep immigrant workers' post legal and in order to avoid falling again in informal economy.

1.3. Reports and studies

According to a survey conducted by the Athens Labour Centre and other partners under an EQUAL consortium initiative¹², immigrant workers in construction and gas filling stations appear to be generally satisfied by working conditions and pay, although average daily wage (in salary work and in construction mainly) is about 27 € for legal and 25 € for illegal immigrants (according to social security data, the general average declared daily wage for salary workers in Greece is 41,31 €)¹³. However, 43 per cent of immigrant workers declare to be paid less than Greek colleagues, although 20 per cent faces difficulties and 10 per cent have faced racist verbal attacks in their relations with fellow workers. 78 per cent declare that the employer is regularly paying social contributions too. Only 25 per cent of the immigrant construction workers are members of the trade union and for 77 per cent of them it's their first time.

The Hellenic Migration Policy Institute's (HMPI)¹⁴ president has been presented at a conference in Thessaloniki the findings and conclusions of six research projects conducted on behalf of the Institute¹⁵ in presence of the Interior Minister Pr.Pavlopoulos. These studies represent the very first product of the recently rendered operational HMPI through outsourcing of research activity.

The core argument and political discourse issue, which emerged from the HMPI presentation and more or less dominated the follow-up of discussions and public discourse in general, is that migration has had a notably positive impact on the

in: *Eleftherotipia*, (16.02.2005), Migrants help drive national insurance, in: *KATHIMERINI English Edition* (16.02.2005).

¹¹ As the new law n.3386/2005 provides through its transitory provisions (art.91).

¹² Kapsalis A., 'Implementation of research to working immigrants concerning the particular characteristics and problems of their employment in the areas of construction, gas stations and clothing', *EQUAL initiative for equality and social cohesion*, December 2004.

¹³ According to IKA Statistical Bulletin May 2005.

¹⁴ A body provided by the 2001 migration law. The MPI's director is appointed by the Interior Ministry, under which the Institute operates as a private entity public body.

¹⁵ *BBC Greek*, 1/10 of the population are foreigners, (21.02.2005).

Greek economic development, while it constitutes a permanent and long term aspect-advantage of the Greek society¹⁶.

The research findings put in evidence significant aspects of the immigrants' participation in the Greek economy, while questioning the reliability of the official data concerning migrants and the administrative apparatus operation¹⁷.

The studies demonstrated that:

- Immigrant population has raised four times since 1991, from 270.000 to 1,15 million persons. Most of them live in Athens (17 per cent of the population total) and in Thessaloniki (7 per cent).
- However, while during January 2004 the valid residence permits amounted to 509.000 in September 2004 there were only 250.000 left of them still in force. These aggregate numbers have been provided by the Ministry of Interior Affairs to the Greek NFP under the label 'valid residence permits' but their validity is under scrutiny by researchers.¹⁸

A Hellenic Migration Policy Institute study¹⁹ performed by the EKKE (National Social Research Centre- research conducted by Laura Maratou-Alipranti and Eric Gazon) has shown that immigrant workers receive lower wages and pay higher social security contributions (as minimum working days' contributions they have to pay themselves in order to claim legal residence). Immigrant workers are required to spend a higher proportion of their income on social security than does the average Greek wage worker. The lower the income the higher the percentage of a person's wage goes to security. Immigrants are generally lower-income workers. However, these worker's social security contributions do not always correspond to respective employer's payments, since very often they are paid for undeclared work legalization purposes and not for effective declared work. In this way their social security future expectations (pensions etc.) are considerably lower in relation to the Greek and regular workers' social security carrier.

According data provided by IKA²⁰ (the major social security fund for dependant workers) foreign workers represent 12,52 per cent of the total insured workers, while Albanians are 53,87 per cent of the foreign workers. In their majority (70,55 per cent) they are employed as unskilled and hand-workers. In fact, according to an INE-GSEE²¹, the myth of immigrants saving the social security

¹⁶ The HMPI president Zavos A. interview in: Vatali E., 'Europe is searching for immigrants, *Agelioforos*, (13.02.2005).

¹⁷ As stressed in particular in the Mediterranean Migration Laboratory study commissioned by HMPI, Statistical Data on Immigrants in Greece, November 2004.

¹⁸ More data about residence permit statistics in the annex. The MMO experts who conducted the study about statistic estimations of the population objected for non reliability of the data, therefore of the Interior Ministry system, which accounts for calculations about residence permit procedures.

¹⁹ Maratou-Alipranti, L. - Gazon E., 'Migration and health-welfare, *HMPI study*, Athens, 2005

²⁰ According to IKA Statistical Bulletin May 2005 and I.Georgakis, 'Immigrants are 12,5 per cent of the insured at IKA', in: *Ta Nea* (28.02.2005).

²¹ Robolis S, Romanis G., Margios V., Hadjivasiloglou I., Actuarial study about IKA – Insurance Fund for salary workers, *Labour Institute of the Greek Confederation of Workers*, (April 2005)

system holds no more, since the immigrant worker appear to be employed for less days (average of 14,17days /month in relation to average 17,64 of Greek workers) and receive lower payment. Therefore, they contribute much less to social security system.

The INE-GSEE has also issued a report²², which shows that in their majority of immigrants (54 per cent), mostly for work purposes, feel ‘personae non gratae’ in Greece due to absence or malfunction of integration and reception public policies and services. Nevertheless 52 per cent of the immigrants wish to settle permanently in Greece, while the major problem faced is access and keep a legal residence status in the country.

1.4. Special bodies

The Labour Inspectorate Body is the mandated body provided by the anti-discrimination law (n.3304/2005) for monitoring and controlling discrimination cases in employment assisted by the Equal Opportunities Department of the Directorate for Social Protection of the Labour Ministry. The LIB is annexed directly to the Labour Minister.

1.5. Positive measures for religious minority groups at the workplace

There are no positive measures established in order to facilitate or promote the religious activities of minority groups at the workplace.

The Migrants’ Forum during the past years has vainly asked for the recognition of Muslim festivities, such as Bairam for legitimate absence from work²³. In early 2005, after pressure from the Pakistani community and a relevant question from an opposition MP in Parliament the Minister of Public Order had responded negatively arguing that there are so many religions that this would be impossible to apply²⁴.

According to interviewed Muslim community members-opinion leaders Muslims suffer discrimination in the workplaces, because the vast majority of employers (more than 80 per cent) do not facilitate Muslim employees during the sacred day of Friday, while some Muslims lost their jobs for this reason. There are a few sensitive employers who respect the religious conscience of their employees and they allow them to fulfil their religious duties on Fridays. As a result, only 2000 Muslims of Athens are able to go to the unofficial

²² Research by Kritikidis G., in: I.Georgakis, ‘One on two feels persona non grata in Greece’, 03.01.2005.

²³ According to the organization members and leaders’ interviews performed for the needs of Rapid Response Islamophobia 2005.

²⁴ According to documentation provided in 2005 to NFP ‘Antigone’ by the Pakistani community in Athens.

Mosques during Fridays²⁵. According to the circ. n 33559/8-12-03 of the Ministry of Employment and Social protection regarding social security stickers for regularization procedures in application of migration law n.2910/2001 an immigrant worker's absence from work for religious purposes is justified. Nevertheless, such favourable exemption (among others like pregnancy, illness, etc.) from the minimum working days prerequisite does not provide for a right to absence from work for religious purposes.

1.6. Immigrants and minorities in trade unions

A recent study²⁶ has shown that parties and trade unions are not interested in immigrant membership. As a result immigrant participation in trade unions is scarce or inexistent. Main reason for this lack of activism is indicated to be the insecure legal status of the majority of immigrant workers, their mistrust towards the Greek state and institutions, as well as lack of resources (time, capacity) to involve to activities other than paid work.

Furthermore, media reports and workers syndicates point out that local authorities are often posing obstacles to immigrant workers who organize themselves in associations and syndicates²⁷.

However, in this context it is noteworthy that some immigrant associations operate also as network mechanisms for information, protection and support of immigrant workers in the workplace. An exemplary case is one of the longest established immigrant associations, KASAPI association of Filipinos immigrants²⁸.

1.7. Monitoring working conditions of immigrants and minorities

The Labour Inspectors' Body (SEPE) is the one dealing with violations of labour law and working conditions, and since January 2005 fulfilling also the mandate of monitoring discrimination in the workplace (under the new anti-discrimination law).

According to the data provided by SEPE to the NFP 'ANTIGONE' during the first semester of 2005, 53 cases of undeclared labour of immigrant workers had been certified. This is a notably low number in relation to the high numbers of

²⁵ The above paragraph is based on interviews of Muslim leaders performed for the needs of Rapid Response Islamophobia 2005.

²⁶ Grobas, R. & Triantafyllidou, A., Active and Civic participation of immigrants, POLITIS project, 2005, Athens.

²⁷ That is the case of an association of workers in Ikaria (Aegean sea island) the founding application for which has been rejected three times by the local court, while police performed control of the signatories, as denounced by the Ikaria Association of Workers and Employees. Reported in: *Rizospastis*, 'Police officers control immigrants because they give birth to an association' (04.05.2004).

²⁸ Association of Filipino Immigrants in Greece (Kaisahan Samahan G Magranteng Pilipino).

undocumented immigrant workers in Greece, estimated in hundred thousands. In fact, according recent data from SEPE, the latter disposed of 80 per cent of the staff provided by law, reaching a total number of 829 inspectors in the entire country²⁹.

1.8. Evidence or information regarding trafficking of illegal workers or children to be used as forced labour

Non official information by NGOs ('Arsis', 'Terre des Hommes-Albania')³⁰ working in the field and through street work about children trafficking and forced labour indicate that the general trend has shifted over the last years to smaller numbers and family-centred forced labour, especially in various street services and small commerce rather than begging and organized trafficking rackets. This has been an evolution of the phenomena to attribute also to accentuated police activity in cooperation with specialized NGOs³¹ and to organized repatriation and origin areas' awareness measures.

2. Policies measures and initiatives/good practices against discrimination in employment

Most initiatives are focused in providing assistance and support to minority group workers, rather in increasing their employability. However, the following activities indicate good practices in a landscape that is not marked by legal and regular working carriers.

There are no specific anti-discrimination mechanisms, such as equality officers, in place, however there is an increasing interest in providing targeted services to immigrants.

In January 2005, the Athens municipality set up and started to operate a special service point for immigrants in order to manage contacts and transactions in a centralized, friendly, expeditious and sufficient manner. The first municipal Intercultural Centre in Athens, practicing the "one stop shop" model, is co-functioning at the same building with the recently relocated and renovated City's Immigration Office (streets Psaron and Mezonos, in Metaxourgio)³². This new infrastructure is expected to solve bureaucracy and overcrowding problems, taking into consideration that during 2004 80.000 immigrants have

²⁹ Soma Epitheorisis Ergasias (Labour Inspectorate Body), Annual Report 2003.

³⁰ ARSIS, *Human Trafficking*, periodical, May 2005.

³¹ ARSIS, *Human Trafficking*, periodical, May 2005, contains an interview of the Public Order Minister G.Voulgarakis, who stresses the important contribution of specialized NGOs in cooperating with the Police in affronting the trafficking problem.

³² According to information provided by the municipality of the City of Athens to the NFP 'Antigone' and to several media publications: 'KEP gia allodapous' ('Citizens' Service centre for foreigners') *Ta Nea* (25.01.2005)

addressed to the Municipality services. A number expected to rise during legalization procedures in late 2005. Since 2003, more than 160.000 applications for issuing and renewing residence permits have been processed by the City of Athens to the Periphery (third level of local governance)³³.

Furthermore, in the framework of EQUAL Programme (Development Synergy, “Forum for the Social Cohesion”), the Centre for Employment and Entrepreneurship of the City of Athens established an office for the reception of immigrants, offering information and consultation on issues regarding employment and procedures for the issuing for residence and working permits. Beneficiaries reached almost 6.000 in 18 month’s time³⁴.

The Greek Manpower Employment Organization (OAED – annexed to the Ministry of Employment & Social Protection) performs special funding programs encouraging employment of vulnerable groups through incentives (24 months’ subsidy of 20€ / day) under the European Social Fund (ESF) programmes. During 2004, under this program 578 third country nationals have been employed. Among them, 62 per cent were ethnic Greeks (‘palinnotountes’/‘repatriated’), 4 per cent are refugees and 34 per cent were other immigrant categories³⁵.

Under the 2004-2006 ESF financial instrument (coordinator: Ministry of Employment and Social Solidarity) several vocational training programmes addressed to unemployed members of minority and vulnerable social groups are realized. In this framework, vocational training programmes of 500 training hours each are addressed to Roma community throughout Greece (72 programmes) and to Greek Muslims (9) mostly for those not residing in Western Thrace³⁶.

Greek banks add the Albanian language in Automatic Cash Machines interface since it is estimated that about 3 billions of Euros in Greek banks are deposited by immigrants and while 9 per cent of GNP of Albania are remittances by Albanian workers in Greece.³⁷

The consortium KE.M.ME.PA.P.-IFAISTOS has published a set of proposals³⁸ for maximizing the benefit from employing immigrant scientific staff in labour market through a series of incentives for hiring and attracting high-skilled

³³ According to information provided by the municipality of the City of Athens to the NFP ‘Antigone’.

³⁴ According data provided by the: Nagopoulos N., Buzas N., ‘roposal Document for integration of best practices in national Action Plans for employment and social integration’, *EQUAL* (July 2005).

³⁵ Data provided to NFP ‘ANTIGONE’ through the doc.n.B125136/22.07.2005 by OAED.

³⁶ Data provided to NFP ‘ANTIGONE’ by the Ministry of Employment and Social Solidarity in CD format.

³⁷ *Ta Nea* (19.03.2005).

³⁸ KE.M.ME.PA.P.-IFAISTOS, ‘Proposals for benefit by the employment of foreign scientific staff’ (27.03.2005).

immigrant workers. However, no such measures have been included in the new migration law.

The national EQUAL consortiums performing projects combating exclusion from the labor market have published a series of Guides of Best practices³⁹ especially about setting up and providing specialized services and support of immigrants and refugees on a local and in relation to their access to the labour market.

The Greek Ombudsman website already containing information in several languages (English, French, Russian, Albanian, Polish, Romanian) has further opened up through a specific sub-site entitled ‘the Defensor of the immigrant, the refugee and the ethnic Greek’ adding information also in Serb and Turkish language and with extensive material available about migration legislation and administrative procedures, containing the Ombudsman interventions, recommendations and model cases⁴⁰.

An Interior Ministry circular distributed to government ministries, regional and prefectural authorities and other public administration offices asked them to publish on their websites information that would be of serious interest to citizens, such as job opportunities. Information destined for immigrants should be available in a widely spoken foreign language, such as English, the circular said⁴¹.

While the above constitute a number of significant good practices against discrimination there are many other activities mostly subsidized by the European Social Fund with varying impact and beneficiaries’ numbers aiming to empower population subject to discrimination. Such activities mainly concern learning the Greek language for unemployed immigrants, repatriated and refugees consultative-supporting services, vocational training and health provisions.

³⁹ KE.M.ME.P.A.P.-IFAISTOS, ‘Guide of Good Practices about setting up and operating Immigrants, Repatriates, Refugees Support Structures at local level’ (22.05.2005), Guide for Migrants and Refugees (2004).

⁴⁰ <http://www.synigoros.gr/allodapoi/>

⁴¹ *Kathimerini English edition*, ‘Online information’ (12.04.2005).

Education

1. The situation regarding racism and xenophobia in education

The major intolerance incidents in education regard the registration and participation of Roma children in primary schools. In the beginning of the school year 2004-05, serious incidents of obstructing Roma children from going to school by parents have taken place in Aspropyrgos (wider Athens area). In the 10th and 11th primary schools, for the first time have been enrolled together Roma and ethnic Greeks immigrant children. The parents of the latter have opposed the enrolment of Roma children and tension involving also the police, the Ombudsman and NGOs has escalated until late October,⁴² when the Roma Association requested that their children enrol to a special prefabricated facility at their settlement rather than send them to the local school and face violent reactions. The Ministry of Education although it has been expressly against this ghetto-solution, finally, under the Roma representatives' pressure, accepted to provide such an option to those parents that wish so⁴³.

It is important to stress that tensions often present in situation of lack of resources (teachers, rooms, equipment) in schools that have to deal with increasing numbers of newly enrolled students with particular learning needs and in communities suffering social exclusion⁴⁴. Such has been the 2004 Patras-Sagheika case, mentioned in 2004 National Report for Greece, which later on has been positively resolved through the intervention of the Ombudsman (Children Rights Dept) and the provision of specialized teachers and infrastructure⁴⁵.

The data provided for secondary education indicate an increasing drop out rate for second-generation immigrant students not to attribute to school performance⁴⁶. The Ministry of education policy to support immigrant pupils through intercultural education (mostly providing language support by specialized teachers) faces financial limitations as in 2005, 26 intercultural schools were operating in the country (13 primary, 9 lower secondary and 4 higher secondary education)⁴⁷ serving the needs of integrating the children of over a million of immigrants in the country.

⁴² GHM press release (12.09.2005), The Greek Ombudsman case n.16011/13-9-04.

⁴³ Vradelis S., 'Into the ghetto by their own will', *Ta Nea* (27.10.2005).

⁴⁴ According media reports after the completion in 2004 of the University of Ioannina program about 'Roma children integration in education' higher dropout rates have been observed, in: Charalampakis M., 'Roma want home, education and work, but unfortunately they hardly find response', *Ta Nea* (01.06.2005).

⁴⁵ The Greek Ombudsman case n.10500/2004.

⁴⁶ According data provided by the Institute for the Greek Diaspora Education and Intercultural Studies (IPODE), see table 3 of the Annex and the IMEPO 2005 survey about immigrant school children (see below par.1.3).

⁴⁷ According to the Special Segr.of the Ministry as reported in: Boubouka A., 'Living together at the school desks', *Kiriakatiki Eleftherotipia* (12.06.2005).

During 2005, a series of circulars⁴⁸ by the Ministry of Education have raised obstacles to immigrant students in obtaining a school completion degree and continuing their school carrier in higher education in the case they did not dispose of regular and valid residence documents. One of the circulars issued in April prohibited foreign students without legal residence papers, to participate in post-graduate studies admission exams.

In a country where the majority of immigrants are irregular, according to the most recent data and estimates,⁴⁹ such education policy, for as long as it has been applied by the administration, constituted a major impediment in the foreign minors' integration in Greek society.

Nevertheless, the ministry has been promptly responsive to Greek Ombudsman recommendation⁵⁰ and issued a circular indicating that all minors (0-18 years old) irrespective of their legal status in Greece have the right to education, and therefore they may inscribe to any level of the secondary education⁵¹.

In another Ombudsman case the Jehova witness church protested for the way their religion and its followers were presented by the first class of higher secondary education Religion Schoolbook (entitled: 'Orthodox Faith and Cult'). The Ombudsman recommended the correction of the schoolbook in order to remove the negative judgement and references against the personality of the members of such Church⁵².

1.1. New sources of data

There are no new sources of data and information available.

1.2. Statistical data and information

There are no available official or unofficial statistical data on racism and discrimination in education.

1.3. Reports and studies

⁴⁸ Ministry of Education and Religions, Circ.n.48946/G2/05.05 and The Greek Ombudsman (pending) case n.8441/2005, and media publications referring to other relevant circulars: 'Pogrom kata xenon mathiton' ('Pogrom against foreign students'), *Ta Nea* (27.05.2005), 'Pedia enos katoterou theou' ('Children of a minor God'), *Ta Nea* (28.05.2005).

⁴⁹ According to the data of valid residence permits and application for residence permits provided by the Interior Ministry, as well as in relation to the estimates by the IMEPO (HMPI) surveys.

⁵⁰ www.synigoros.gr/docs/YPEPTH-14350-20051.pdf

⁵¹ www.synigoros.gr/docs/Egyklios_YPEPTH_100758_G2.pdf

⁵² The Greek Ombudsman, recommendation n.2908.05.2.1/29.06./2005.

An IMEPO (Hellenic Migration Policy Institute) survey identified dominant patterns about immigrant students in secondary education. The survey shows an increased percentage of Albanian students (80 per cent of all immigrant students in Athens, while 60 per cent of all immigrant students in Greece), and a high dropout rate of immigrant children after obligatory education not to attribute to poor performance⁵³.

A survey conducted on a student's sample shows contradictory attitudes about xenophobia and nationalism. While generally students declare to disagree with social exclusion of immigrants and to accept their presence in the country, half of them are more or less negative to mixed marriages and consider immigrants as the main cause for unemployment⁵⁴.

A survey of a particular importance is the one performed by school children of the 2nd and 3rd primary school of Lavrio (Attica)⁵⁵: an area, of 10.612 inhabitants, among which >15 per cent are foreigners and where a major refugee reception centre is located. An interesting survey-school exercise, not due to the scientific methodology or the academic validity but for the spontaneous and direct expression of opinions and beliefs by children, voiced for the matter if their concern. The conclusions form the pupils' survey is the lack of knowledge about immigrant realities and the differentiated attitudes between parents and children, as well as the fact that the former influence heavily the latter when it comes to sensitive issues such as carrying the Greek flag in school parades.

1.4. State provisions for minority and multicultural education

According to the Ministry of Education⁵⁶, the central concept about integrating ethnic, cultural and religious minorities in education is the following: no discrimination against minorities, the objective is mainstreaming through integrating in the regular education system. Thus, the efforts of the competent state authorities are to improve performance through enhancing their greek linguistic skills and through assistance and support to learning process.

Therefore, special reception courses address the need to learn the Greek language and have an introductory character, and have been diminishing in the recent years, while the main support tool for foreign students remain the additional instruction support programs (AIS) designed to be addressed to all students in order to improve their performance after school hours and not specifically targeted to minority groups' needs.

⁵³ www.imepo.gr reported in: Moutousi, N., 'Foreign pupils increased by 20% in 3 years', *Ta Nea* (13.07.2005), and Delvinioti E., 'Increasing foreign pupils, decreasing Greeks', *Eleftherotipia* (13.07.2005).

⁵⁴ A survey by University of Western Macedonia (Thessaloniki) as reported in Siganou P., 'Tolerant but slightly racists', *Kiriakatiki Eleftherotipia* (PUBGR1049).

⁵⁵ Reported in: Sotirchou I., 'Shock Survey in Lavrio - once refugees now hostile towards new immigrants', *Eleftherotipia* (21.03.2005)

⁵⁶ 'EPEAEK II' (Operational programme for education and initial vocational training) 2000-2006.

As the leaders of Muslim community of Thrace stress⁵⁷, this year the state organism for school buildings (OSK) has promptly started by the minority schools of Western Thrace to provide school equipment, while the relevant funding has been increased and costly repairs and maintenance took place in a brief period of time. The construction of a new minority primary school in the village Deilina (Xanthi) has been finalized.

Furthermore, the provisions of the law n.2341 of 1995 according to which 0.5 percent of all higher education vacant student posts (or at least one per department) are reserved for Muslim minority students, have been extended to the holders of a Technical Secondary Education degree wishing to be admitted to technological faculties of higher university education.

Moreover, a number of pro-active and positive discrimination measures⁵⁸ are aimed at improving the educational opportunities of Thrace Muslim minority members. Through recent laws the financial and work incentives are offered to the majority population members in order to chose to work in minority schools and Muslim high school graduates are granted special conditions and quotas for admission to Greek universities (actually under 'numerus clausus').

In Thrace, Muslim students who attend minority (elementary) schools receive Islam lessons. Muslim and other religions' students have the right not to attend the Religion hour (mostly focused at the Greek Orthodox doctrine).

However, recently, a local claim for the creation of intercultural pre-school activity for the Muslim minority children (in order to facilitate their introduction from a Turkish mother-tongue to a bi-lingual school environment with Greek as main language) promoted by the Muslim MP Mr. Ilhan, has not been corresponded⁵⁹.

1.5. Religious symbols in schools

There is no specific legislation in place on headscarves and it has been no real issue for Greek schools either. The latter in fact are well equipped with Greek Orthodox symbols and rituals during the entire schooling process, therefore religious symbols in school has not been object of public discussion or legislation. Another reason is that a low percentage of Muslim women in

⁵⁷ According communication of the Muslim Greek MP Mr.Ilhan to the NFP 'Antigone'.

⁵⁸ According to the Ministry of Education information and to data provided by the Greek Rapid Response Islamophobia 2005.

⁵⁹ According data provided by the Muslim Greek MP Mr.Ilhan to the NFP 'Antigone' and presented in the Greek Rapid Response Islamophobia 2005, where the issue is addressed more analytically.

Greece (immigrant and nationals) do use it, while headscarf does constitute an element of Greek local culture and collective experience anyway⁶⁰.

2. Policies, measures and initiatives/good practices against discrimination in education

A number of municipal and voluntary civil society activities are flourishing in providing Greek language lessons to immigrants and refugees in Athens and Thessaloniki:

- During 2004-2005 the Intercultural Centre of the Municipality of Athens hosted three free Greek language programmes for 80 immigrants, living in Athens. Their ethnic and religious backgrounds were diverse⁶¹.

- Odysseas (Ulysses). 'Initiative for teaching the Greek language to refugees, immigrants and ethnic Greeks'. Started to operate in Thessaloniki in 1997 and up to now 3000 adult immigrants have attended free lessons and 100 volunteer teachers have been employed. In 2001 the students have formed a Theatre group, while music and sports teams have been created in the past year⁶².

- 'The back desks' - The Network for Support of Immigrants and Refugees is operating free Greek language lessons addressed to immigrants and refugees in the centre of Athens⁶³.

- 'Open school for immigrants' - In Athens, this open school has started to operate in 2005 with 30 teachers teaching free of charge the Greek language to 200 immigrants. The school is located in the offices of left parliamentary party SYN ('coalition') and the latter in cooperation with the association of Bangladesch workers runs it.

Since June 13, Athens International Radio (104.4 FM) has been offering to its immigrant audience a chance to learn the Greek language in cooperation with Linguaphone, a leading supplier of self-study language courses across the world.

Pioneer pilot raise awareness anti-racist projects are being implemented in schools. Such is the case of 6 Thessaloniki secondary education schools participation in a project run by the East Thessaloniki Health Education Office of Secondary Education (Ministry of Education) in cooperation with the NGO 'Arsis'.

⁶⁰ According Muslim leaders interviewed for the purposes of Rapid Response Islamophobia 2005.

⁶¹ According data provided by the City of Athens' Mayor Office.

⁶² Tsoumas D., 'Metanastes ke ekpedefsi - The adventure of Ulysses', in: *Antitetradia tis Ekpedefsis*, n. 73/74 (2005)

⁶³ Dama G., 'Bread, work and Greek', *Eleftherotipia* (13.10.2005).

The Research Centre has held 2 conferences in Thrace for Minority Groups (KEMO) in cooperation with the Turkish NGO LMV involving various issues among which also minority education. The key-element emerging by such initiatives and activities representing good practices, is that the respective minorities have suffered of the negative reciprocity by Greece and Turkey as neighboring countries affecting the protection and effective exercise of citizenship rights, in this case of the Muslim minority of Thrace⁶⁴.

According information provided by the Ministry of Education:

- in the framework of the project “Education of palinostountes and foreigners”, books have been produced for teaching Greek as 2nd language as well as for other subjects (Physics, Chemistry and Biology for Russian and Albanian speakers). However these books have not reached the classrooms since there is no provision for bilingual teaching courses or teachers⁶⁵.
- During school year 2004-2005, 427 reception and assistance courses have operated in primary education attended by 6.376 ‘palinostountes’ (ethnic Greeks) and foreign pupils (less than 10% of the total number of foreign pupils).

These activities have been selected for the National Report on the basis of their effective and symbolic impact in promoting multicultural society and inclusion through education and integration.

⁶⁴ Konstantinos Tsitselikis, “The Legal Status of Islam in Greece” [402-431] in: DIE WELT DES ISLAMIS, 2004 (Vol.44, No.3).

⁶⁵ As confirmed through communication with the school teachers’ representatives.

Legislation

1. Legislative provisions addressing racism and xenophobia.

The two anti-discrimination directives have been fully transposed in one integral law n.3304 in January 2005 (cfr.below par.1.1). In this way the legislation guarantees equal treatment in employment on the basis of race, sex or sexual orientation, age, ethnic origin political opinion, religion, trade union membership, marital status or pregnancy. Furthermore, Law 927/1979 is the anti-racist criminal law punishing by imprisonment of up to two years or a fine or both:

1. Whoever intentionally and publicly instigates, either orally or in the press or through written texts or illustrations or through any other means, acts of activities capable of provoking discrimination, hate or violence against individuals or groups because of their racial, ethnic and by virtue of an amendment in law 1419/1984 religious origin;
2. The establishment of, and membership in, organizations, which proceed to organized propaganda or other activities, aimed at racial discrimination;
3. Public, oral and written, expression of offensive ideas aimed at racial discrimination;
4. The act of refusing to sell goods or supply services, or subjecting the aforementioned activities to special conditions, on racial grounds.

An amendment appended to migration law n.2910/2001 allowed the public prosecutor to bring charges ex officio. The relevant art. 72e and 39, paragraph 4 of the law 2910/2001 is repeated in article 71, paragraph 4 of the recent immigration law 3386/2005. Even so, such cases are also very difficult to prove in a court of law, and therefore the law was never tested in court. “Courts have never effectively applied anti-racism Law 927/1979. A series of recent criminal proceedings targeting the publication of anti-Semitic, xenophobic/racist texts in the press, brought before Greek criminal courts by an NGO (Greek Helsinki Monitor), have not had any effect, mainly due to misinterpretation by Greek courts of the above statute.”⁶⁶

1.1 Legal provisions introduced in 2005, transposing Directives 2000/43/EC and 2000/78/EC.

The law for the transposition of the anti-discrimination Directives has been tabled to the Parliament and approved during its very first session for 2005. The two directives were transposed unified under a single law text and voted by an increased majority of MPs. This bill sets forth the guidelines concerning the incorporation of the Equal treatment principle in national law. Three agencies were envisaged:

⁶⁶ Sitaropoulos N. (2003), Executive summary on race equality directive. State of play in Greece.

a. The Greek Ombudsman, which keeps its mandate for investigating on discrimination acts and omissions by the public administration on the grounds of racial or ethnic origin, for what concerns respect of the equal treatment principle by public authorities.

b. The Commission for Equal Treatment established through the Decision No 98623/10/05 of the Minister of Justice the Committee for Equal Treatment was established, according art. 21 of Law 3304/05. is a body annexed directly to the Justice Minister, assisted by a special Equal Treatment Service in the same ministry. It will deal with the rest of the mandate, regarding all private persons and legal entities. The Equal Treatment Service shall deal with equal treatment principle and discrimination violation by private and legal entities.

c. The Labour Inspectorate Body shall be assigned the role of monitoring and controlling discrimination cases in employment assisted by the Equal Opportunities Department of the Directorate for Social Protection of the Labour Ministry. Additionally, the Economic and Social Committee (under par.2, art.82 of the Greek Constitution, and the Law n.2232/1994) will perform duties of the reporting body about implementation of anti-discrimination law, issuing also the annual report to be submitted to the European Commission.

Criticism has been publicly addressed for the solution chosen by the legislator for the division of the tasks of preserving the equal treatment principle between different public and independent agencies, as well as for the mediation ombudsman-like approach selected for setting up such agencies, mostly seeking an amicable solution (art.22 of law n.3304/2005) rather than assigning them an active role in defending the discrimination victims, especially before the courts⁶⁷.

1.2. Legal provisions transposing Council Framework Decision on combating trafficking in human beings (2002/629/JHA).

The Framework Decision has been transposed in the Greek legal order through the law n.3064/2002 about “Human trafficking, pornography-sexual abuse of minors, victims assistance etc.” and the addition of the following new articles 323 , 323A, 349, 351 and 351A in Penal Code, as well as through the Presidential Degree 233/2004 regarding protection and assistance of trafficking victims.

The Council Directive 2004/81/EC about residence permits to trafficking victims has been transposed through the new migration law n.3386/2005 (art.46 to 52).

⁶⁷ N.Theodoridis - ANTIGONE (NFP) Critical comments for anti-discrimination directives transposition, (06.02.2005), *Stagos P. – Eleftherotipia* (03.03.2005)

1.3. Legal provisions transposing Council Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States.

The Directive 2004/38/EC has been fully transposed by the new major migration law n.3386/2005. The relevant provisions transposing the directive are the art.61 through 64 of the law.

1.4. Legal provisions transposing Council Directive 2003/9/EC of 27 January 2003 laying minimum standards for the reception of asylum seekers.

At the time of reporting, the Directive has not been yet transposed into national legislation. According to the Directorate General-‘Justice Liberty Security’ Commissioner Franco Frattini the European Commission has received no answer from the Greek authorities to its letter of formal notice (sent on 22.03.2005) regarding the transposition of the directive (October 2005) and has sent a justified opinion to the Member State. Therefore, the process is one step prior proceedings against Greece before the European Court of Justice commence soon prior communications with between the EC and relevant state authorities⁶⁸.

1.5. Legal provisions the operation and legal status of the most important religious congregations

According to the Greek State only the Muslim minority of Western Thrace is recognized to be a religious minority, with relevant rights. Muslim inhabitants of Western Thrace are considered to be all Muslims established in the region to the east of the frontier line laid down in 1913 by the Treaty of Bucharest.⁶⁹ The legal term “religious minority” is exclusively used to refer to the autochthonous Muslim minority in Thrace, whose legal status and rights are governed by the 1923 Lausanne Treaty and other subsequent bilateral agreements. Other religious groups are Jews, Catholics, Jehovah’s Witnesses and Evangelicals who are not legally defined as a religious minority per se.

⁶⁸ As reported in: *I Avgi*, ‘The Directive for protection of asylum seekers not yet applied in Greece’ (07.10.2005).

⁶⁹ Convention Concerning the Exchange of Greek and Turkish Populations (Appendix A, Article 2), Lausanne January 30, 1923 between the Government of the Grand National Assembly of Turkey and the Greek Government.

Main provisions for Christian Orthodox Church and religious freedom

The Constitution establishes the Eastern Orthodox Church of Christ (Greek Orthodox Church) as the prevailing religion, while providing the right of all citizens to practice the religion of their choice.

Article 13 of the Greek Constitution guarantees religious freedom. However, according to Article 13.2, religious proselytising is banned, while it is stipulated that no rite of worship may disturb public order or offend moral principles.

This provision that is not found in any other European constitutional provision has led to repeated convictions of Greece by the European Court of Human Rights for imposing unacceptable legal restrictions on religious freedom⁷⁰. 'Proselytism' as a criminal offence is punishable by imprisonment, fines and deportation.

The legal status of the Greek Orthodox Church and its relations with the State are set forth in Article 3, par. 1 of the present Constitution (1975/1986/2001). The Government, through its competent Ministry of Education and Religions, provides financial support to the Greek Orthodox Church by paying for the salaries and religious training of clergy, the maintenance of infrastructure and administrative and worship buildings.

Israelites, Catholics and Muslims

Besides the Greek Orthodox Church, Israelite Council, Catholics and Muslims are the only religious communities to be considered by the law as "legal persons of public law". The Roman Catholic Church in Greece, received legal status, after that Pope John Paul II, in his 2002 visit, urged Greece to improve the rights of Roman Catholics in the country and grant their Church the same legal status afforded the Greek Orthodox Church. A 1999 law had extended legal recognition to Catholic churches and related entities established prior to 1946. However, Catholics too protest for informal discrimination practices since they are often registered as 'non orthodoxs' together with other religious groups. In a recent protest the Syros Archbishop contested for isolated cases where serving soldiers of Catholic religion in the army are obliged to vow together with Muslims in a separate ceremony in a 'other believers' group.

Other religious communities, such as Evangelical Protestants and Jehovah's Witnesses (with ethnic Greek citizens mostly as members) are 'legal persons under private law'.

The problems they face relate to religion schoolbooks (see section 'Education') and to some aspects of the legislation providing for their alternative military service as religious objectors. In May 2005, the organizations Amnesty International, European Bureau for Conscientious Objectors and War Resisters' International have issued a Joint Public Statement stressing that *the Greek*

⁷⁰ The case of Kokkinakis vs. Greece on the issue of proselytism and the case of Larissis and others v. Greece on the basis of art. 9 of the ECHR: <http://hudoc.echr.coe.int/Hudoc2doc/HEJUD/sift/412.txt>
<http://www.worldlii.org/eu/cases/ECHR/1998/13.html>

authorities should respect and comply with European and international standards and recommendations regarding religious freedom and put an end to all prosecutions, imprisonments and violations of the human rights of conscientious objectors”.

Worship places

By law the Ministry may base its decision to issue permits for worship places on the opinion of the local Orthodox bishop, and the police have the right to prosecute religious communities who operate or build such places of worship without a permit. In fact, necessity Act 1672/1939 still regulates the establishment of non-Christian Orthodox places of worship. According to the law the Ministry of National Education and Religious Affairs is the competent authority for issuing a permit to operate a place of worship. However, such approval requires, in turn, a decisive opinion by the local Orthodox Bishop, as well as a request by at least 50 families of the area. Any church or place for religious assembly built and operated without authorization is liable to closure, and those responsible may be prosecuted, imprisoned and required to pay a substantial fine. Since religious minorities are often denied permission due to the opposition of the Orthodox Church, they tend to use flats or shops as places of worship as numerous media reports and muslim community leaders suggest⁷¹.

The Greek Ombudsman has claimed that this practice may be in violation of the right of religious freedom (art.13 of the Constitution & art.9 of the European Convention of Human Rights) (rec. n.5979.2.2/24.04.2002).

In 2000 the Parliament approved a bill allowing construction of the first Islamic cultural centre and mosque in the Athens area. Despite the relevant legislation, the construction of the capital's first Islamic centre in the area of Peania (outside Athens) caused mounting opposition against Athens' Muslim community on behalf of the local residents, since alleged legal problems have arisen. To this day, Athens does not have a Mosque⁷² and most Muslims in the area of the capital exercise their religion in makeshift mosques, often in underground apartments. According to official sources, a total of 287 mosques operate freely in Thrace and on the islands of Rhodes and Kos, without any administrative permit but, according to Muslim community representatives, they are tolerated and respected by the police and local Greek Orthodox clergy.

Muslims of the Thrace minority

The 1923 Treaty of Lausanne, which still is in force, gives Muslims in Thrace the right to maintain public-benefit and charitable organizations ("wakfs") and to settle questions related to their family or personal status in accordance with the Islamic law 'sariah' by the local muftis.

⁷¹ Cfr. Rapid Response Islamophobia 2005 for Greece.

⁷² More on the Athens' Mosque long story on the Greek NFP's Annual Report 2004, p.44.

The law 1920/1991 defines the legal status of the Muslim Minority's religious leaders (Mufti). The earlier law provided for the election of Mufti by the local communities, although in practice the Greek government had always appointed the Mufti in cooperation with the Muslim Members of Parliament. The Mufti is legally a civil servant administering real estate property, mosques and religious schools. He also has judicial competence concerning marriages, divorces, custodies, testaments and many other issues of family and heredity law. For all the above competences he is constitutionally regarded as a judge. During the last fifteen years there have been a lot of tensions around the claim for an elected Mufti. This second not appointed but elected Mufti figure has not been recognized by the Greek state and courts⁷³. Problems about his jurisdiction in interpreting family law have arisen in the case of marriage of Muslim minors. Greece is the only European country where the Islam law of 'saria' is applied. During 2005 the marriage of Muslims minors has been under scrutiny and criticism either in Greece (Greek National Commission for Human Rights (GNCHR), decision-opinion published on 31.03.2005⁷⁴) or the Council of Europe Parliamentary Assembly recommending to take the requisite legislative measures to prohibit child marriage by making 18 years the minimum marriageable age (Resolution 1468 (2005)). The case received attention after a couple between 22 years old and a 12 years old Muslim of Thrace migrated to Germany and a local court ordered the dissolution of their marriage⁷⁵.

1.6. "Readmission" agreements or protocols between Greece and and non-EU Member States

There are no newly stipulated readmission agreements, although according official announcements, advanced talks are held with Albanian and Turkish authorities in relation to deport prisoners of Albanian and Turkish citizenship to their respective countries, where they can extinct the rest of their prison term. In the case of Albania, cooperation through Greek government funding has been announced in order to build for this purpose prison facility in Albania.

Furthermore, the Ministry of Interior, Public Administration and Decentralization participates in two projects co-financed by the European Commission: "Combating irregular migration in Albania and the wider region – Targeted support for capacity building within the framework of readmission support to Albania" and "Building on mechanisms to effectively and sustainably implement Readmission Agreements between Albania, the EU and the concerned third countries". Both programmes aim at supporting Albanian state agencies managing migration, particularly irregular migration.

⁷³ The case of the second Mufti was taken before the European Court of Human Rights, which ruled that Greece was in violation of Article 9 (protecting freedom of thought, conscience and religion) of the ECHR (Serif v. Greece case (38178/97, 14.12.1999). More info in Annual Report 2004 – Legislation.

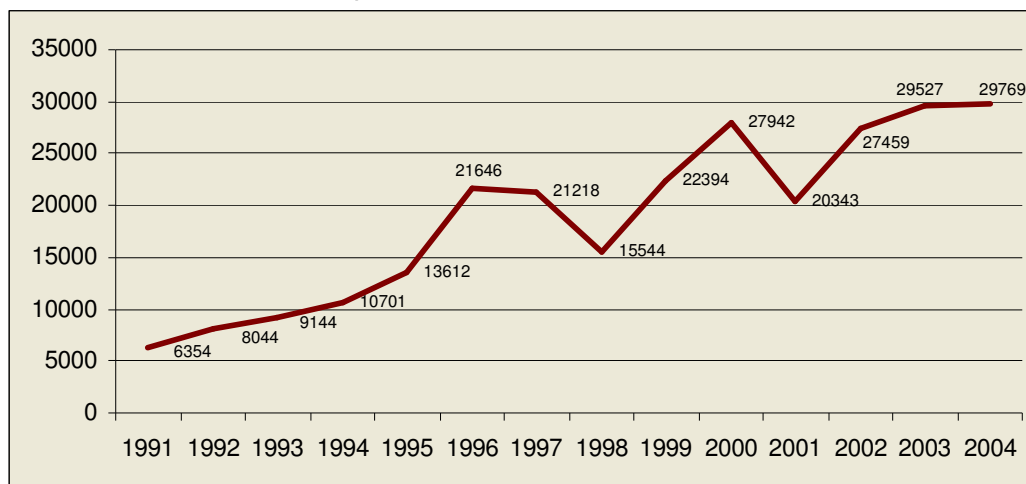
⁷⁴ GNCHR, 'Performing marriages between minors by the Mufti in Greece'. (31.03.2005)

⁷⁵ Boitard C., 'Young Muslim teens marrying in Greece with no objections', *KATHIMERINI English Edition* (28.01.2005)

Expulsions statistics

Administrative expulsions are on the rise in the last decade in Greece, since very often the expelled immigrants return illegally in the country, increasing the 'stock' of illegal third country nationals under procedures of administrative expulsion.

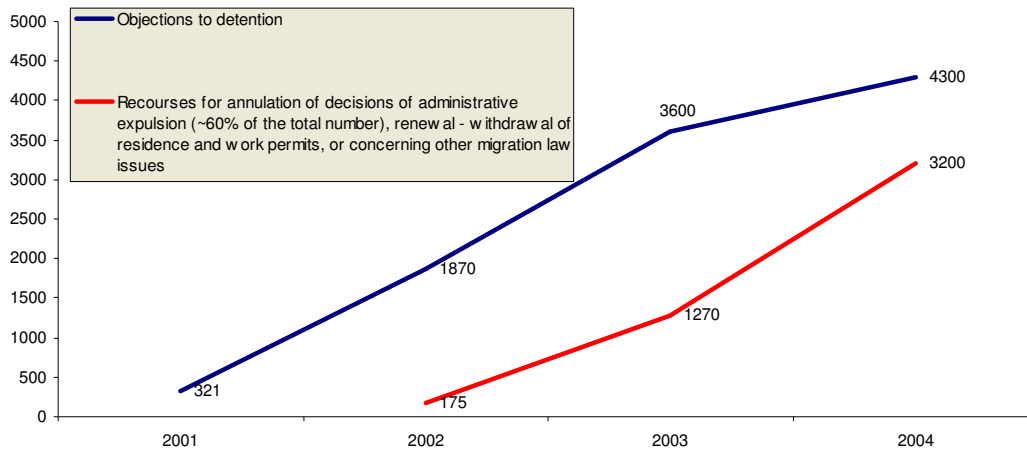
Arrests for administrative expulsions



Source: Ministry of Public Order, 2005.

It is also noteworthy that objections against detention and annulment recourses against administrative decisions under migration law submitted to the administrative courts are on the rise too.

First Instance Administrative Court of Athens - Objections to detention and recourses for annulment of adm. decisions about migration law



Source: First Instance Administrative Court of Athens, 2005.

1.7. Legislative and administrative provisions limiting health services access to immigrant groups and asylum seekers and refugees.

According to the art.51 par.1 of the law n.2910/2001 and the art.84 par.1 of the law n.3386/2005 about entry and residence of third country nationals in Greek territory (which shall replace the former law starting from 1.1.2006), among other categories of public servants and offices, hospitals provide their services to undocumented or irregular immigrants only in the case of an emergency, which is defined as a direct life loss risk. All other categories are fully entitled to access public health system provisions and services under the conditions imposed by their social security status (in regard to payment and access to secondary health services).

Often, public hospital medics and paramedics offer their health services to regular incidents of immigrant patients without discretion even when there is not a direct life loss risk, despite the above provision and the relevant Health Minister's circular. In April 2005, the health workers syndicate of the Elefsina (West Attica) 'Thriasio' Hospital have declared publicly their civil disobedience to the Ministry's circular emphasizing on the priority of patient's rights and to the fact that a considerable number of immigrant patients' cases regard labor accidents⁷⁶. Furthermore, civil society organizations have condemned such legislative practice as racist and contrary to the medical professional ethics⁷⁷.

⁷⁶ 'Katageloun ratsistiki egiklio Kaklamani' ('They denounce the racist circular of Kaklamani'), *I Avgi* (16.04.2005).

⁷⁷ '"Medecins du Monde' against Kaklamani's', *Eleftherotipia*, (06.06.2005).

1.8. Legislative provisions on voting rights in local elections for immigrant, refugees and asylum seekers from non-EU Member States

There are no provisions in place for granting to any subjects who are not Greek nationals (third country) voting rights in municipal elections.

The available legislation provides voting rights in municipal elections only to EU citizens with a number of limitations, after a progressive and hard transposition history of the 94/80/EC directive.

1.9. Reports and studies

The Greek Ombudsman has published a 60 page special report containing observations and recommendations prior and post⁷⁸ to the preparation and tabling in Parliament of the new major migration bill. It is the second time (the first was during preparation of the migration law n.2910/2001, in force until 31.12.2005) that the Greek Ombudsman makes a thorough legal examination of the migration law draft. A number of its recommendations have been accepted by the government either prior and during the discussion of the law in Parliament⁷⁹.

The Greek Ombudsman has published in October 2005 a Special Report⁸⁰ about administrative (police) detention and expulsion-deportation of minors, third country nationals, mostly unaccompanied. The main recommendations of such report are the abolition of detention as a freedom restrictive measure for minors violating migration law and of expulsion as a disproportionate measure and inadequate means for forced repatriation. Instead, according to the Ombudsman, minors should be held under protective guardianship, until all procedures related to family reunification and judgments and actions to the child's best interest are undertaken, while repatriation should be operated through social service and after it has been reassured that repatriation is for the minor's best interest and will lead to a successful reintegration in the country of origin.

The Greek National Committee for Human Rights (NCHR) has issued a report about the new migration law draft too, mostly containing similar or identical recommendations to those of the Greek Ombudsman.

The Greek National Committee for Human Rights (NCHR) has issued a report for Refugees' Rights. Its main conclusions are rounded up as follows: major

⁷⁸ The respective versions may be found here: http://www.synigoros.gr/allodapoi/docs/meta-336_1_ParatiriseisN3386.pdf,
http://www.synigoros.gr/allodapoi/%20http://www.synigoros.gr/reports/eisodos_diamoni.pdf%20

⁷⁹ May be found here: http://www.synigoros.gr/reports/kat_protaseon.pdf

⁸⁰ <http://www.synigoros.gr/reports/SR-detention-expulsionOCTOBER-2005.pdf>

dysfunctions in asylum system, ignoring of international treaties, highest asylum applications' rejection rate in Europe, deteriorating and problematic and inhumane detention conditions, obstacles in submitting asylum applications, legal representation issues.

The US State dept. in its 2005 annual human rights report has classified Greece in the Trier II Watch list of “countries under surveillance” concerning trafficking. According to the report, the country has failed to prove that makes increasing effort in combating trafficking and especially for what concerns protection and assistance to the victims.

The UNCHR – Greece and the Amnesty International-Greece have published in late 2004 and 2005 two significant reports about asylum seekers rights and reception⁸¹, and about the rights of immigrants and minorities.⁸²

The UN Human Rights Committee has issued its concluding observations about implementation of the International covenant on civil and political rights (ICCPR) for Greece in March 2005. Among others, the Committee express its concerns about impediments of Muslim women as a result of non-application of Greek civil law (marriage, inheritance, domestic violence), about police violence and ill treatment against immigrants and Roma, about combating effectively trafficking and protecting unaccompanied children, about religious freedom and alternative service to military service etc.

The European Migration Dialogue⁸³ network national partner (Hellenic League for Human Rights and Research Centre for Minority Groups consortium) has published a special report including set of proposals regarding transposition of Family reunification and long term residence directives, as well as recommendations for the integration of immigrants and for promoting the signature-ratification and implementation of the Covenant for Participation of Foreigners in Public Life at a Local Level.

2. Policies, measures and initiatives/good practices for legal practitioners

Training of public servants and police officers about refugee, asylum seekers and minors rights issues has been implemented through various agencies training courses (October 2005) and through a booklet containing ‘Guidelines

⁸¹ Tsovilis Th. & Voutira, Eyt., ‘Reception practices for asylum seekers in Greece, with special focus on single lone mothers, women, and separated children, *UNCHR-Greece*.

⁸² Demetriou O., ‘Out of the spotlight: The rights of foreigners and minorities are still a grey area’, *Amnesty International -Greece*.

⁸³ www.hlhr.gr/emd/emd.htm

about Unaccompanied Children Asylum Seekers published by the UNCHR-Greece and the Greek Ombudsman for the Children, which has been distributed to public services and agencies (June 2005).

The Greek Ombudsman in October 2005 held a seminar⁸⁴ about implementation of the new migration law and in particular in regard to the new regularization program, under implementation (01.10 – 31.12.2005) addressed to the immigrant communities, the media (national and migrant communities ones) and practitioners. In the same time, through interventions⁸⁵ towards the ministry of Interior and the President of the Parliament the Ombudsman has proposed the extension of the regularization program also to other immigrant categories residing illegally in the country, which are not included in the finally approved legislative framework.

The General Secretariat for Equality, which operates under the auspices of the Interior Ministry, signed a memorandum of cooperation with the UN High Commissioner for Refugees in Greece to improve the treatment of women refugees who arrive in the country. As part of the agreement, the government has pledged to provide better information to regional authorities and for the relevant ministries (Public Order, Health and Justice) to coordinate more effectively.

One year after the 2004 national election, PASOK has invited and elected immigrants (third country nationals) to become members of the party and is main organs for the first time in Greek political history. In fact a notable number of immigrants have been elected as party members, as well as members of party's committees⁸⁶.

Hellenic League for Human Rights (HLHR) conference on citizenship in Greece and about Greek Citizenship Code, history & future in relation to the immigration phenomena⁸⁷.

A series of conferences in Western Thrace (GR) and Istanbul (TR) entitled "Citizen Ways", organized by the research Centre for Minority Groups (KEMO) in cooperation with a Turkish NGO LMV aimed at bringing people from the minority in Thrace and the minority in Istanbul together in order to discuss on religious freedom and minority issues⁸⁸.

Two National Migration Dialogue meetings were held by the European Migration Dialogue national partners (HLHR – KEMO) in Athens (January, July 2005) addressed to legal practitioners, migration policy operators and

⁸⁴ <http://www.synigoros.gr/allodapoi/docs/meta-enimerotiki-synantisi-eisigiseis.pdf>

⁸⁵ http://www.synigoros.gr/allodapoi/meta_paremv.htm#, <http://www.synigoros.gr/reports/stp-prosVouli.pdf>

⁸⁶ 'Pasok party sends invitation to migrants', *Athens News* (21.01.2005), 'Papandreou met immigrants-members of PASOK's National Council', *Athens News* (21.03.2005).

⁸⁷ www.hlhr.gr/conference/Elliniki%20ithageneia%20enosi.doc

⁸⁸ www.kemo.gr

organizations (immigrant communities, NGOs, public authorities) with special focus on Integration policy (transposition of the family reunification and long term residence directives) and the reform of the migration law in summer 2005⁸⁹.

POLITIS project - This project seeks to study comparatively the effects of European integration on ethnic minority and national majority mobilisation in regions near or across border areas in EU member states and CESE accession countries. It examines the reconfiguration of regional institutional-economic resources and opportunities induced by EU cohesion policy and the human rights and minority protection regime, and their impact on the economic interests, cultural identities and political interest representation of local ethnic minorities and national majorities in the EU and in CESE. During 2005 a report on active and civic participation of immigrants in Greece has been published.⁹⁰

The above best practices have been selected for the National Annual Report 2005 on the basis of the authority and the high profile of the agencies implementing them, as well as of the evaluation of their impact in promoting equality and respect of minorities' rights.

⁸⁹ www.hlhr.gr/emd/emd-nmd.htm

⁹⁰ Gropas, R. & Triantafyllidou, A., 'Active and Civic participation of immigrants', *POLITIS project*.

Housing

1. The situation regarding racism and xenophobia in housing.

A returning theme with a lot of tension and important interventions (PASOK: major opposition party⁹¹, Patras court issuing order for suspension of evictions, open letter to the Prime Minister by NGOs dealing with Roma issues⁹²) is the one of the Roma community, especially in Peloponnesus (Western Greece). The issues are: violent evictions of Roma families without providing alternative means for housing, racist attacks, while a new emerging pattern is hostility against Albanian Roma settled in the region of Patras, as a city to be nominated Europe's Cultural Capital for 2006. For that case a question has been submitted to the European Commission by a Greek Member of the European Parliament.⁹³ At the Patras court, which in summer 2005 issued a temporary order for suspension of evictions of 15 families in the area of Riganocampos, the state representative opposed to the suspension arguing that the area's inhabitants would be aggravated by the continuation of neighboring with Roma. Here follows the synthesis of the situation as the European Commission has put it in an answer given to the above parliamentary question: *Substantial amounts of financial assistance have been provided from the EC budget for projects specifically targeting Roma. However, Roma continue to experience particularly severe forms of exclusion and discrimination.*

These tensions go along to the government program for providing Roma community members with bank housing loans under privileged term & conditions.

According to the most recent available data⁹⁴ on the major 'loan for houses' program for Roma minority, up to 31.12.2005 only 35,56 per cent of the applications were processed for a total of 5.754 approved loans. This is a number that may bring a partial relief to the accentuated Roma housing problem, according also to previous research on this matter (DEPOS, 1999). As stressed in 2004 national report, a more in-depth examination of the statistics shows variations concerning the percentage of approvals, among different municipalities and areas. On the relevant municipalities' list one may notice that

⁹¹ The PASOK party issued a statement condemning the administrative practice named 'cleaning operations' of the evictions and expulsions of Roma families without providing a housing solution in Patras and accompanying such prosecutions by 'systematic racist public discourse'. Cfr: Nodaros M, 'No to the evictions of Roma', *Eleftherotipia* (11.07.2005)

⁹² EUROPEAN ROMA RIGHTS CENTER (ERRC) and CENTRE ON HOUSING RIGHTS AND EVICTIONS (COHRE) open letters to Greek Prime Minister K.karamanlis about Roma eviction (07.02.2005).

⁹³ Written Question to the European Commission by Mr Dimitris Papadimoulis (MEP from Greece, European United Left - Nordic Greek Left) 'The rights of Greek Roma to housing', (30.06.2005)

⁹⁴ Provided to the NFP 'Antigone' by the Interior Ministry (General Directorate for Development Programs) through the official document n.23374/23.06.2005.

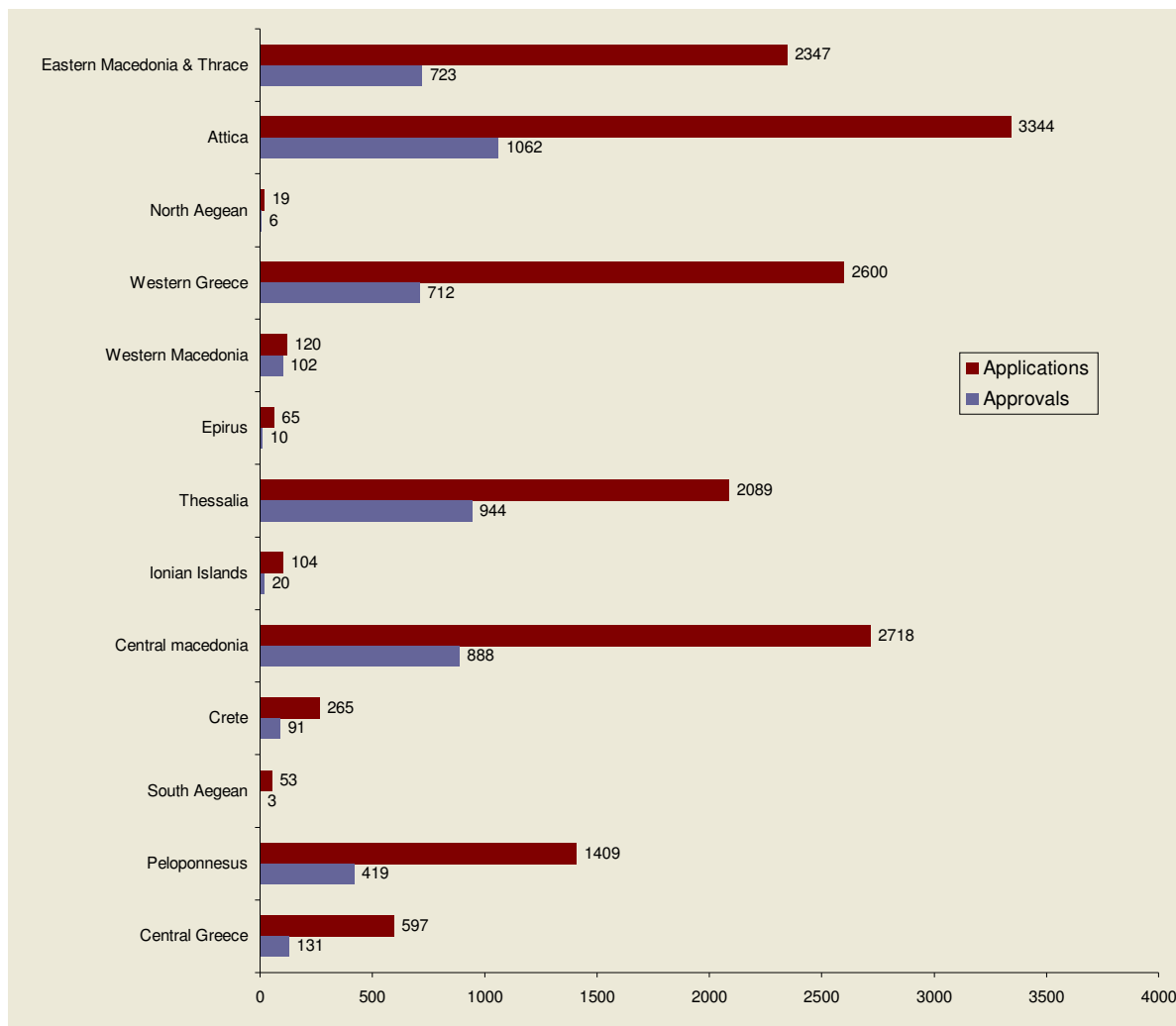
the represent those very areas, where problems and tensions relating to the Roma presence and condition have emerged during the past years (Aspropyrgos, Marousi, Chalandri, Pyrgos, Meligala, Movri, Spata etc.).

1.1. New sources of data

No new sources available.

1.2. Statistical data and information

Here follow the official statistical data about the 'loan for houses' program for Roma minority, up to summer 2005 (23.06.2005) per administrative region of the country.



It goes noted that the progress of approvals in one year time period is slow and this confirms that the housing program through loans stumbles not only upon the rigidly negative reaction of local authorities and communities but also to the resistance of local and central administration bureaucracy. Nevertheless, it is not sufficient to satisfy but partially (according to some, marginally) the housing needs of the Roma minority group, and therefore it goes along with severely aggravated realities for housing and settlements.

1.3. New provisions for reception centres for asylum seekers. Relevant reports

There are no special provisions for reception of asylum seekers during 2005. Nevertheless, in the regularization procedure of immigrants provided under the new migration law n.2386/2005, asylum seekers that have been rejected or with unprocessed applications are allowed to regularize their residence in the country, as immigrant workers, through paying a year's social security contributions.

The UNCHR – Greece has published in late 2004 and 2005 two significant reports about asylum seekers rights and reception practices (see above section 'Legislation').

The Greek National Committee for Human Rights (NCHR) has issued a report for Refugees' Rights, focusing, among other issues, on deteriorating and problematic and inhumane detention conditions and insufficient infrastructure for asylum seekers and refugees.

The bad conditions of the border reception centres and the precarious living conditions of refugees have received a lot of attention either by the government, the NGOS and the media.

The Interior Minister visited the Lesvos island detention centres for illegal immigrants and refugees, in summer 2005, acknowledging the aggravated conditions of the facilities and the reception/detention centre of asylum seekers. According to media reports, the minister shook hands with immigrants and refugees under heavy and bad smells from overflowing cesspits and overcrowding⁹⁵.

1.4. Reports and studies

An important report about administrative (police) detention conditions of minors, third country nationals, mostly unaccompanied, is the one presented by the Greek Ombudsman in October 2005 containing photos from detention facilities for minors. In most cases, minors are held together with adults in overcrowded police station cells in conditions that violate their rights of the child, and put in danger their physical and mental health. In some cases, minors follow in detention the mother held in overcrowded women cells, since there are no alternative measures to police detention, in some cases during up to 3 months. The Ombudsman has proposed the abolition of detention as a freedom restrictive measure for minors and their hosting to special facilities in the perspective of protecting their rights and reunification with their family through repatriation when this is judged to be proper and to the best interest of the child.

⁹⁵ Balaska, S., 'Suplicants' behind bars', *Eleftherotipia* (11.07.2005).

On March 6, a coalition of NGOs has carried out a protest at the detention centre for women and children third country nationals in Amigdaleza, Thracomakedones, at the outskirts of the capital, north-west of Athens at the foot of mount Parnitha⁹⁶.

The cases denounced concern missing protection and unlawful detention conditions, for what concerns space, hygiene and ill-treatment, of women, some of whom may be trafficking victims and minors, some of whom unaccompanied, even under 5 years of age.

The civil society activity in the following days has been followed by a number of newspaper publications, as well as by relevant questioning in parliament directed to the competent minister.

Media publications did not focused exclusively on detention centres, but on reception centres as well, since the core problem seems to be the complete lack of special infrastructure for reception and temporary or mid-term stay for refugees-immigrants. Therefore, the only available premises often are detention facilities, even for vulnerable groups, such as women and minors, leading to ill-treatment and violation of children rights.

On July 2005, several international organizations addressed a joint letter⁹⁷ of the Mayor of Athens about Roma evictions from Votanikos area, where a major football stadium is to be built. Amnesty International (AI), the Centre on Housing Rights and Evictions (COHRE), the Coordinated Organisations and Communities for Roma Human Rights in Greece (SOKADRE), European Roma Information Centre (ERIO), European Roma Rights Centre (ERRC), Greek Helsinki Monitor (GHM), International Helsinki Federation for Human Rights (IHF), Minority Rights Group International (MRGI) and World Organisation Against Torture (OMCT) expressed their grave concern by the announced eviction -without any relocation plans- of 70 Albanian Roma families, with legal resident permits, currently living in squalid conditions in three communities in the area of Votanikos. The stadium to be built in this area will become the home of Athens' main soccer team, Panathinaikos, and is one of the facilities included in Greece's official bid to get the 2012 European Football Championship.

2. Policies, measures and initiatives/good practices against discrimination in housing

The 'loan for houses' program addressed to Roma housing needs is the main public housing initiative, strongly supported by the central government, although

⁹⁶ Coalition of NGOs: ARSIS, ACT UP, Athens Feminist Centre, Network for the Social Support of Refugees and Immigrants et al (06.03.2005), 'Detention conditions in Amigdaleza in Parliament', I Avgi (09.03.2005).

⁹⁷ cm.greekhelsinki.gr/index.php?sec=194&cid=960 (29.07.2005).

often not proceeding in a pace sufficient enough to satisfy housing needs, mostly due to local reactions, delays and administration shortcomings.

Finally, the activities of the Workers Housing Organization (OEK) – agency financed by the contributions of the workers and their employers and granting its housing contribution exclusively to its beneficiaries without making any discrimination due to race, religion or national characteristics - could be considered as positive measures in the area of housing. Among the projects carried out by OEK are the allocation of houses, the granting of housing loans and the subsidies for rent. Financial immigrants, returnees from countries of the former Russian Republic, gypsies and Muslim Greek citizens are beneficiaries of the above mentioned Programmes.

Racist violence and crimes

1. The situation regarding racist violence and crimes.

As stressed in the 2004 national report despite campaigns and intense anti-discrimination activity, negative stereotypes against minority groups and legitimizing of racial violence prove to be hard-to-die. Any incidental event (e.g. a football game) is readily used to fire racist tension against the major immigrant group (Albanians). This has also been the case of the return match between Greek and Albanian football teams, however with less violent attacks and incidents.

The majority of violent attacks of the year were against immigrants and by Greeks, in some cases by police officers. Nevertheless, prompt action by state authorities led to disciplinary or penal action against those responsible for racist violence. It is also noteworthy that all racist violence incidents have been condemned by all parties and through the media, promoting a distinguishably positive anti-racist and pro-multiculturalism public discourse.

The international neonazi Hatewave Festival planned for September 2005 in Messinia-Peloponnesus has been cancelled after firm and strong reactions by civil society local administration & left parties. A minor meeting in the offices of extreme right-wing organization "Chrisi Avgi" in central Athens has been accompanied by parallel gatherings of left movement activists and the police forces in evacuated streets, in the end without serious violent incidents. The international neonazi meeting and manifestations that never took place at the planned site have been in the centre of public discussion for several days⁹⁸.

⁹⁸ Vradelis S., 'Strong reactions against the extreme right wing and neonazi festival in Meligalas', *Ta Nea* (10.08.2005), Sotirchou I., 'Non passaran to the fascists' & Nodaros, M., 'No by the mayors and the prefect', *Eleftherotipia* (12.08.2005), 'The "black International" meeting is a provocation' (statement by the Left parliamentary party 'SYNASPISMOS', (12.08.2005)

However, a black spot in a positive public discourse context is the alleged attempted censorship of a documentary⁹⁹ (in a state TV channel: NET) and a press article¹⁰⁰ by in a Thessaloniki newspaper: Makedonia) about the Macedonian language. In the first case the documentary has been transmitted in a different late hour, while in the second case the paper refused to publish the article, while the local University Dean decided to publish and distribute himself¹⁰¹.

1.1. New sources of data

No new sources available.

1.2. Statistical data and lists of incidents available in 2005 on racist violence and crimes.

No statistical data are available. Here follows a list of incidents.

Major violent incidents against immigrants - All incidents have been checked for validity, and were exposed by the media:

Violence against immigrants

1. On January, 20, 2005 two police officers were formally charged following a preliminary investigation, by the prosecutor with torture and assault with intent to cause bodily harm, and lesser counts of assault of irregular Afghan immigrants at the centre of Athens (officers from the Aghios Pandeileimon police station in central Athens) in December 2004¹⁰².
The incidents — which caused indignation and prompted a leftist group attack on the precinct¹⁰³ — occurred after more than twelve migrants were subject initially to control and then to brutal beatings, death threats and humiliating treatment (allegedly the officers stripped them and forced some of them to pose naked) following the escape of an Afghan man from police custody.
2. The case had attracted the interest of the media and became one of the dominant issues on the news agenda for several days. Therefore, following an internal police investigation charges for serious offences have been

⁹⁹ "Taxidevontas stin Ellada" (Traveling in Greece), dedicated to Florina region of W. Macedonia (21.03.2005)..

¹⁰⁰ By Mr. Thanassis Triaridis under the title: Short note on a banned language. <http://www.triaridis.gr/keimena/keimD046.htm>

¹⁰¹ G.Tsiakalos, Faculty of Pedagogy, Aristotle University of Thessaloniki.

¹⁰² 'Persecutions against police officers for torturing Afghan immigrants', *To Vima* (18.01.2005), 'Two policemen charged for ill-treatment of Afghans', *Eleftherotypia* (14.01.2005), '2 police charged with torturing Afghan migrants', *ATHENS NEWS* (21.1.2005).

¹⁰³ Already mentioned in National Annual Report Supplement for 2004.

pronounced and this development gained too a visible position in public discourse in early 2005.¹⁰⁴

3. According to the data available by the NFP 'Antigone' it is the very first time that police officers are charged with the crime of distinguished (large) torture after the '60s+70s dictatorship in Greece.
4. Besides the incident of police officers' tortures against irregular immigrants in late 2004, on January 17, two border guards ('sinoriofilakes') were suspended and face assault charges for allegedly brutally beating a Bangladeshi street vendor in the police car and in a small dark alley, while transporting the man to the police station. The man has been then abandoned bleeding and a medical report certifying serious injuries has caused the officers' suspension and judicial action¹⁰⁵.
5. A Greek farmer found guilty for the murder of 4 persons, of which 3 were Albanian workers (among them one of his employees), received a 4 life sentences from a Thessaloniki court¹⁰⁶. A twenty-year imprisonment sentence was given to his younger brother and a friend who participated in the killings. The crimes against the three Albanian workers occurred between 1995 and 1996 but they were not discovered before 2004, when the farmer killed the brother of his ex fiancée, leading the latter to reveal the secret.
6. In March 2005, the return football match between the national teams of Albania and Greece for the world cup qualifications was followed by violent incidents and racism, although less serious than those after the first match in 2004¹⁰⁷. Albanian flags were burned and strapped, while post-match celebrations included also isolated violence episodes against immigrant centres in Rethimno-Crete (the older and most active immigrants' centre in Greece (Rethimno), while injuries have occurred in the island of Chios (where an active pro-migrants civil society activity is taking place in the last years) during a violent incident between Greeks and Albanians. In court two Greeks have received 5 to 10 month and an Albanian 1 month sentences. Some have accused the football federation for 'preventive racism', since match tickets were sold only to Greek identity card holders¹⁰⁸.

¹⁰⁴ Newspapers' publications: *KATHIMERINI*, (18.01.2005), *Eleftherotipia* (14.01.2005), , *To Vima*, (18.01.2005) p.19.

¹⁰⁵ Newspapers' publications: *TA NEA*, (18.01.2005) p.12. *Ethnos*, (13.01.2005), p.23.

¹⁰⁶ *Athens News*, '4 life sentences for Salonica shepherd for murder of 3 Albanians and a Greek' (25.02.2005).

¹⁰⁷ Pil.Th. - Liv.G., 'Light injuries in Chios - Broken glasses in Rethimno' *Eleftherotipia* (01.04.2005).

¹⁰⁸ Arun N., Albania fans cry foul at Greek 'ban', *BBC NEWS*, (01.04.2005), 26 Albanians and Greeks sign statement against discrimination in ticket selling for football match Albania-Greece (30.03.2005)

7. In April and March verbal attacks against premier league football players of African origin have taken place, which is an attitude of fans unobserved in the past¹⁰⁹.
8. 6 Pakistani Muslims and one from Kashmir have been kidnapped after a raid in their home, in Petralona-Athens and interrogated with bended eyes for terrorism allegedly from foreign country secret services, about the recent terrorist attacks in London. The president of Pakistani Community in Greece has denounced the fact, while the Police and antiterrorist group declare to ignore such activity. Left-wing parties yesterday called upon the government to investigate claims by the head of Athens's Pakistani community regarding the alleged illegal detention and questioning of seven immigrants last month following the terrorist attacks in London.¹¹⁰
9. In the small island Antikythira a police officer (assistant vice captain) is subject to disciplinary investigation with the charges that in 23.08.2005 broke in the house of an Albanian immigrant through the window and through brutal beating tried to oblige him to embark on the ship directed to Crete.¹¹¹
10. Two police corps 'special border guards' are under disciplinary investigation, while removed and transferred from their post in the Illegal immigrants police dept of Aspropyrgos. On 06.09.2005 during ordinary count of detainees, they forced through insults Muslim detainees awaiting expulsion to interrupt their Ramadan prayer. After the 4 Egyptians have denounced the incident, the Police Headquarters of Attica have taken all necessary measures to ensure their rights and proceed to the disciplinary action against the police officers¹¹².
11. During a Port Police arrest operation of 25 immigrants (from Iraq, Somalia, Palestine, Sudan) on a raft out of the seaport of Chios, a Somalian immigrant has suffered severe injury. The Port Police Corps headquarters has ordered an in depth disciplinary investigation in order to determine eventual penal responsibilities.¹¹³
12. Three African stowaways have been beaten and thrown to the sea by the crew of an Ukranian flagship in the area of the Kos Island. One survived, one was found dead and one is missing¹¹⁴.

¹⁰⁹ Statement by the PSAP (Panhellenic Association of Professional Football Players) condemning the racist verbal attacks (04.04.2005)

¹¹⁰ Athens Pakistanis denounce kidnapping and arrests, *news.in.gr* (18.08.2005).

¹¹¹ Pigadas N., 'Police officer is cut up by a report', *Ethnos* (26.08.2005).

¹¹² 'Punished for prayer offence', *Ethnos* (08.09.2005).

¹¹³ 'investigation for the injury of an irregular immigrant', *Eleftherotipia* (24.06.05)

¹¹⁴ *ERT state TV channel* (21.07.05)

13. Among reactions to the increasing numbers of Chinese enterprises selling cheap products in Greece there were media publications promoting negative views and stereotypes of Chinese immigrants ('Chinese mafia')¹¹⁵.

Violence against Romas

1. An ex policeman who had killed a young Roma during routine control has been given a suspended 13 years prison sentence. The reprieve granted by the court to the ex policeman – dismissed from the police body after this event – has enraged the Roma population of the area concerned which led to violence against the cars from the local bus transportation lines, suspended for some days¹¹⁶.
2. In late June, arson attacks through Molotov bombs have been attempted in the late night hours against Roma settlement in Glafkos area by a group of youngsters on motorbikes.¹¹⁷ Localized fire and life threat conditions were reported, but no injuries. According media publications police is facing the eventuality that the incident may be a planned racist activity in the area. However, according Amnesty International and media sources, the attempted arson attacks against the community -- on three consecutive dates, starting from 22 June -- have not been investigated, although two were officially confirmed by the authorities. According to local Roma, no police officer has taken their statements about the attacks or investigated the crime scenes. (Amnesty International, press release about a public letter to the Minister of the Interior, Public Administration and Decentralisation of Greece, 01.07.05). The Municipal Council of Patras has condemned the violent attacks against the Glafkos settlement.¹¹⁸
3. On 23 and 24 June 2005, 11 sheds belonging to Albanian Roma legally residing in Patras were demolished while their owners were away looking for temporary work, without providing any alternative housing solution¹¹⁹.
4. In September and October 2005 parents of 'palinnostountes' (ethnic Greek immigrants) school children have used verbal violence and threats for several days in preventing Roma children to enrol and participate in the Aspropyrgos 10th and 11th primary schools.¹²⁰

¹¹⁵ Kiriakopoulos K., 'Alarm about the 'yellow' mafia', *Eleftherotipia* (26.04.2005).

¹¹⁶ 'Ex police officer of Z force sentenced to 13 years in prison', *news.in.gr* (11.03.2005).

¹¹⁷ www.patrastoday.gr, (26.06.05)

¹¹⁸ *PatrasToday.gr*, (27.06.05)

¹¹⁹ Amnesty International, press release about a public letter to the Minister of the Interior, Public Administration and Decentralisation of Greece, (01.07.05)

¹²⁰ 'Tough start in Aspropyrgos schools with Roma and 'palinnostountes' children', *GHM* (12.09.2005)

1.3. Reports and studies

No major national reports on racism/xenophobia have been published. However, a couple of significant surveys, shed light in the context for migration policy and attitudes of the judicial system (judges – police officers) versus migrants.

An opinion survey performed by the criminologist Vagena-Palaiologou indicated that judges and police officers consider that immigrants are the main cause for the rise of crime rate in the last decade and that they share the views and the attitudes of the greater part of Greek society toward migrants. Police officers attributed such criminal trend to poverty and poor living conditions of immigrants, as well as ‘lack of respect’ by the society.

Most judges think there are too many migrants currently living in Greece today. 100 per cent believe that foreigners could not be protected in the same way as Greeks by the Greek judiciary. 57.1 per cent of the judges thought foreigners did not fully enjoy all legal guarantees and half of the administrative judges claimed that being a foreigner had an adverse effect on the judge’s decision, while all agreed that it probably had an adverse effect.

One in two judges said that racism is due to the behavior of migrants, whereas 20.4 per cent attributed racist attitudes to xenophobia. A 40 per cent of the police officers believe that foreign offenders were in reality also victims, while a 72.3 per cent thought that foreigners’ presence exacerbated the country’s unemployment problem.

However, the younger police respondents had a more hostile attitude toward immigrants. Moreover, the police occupying higher positions thought that migrants in Greece were not many, were not responsible for the rise in crime and did not contribute to unemployment problems, in comparison to their lower-grade colleagues. They also expressed more sympathy toward foreigners and less antipathy and fear.¹²¹

2. Policies, measures and initiatives/good practices against against racist crime

No particular measures are taken by the police and prosecuting authorities to assist racist crime victims and involve NGOs in this task. However, the Greek police authorities have demonstrated to be responsive to undertaking the appropriate disciplinary and penal prosecution measures to protect victims and seek responsibility for racist actions and crimes committed in 2005 (and in one case one committed in 2004 but not investigated before strong civil society reactions). This is for example a case not put in evidence by the media, of police officers, who forced through insults Muslim detainees awaiting expulsion to interrupt their Ramadan prayer or the investigation related to the injury of a

¹²¹ *Kathimerini*, (28.07.05)

Somali irregular immigrant in 2005. In all cases there was an immediate, not mediated and prompt reaction.

For what concerns the investigation of the racist motive and character of crimes the Greek Police headquarters (Directorate of organization – legislation) stresses that ‘the existence of racial motive is examined within the wider framework of identification of the motives that led to a certain crime, in the same way that motives stemming from financial or personal disputes are examined. Under the legislation currently in force, there are no provisions calling for a specific investigation into the existence of racial motive.’ Therefore, examining its existence depends also on the ability and the awareness of the investigating officer and it is in his/her discretion to gather evidence that can substantiate such motive, while the police headquarters believe that ‘certain rules should be laid down defining cases in which the examination of the racial motive should be mandatory.’¹²²

Initiatives against ‘Islamophobia’

During the past year (December 2004-May 2005) a considerable scientific and civil society activity has taken place in regard to the socio-political position and the future of the minorities, especially the Muslim minority of Thrace. KEMO (Research Centre for Minority Groups) has organized together with the Turkish NGO LMV (Lozan Mudabilleri Vakfi), a series of conferences in Thrace and Istanbul entitled “Citizen Ways” aimed at bringing people from the minority in Thrace and the minority in Istanbul together in order to discuss on the same topics. The 2004 conference took place on 4th December in Komotini and the topic was Minority Education.

For what concerns ‘mass-culture’, a couple of prime-time Soap operas for the 2004-2005 TV season, dealing with Christian-Muslim Greeks relations (especially one of them, deals with the love-affair of a Greek Christian with a Greek Muslim in Thrace), are considered to have a rather positive impact in intercommunity and mutual understanding relations, while they present high audience rates attracting the interest of wide public. It goes noted that Muslim community members (especially the Thrace minority ones) were enthusiastic about such TV products, assigning a great importance for promoting intercultural relations and public representation of Muslims in Greece¹²³.

In 2004 Muslim minority members published in Komotini the first bilingual (Greek – Turkish) monthly periodical (Azinlikca) with general content. It is a monthly periodical. A local newspaper called *Paratiritis* (Observer) is published on a daily basis in Greek but it also includes two pages written in Turkish. In general terms, *Paratiritis* is regarded as a liberal newspaper.

¹²² Ministry of Public Order – hellenic Polcie Headquarters document addressed to NFP ‘Antigone’ (20.08.2004)

¹²³ Dede M. Papastathopoulou Chr., The soap opera, the city walls, the disputes, love, *Eleftherotipia* (06.08.2005)

On the occasion of tensions in a Thrace Muslim minority village – during a TV soap opera shooting - there was a public debate, especially on TV channels about Islam and the Muslim community. Minority journalists were involved in these debates, although such events have had no real impact on the Muslim community. Nevertheless, such event mostly remembered by interviewed Muslim community members as a misunderstanding and ignorance of cultural values, offered the occasion for a more wide public discussion, although encouraged by a media-driven curiosity around TV and presumed Puritanism. There are also a series of soap operas in private TV channels, which concern inter-ethnic and inter-religious relations.

Good practices against Anti-Semitism

On August, 3, 2005, for the first time it has been commemorated in Menemeni (Theesaloniki) the anniversary of the Roma victims of WWII Holocaust. The ceremony performed by the local archbishop, assisted prominent members of the local administration.

The activity through publications in books and media, commemorating the Holocaust and the memory of Jews' presence and absence in Greece, especially in Thessaloniki, a city with a strong Jews presence prior to WWII is much more intense and numerous than any other anti-Semitic literature.¹²⁴

¹²⁴ I.e. such is the case of publications in major national newspapers against the 'traditional custom of the burning of Judas', Karkayannis A., www.kathimerini.gr/4dcgi/w_articles_columns_1177460_30/04/2005_142413 Kathimerini (30.04.2005), Frizis I., 'Burning of Judas', http://193.218.80.70/cgi-bin/hwebpressrem.exe?-A=386702&-w=&-V=hpress_int&-P, I Avgi (04.05.2005).

ANNEX I – Antisemitism & Islamophobia

1. Antisemitism

Anti-Semitism is expressed in every day life in Greece through graffiti and oral “common sayings” regarding anecdotes and jokes against the ‘Jews’, forming part of the mainstream discourse. In this way deep-rooted prejudice through innocent and apparently innocuous and harmless sayings appears to form part of common culture and everyday talk. Therefore any effort to eradicate it seems to face a reaction in defense of cultural heritage (e.g. the burning of Judas symbolizing the evil as a local custom accompanying Christian festivities in various parts of Greece). However, it should be noted that in 2005 as in the past years too, this climate has not lead to physical violence registered by the police or by the media.

The main anti-Semitic manifestation is some newspapers publications about ‘Holocaust’ revisionism and the Graffiti and desecrations of monuments by extreme right-wing groups (such as the Chrysi Avgi fascist group). Instead, 2005, has been the first year of the Holocaust Day commemoration after last years’ relevant legislation (Law 3218/2004).

However, during 2005, the Central Israeli Council of Greece requested by the Justice Minister the abolition of laws n.3933/1959 and the legislative decree n.4016/1959, on the basis of which the penal prosecution against Nazi war criminals has been suspended in Greece, forwarding such jurisdiction to the German judicial authorities. The Greek Jews seek in this way to make Greece request the extradition of Aloys Brunner responsible of the extermination of the 50.000 Thessaloniki Jews¹²⁵.

Definition

There is no official definition of anti-Semitism in Greece. However, the National Council for Radio-Television (independent public authority) considers that anti-Semitism is a concept included in racism and xenophobia, which are mentioned in Ethical Codes and relevant laws concerning the media and it is examined as such on a case-by-case basis. According to the National Council for Radio-Television any criticism against Israel state policy cannot be considered as expression of anti-Semitism¹²⁶.

¹²⁵ *Central Israeli Council of Greece*, ‘Greek Judaism requests the abolition of laws for the suspension of penal prosecution against war criminals suspension of penal prosecution against war criminals’ (06.04.2005).

¹²⁶ Letter n.11850/31.08.2005 addressed to the NFP ‘Antigone’.

2. Islamophobia

As the main conclusions and the data from Rapid Response 2005 - 'Islamophobia' survey suggest:

- There are no serious and manifest Islamophobia cases in Greece;
- There is no policy or strategy for Muslim community in Greece in general, but for the Western Thrace Muslim minority (with clear reference to Turkey as the homeland of their ethnic and cultural belonging). Nor there is public representation and voice or participation of Muslim community in consultation with the administration and for policy-making. The result is that Muslims outside Western Thrace face problems for exercising their religion (mosques, marriage, burial facilities to name a few), while
- State policy and administration practices for the Thrace Muslim minority relies upon international law minimum obligations of Greece and is focused less on religious and cultural rights and more on ethnic belonging, being connected to considerations of national interest and foreign-bilateral relations.

Definition

There is no official definition of Islamophobia used by public authorities for policy purposes. The term is neither used in everyday or public discourse. It may only appear in newspaper articles referring the international discussion and/or academic debate.

The interviewed Muslim community leaders denied that the term "Islamophobia" is used either by Muslims themselves or by representatives of the Greek authorities in everyday life and discourse.

Incidents

<i>Type of incidents</i>	<i>Number of cases-incidents</i>
<i>Long-term discrimination practices</i>	3
<i>Vandalism – desecrations</i>	4
<i>Harassment of Muslims</i>	Undefined – police controls outside mosques during the Olympic Games and after London bombings
<i>Verbal threats and attacks</i>	Undefined number - everyday practice
<i>Islamophobic literature</i>	5

Sources:

Interviews¹²⁷

- Mr Moawia (Greek Forum of Migrants)
- Mr Anwar (member of the Association "Pakistani Community in Greece")
- Mr Abdelarassoul (opinion leader, private doctor, imam, in Greece since the 70s)
- Mr Tahir (Jafria organization)
- Mr. Tanweer, (Islamic Forum leading member)
- Mr. Hatjishapiq ("Minhaj Ul Quran" member)

Add.data-information: Mr Ilhan Ahmet Office – Muslim Member of the Parliament – Thrace.

Vandalism incidents: crosschecked with Ministry of Public Order documentation.

Persisting long-term discrimination practices

1. No public recognition of Muslim festivities for work and judicial purposes.

The Migrants' Forum during the past years has vainly asked for the recognition of Muslim festivities, such as Bairam for legitimate absence from work. In early 2005, after pressure from the Pakistani community and a relevant question from an opposition MP in Parliament the Minister of Public Order had responded negatively arguing that there are so many religions that this would be impossible to apply.

For what concerns the judiciary, after a question submitted by the Muslim majority MP Mr. Ilhan Ahmet for exempting Muslims from presenting in court during major Islamic festivities (Ramadan Bairam, Courban Bairam), the Justice Minister responded that courts are instructed to avoid such dates when setting hearings involving Muslims, while in any case, "this is a reason for adjournment of cases".

According to interviewed Muslim community members-opinion leaders Muslims suffer discrimination in the workplaces, because the vast majority of employers (more than 80 per cent) do not facilitate Muslim employees during the sacred day of Friday, while some Muslims lost their jobs for this reason. There are a few sensitive employers who respect the religious conscience of their employees and they allow them to fulfill their religious duties on Fridays. As a result, only 2000 Muslims of Athens are able to go to the unofficial Mosques during Fridays.

¹²⁷ It goes noted that women are not included to such list, since from one side the great majority of immigrants from Muslim countries are men, while those women that do follow their husbands in Greece are rarely involved in public activities and they do not represent their communities.

2. No official mosques outside Western Thrace

Until today no official mosque operates outside Western Thrace and especially in Athens area, where hundreds of thousands of Muslim (mostly immigrants) reside. However, according to the interviewed Muslims the vast majority of people from Egypt, Algeria, Morocco and Sudan do not visit frequently the existing unofficial Mosques in Athens, but not out of fear. Most of the Muslims, even in their homelands, are anyway used to exercise their religious duties at home and their rare visits to the Mosques are not due to an eventual islamophobic environment.

However, difficulty in taking the day off (Friday) is another serious reason for such attitude (see below).

3. No possibility for marriage or burial rites outside Western Thrace

There is not an official Muslim religious authority in Athens, which means that the average Muslim person faces difficulties in getting married officially. They have to travel in the area of Thrace in order to get married by the local Mufti or to do a civilian wedding, which is also difficult if someone is a foreigner without legal documents. According to Mr Abdelarassoul, the fact that cemeteries in Greece have a separate place for all people who are not Orthodox Christians is considered to be a discriminatory practice by most Muslims. They would like to have their own cemeteries, because they usually face serious problems if the family of a deceased person cannot afford to pay for the transfer of the body in Thrace (700-800 km from Athens) or abroad (home countries). As private persons they applied to several municipalities around Athens and they requested for a separate Muslim cemetery (even during 2004). The municipalities of Athens and suburbs replied that there is no free land for this purpose. Only the western suburbs declared that there is some land, but in these areas there are not a sufficient number of Muslim residents, and therefore the application was rejected.

Racist violence cases according to interviews

Interviewed Muslim opinion leaders (Moawia-Anwar), although linked to the grassroots anti-racist and pro-migrant movement for many years (since 90s), they have not heard of any incident or crime (with religious motive) concerning physical violence against Muslims persons.

Only minor incidents of attacks against property by teenagers were reported in Athens (late 2003), while the police and local community attitude have been promptly anti-racist and efficient to stop attacks.

Vandalism - desecrations¹²⁸

- On March 2004 parts of a mosque in Toxotes village (Xanthi district) were set on fire. Arrests have been done but with no result and penal action.

On 03.02.2005, a Muslim grave in Komotini, which dates back to the period of the Ottoman Empire, has been destroyed. So far, nobody has been arrested but as the Ministry of Public Order suggests and it is said in the area, the perpetrators were looking for gold and this is not a religious hatred crime.

On 09.02.2005 in Venna village in Rodopi district another Muslim monument was completely destroyed by fire. This monument dates back to the period of Ottoman Empire. Nobody was arrested since it is reported that the fire was caused incidentally and no police report confirms intentionality.

Finally, on February 2005 some parts of the oldest mosque in Europe (Poliskio village in Xanthi) were damaged because of gunshots. However police investigation did not lead to any arrest

Harassment of Muslims

During and before the 2004 Olympic games the Muslim community of Athens has been under tight police control for security reasons and especially outside unofficial mosques, which exist and operate in Athens (this issue is analytically exposed in the NFP's Annual Report for 2004).

Interviewed Muslim community members have confirmed the above, some of them did not consider this activity unreasonable, while they added that such surveillance was very intense and was also accompanied by the high interest by private TV channels and foreign journalists, who according to MR Abdelarassoul were spreading the myth that a terrorist attack organized by Islamists is highly possible in Greece.

However, such activity seems while it has not led to the fear of Muslims, it certainly raised fear among them and especially the undocumented ones, who were afraid to visit their religious places (therefore, because of migration law implementation problems).

In August 2005, 6 Pakistani Muslims and one from Kashmir have been kidnapped after a raid in their home, in Petralona-Athens and interrogated with bended eyes for terrorism allegedly from foreign country secret services, about the recent terrorist attacks in London (see above section 'Racist crime').

Verbal threats and attacks¹²⁹

¹²⁸ Documentation and exchange of correspondence between Muslim MP Mr. Ilhan and Ministry of Public Order.

¹²⁹ According to the organization members and leaders' interviews performed for the needs of Rapid Response Islamophobia 2005.

According to Mr Moawia, who is living in a very crowded neighborhood of Athens where migrants from various countries reside, some Greeks -especially old persons - talk in public against the Muslim religion. This usually happens in the bus, in the market, but especially outside Orthodox Christian Churches. The main subject of such anti-Muslim rhetoric concerns the "tough nature" of the Muslim religion, the central role of "jihad" and of violence, etc.

However, information has been given also about hostile behavior and strong verbal reactions of Greek neighbors in areas where unofficial Mosques exist (year 2004), and especially in Kolonos, Piraeus and Peristeri. Several neighbors used to call the Police and express complaints for the existence of a Muslim religious place. In all these cases, Police informed the neighbors that their intervention is not necessary since no illegal act had been committed.

Furthermore, anti-Muslim verbal attacks by Greeks occur on an everyday basis in cafés and working places during the transmission of television news concerning the behavior or violent acts of Muslims and fundamentalist groups in other countries of the world, as transmitted by the TV news. Often this is creating a very negative climate towards Muslims seen as potential terrorists.¹³⁰

A tension case has occurred in November 2004 when a private TV channel visited a village called Echinis in Xanthi district in order to shoot some scenes for a soap opera. One of the locals allegedly saw in the mosque one of the actresses dressed in improper way according to Islamic religion and this caused great tension with verbal attacks between the inhabitants and the TV team, reproduced then for several days on national TV channels with discussions and panels on the subject.

Islamophobic literature

The Greek extreme right-wing literature shows no real interest to Islam, and remains mainly focused to anti-Semitism. Therefore, while there is no extensive Islamophobic literature, and in no way connected to terrorist threats, after thorough search 4 books have been found in the bookstores, with an anti-Islamic perspective. The criterion used here is the negative depiction of Islam as being against human rights and a threat for modern civilization or through the generalizing emphasis on its fundamentalist expression risking to lead to an one-sided view of a 'hostile' religion against 'western values':

1. Lyberopoulos, Konstantinos «*Η Σύγκρουση - η ισλαμική πρόκληση και οι στρατηγικές της Δύσης*» (*The Clash –islamic challenge and strategies of the West*), Σιδέρης publications, 2000¹³¹.

¹³⁰ The above is reported by muslim community and opinion leaders' interviews for the purposes of Rapid Response Islamophobia 2005 for Greece.

¹³¹ The author concludes that Europe is inactive while the destabilizing threat from radical Islamism is visible (close to Huntington theses).

2. Selahvarzi, Chrysostomos, “*Ισλάμ και Ανθρώπινα Δικαιώματα*» (*Islam and Human Rights*), Δαρκάς publications, 2002.
3. Fouyas P., «*Ισλάμ -πηγές , πορεία, προκλήσεις, διάλογοι*» (*Islam , sources, course, challenges, dialogues*) Παιδεία publications, 2002.
4. Stefanidis A., «*Η γυναίκα στο Ισλάμ - Μύθος και πραγματικότητα*» (*The woman in Islam – Myth and reality*), Τέρτιος publications, 1994.
5. Σ. Ντάλης, & Κ. Λυμπερόπουλος, ‘Η Φονταμενταλιστική Έξαρση του Ισλάμ και η Αμηχανία της Ευρώπης’, στο Θ. Κουλουμπής & Σ. Ντάλης (επιμ.), *Η Ελληνική Εξωτερική Πολιτική στο Κατώφλι του 21ου Αιώνα: Εθνοκεντρισμός ή Ευρωκεντρισμός*, Παπαζήσης, Αθήνα 1997, σελ. 190-212.
www.xronos.gr Website of a local newspaper, which uses verbal threats and prejudiced behavior, aimed at the members of the Muslim Minority in Western Thrace.

ANNEX II - Statistical data

Table 1. Irregular immigrants arrested by 'Limeniko Soma' (Greek Portual Corps)

	1997	1998	1999	2000	2001	2002	2003	2004	up to June 2005
Irregular immigrants arrested by 'Limeniko Soma' (Portual Corps)	4545	3657	1183	3664	6864	3926	2439	3047	1280
Transporters arrested	49	80	94	124	137	83	74	124	42
Cases n.	N/A	150	103	89	370	277	208	269	102
Immigrants / case	N/A	24	11	41	19	14	12	11	13

Chart 1. Irregular immigrants arrested by Greek Portual Corps / nationality (2002-2004)

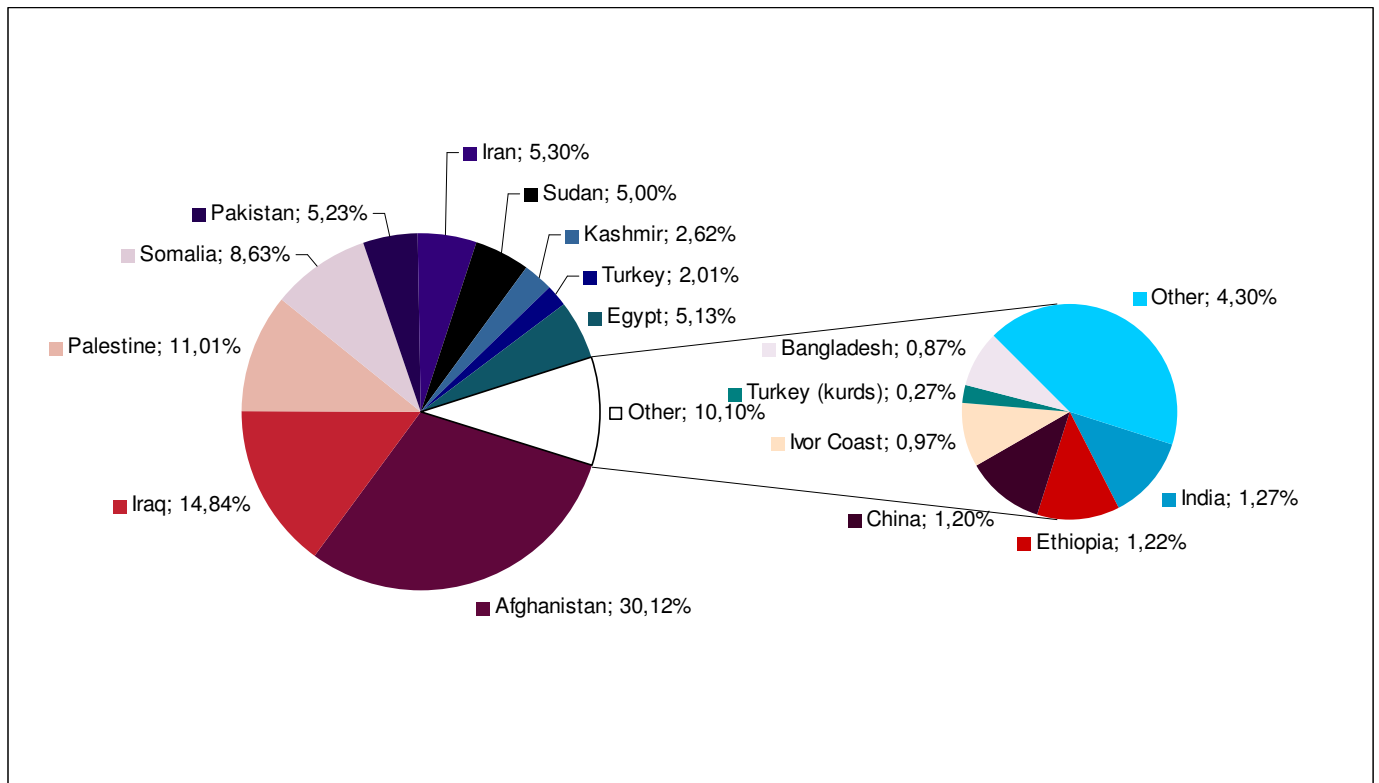


Chart 2. Arrested by Greek Portual Corps - Transporters' nationality (2002-2004)

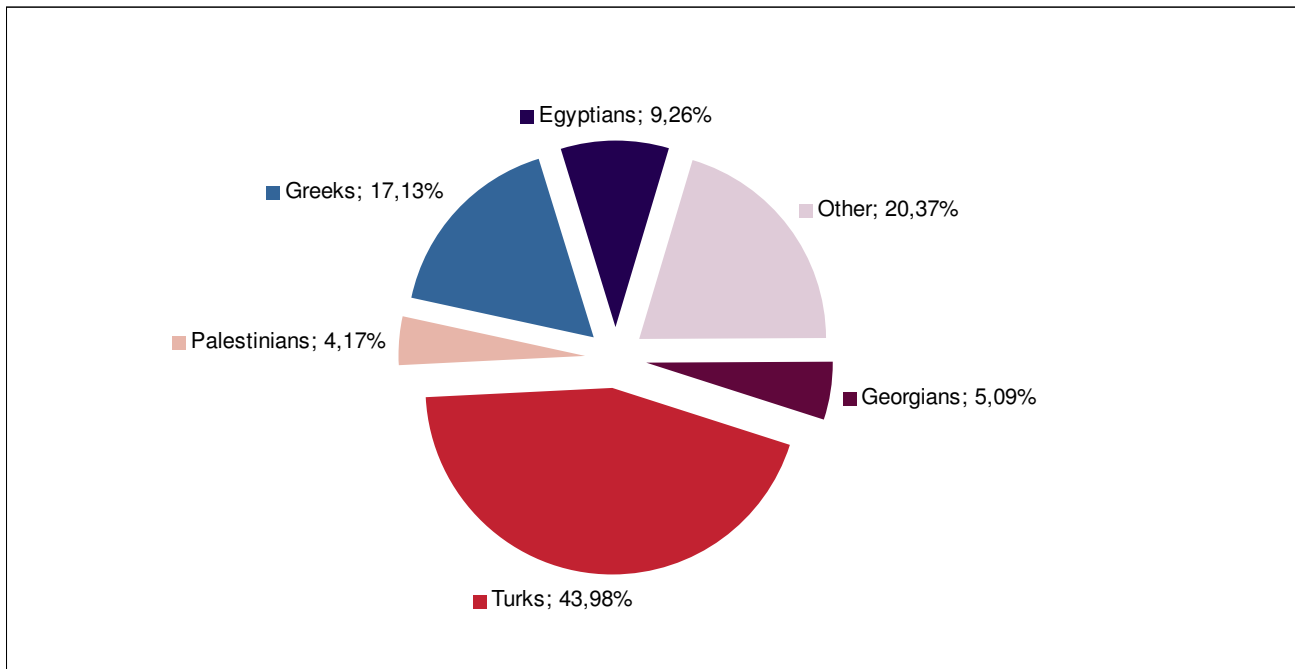
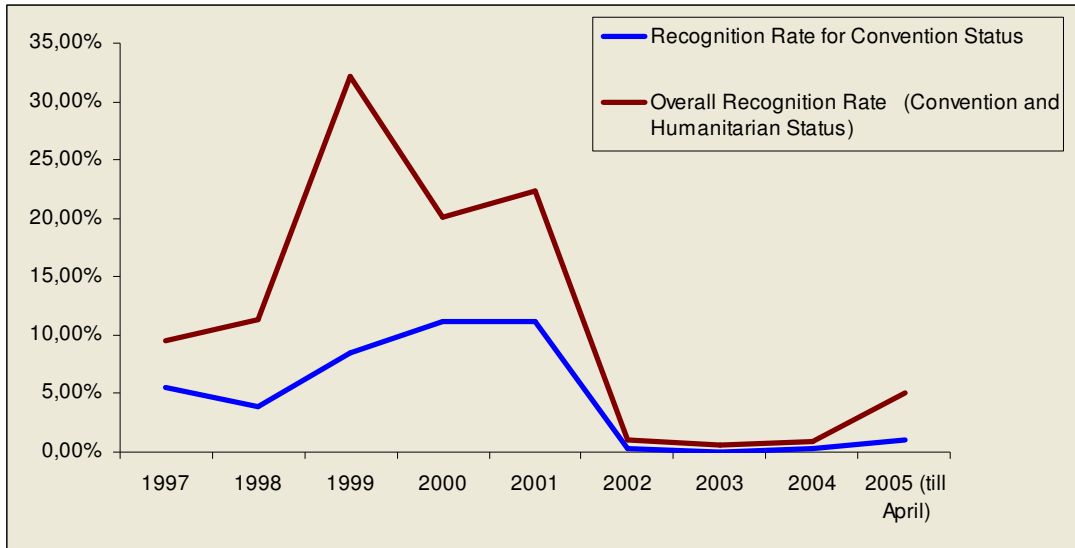


Table 2. Overall Asylum Statistics (recognitions-rejections-approvals)

Year	Applications (source: MPO)	Recognitions on Convention Status** (source: MPO)	Humanitarian Status (HS) approvals* (source: MPO)	Total Recognitions (CS and HS)	Rejections on Convention Status**	Total Rejections (CS & HS)*** (source: MPO)	Cases for which final decision was reached (G=B+C+F)	Recognition Rate for Convention Status (H=Bx100:G)	Overall Recognition Rate (CS and HS) (I=Dx100:G)
1997	4,376	130	94	224	2,216	2,122	2,346	5,50%	9,50%
1998	2,953	156	287	443	3,748	3,461	3,904	3,90%	11,30%
1999	1,528	146	407	553	1,57	1,163	1,716	8,50%	32,20%
2000	3,083	222	175	397	1,748	1,573	1,97	11,20%	20,10%
2001	5,499	147	148	295	1,165	1,017	1,312	11,20%	22,40%
2002	5,664	36	64	100	9,342	9,278	9,378	0,30%	1,00%
2003	8,178	3	25	28	4,529	4,504	4,532	0,06%	0,60%
2004	4,469	11	22	33	3,744	3,722	3,755	0,30%	0,90%
2005 (till April)	3,487	8	26	34	707	681	715	1,00%	5,00%

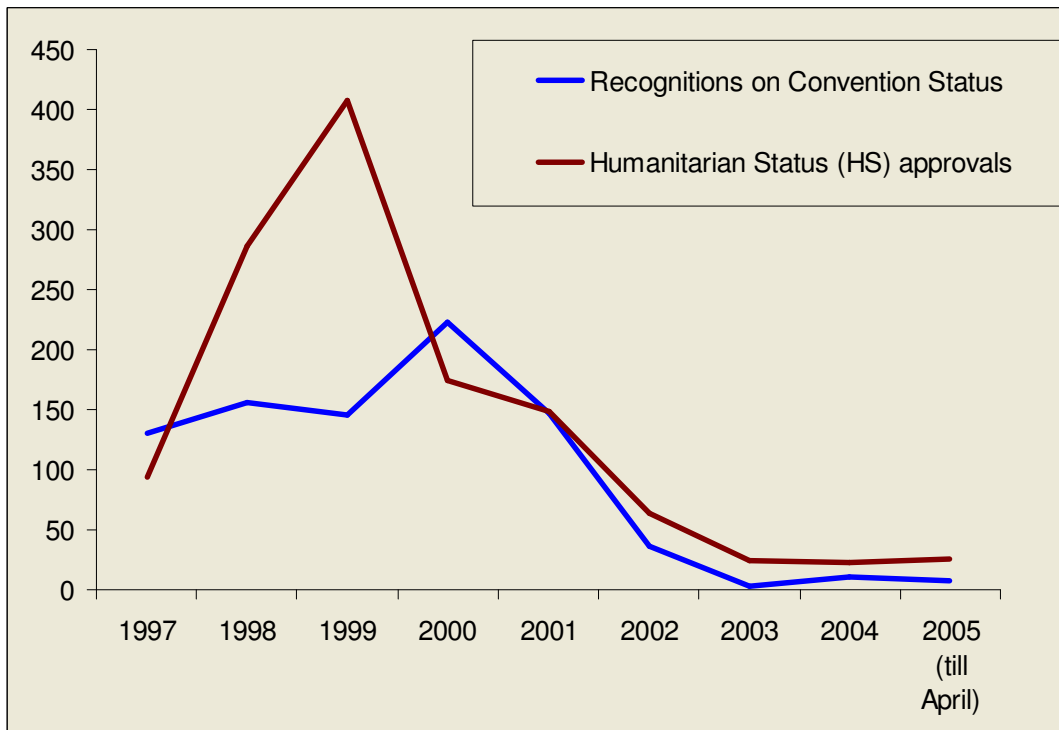
Source: UNCHR - Greece
MPO=Ministry of Public Order

Chart 3. Recognition rate (%) for Asylum and Humanitarian Status (1997-2005)



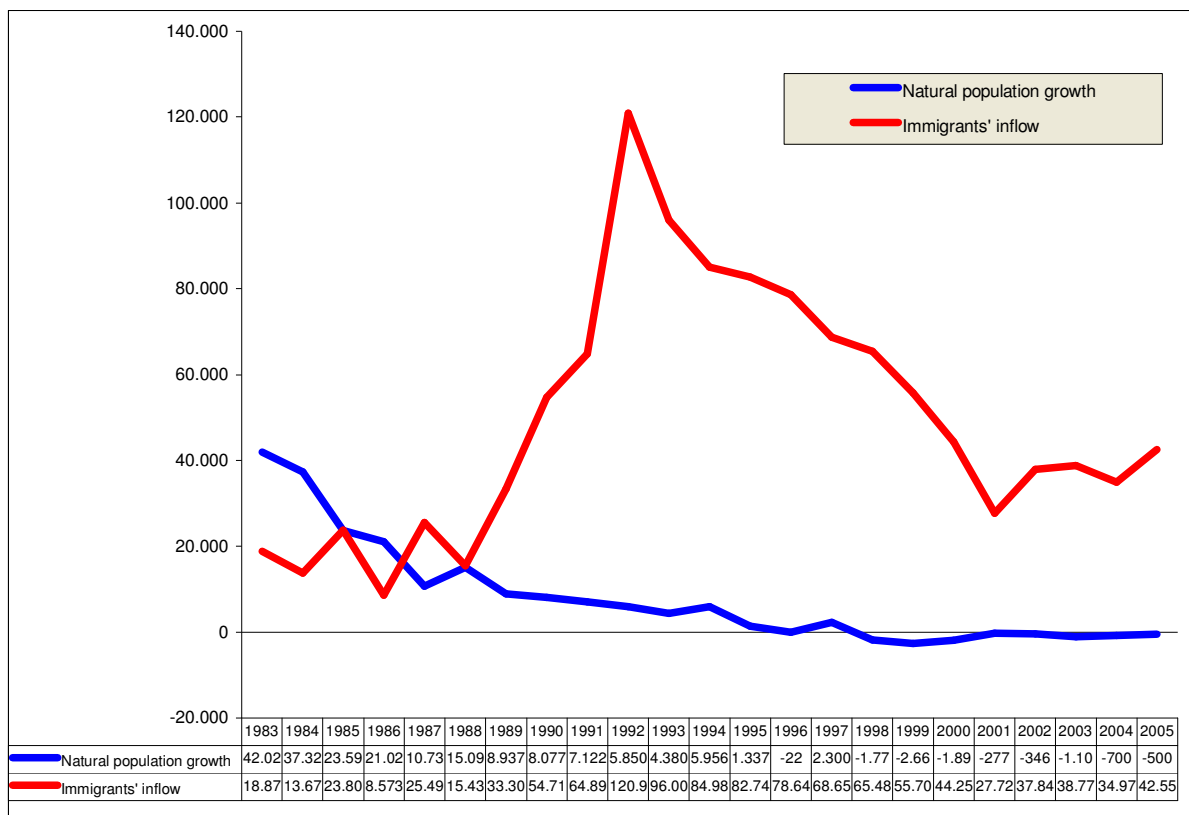
Source: UNCHR - Greece

Chart 4. Recognitions for Asylum and Humanitarian Status (1997-2005)



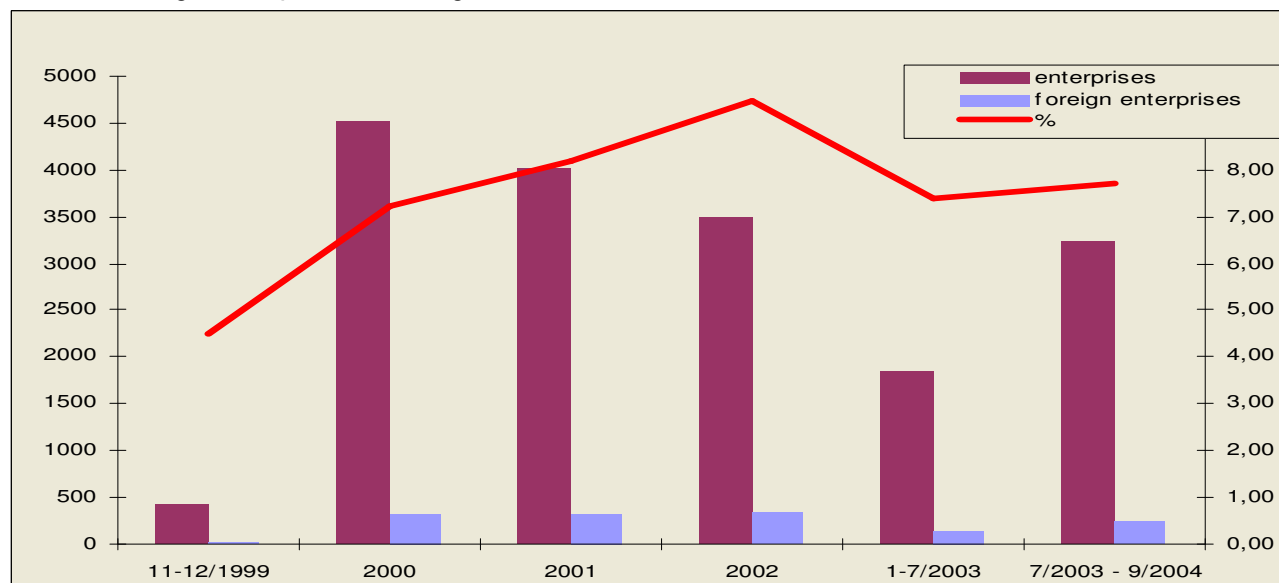
Source: UNCHR - Greece

Chart 5. Greece: Demographic increase and net immigration inflow (1983-2005)



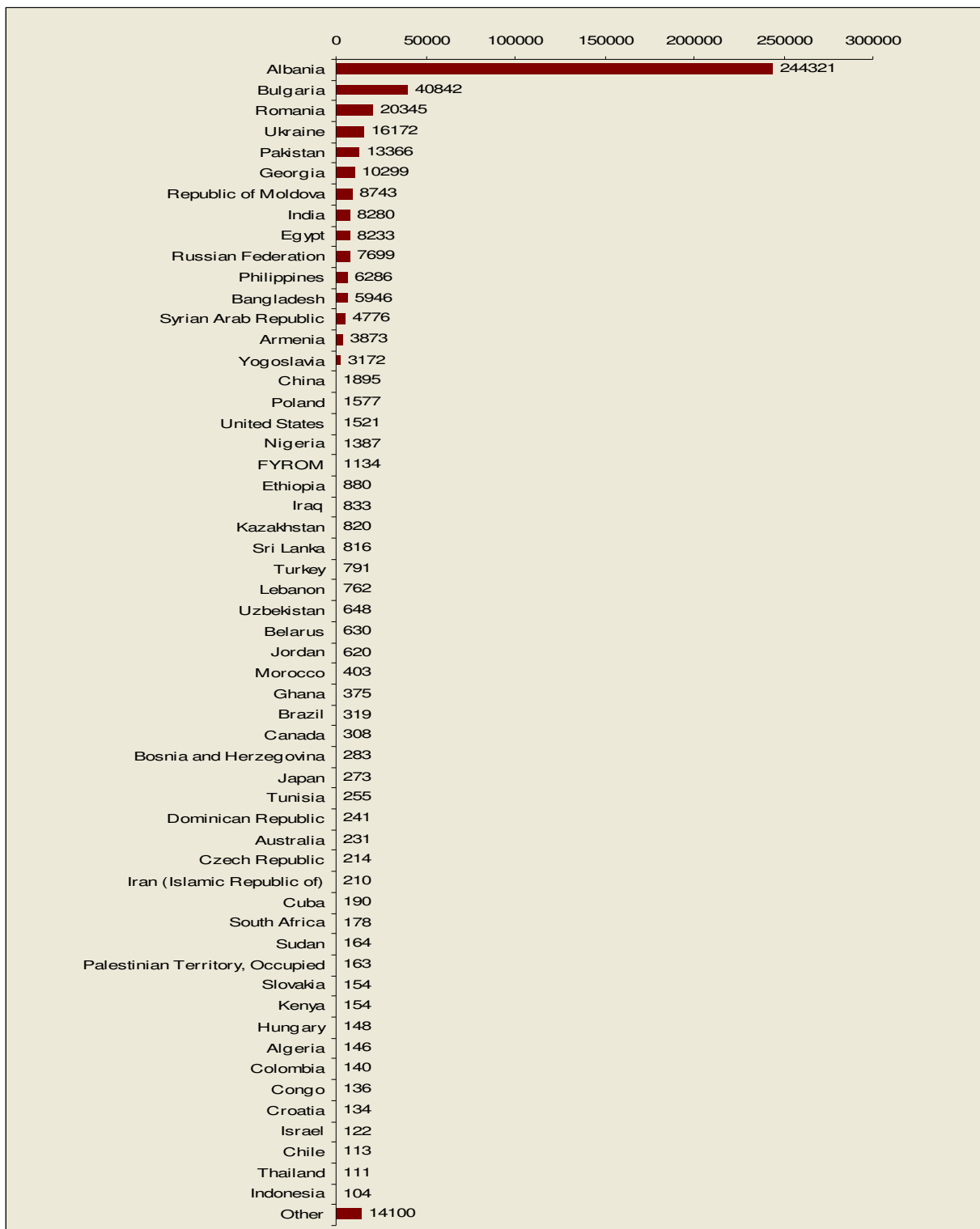
Source: National Statistics Service of Greece (from ALPHA BANK "Oikonomiko Deltio", n.95, Sep 2005)

Chart 6. Foreign enterprises new registrations – Athens Chamber of Arts & Crafts



Source: Athens Chamber of Arts & Crafts

Chart 7. Valid residence permits on 14.07.2005 per nationality



Source: Ministry of Interior

Chart 8 - Applications for residence permits – reasons for award (on 18.01.2005)

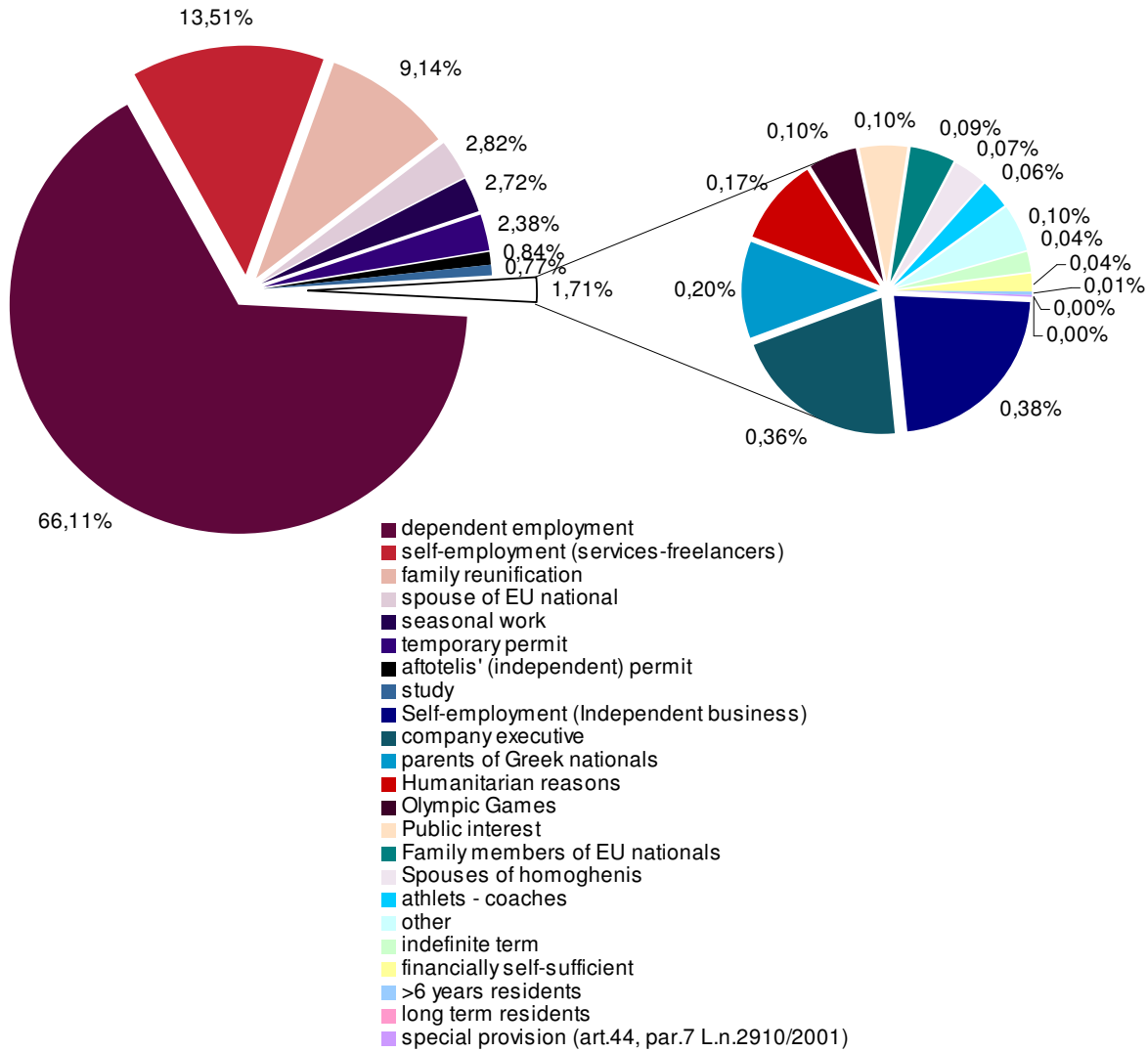


Table 3. Foreign students in all levels of education in schoolyears 2003-04 and 2004-05

	Foreign students	foreign ethnic greek students	total foreigners & ethnic greeks	general total students	% of foreign students
2003-2004					
Nurseries	10911	1789	12700	137734	9,22
Primary	58065	9868	67933	643312	10,56
Lower Secondary Education	25368	8482	33850	315061	10,74
Higher Secondary Education	14786	7530	22316	353005	6,32
TOTAL	109130	27669	136799	1449112	9,44

2004-2005*

Nurseries	11200	1498	12698	139696	9,09
Primary	59091	8105	67196	636803	10,55
Lower Secondary Education	24707	7146	31853	287423	11,08
Higher Secondary Education	13554	6463	20017	280025	7,15
TOTAL	108552	23212	131764	1343947	9,80

Source: Greek Diaspora Education and Intercultural Studies (IPODE), 2005.

* estimates

Update of the Report

October – December 2005

Employment

According the most recent data¹³² provided to NFP ANTIGONE by the Labour Inspection Body (SEPE) during the first 9 months of 2005 only 80 cases of irregular employment of immigrants have been certified. However this puts in evidence primarily the understaffing of the Inspection Body, which is also mandated as equal treatment protection body in employment since January 2005 under the law n.3304/2005. In fact, according the above data, the body disposes of 890 inspectors (531 of whom are labour inspectors) out of 1162 posts provided by law. Thus, only 76% of the inspectors' posts are covered and consecutively a rather low number of inspectors perform the mission of controlling hundred of thousands of enterprises throughout Greece.

Various media reports indicate forms of informal labour and exploitation under extremely aggravated 'primitive' and dangerous conditions in rural Greece and in the construction sector.¹³³ This is particularly stressed for Asian immigrant workers (India, Pakistan, Bangladesh) and concerning the industrial zone of Ioannina (Epirus region). It goes noted that the secret investigation operation about Pakistani immigrants' relations with the London bombers has gone as far as Ioannina where a considerable number of Asian workers seem to have moved through informal labour and migration networks in Greece.

The emphasis of media publications on the basis of civil society organisations' sources is on uncontrolled labour market and dangerous working conditions, in one case reporting the death due to a labour accident of a 33 yrs old Albanian construction worker.¹³⁴

The Salamina (Athens complex – Attica prefecture) shipbuilding labour union has denounced that shipbuilding workers of Pomak origin (born in Western Thrace) are not entitled to unemployment subsidies through a recent decision of the Labour Force Employment Organism ('OAED').¹³⁵

¹³² SEPE official document to NFP ANTIGONE pr.n.30033/13.01.2006.

¹³³ Prin (13.11.2005).

¹³⁴ Rizospastis, 'Skiliri I ekmetallefsi ke I zoi sto perithorio', (02.12.2005),

¹³⁵ Denouncement by the workers shipbuilding unions (09.12.2005).

Education

A Phd survey on 2nd generation of Albanian immigrants in schools has shown that they feel excluded, discriminated and they face problems in their interaction with Greek peers, while indicates phenomena of denial of identity.¹³⁶

Recent data show that the Roma children dropout rate has increased during the last year. The Roma children school integration project leader stresses that until the last year of the project (2004) 90% of Roma children had been enrolled to school. However, the president of the National Teachers' Association says only 40% of Roma children effectively go to school¹³⁷.

For one more year the 'flag issue', thus the tension around the foreign children's right to carry the Greek national flag at the National school parade has been at the centre of a heated public discussion. This year however, a lot of authoritative interventions as well as civil society organizations have advanced the proposal of abolishing national parades from the school program, a hard-to-die custom introduced in Greece by the pre-WWII fascist dictatorship of Metaxas.¹³⁸

¹³⁶ Milesi Ch., Eleftherotipia, (11.11.2005)

¹³⁷ Eleftherotipia, *They abandon school*, (10.12.2005)

¹³⁸ Andritsaki A., *School parades: memory, not barracks*, Eleftherotipia, (27.10.2005), on the history and genealogy of school parades see: <http://www.iospress.gr/issues/parelaseis.htm>

Legislation

Greece has been condemned by the European Court for failing to transpose, within the prescribed time-limit, Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ 2001 L 212, p. 12)¹³⁹. The deadline for transposition expired on 31.12.2002 and the Greek non-compliant authorities did not responded adequately to the European Commission's justified opinion.

The European Court for Human Rights has judged against Greece in the case of Ouranio Toxo and Others v. Greece¹⁴⁰. The case concerned the limitation of the right to association and the prosecution of the association "Rainbow" by the Greek authorities which claimed that such association incited discord (art.192 of Greek Penal Code). Such prosecution in September 1998 in Florina had been followed by racist attacks and vandalism against the association offices due to the bilingual (in Greek and Macedonian language) signboard of its offices¹⁴¹. In 20.10.2005 the Strasbourg Court by recognizing the existence of the Macedonian minority residing in Greece has judged that the risk of tensions that may result in a community due to the public use of political terms is not per se' a sufficient reason to justify the limitation of the freedom of association.

In December 2005, the European Court of Human Rights (Court) judged on the case of Bekos and Koutropoulos vs. Greece¹⁴². The Court found the Greek state responsible for the inhuman and degrading treatment two Roma men suffered at the hands of police, as well as the subsequent failure to conduct an effective official investigation, in violation of Article 3 (prohibition of torture and inhuman and degrading treatment). The Court also found a violation of the procedural guarantee against racial discrimination contained in Article 14 (discrimination), in conjunction with Article 3.

The violent events in France have initiated an unprecedented and heated public discussion about the need to integrate immigrants in Greek society and avoid their exclusion and marginalization. All parliamentary parties, as well as the Central Union of Municipalities and Communities of Greece during their annual meeting supported the idea

¹³⁹ European Court Judgment [C-476/04](#) Commission v Greece (17.11.2005).

¹⁴⁰ European Court for Human Rights, Ouranio Toxo and Others v. Greece *application n° 74989/01*, (20.10.2005)

¹⁴¹ More on that: <http://www.iospress.gr/mikro2005/mikro20051029.htm>.

¹⁴² European Court for Human Rights, Bekos-Koutropoulos vs Greece, (13.12.2005)

of providing voting rights in local elections to immigrants¹⁴³. The Central Union of Municipalities and Communities of Greece has also included in its 2005 congress decision a proposal to the central government for setting up immigrants' councils with a consultation mandate at local level in cooperation with local administration in order to encourage their social inclusion and integration.

Furthermore, the major opposition party (PASOK) has submitted a law draft to the parliament which provides the extension of EU citizens' voting rights at local elections to third country nationals¹⁴⁴. The government announced that will adopt such measure for long term residents that will manage to get this status not before the municipal elections of 2010¹⁴⁵.

Such discussion has also led to a significantly wider coverage of immigrants' and migration policy issues by the media, therefore emphasizing on long standing discrimination or exclusion practices, such as the behaviour of the police, the spatial exclusion of immigrants and minorities in large cities, the lack of an official mosque in Athens and outside Western Thrace, as well as on the ending of Ramadan held in a closed Olympic stadium of Athens (Peace and Friendship Stadium).

The Hellenic League for Human Rights presented a law draft¹⁴⁶ proposing the redefinition of distinct institutional roles between of State and Church in Greece and has given the floor to an animated discussion among politicians and religious leaders about the State-Church separation in Greece. The proposal has found supporters in all parliamentary parties, while has led also to lengthy media (TV – press) and parliamentary debates. In early December 2005, two parliamentary Parties of the left (Synaspismos and the Communist Party) as well as two independent MP have submitted to the president of the Greek parliament respective law drafts for redefining the relations between State and Church. In view of the forthcoming review of the Greek Constitution in the next years this became one of the most debated subjects in the political sphere concerning the 'prevailing religion' and religious freedom issues.

Once again the 'flag issue', that is the right of immigrant school students to hold as a premium for school performance the Greek flag during school national parades was in the center of the public debate in late October celebration of WWII resistance. Several media publications and public positions by stakeholders and political actors proposed to abolish

¹⁴³ Nafteboriki, Rhodes, *The decision of the Central Union of Municipalities and Communities of Greece* (15.11.2005). http://212.205.85.73:8016/uploads/apof_ethsio_2005.doc

¹⁴⁴ To Vima, 21.12.2005, www.parliament.gr

¹⁴⁵ Eleftherotipia, 23.11.2005

¹⁴⁶ <http://www.hllhr.gr/kratos-ekkl.htm>

the anachronistic school parades (introduced in Greek schools by the fascist Metaxas' dictatorship of 1936)¹⁴⁷.

On 29.11.2005 a 'Memorandum of Cooperation for combating human trafficking and assistance to trafficking victims' has been co-signed by the General Secretaries of competent ministries (Internal Affairs, Foreign Affairs, Justice, Employment and Social Protection, Health and Social Solidarity, Public Order), twelve Non Governmental Organizations and International Organization of Migration¹⁴⁸.

The US State Department in its 2005 International Religious Freedom Report 2005 for Greece published on 08.11.2005 reports abuses of Religious Freedom although the police behavior seems to have improved, as well as various restrictions on Religious Freedom, especially regarding legislation about houses of worship, harassment and police detention due to anti-proselytizing laws, non-Orthodox citizens facing career limits within the military, police, fire-fighting forces, and the civil service, muslim citizens under-representation in public sector employment, imprisonment sentences for conscientious objectors who refused military service on religious grounds etc. In the same time the report emphasizes on good anti-Semitism practices and commemoration of Holocaust.¹⁴⁹

The Greek National Committee for Human Rights proposed extending the provision of free medical treatment to stateless persons ('anithageneis') of Western Thrace and asylum seekers.¹⁵⁰

A number of problems emerged in the regularization procedure provided by the new migration bill (law n.3386/2005) according many stakeholders and specialists.¹⁵¹

Among others an indicative problem is the one concerning asylum seekers resigning for asylum procedure in order to join regular work migration system. According to media reports 50.000 asylum seekers are offered the choice to resign from asylum procedure and join the regularization one. Nevertheless, once they do resign to the competent police central office they are arrested and expelled as illegally residing in the country.¹⁵²

¹⁴⁷ Eleftherotipia, *Problem with flag again at elementary school*, (26.10.2005)

¹⁴⁸ Legal Day, *Combating Human Trafficking* (01.12.2005).

¹⁴⁹ US State Department 2005 International Religious Freedom Report 2005 (08.11.2005)

¹⁵⁰ GNCHR recommendation, (04.11.2005)

¹⁵¹ The most indicative list is provided by an initiative of lawyers under the auspices of specialized NGOs and civil society organizations in the field:
<http://www.hlhr.gr/press/MIGRprot-dikig.doc>

¹⁵² Eleftherotipia, *Metanastes: Omiria diarkias (Immigrants: long duration hostages)* (10.12.2005)

The most recent Police statistical data¹⁵³ indicate that during 2005 79 trafficking victims have been identified, the majority of which were Russian (19), Romanian (17) and Ukrainian (11).

For what concerns administrative expulsions during 2005 40.411 third country nationals have been arrested in order to be expelled, and 20.129 of them have been effectively expelled, among which 17.708 men and 2.511 women.

¹⁵³ Official document n.6634/1-193816/05.01.2006

Housing

According media and NGO reports inhuman conditions for refugees persist and as denounced some 50 of them from Iraq and Pakistan were held in transportation containers in the industrial area of Volos in late October 2005¹⁵⁴.

One of the most notable side effects of Roma precarious housing and living conditions is high percentage of Mediterranean (up to 30%) among the Roma children population of Patras urban complex and Achaia region in general according to recent research by local sanitary authorities¹⁵⁵.

The most recent data concerning the Roma housing program show that the pace of approval of loans to Roma citizens has further slowed down in 2005: 4052 in 2003, 1059 in 2004 and 639 approvals in 2005. Total rate of approvals is 36% of applications (5754 approvals out of a total of 15925 applications)¹⁵⁶.

¹⁵⁴ Eleftherotipia, *Press conference of the Network for Social and Political Rights – Volos section* (27.10.2005)

¹⁵⁵ Kalos T., *Mediterranean anaemia affects Roma*, Peloponnisos (21.12.2005).

¹⁵⁶ Data for the year 2005 provided by the Interior Minister, press release (16.01.2006)

Racist violence and crime

The following incidents have been published on national media or indicated by recognized human rights' organizations:

Major incidents' list

1. According media reports a 28 old Bulgarian immigrant has been beaten by four police officers of the Crime Prevention and Repression Team in the island of Lesbos after his arrest because in his possess were found stamps for falsification of residence permit documents and a small quantity of cannabis.¹⁵⁷
2. According the Marangopoulou Human Rights foundation a Sudanese asylum seeker has been beaten by police officers in the centre of Athens (Omonia square) on 13.10.2005 and he has been deprived of his passport, which cannot be found. Due to that, the Sudanese citizen cannot proceed to any legal act, while the foundation denounced the hostile behavior of public employees and police officers towards its own representatives, who attempted to mediate for a solution.¹⁵⁸

Antisemitism

A Thessaloniki Israelite community member has denounced that two notary offices have refused him the right to take a vow on a holly bible or make a civil vow. The notaries insisted on the classic vow on the Gospel, and they claimed that a circular for interpretation of the law is necessary before accepting an alternative vow procedure.¹⁵⁹

Members of the extreme right-wing organization "Chrysi Avgi" have written threatening antisemitic and xenophobic graffittis on a central Athens' street wall, the one that leads to the Athens' courts' complex (Evelpidon).¹⁶⁰

¹⁵⁷ Eleftherotipia, (20.10.2005)

¹⁵⁸ Marangopoulou Human Rights' Foundation, off.document n. 91/03.11.2005.

¹⁵⁹ Aggelioforos, (18.11.2005).

¹⁶⁰ GHM press release (03.11.2005).

Conclusions

All supplementary information and events and findings of late 2005 confirm amply the main trends indicated in the main National Report 2005 as well as the National Report for 2004, thus the bifurcation of apparently contradictory trends between positive and negative perspectives regarding tolerance and discrimination, which counterbalance some strongly positive developments in public discourse and political system:

On one hand the growing discussion about providing political rights to immigrants has been enhanced by the positive affirmation of all political parties and the decision-recommendation¹⁶¹ of the Central Union of Municipalities and Communities of Greece about voting rights at local elections for third country nationals.

On the other hand various opinion polls suggest that Greeks in their majority seem to attribute to immigrants the main responsibility for criminality increase, while they doubt that they contribute to economic growth.¹⁶²

Therefore, it seems that the progressive affirmation of anti-discrimination and pro-integration public discourse goes hand-in-hand with deeply rooted negative attitudes, perceptions and stereotypes, which sometimes lead to extreme expressions of racist violence, such as the brutal lynching-killing of a 17 years old Albanian immigrant in Rethimno – Crete by a group of locals the early morning hours of January 1, 2006.

¹⁶¹ Found here: http://212.205.85.73:8016/uploads/apof_ethsio_2005.doc

¹⁶² Kathimerini (17.11.2005)