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2009 Country Reports on Human Rights Practices - Greece

Bureau of Democracy, Human Rights, and Labor
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Greece is a constitutional republic and multiparty parliamentary democracy with an estimated population of 11 million. In October the Pan-Hellenic Socialist Movement (PASOK) won a 10-seat majority in the unicameral Vouli (parliament) in elections regarded as free and fair, and Georgios Papandreou became prime minister. Civilian authorities generally maintained effective control of the security forces.

Human rights abuses reported during the year included: abuse by security forces, particularly of undocumented immigrants and Roma; overcrowding and harsh conditions in some prisons; detention of undocumented migrants in squalid and overcrowded conditions; some legal restrictions on freedom of speech; restrictions on religious freedom; detention and deportation of unaccompanied or separated immigrant minors, including asylum seekers; a lack of adequate reception capacity or legal aid for asylum seekers and refugees; domestic violence; discrimination against and exploitation of Romani children; trafficking in persons; limits on the freedom of some ethnic minority groups to self-identify; and discrimination against, and social exclusion of, ethnic minorities, particularly Roma.

After the October elections, the new government took steps to address several human rights issues: it temporarily closed the Pagani immigrant detention center, which had been criticized for squalid conditions; it created an experts' committee to overhaul the country's asylum law and procedures; and it established local government councils to act as liaison with immigrants and reduce incidents of police abuse.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed any politically motivated killings during the year; however, immigrant activists alleged that police officers killed one person in a scuffle.

In December 2008 authorities arrested two police officers for the December 2008 killing of 15-year-old Alexandros Grigoropoulos and charged them with intentional homicide and complicity in homicide. The killing set off weeks of riots and demonstrations by youths and self-styled anarchists in cities across the country. The trial was pending at year's end.

On January 8, the European Court of Human Rights (ECHR), in the case *Leonidis vs. Greece*, determined that the country had violated the right to life of an 18-year-old-youth who was accidentally killed by a police officer in 2000 during an arrest.

According to media and immigrant NGOs, on January 3, a Bangladeshi man died when he fell into a ravine after an alleged scuffle with police. His death followed the death of a Pakistani man in October 2008 at the same spot. Police denied any involvement in the incidents, which took place close to immigration headquarters where hundreds of immigrants gathered every week to submit applications for asylum. Some nongovernmental organizations (NGOs) representing Muslim and immigrant groups criticized the police for brutality and poor organization of asylum processing procedures. In October the media reported that the new minister for citizen's protection held an unprecedented meeting with Pakistani community leaders to discuss ways to prevent future incidents.

The trial in the 2007 case of a border guard, who shot and killed an Albanian immigrant attempting to illegally cross the Greek-Albanian border, remained pending at year's end.

On February 4, the Council of Europe's Commissioner for Human Rights reported that, since 1995, at least 108 persons attempting to cross the border had been killed and another 187 persons were severely injured by marked minefields in the Evros area along the Greek-Turkish border. No minefield-related deaths were reported during the year.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The law prohibits such practices and provides safeguards for criminal suspects and illegal immigrants in detention. However, during the year several international organizations and NGOs reported abuse by police personnel and the coast guard, particularly of undocumented immigrants, asylum seekers, and Roma.

In January and March, immigrants at the port city of Patras alleged that they were beaten and abused by coast guard personnel and shipping company employees. In January witnesses alleged that a coast guard officer struck an immigrant with a club and severely injured his finger.

On May 9, according to Amnesty International, local NGOs, and the media, a group of vigilantes that included members of the far-right group Golden Dawn attempted to storm an abandoned courthouse in the center of Athens that was occupied by illegal immigrants. Human rights activists were injured in the ensuing fighting.

NGOs working to support immigrants' rights accused the police of physical and verbal abuse during sweeps and identity checks as well as the destruction of personal property and documents. The deputy ombudsman for human rights stated that police continued to conduct identity checks and body and vehicle searches based on racial profiling and that they targeted specific neighborhoods where immigrants were known to reside.

On June 30, the Council of Europe's Committee for the Prevention of Torture (CPT) released a report on its September 2008 visit to the country. The CPT noted that it had received many complaints of police abuse, such as kicks, punches, and blows with batons, from detained suspected criminals. The allegations often concerned abuses inflicted during questioning. One detainee alleged that a police officer threatened him during a search of his house by holding a hot electric iron close to his head. Another person claimed that he had been forced to undress at a police station and was ridiculed by police officers.

In contrast the CPT noted a decline in allegations of police abuse of detained illegal

immigrants from 2007 to 2008 and characterized this as a "modest step forward." However, immigrants continued to complain to the CPT that police slapped, kicked, threatened, and verbally insulted them. For example, after one detained immigrant alleged that police had beaten him, a CPT medical exam indicated that his cheekbone and a finger were fractured. The government continued to lack systematic approaches to preventing such abuses. The report noted that there were no standards for forensic medical examinations for persons alleging abuse nor was access to a lawyer or doctor consistently provided.

In July, according to press reports, a coast guard patrol tied the hands of 12 Somali immigrants they took from a dinghy and beat them. The coast guard officers allegedly returned the immigrants to the dinghy, punctured it, and abandoned it. The immigrants were later rescued by a tourist boat.

Police mistreated Roma. For example, in May Amnesty International reported that police allegedly beat a Romani man for several hours at Aharnon police station in June 2008.

On August 28, the UN Committee for the Elimination of Racial Discrimination (CERD) expressed concern over excessive use of force by police against persons belonging to vulnerable groups, in particular Roma.

In March 2008 the Albanian secretary of the Foreign Immigrants Union of Larisa alleged he was beaten on his fingers, punched, and kicked by Thessaloniki police. His criminal complaint was pending in court at year's end.

In June 2008 media reported that seven police officers and the director of the Corinth police station tortured, abused, and then abandoned a mentally ill Romanian national. The officers were suspended, and a prosecutor's inquiry was pending at year's end.

CERD and such NGOs as the Greek Helsinki Monitor (GHM) continued to report police mistreatment of Roma, and human rights advocates accused the court system of failing to prosecute abusive police officers effectively.

In October media reported the case of five police officers who allegedly covered up for an officer who abused a citizen in 2004. The officer, whose abuse resulted in the victim's losing an eye, was shown to have submitted a false alibi. A trial date for the five officers had been set, but it had not occurred by year's end. The trial of the police officer who abused the citizen was pending at year's end.

The case of Theodoros Stefanou, a Rom allegedly beaten by a police officer in 2001 on the island of Kefalonia, was pending with the ECHR at year's end. Stefanou took his case to the ECHR in 2007 with help from the GHM, alleging mistreatment, excessive length of court proceedings, and the failure of the authorities to investigate his case promptly due to his ethnicity. The case was pending at year's end.

In July 2008 the UN Human Rights Committee found that the country had violated an international covenant prohibiting torture in the case of Andreas Kalamiotis, a Romani man who was allegedly the victim of police brutality in 2001. The government was given six months to provide the victim with appropriate reparation and to report to the committee on measures taken to prevent similar violations in the future. The government had not taken any such measures as of year's end.

The trial date for a police officer accused of the attempted rape of a woman in 2007 had not yet been set by year's end.

Prison and Detention Center Conditions

Conditions in prisons and detention facilities did not meet international standards. Observers noted that facilities were seriously overcrowded, degrading, inhumane, and unsanitary. Poor prison conditions led to multiple prison protests during the year. NGOs

and media reported that female prisoners were subject to systematic, invasive body cavity searches.

International organizations criticized conditions for detained immigrants at certain detention centers and police stations, citing overcrowding, unhygienic facilities, a lack of outdoors and exercise space, and the intermingling of unaccompanied minors with adults and female with male detainees. Some authorities reportedly failed to advise detainees of their rights. NGOs and international entities reported that certain smaller police and border guard stations had especially poor conditions.

The Ministry of Justice, Transparency, and Human Rights reported that, as of June, the total prison population was 11,328 (a decrease of 470 from September 2008), while the official capacity of the prison system was 7,543.

In its June report on prison and detention center conditions, the CPT criticized the government for overall unacceptable prison conditions and noted that there had been no improvement since 1993 with regard to such problems as the lack of access to medical treatment and legal counsel or the failure to provide forensic medical examinations for detainees who alleged mistreatment. The CPT repeated many criticisms from its 2006 and 2008 reports, observing that conditions in many police and border guard stations were poor, with overcrowding, unhygienic conditions, a lack of outdoor exercise facilities, and poor access to medical care. The CPT reported that the worst facilities included the Xanthi police and border guard station, which it called dark, filthy, smelly, and dilapidated; the CPT recommended that this facility be closed and renovated.

The CPT report also observed that police station facilities designed for short-term stays were used for prolonged detention, that most toilet and shower facilities were filthy and in many facilities only partially operable, and that most detention facilities lacked call bells. The CPT also found that detainees were rarely informed of their rights in a language they could understand. The CPT criticized the government for lacking an independent authority to inspect prisons and investigate allegations of mistreatment.

Poor prison conditions and overcrowding led to multiple prison protests during the year. In April inmates in Malandrino prison rioted after the alleged beating of prisoner Yiannis Dimitrakis; riots spread to other prisons throughout the country. In May media reported that 611 persons were held in Diavata prison, which had an official capacity of 250. In July inmates in Nafplion prison demonstrated against overcrowding; the prison held 520 inmates but was designed to hold half that number. In November media reported that inmates in several prisons went on hunger strikes to protest prison conditions and overcrowding. According to these reports, the Aghios Stefanos prison, designed to hold 360 inmates, was holding 710.

After the November 2008 18-day hunger strike of an estimated 8,000 inmates protesting overcrowding, the Ministry of Justice announced the early release of up to 5,500 prisoners and new measures for improving prison conditions. The early releases began in December 2008, but fewer than 1,000 prisoners had been released as of September.

In October the new minister of citizen's protection ordered the release of 1,200 illegal immigrants held in detention centers.

NGOs and the media reported that female criminal detainees were subjected to invasive and humiliating body cavity searches. In March female inmates in Elaionas Theves prison protested the prison's use of routine body cavity searches, often performed by unskilled prison guards and without privacy.

Katerina Goulioni, a female prisoner and prisoners' rights activist, died while being transported to another prison due to what authorities reported was a narcotics overdose. Amnesty International called for a full investigation into the circumstances surrounding Goulioni's death and into the complaints she had lodged about the degrading and inhuman treatment of female prisoners.

In a report to the parliament in May, the deputy ombudsman for human rights stated that he had received complaints by female prisoners that they were systematically subjected to body cavity searches each time they left the prison (for example, to appear in court or visit a hospital) and that, upon their return, they were required to take laxatives and placed in an isolation unit for five days. They complained that their use of the toilets was monitored by video camera during this period. The deputy ombudsman stated that this practice was inhuman and degrading and noted that such body cavity searches should be conducted rarely and on the basis of a risk assessment. The deputy ombudsman also reiterated the CPT's 2006 recommendation that such searches only be done by a medical practitioner, with a prosecutor's approval, in privacy, and in a way that respected the prisoner's dignity.

Many humanitarian organizations continued to criticize conditions in facilities for illegal immigrants, including detention centers and police and border guard stations. The Office of the UN High Commissioner for Refugees (UNHCR) and NGOs echoed the CPT's observations, noting that conditions in detention centers for illegal aliens were unacceptable and amounted to serious violations of human rights. While noting that the government faced a significant influx of illegal migrants, the CPT stated that this could not justify the overcrowding, unhygienic conditions, and lack of legal aid or medical care for detained immigrants.

Diplomatic observers noted in July that the Port Authority of Patras continued using converted metal shipping containers to hold detained immigrants.

During the year the deputy ombudsman for children's rights, the UNHCR, and NGOs reported that conditions in the Pagani detention center were degrading, inhumane, and unsanitary. Doctors Without Borders (MSF) called the situation in the center "a continuing humanitarian crisis." Detainees slept on the floor in flooded cells and lacked exercise opportunities, and the facility, designed to hold 300 persons, housed 830, including an estimated 150 to 200 unaccompanied minors. After elections in October, the new government criticized the conditions at Pagani, temporarily closed the detention center for renovations, released some detainees, and relocated others to a detention center in Chios.

On June 11, the ECHR ruled against the government in the case *S.D. vs. Greece*, noting that conditions in the Soufli detention center, including a lack of medical care, exercise facilities, or contact with the outside world, as well as excessive length of detention, constituted degrading treatment. Amnesty International noted this case as well as the "appalling unhygienic and overcrowded" conditions in detention centers for immigrants.

The CPT's June 30 report reiterated many of the same criticisms that it raised in 2008 of conditions for illegal migrants detained in police stations and detention centers. It noted severe overcrowding; many facilities with little or no natural light; a lack of effective ventilation; filthy common areas, toilets, and showers, access to which was limited; dirty mattresses and blankets, which detainees sometimes had to share; lack of call bells; inconsistent and sometimes nonexistent medical care; lack of access to exercise and outdoor open space; confiscation of cell phones and very limited opportunities to contact individuals outside the prison or a lawyer; and insufficient quantities of hygienic supplies, such as soap, shampoo, and toilet paper, for detainees.

The CPT reported that, in principle, detained immigrants are supposed to be transferred from police or border guard stations to specialized immigrant detention centers within days; however, in practice, overcrowding at the centers meant that police stations sometimes kept immigrant detainees for weeks or months. The CPT expressed particular concern about the practice of holding male and female immigrant detainees in the same cells, calling the lack of specific facilities for females a hazardous situation for women in terms of safety, privacy, and hygiene. The CPT report identified the Mytilini (Lesvos) detention center, as well as the Xanthi, Feres, Iasmos, Exarhia, and Tichero police and border guard stations, as having particularly poor conditions for immigrant detainees. However, the CPT also observed that the Filakio detention center and the Thermi border

guard station had good detention conditions, with clean, well-lighted, and ventilated spaces.

In December diplomatic observers visited the Venna detention center and the Feres border guard station. The Venna facility held 109 male adult detainees, with a capacity of 222. Detainees had access to hot water and medical treatment, but mattresses were soiled, and the cells had a strong foul odor and lacked natural light. The Feres station held 17 men and four women in separate cells. Conditions were clean, but cells were small and space for medical examinations was inadequate.

The government permitted monitoring of conditions at some prisons by certain local and international humanitarian organizations, such as the CPT, MSF, and the International Committee of the Red Cross (ICRC), but other organizations, such as Human Rights Watch and local NGOs, complained of inconsistent or little access to prisons and detention facilities.

During the year the government passed a law allowing the ombudsman to conduct inspections on short notice of all prisons in the country. Prison visits by officials of the ombudsman's office began in September.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention. However, police continued to conduct large-scale sweeps and temporarily detained large numbers of foreigners, sometimes in crowded and squalid conditions, while determining their residency status.

Role of the Police and Security Apparatus

The police are responsible for law enforcement and the maintenance of order within the country, and the coast guard is responsible for law enforcement in territorial waters. Both agencies are under the authority of the Ministry of Citizen's Protection. Law enforcement duties in certain border areas are shared jointly by the police and the army. Civilian authorities generally maintained effective control over the police and coast guard, but corruption and police impunity continued to be problems.

In May Amnesty International criticized the police for using excessive force, violence, and arbitrary arrests during the protests and riots that followed the December 2008 death of 15-year-old Alexandros Grigoropoulos.

Police corruption continued to be a problem. During the year the police Bureau of Internal Affairs took multiple disciplinary measures, including dismissal and suspension, against officers involved in corruption, primarily forging documents and taking bribes, violations involving arms and explosives, illegally releasing persons from custody, procuring, and violations related to alien registration (see also section 4).

During the year police and coast guard personnel received training from government ministries, regional and international organizations, NGOs, and service academies. Subjects included antiracism, antitrafficking and victim identification, asylum seeker recognition, witness protection and interviewing, and crowd control.

Arrest Procedures and Treatment While in Detention

The law requires judicial warrants for arrests, except when they are made during the commission of a crime, and prohibits arbitrary arrest orders. In practice, police did not always follow these provisions. Police are required to bring persons who are detained before an examining magistrate within 24 hours. The magistrate has a maximum of 24 hours to issue a detention warrant or order the detainee's release. Pretrial detention may last up to 18 months, depending on the severity of the crime. A panel of judges may release detainees pending trial. Pretrial detainees made up approximately 30 percent of

those incarcerated and contributed to prison overcrowding, according to figures provided by the Ministry of Justice. Some defense lawyers and legal activists asserted that pretrial detention was supposed to be reserved for exceptional cases but that it had become the norm. They also asserted that the detention period was excessively long. Bail is available for defendants detained on felony charges unless a judicial officer determines that the defendant is a flight risk. The law provides detainees the right to contact a close relative or third party, access a lawyer, and access medical services. In felony cases, the bar association provides lawyers to indigent defendants. While detainees were generally informed promptly of charges against them, foreign detainees sometimes did not have access to a court-appointed interpreter. Many detained persons complained that they were not informed of their rights in a language they could understand.

The CPT reported in June that it continued to receive complaints from detainees who had been denied contact with a close relative, lawyer, or doctor.

Individuals accused of misdemeanors may be tried under expedited procedures that, at times, undermined defendants' basic rights due to the brevity and swiftness of the trial. Although such defendants enjoyed the right to counsel, the short time period limited defendants' ability to present an adequate defense. Defendants may request a delay to prepare a defense, but the court is not obliged to grant their requests. Expedited procedures were used in less than 10 percent of applicable cases.

During the year the ombudsman reported several instances where police took persons to police stations arbitrarily for identity checks, used insulting language and threats of force, and conducted body searches in public. The ombudsman noted that the number of complaints that police conducted investigations without soliciting testimony from victims increased during the year. Police reportedly targeted persons based on their race, color, nationality, or presence in high-crime areas or in neighborhoods frequented by illegal immigrants.

In May Amnesty International accused the police of making arbitrary arrests during the riots and demonstrations that followed the December 2008 death of 15-year-old Alexandros Grigoropoulos.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected this provision in practice; however, observers reported that the judiciary was inefficient and sometimes subject to influence and corruption. The judiciary sometimes acted more leniently toward those claiming a political motivation for their acts of property destruction (professed anarchists) than it did for others. For example, anarchists were frequently given suspended sentences in lieu of prison time or fines.

During the year several opinions by the ECHR criticized the government for unreasonably long trials and found the court system to be inefficient.

During the year the UN independent expert on minority issues as well as legal and human rights groups, including the GHM, reported that Roma experienced police brutality, difficulty in accessing justice, and excessive delays in civil cases. Legal observers and NGOs reported discriminatory attitudes and language directed towards Roma in court.

The trial of two police officers charged with killing 15-year-old Alexandros Grigoropoulos in December 2008 was pending at year's end. Officials from both the government and opposition parties at the time had made statements after the killing that observers noted implied presumption of the officers' guilt.

Trial Procedures

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right. Defendants enjoy a presumption of innocence. Trials are public in most instances, and juries are used in all first and second-degree felony cases. The law permits denial of the right to a jury trial in cases of violent terrorism. Defendants have the right to be present at trial and to consult with an attorney in a timely manner. An attorney is provided to indigent defendants facing serious charges. Defendants may question witnesses against them and present witnesses and evidence on their behalf. Defendants and their attorneys have access to government-held evidence relevant to their cases. They have the right to appeal. Defendants who do not speak Greek have the right to a court-appointed interpreter.

Some NGOs reported during the year that the quality and availability of court interpretation for non-Greek speakers varied from trial to trial.

The government recognizes Shari'a (Islamic law) as the law regulating family and civic issues of the Muslim minority in Thrace. Muslims married by a government-appointed mufti are subject to Shari'a family law. Many NGO and media reports characterized Shari'a as discriminatory against women, especially in child custody, divorce, or inheritance cases.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is a generally independent and impartial judiciary in civil matters. The law provides citizens with the ability to sue the government for compensation for alleged violations of rights.

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

The constitution and law prohibit arbitrary interference with privacy, family, home, or correspondence; however, these provisions were not always respected in practice.

Police and prosecutors conducted raids and searches of Romani and immigrant neighborhoods, frequently entering homes without authorization in search of criminal suspects, drugs, and weapons. Local authorities threatened to force evicted Roma from camps and tent dwellings during the year. NGOs and media regularly reported that police beat or harassed unlicensed immigrant street vendors and undocumented immigrants.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law generally provide for freedom of speech and of the press, and the government generally respected these rights in practice. However, the law prohibits speech that endangers the country's foreign relations, spreads false information or rumors causing fear among citizens, causes rivalry or division among citizens, or incites citizens to disturb the peace or commit acts of violence. In practice, these legal prohibitions were seldom invoked. In most criminal defamation cases, defendants were released on bail pending trial without serving time in jail.

Individuals could criticize the government publicly or privately without reprisal, and the government did not impede criticism.

The independent media were active and expressed a wide variety of views without restriction.

The law provides for the government to exercise "immediate control" over radio and television stations and establishes ownership limits on media frequencies. State-operated stations emphasized the government's views but also reported objectively on other parties' positions.

The law requires that radio and television stations broadcast primarily in Greek and that radio stations broadcast 24 hours a day. It sets minimum capitalization requirements and numbers of employees. Members of the Muslim minority in Thrace stated that the law discriminated against smaller, independent, Turkish-language stations. During the year the Western Thrace Minority University Graduates Association reported that the government had begun to enforce the law, with one Turkish-language radio station receiving a violation notice.

The law allows any prosecutor to order the seizure of publications that insult the president, offend Christianity or any religion, contain obscenity, advocate the violent overthrow of the political system, or disclose military secrets. The government did not enforce this law during the year.

The law punishes individuals who "intentionally incite others to actions that could provoke discrimination, hatred, or violence against persons or groups of persons on the basis of their race or ethnic origin or express ideas insulting to persons or to groups of persons because of their race or ethnic origin."

In May Reporters without Borders reported multiple instances of anarchists and other violent protestors assaulting, harassing, and threatening journalists covering the riots and demonstrations that followed the December 2008 death of Alexandros Grigoropoulos. These included a December 2008 assault on two French correspondents; a February 11 bombing of the offices of two Greek newspapers, *Ta Nea* and *Avriani*; a February 17 attack on the television station Alter; and a February 21 public manifesto by terrorist organization Revolutionary Struggle that threatened journalists.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. Internet was available throughout the country and widely used. According to International Telecommunication Union statistics for 2008, approximately 32.6 percent of the country's inhabitants used the Internet.

The libel and defamation trial of an Internet blog administrator who, on one of his Web sites, allegedly called a Greek Orthodox televangelist "stupid" was postponed until May 2010.

Academic Freedom and Cultural Events

In general there were no government restrictions on academic freedom or cultural events.

On March 7, the NGO Homosexual and Lesbian Community of Greece (OLKE) protested a demand made by the National Opera that a French theatrical director cut a scene in which two male characters kiss.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

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

In May Amnesty International released a report alleging that police had used excessive force and punitive violence against peaceful demonstrators protesting the December 2008 police shooting of Alexandros Grigoropoulos rather than addressing the rioters who were destroying property. Amnesty International alleged that police beat two of its members and criticized police for making arbitrary arrests during the demonstrations.

On May 22, immigrant activists in Athens had a minor altercation with police during a demonstration to protest the actions of an officer who allegedly damaged a Koran during an identity check of an immigrant two days earlier.

Freedom of Association

The law provides for freedom of association; however, the government continued to place legal restrictions on the names of associations involving certain ethnic minorities. The courts did not allow the registration of nonprofit associations of nationals who claimed to be of Macedonian ethnic origin, charging that the founders of such groups were seeking to undermine the country's territorial integrity and cultural identity. Similarly, the courts refused to register associations that included the term "Turkish" in their names, arguing that applicants intended to promote the idea that an ethnic, as contrasted to a religious, minority existed in Thrace.

The government continued to refuse to allow the registration of the group Home of Macedonian Culture as an association in accordance with the provisions of the civil code. During the year international organizations and NGOs expressed concern that this practice violated freedom of association. The ECHR ruled against the government's denial of the organization's registration in 1998. In June the Supreme Court upheld a prior appeals court decision denying the group legal registration.

In September the Appeals Court of Thrace rejected the application of the Turkish Union of Xanthi for legal recognition. The ECHR had ruled in March 2008 that the country was violating the freedom of association of the Muslim minority by refusing to recognize the organization. The ECHR had also ruled against the government's refusal to register the Cultural Association of Turkish Women of Rodopi. The ECHR upheld its decision in October 2008 following the Greek government's appeal. In December 2008 the Turkish Union of Xanthi returned to court to seek recognition in line with the ECHR decision. Upon rejecting the petition, the Appeals Court of Thrace stated that the ECHR's ruling was not binding and that the ECHR had neglected to consider "political" factors in its decision.

c. Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice. However, some non-Orthodox groups faced administrative obstacles or legal restrictions on their religious practices.

An estimated 97 percent of the population identifies itself as Greek Orthodox. The remaining 3 percent is comprised of Muslims, Roman Catholics, Protestants, Jews, Old Calendarist Orthodox, Jehovah's Witnesses, members of the Church of Jesus Christ of Latter-day Saints (Mormons), Scientologists, Baha'is, Hare Krishna devotees, and followers of polytheistic Hellenic religions.

The constitution establishes the Eastern Orthodox Church of Christ (Greek Orthodoxy) as the "prevailing" religion but also provides for the right of all citizens to practice the religion of their choice. The Greek Orthodox Church continued to exercise significant political and economic influence. The government in effect recognized the Orthodox canon law. Privileges and legal prerogatives granted to the Orthodox Church were not routinely extended to other religious groups. Orthodox Church officials refused to enter into official dialogue with religious groups that they considered harmful to Orthodox worshippers, and some officials instructed their members to shun members of groups that they consider sacrilegious, such as the Jehovah's Witnesses, Mormons, and Protestant and evangelical Christian churches.

Non-Orthodox citizens claimed that they faced greater limits on advancement in the military, police, firefighting force, and civil service due to their religious beliefs.

Orthodox religious instruction in public primary and secondary schools is mandatory, but non-Orthodox students are exempted from religious instruction.

The government supports the Orthodox Church financially; for example, the government pays for the salaries and religious training of clergy and finances the maintenance of Orthodox Church buildings. In Thrace the government also pays the salaries and some expenses of the three official Muslim religious leaders (muftis) and provides an allowance to some imams. Nonrecognized Muslim leaders outside Thrace receive no such support. No other religious group receives governmental financial assistance. Some groups, such as the Jewish community, have requested equal treatment with the Orthodox Church and Muslim Minority of Thrace on this issue.

In 2007 the government announced a law to hire 240 imams in Thrace as public employees, with five-member committees to review the imams' qualifications. While the hiring process in the prefectures of Xanthi and Evros progressed during the year, the mufti overseeing the prefecture of Rodopi refused to approve the hiring of imams in his district unless the mufti were given more authority in the hiring committee and the five-member committee included two Islamic scholars. In December the government agreed to these conditions and ratification of a new law was pending at year's end.

Some religious groups faced administrative obstacles or legal restrictions on their religious practices. The Orthodox Church, Jewish organizations, and certain Muslim groups are the only religious groups deemed to be "legal entities of public law," able to own, bequeath, and inherit property and appear in court under their own names as religious organizations. Other religious groups cannot own "houses of prayer" (places of worship) or other property directly as religious entities but must create other corporate legal associations ("legal entities of private law") in order to own, bequeath, or inherit property or to appear in court. In order for such an association to be recognized as a religious organization, the religious group must also be a "known religion" or dogma. While no formal mechanism existed for a religious group to gain recognition as a known religion, court rulings require known religions to have publicly taught doctrine with rites of worship that are open to the public, to be nonprofit in nature, to not adversely affect public order or morality, and to have a clear hierarchy of religious authorities.

The Ministry of Education and Religion indirectly recognized groups as known religions by issuing to them "house of prayer" permits. A separate permit is required for each physical place of worship, but a religious group with at least one valid permit is considered a "known religion." Some religious groups, such as Roman Catholics, Pentecostals, Baha'is, Methodists, Mormons, evangelicals, and Jehovah's Witnesses were recognized as known religions. Other groups, such as Scientologists, Hare Krishna devotees, and polytheistic Hellenic religious groups, have applied for but not received house – of-prayer permits nor recognition as known religions. The Ministry of Education and Religion has not issued new house-of-prayer permits or recognized any new religious groups since 2006.

In March 2008 the government announced the additional requirement that applicants receive approval from the local Urban Planning Department in order to receive house of prayer permits. Members of some religious groups complained that the government's policy effectively prevented minority religious groups from opening any new places of worship. During the year Baha'is reported that they had one house-of-prayer permit application pending with the government, and Jehovah's Witnesses reported that they had at least 12 applications pending, some dating to 2005.

The law extends recognition as a legal entity of private law to Roman Catholic churches and related entities established prior to 1946. Roman Catholic institutions established in the country after 1946, however, do not enjoy such recognition, despite several attempts by the church to have them recognized and the brief formation of a committee under the Ministry of Education and Religious Affairs in 2006 to develop a legislative

solution.

In late September, the deputy ombudsman for human rights stated that government delays in issuing house of prayer permits were violations of previous Supreme Court and ECHR rulings.

The constitution prohibits proselytizing and stipulates that no rite of worship may "disturb public order or offend moral principles." During the year officials of missionary faiths expressed concern that antiproselytizing laws remained in effect. In a September report, the European Commission against Racism and Intolerance (ECRI) also expressed concern that proselytizing remained a criminal offense. The government responded that antiproselytizing laws have "long since fallen into disuse" and that only proselytizing that was coercive or disturbed public order was illegal.

The Mormon Church reported that local police detained and intimidated its missionaries in late June and in mid-September, accusing them of proselytizing. In both cases, the missionaries were released within one or two hours.

During the summer police in Kalamata accused the leader of an evangelical group of proselytizing and detained him for two hours.

During the year Muslim community leaders in Athens stated that their biggest concern relating to religious freedom was the continued lack of an official mosque, Islamic cemetery, or recognized Muslim clergy in Athens.

During the year Muslim leaders expressed satisfaction with the proposed location of a mosque in the central Athens neighborhood of Votanikos but called for construction to begin more quickly. In 2000 parliament approved plans for an official mosque and cultural center, and in 2006 it passed a revised bill approving construction of a mosque only. In May, in response to a parliamentary inquiry, the Ministry of National Defense stated that it was unable to vacate the land designated for the mosque, claiming that relocating the naval facilities currently on the designated land would be cost-prohibitive.

A Muslim cultural center in Athens that functioned as an unofficial mosque continued to operate without a house of prayer permit at year's end. Muslim community associations estimated that there were more than 200 unofficial prayer rooms throughout the country. Since the government does not recognize Muslim clerics outside Thrace, Muslims elsewhere had to travel to Thrace or go abroad for official Muslim weddings and funerals.

The law provided for cremation, and in March the government issued a presidential decree specifying guidelines for municipalities to construct crematoria. According to these regulations, only municipalities may operate cremation facilities; private funeral parlors cannot own crematoria. However, no municipality had begun construction of a crematorium by year's end. As a result, cremation of remains had to take place outside of the country.

During the year the government and the Jewish community of Thessaloniki continued discussions on compensation for the community's cemetery, expropriated after its destruction during the Holocaust. Aristotle University, a public institution, was built over the expropriated cemetery soon after World War II. In July a Ministry of Finance experts' committee, which included a member of the Jewish community, proposed a compensation solution. Ministry of Finance officials stated in December that they were committed to a solution based on this proposal. Official approval for the compensation plan was pending at the Ministry of Finance at year's end.

International Jewish NGOs expressed concern that subway construction in the vicinity of the Thessaloniki Jewish cemetery could disturb human remains. The government continued dialogue with the Jewish community to address these concerns.

An officially recognized Muslim minority of 100,000 to 120,000 resides in Thrace, and the government appoints three muftis there. Some members of the Muslim minority did not recognize the authority of the officially appointed muftis and instead elected two separate muftis, one in Xanthi and one in Rodopi, in elections in which only men were allowed to vote. Some Muslim minority NGOs called on the government to recognize the elected muftis.

In Thrace the government subsidized bilingual Greek-Turkish public schools and two Islamic religious schools (termed "ecclesiastical high schools" by the government).

The law requires all civil servants to take a religious oath before entering office. Persons not belonging to the Orthodox Church may take an oath in accordance with their own beliefs. In October, 34 members of parliament refused to take a religious oath during swearing-in ceremonies and were allowed to take a secular oath.

Societal Abuses and Discrimination

Followers of non-Orthodox faiths reported incidents of societal discrimination, including warnings by Greek Orthodox bishops to their parishioners not to visit the leaders or members of these faiths and requests that police arrest missionaries for proselytizing. Some non-Orthodox religious communities encountered difficulty in communicating with officials of the Orthodox Church and claimed that the attitude of the Orthodox Church toward their faiths increased societal intolerance toward their religions. During the year Orthodox Church leaders increased unofficial dialogue with members of smaller non-Orthodox religious groups. With the exception of the growing Muslim immigrant population, however, most members of non-Orthodox faiths considered themselves integrated into society.

In September an arson attack took place against the Toxotes Mosque in Thrace, and the fire damaged interior carpets and part of the roof. Government officials condemned the attack in October and installed new security cameras afterward. Muslim minority NGOs reported that this was the third time the mosque had been attacked since 2004, each time prior to national elections. A police investigation was pending at year's end.

Members of the Alevite (Alevi) community in Thrace, who follow a religion comprising Shi'a and Sufi elements of Islam and number approximately 3,000 adherents, claimed religious harassment from the Sunni majority in their villages. The Alevites reported that Sunni community leaders had taken control of Alevite house of worship, denying them access to perform maintenance, and disrupted their traditional festivals.

Local leaders estimated the Jewish community to number 5,000. Expressions of anti-Semitism continued to occur, particularly in the extremist press. The mainstream press and public often mixed negative comments about Jews with criticism of the Israeli government.

There continued to be reports of vandalism of Jewish monuments during the year. From December 2008 to January, synagogues, Holocaust monuments, and Jewish cemeteries in Athens, Larissa, Volos, Corfu, Veroia, Drama, Komotini, and Ioannina were desecrated with anti-Semitic graffiti. In January, March, and June the Jewish cemetery in Ioannina was vandalized and gravestones were damaged. The government almost always condemned such acts of anti-Semitism. On June 17, the minister of foreign affairs publicly condemned the Ioannina vandalism.

The Jewish Community continued to protest anti-Semitic passages in the Greek Orthodox Church's Holy Week liturgy, but reported that it remained in dialogue with the church on removal of the passages.

In 2007 the GHM and the Central Board of Jewish Communities brought charges against the newspaper *Eleftheros Kosmos* and former LAOS political party candidate Kostas Plevris for racism and anti-Semitism. Plevris was acquitted by an appeals court in March

of his 2007 conviction for inciting hatred and racial violence with his book *The Jews – The Whole Truth*. A public prosecutor subsequently filed a "cassation in favor of the law" with the Supreme Court against the decision, seeking to ensure it would not be used as a precedent in the future. The decision was pending at year's end.

In January the government cosponsored commemorative events throughout the country for Holocaust Remembrance Day. Government officials attended the events, and the minister of foreign affairs issued a public statement. On June 17, the Ministry of Foreign Affairs published a book, *Greeks in Auschwitz-Birkenau*, and held a public event in remembrance of Greeks killed in Nazi concentration camps.

For a more detailed discussion, see the [2009 International Religious Freedom Report](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for free movement within the country, foreign travel, emigration, and repatriation for all citizens, and the government generally respected these rights in practice. However, immigrants with temporary residence permits faced prolonged delays in renewing their permits and were sometimes denied the right of repatriation, and thus faced practical limits on their foreign travel. During the year the government began to cooperate more closely with the UNHCR and other humanitarian organizations in providing assistance to refugees, asylum seekers, and stateless persons. The UNHCR, local and international NGOs, and international organizations criticized the country's asylum process, its poor treatment of asylum seekers, and a lack of protections for unaccompanied minors.

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

The law permits the government to remove citizenship from persons who commit acts contrary to the country's interests for the benefit of a foreign state. The historical number of such cases was reported to be low, and there were no reports of new cases during the year.

Due to bureaucratic problems and delays in the legalization process for immigrants, many aliens were in a semi-legal status, holding expired residency permits while going through the process of renewal. Without current residency permits, immigrants encountered difficulty in accessing government services. In addition, immigrants holding certain types of temporary residency permits were given limited periods of time during which they could leave the country and still return, effectively restricting their right to foreign travel and repatriation. During the year NGOs reported multiple instances of immigrants subjected to summary deportation without legal due process. The law provides for legalization of undocumented immigrants who can prove by a visa stamp or possession of a tax roll number that they entered the country before 2005. However, the ombudsman noted that this system of legalization remained disorganized and that a database of residence permits had not been created.

Protection of Refugees

The country is a party to both the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees. Its laws provide for the granting of asylum and humanitarian protection and the government has established a system for providing protection to refugees. International monitoring organizations, local and international NGOs, the ombudsman, and foreign governments criticized the country's asylum process, its poor treatment of asylum seekers, and a lack of protections for unaccompanied minors.

According to the UNHCR, asylum seekers filed 16,676 applications and 11,144 asylum appeals from January to October. The government reviewed 21,626 applications and 3,043 appeals during this period. Only six applicants (0.02 percent) received refugee

status at the initial claim level, while the government only granted 344 appeals (11.3 percent). An additional 25 persons were granted special humanitarian status.

During the year the government recorded 12,727 asylum requests, 36 approvals, and 14,190 rejections (many being cases from previous years) at the initial claim level.

The government also provided temporary protection to individuals who may not qualify as refugees and provided humanitarian status to 55 individuals in 2008.

The UNHCR reported that, as of July, the government had a backlog of 6,145 unprocessed initial claims for asylum and 42,700 appeals.

In practice, the government provided only limited protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. Many NGOs and international organizations reported that authorities summarily deported illegal immigrants, including asylum seekers, across Greek-Turkish land and maritime borders.

In July the government reorganized the asylum process, decentralizing asylum decision making to 55 regional offices throughout the country, eliminating the asylum appeals board and making police authorities the ultimate arbiters of asylum cases. The new regulations extended the period of permissible administrative detention for illegal immigrants from six to as long as 18 months. A coalition of NGOs and international organizations, including the UNHCR and the International Organization for Migration (IOM), immediately criticized the new regulations. The UNHCR did not participate in the new asylum procedure, stating that it was neither efficient nor fair to asylum seekers and that the abolition of the administrative appeals board would deprive asylum seekers of access to an effective remedy. Amnesty International reported that the new regulations limited lawyers' access to case files and clients in detention and put some asylum seekers who were also illegal immigrants at risk of arrest, because asylum applications must be filed in person. Amnesty International also noted that the new requirement that asylum seekers file their applications immediately upon entry deprived would-be asylum seekers who were detained immediately upon arrival of the protection of an existing provision of the law ensuring that all would-be asylum seekers have access to the asylum process.

In November the new minister for 'citizen's protection announced the creation of a committee of experts from various ministries, NGOs, and academia to propose recommendations for overhauling the country's asylum process and for setting up a new independent agency for processing asylum claims. The UNHCR and domestic and international NGOs welcomed this announcement. The committee's report was pending at year's end.

NGOs and refugee activists reported that asylum interviews were typically short and superficial. Immigrant advocates alleged that asylum seekers were often forced to sign documents without knowing their contents or without interpreters, resulting in nearly automatic refusals. Unaccompanied minors who did not apply for asylum or who were refused asylum were not granted protective status and were subject to repeated detention or to deportation.

In July Human Rights Watch criticized the government for illegal push-backs of migrants at the Turkish border, for puncturing immigrants' rubber dinghies in the Aegean Sea, and various legal and administrative "tricks" to keep asylum seekers from filing claims. Human Rights Watch noted that interpreters and asylum lawyers were in short supply throughout the country. The government stated during the year that human smugglers punctured dinghies as a tactic in order to make sure the coast guard would be forced to pick up the immigrant passengers.

In August Human Rights Watch urged the government to create new open centers for immigrant unaccompanied minors. According to the Human Rights Watch report, the

country provides an estimated 300 places in state care for such children, but these were full throughout the year. Human Rights Watch stated that an estimated 1,000 immigrant children entered the country without a parent or caregiver in 2008.

Local NGOs and government officials criticized EU regulations that determine how asylum seekers may apply for asylum within an EU country. According to the regulations, an asylum seeker must usually file an asylum claim in the first EU country of arrival. Government and NGO representatives claimed this placed an undue asylum burden on the country, given its geographical location at the southeast edge of Europe and its proximity to migration source countries. The representatives urged the EU to reform the regulations so that asylum seekers claims would be more evenly distributed among EU member states.

On January 3, a Bangladeshi man in a queue to file an asylum claim at the Athens Petrou Ralli police station fell into a nearby ditch and died. Immigrant activists alleged that the man died as a result of police scuffling with immigrant asylum seekers outside of the station.

On July 12, authorities destroyed a long-standing campsite at Patras occupied by an estimated 600 to 1,000 male Afghani immigrants, including unaccompanied minors. Local NGOs, international organizations, the media, and diplomatic observers had noted in prior months that living and hygienic conditions in the settlement were poor, with human waste and refuse scattered throughout the site. Amnesty International criticized the forced eviction of the immigrants and called on the government to provide emergency relief, including shelter, access to water, and medical assistance to the reported 80 to 100 persons left without shelter at the time of the demolition, and to take measures to identify and protect the unaccompanied minors said to be among them.

The government stated that it wished to increase the number of formal, legal deportations of immigrants to Turkey and the number of readmission agreements between the country and migration source countries.

In December 2008 Human Rights Watch reported on the country's "systematic failure" to protect unaccompanied immigrant children, alleging that minors were detained in the same cells as adults, age and vulnerability assessment procedures were inadequate, child trafficking victims were not identified properly, and unaccompanied minors faced severe problems in applying for asylum. The law requires that unaccompanied immigrant minors be provided with a temporary guardian, regardless of whether the child has applied for asylum. In practice, the government seldom provided a guardian or safe accommodation for immigrant children, leaving minors vulnerable to homelessness and labor exploitation.

During the year the UNHCR and international and domestic NGOs continued to urge EU countries to refrain from returning asylum seekers to the country under the EU's Dublin II regulations because a substantial number of asylum seekers continued to face serious challenges in accessing and enjoying effective protection. NGOs reported that authorities routinely deported asylum seekers without due process. Norway, Sweden, and the Netherlands suspended returns of asylum seekers to the country in 2008. However, in June the Netherlands resumed these returns.

The UNHCR noted that, although the country had taken a number of steps to improve its asylum practices, a substantial number of asylum seekers continued to face serious challenges in accessing and enjoying effective protection. Essential procedural safeguards were not maintained throughout the process of determining whether candidates were entitled to refugee status, at both the first instance and appeals levels, to the detriment of asylum seekers. The UNHCR also highlighted the lack of interpreters and legal aid, undue hardships in the hearing and adjudication of claims, problematic conditions and limited capacity in reception centers, and excessively long waiting periods for appeals decisions.

The commissioner for human rights of the Council of Europe reported in February that

he remained extremely concerned at the persistence of grave, systemic deficiencies in the country's asylum practices that put at risk the fundamental right to seek and to enjoy asylum. The commissioner called for the establishment of a coherent and adequately resourced action plan on refugee protection and noted that insufficient reception capacity for asylum seekers made their lives even more difficult, especially for children. The commissioner stated that he was particularly concerned with the serious deficiencies in the protection of unaccompanied minor asylum seekers, the chronic lack of interpreters, and with the existence of mined areas in the Evros region of the country.

Conditions for illegal immigrants and asylum seekers detained by authorities were generally unsatisfactory. NGOs and international organizations continued to criticize detention procedures and facilities for refugees and asylum seekers as inadequate. All new arrivals, without exception, were placed under a deportation order without having the chance to first file for asylum, and detention was continued, even if an asylum application had been submitted.

The UNHCR, Amnesty International, the ECRI, the deputy ombudsman for human rights, and the MSF expressed concern over the country's asylum policy and practices. Specific problems included unacceptable living conditions; lack of permanent reception facilities with decent living conditions; the use of ad hoc facilities (primarily on the islands, when a boatload of refugees arrived); underdeveloped systems to provide for refugee welfare; insufficient counseling to assist in the integration of refugees and asylum seekers; a lack of appropriate facilities for unaccompanied minors who were potential asylum seekers; and deficient interpretation and legal counseling for asylum seekers, in particular at entry points.

Stateless Persons

Citizenship is derived from one's parents and not by birth within the country.

The Ministry of the Interior reported to parliament in 2005 that 46,638 Muslims from Thrace and the Dodecanese islands lost their citizenship when they left the country between 1955 and 1998. The law that permitted this divestment of citizenship was repealed in 1998, and these "stateless" residents are eligible to recover their citizenship as long as they live in the country. Some members of the Muslim minority claimed that this policy penalized stateless Muslims who had moved abroad and subsequently acquired citizenship from another country.

In 2007 the Ministry of the Interior stated that it had restored nationality to 36 persons and issued special identity cards to 65 of these stateless Muslims.

In February, in response to a report by the Council of Europe's Commissioner for Human Rights, the government stated that most "stateless" Muslims now lived abroad and had acquired other citizenship. Stateless residents were denied access to such benefits as social security, medical care, and pensions.

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

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

The country held parliamentary elections in October; the elections were considered free and fair. The Pan-Hellenic Socialist Movement (PASOK) won a 10-seat majority in the unicameral Vouli (parliament), and Georgios Papandreou became the new prime minister. Four parties passed the 3 percent threshold for parliamentary representation.

Opposition parties functioned freely and had broad access to the media.

Some Roma reported that local authorities deprived them of the right to vote by refusing to register them. Some Roma had difficulty meeting the municipal residency requirements to register to vote.

According to the law, voting is mandatory for citizens over age 18 years old; however, there are many conditions under which citizens may be exempted, and there was no penalty for not voting.

There were 51 women in the 300-seat parliament and two women in the 17-member cabinet. A quota system requires 30 percent of all local government candidates to be women. At the three highest courts, women comprised 14 of 61 Council of State justices, 28 of 59 Supreme Administrative Court justices, and three of 62 Supreme Court justices. The PASOK-led government elected in October appointed five female ministers out of 19 cabinet posts.

There were two members of the Muslim minority of Thrace in the 300-seat parliament; there were no members in the cabinet.

Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for official corruption; however, the government did not always implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. Media, international organizations, NGOs, and World Bank governance indicators indicated that corruption was a serious and growing problem.

NGOs and media reported throughout the year that the government lacked success in tackling corruption. Mutual accusations of corruption among political parties were a regular part of political life during the year. The government continued to pursue an in-depth investigation into judicial corruption and took steps to trace and apprehend corrupt government procurement officials, tax collectors, and police officers. Despite these efforts, during the year major corruption cases continued to surface.

During the year NGOs combating trafficking in persons alleged that members of the police vice squad were routinely seen colluding with procurers or receiving bribes and free sexual services from persons illegally engaging in prostitution.

Transparency International released a report in February stating that in 2008 more than 13 percent of citizens bribed officials, primarily in health, tax, and urban planning agencies. In April parliament narrowly voted not to prosecute a former minister for the Aegean, who was under investigation for receiving bribes over awarding ferry route contracts.

In June the police Bureau of Internal Affairs reportedly arrested an Aliens Division police officer who was taking bribes in order to accept asylum applications. The officer was suspended from duty pending a criminal investigation.

In July, the Ministry of Justice suspended the director and the chief warden of two prisons on Crete from duty and ordered an investigation of corruption and violations of the prison code.

In 2008 two judges were dismissed on corruption-related charges. Several continuing corruption investigations from 2008 involving as many as 20 judges were pending at year's end. A judge who fled the country in 2008 was still hiding abroad at year's end.

The June 2008 criminal case in which the police Bureau of Internal Affairs dismantled a smuggling ring involving border guards, police, and intelligence personnel was pending at year's end.

The November 2008 case of coast guard personnel from Patras arrested on charges of alien smuggling was investigated by the former Ministry of Mercantile Marine during the year. The results of the inquiry were not made public.

The November 2008 case of eight Thessaloniki police officers convicted in connection with the beating of a Cypriot student in 2006 was still pending in appeals court at year's end. The student filed for 1 million euros (\$1.4 million) in compensation.

There are income disclosure laws for high-ranking public officials and members of parliament.

The constitution provides for the right of access to government-held information. However, NGOs and media observers noted that access to information was sometimes difficult in practice due to bureaucratic delays.

Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials often were cooperative, especially with international human rights organizations, and responsive to their views. The ombudsman and many local NGOs reported that the government's relationship with NGOs improved during the year.

Several NGOs reported harassment or threats. A leader of the antitrafficking organization European Network of Women (ENOW) reported multiple threats and media and prosecutorial harassment, all related to a continuing appeals court case involving an ENOW-supported witness and a convicted trafficker.

The law provides for an independent ombudsman. The Office of the Ombudsman provided an effective means for citizens to report human rights and religious freedom problems. The office was granted adequate resources to perform its other functions, which included mediating between private individuals and public administration and defending and promoting children's rights.

There were five deputy ombudsmen who dealt, respectively, with human rights, children's rights, citizen-state relations, health and social welfare, and quality of life. The deputy ombudsman for human rights received complaints during the year regarding the government's handling of residence and work provisions for immigrants, overcrowding in prisons and detention centers for illegal aliens, unjustified procedural difficulties in acquiring citizenship, excessive and unjustified delays in processing applications by Muslims from Thrace to recover citizenship lost under pre-1998 laws, arbitrary acceptance or denial of asylum seekers' applications, discrimination against aliens, and police brutality. Personnel of the ombudsman's office were granted access to several prisons during the year for unannounced inspections.

The government-funded National Commission for Human Rights is an autonomous human rights body. The commission is the government's advisory body on the protection of human rights. During the year it produced reports on the situation and rights of Roma, the abolition of a religious oath, and the freedom of expression of justices.

Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and the law prohibit discrimination based on race, gender, disability, language, or social status; however, the government did not protect these rights consistently in practice.

Women

Rape, including spousal rape, is a crime. Conviction rates for rape were low for first-

time offenders, but sentences were harsh for repeat offenders. According to police statistics, 128 rape or attempted rape cases were reported in the first six months of the year, and police arrested 122 rape suspects, 59 of whom were noncitizens. In 2008 police reported 232 rapes and attempted rapes. A 2006 academic study indicated that only 6 percent of rapes were reported to police. The government reported in 2007 that 22 men were convicted of rape.

Medical, psychological, social, and legal support from the government and NGOs were usually available to rape victims.

Domestic violence, including spousal abuse, continued to be a problem. The General Secretariat for Gender Equality, the UN Committee on the Elimination of Discrimination against Women, and NGOs reported that domestic violence was common. The law provides for prosecution by force of law, without the need for a victim to press charges, for all domestic violence crimes. Penalties range from two to 10 years' imprisonment, depending on the gravity of the crime.

The General Secretariat for Gender Equality (GSGE), an independent government agency, estimated that only 6 to 10 percent of domestic violence victims contacted the police, and only a small fraction of those cases reached trial.

Despite training efforts the GSGE reported that police tended to discourage women from pursuing domestic violence charges, encouraging them instead to undertake reconciliation efforts. NGOs reported that courts were lenient on male offenders in domestic violence cases. Police stations generally had a manual on how police should treat victims of domestic violence. The GSGE, in cooperation with the Ministry of Citizens' Protection, trained police on working with domestic violence victims.

The GSGE provided counseling and assistance to domestic violence victims. Two GSGE shelters for battered women and their children, in Athens and Piraeus, offered services including legal and psychological help. The GSGE operated a 24-hour emergency telephone hotline for abused women, and the Ministry of Health and Social Solidarity operated a hotline providing referrals and psychological counseling for victims of domestic violence. The municipality of Athens, the Greek Orthodox Church, and a variety of NGOs operated shelters and walk-in centers for victims of domestic violence.

Government statistics on the extent of rape, domestic violence, and spousal abuse were either unavailable or outdated. Data on prosecutions, convictions, and prison sentences for rape and domestic violence crimes was unavailable from the Ministry of Justice.

Prostitution is legal at the age of 18. Persons engaged in prostitution must register at the local prefecture and carry a medical card that is updated every two weeks. It was estimated that fewer than 1,000 women were employed as legal sex workers and that 20,000 women, most of foreign origin, were engaged in illegal prostitution. According to academics and NGOs, many illegal prostitutes could be trafficking victims. Antitrafficking NGOs reported that prostitutes were sometimes abused and subjected to violence and harassment by procurers and clients and that the vice police often tolerated illegal prostitution and sometimes participated in soliciting prostitutes.

The law prohibits sexual harassment and provides for penalties ranging from two months to five years in prison. However, labor unions reported that lawsuits for sexual harassment were very rare, with five cases during the last eight years. Government enforcement was generally ineffective due to a lack of punishment for offenders.

The Center for Research on Gender Equality Issues reported that the vast majority of women who experienced sexual harassment in the workplace quit their jobs and did not file charges. The center estimated that 30 to 50 percent of working women and 10 percent of working men had experienced sexual harassment at their workplace.

The government generally respects the reproductive rights of couples and individuals.

Contraception is widely available in stores and in hospitals, and the government respected the rights of individuals to choose the number, spacing, and timing of having children. Both public and private hospitals provided modern skilled attendance during childbirth. Women and men have equal access to diagnostic services and treatment for sexually transmitted diseases.

Muslim women in Thrace have inferior rights to men under family law, property law, and in the judicial system, since these issues are resolved under Shari'a as interpreted by official muftis. The government recognizes Shari'a as the law regulating the family and civic issues of the Muslim minority in Thrace, and first-instance courts in Thrace routinely ratified the muftis' decisions. The UN independent expert on minority issues highlighted in February that the application of Shari'a in some instances subjected Muslim women to norms incompatible with the constitution, legislation, and international standards, particularly with respect to child marriages. Child marriage, the UN expert found, carried serious implications for the health, well-being, and life choices of Muslim women, and it regularly took place unchallenged by the national authorities.

The UN independent expert on minority issues noted that the situation of women in Romani and Muslim communities was of particular concern. According to the UN report, Muslim women experienced severe inequalities in access to education and consequently suffered disproportionately high levels of illiteracy and unemployment. In an unprecedented March 2008 case, a court of first instance in Rodopi Prefecture refused to ratify a mufti's decision that awarded a woman only a small share of her parental inheritance, instead of the one-half share provided by the law. The court held that the law of the country and European law should prevail over Shari'a. The court stated that the application of Shari'a should not deprive the country's Muslim women of their rights and should not be applied if it violated the basic principles of the constitution regarding the equality of the sexes and equality before the law. A final court decision regarding the division of property between the woman and her brother had not been delivered by year's end.

In February a first-instance court overturned a decision by the mufti of Komotini to divide the custody of four children equally between a man and a woman during their divorce proceedings. The court ruled that, as the father was diagnosed as suffering from a mental illness and alcoholism, custody of all four children should go to the mother. A final legal decision was pending at year's end.

In another February case, a Muslim woman sued the local mufti of Xanthi for breach of duty for refusing to honor a custody agreement she had previously signed with her husband. The agreement stipulated that custody of the couple's only child would go to the mother. The woman claimed that the mufti arbitrarily changed the terms of the agreement by giving custody to the father. The case was pending at year's end.

The National Commission for Human Rights has advised the government to limit the powers of the muftis to religious duties and to stop recognizing Shari'a because it could restrict the civic rights of citizens. Muslim female activists claimed that, because all Muslim women in Thrace were married under Shari'a, they were therefore obliged to acquire mufti consent to obtain a divorce. These decisions were based on interpretations of Shari'a that do not exist in written form and therefore would not be able to be appealed. Nevertheless, the courts routinely ratified such mufti decisions.

Apart from the Muslim minority in Thrace, women have rights equal to those of men, and equality is stipulated by the constitution.

The law provides for equal pay for equal work; however, according to 2007 statistics, women's pay was 81 percent of that of men. Although relatively few women occupied senior private sector positions, women continued to enter traditionally male-dominated professions, such as law and medicine, in larger numbers. Women were underrepresented in labor union leadership.

Children

Citizenship is derived from one's parents at birth. The law also gives citizenship to a child born in the country who has no other citizenship, but in practice this provision was not implemented. The government does not issue birth certificates for children born in the country to immigrant parents who lack citizenship. The deputy ombudsman for human rights urged the government to grant citizenship to all children who were born and raised in the country and to provide them with all educational, social security, and social protection services. Without birth certificates or a long-term residence permits, immigrant children were unable to register for the national college exam and could not pursue tertiary education.

In December 2008 parliament passed a new law giving immigrant children born in the country the right to apply for long-term residence permits. NGOs estimated that, of the 200,000 foreign children living in the country, only 30,000 could meet the requirements of the law, which include a fee of 900 euros (\$1,290), a certificate of completion of the mandatory nine years of education in the country, and two parents with legal residence permits.

In May the Municipality of Kaisariani issued a symbolic birth certificate to a child born to Ghanaian parents to sensitize the authorities to the citizenship problem of foreign children born in the country.

While the law provides free and compulsory education for a minimum of nine years, noncompliance was a significant problem in the Romani community. The UN independent expert reported in March that Romani children did not have full and equal access to education. In September 2008 the UN independent expert visited a Romani settlement in Spata and found that none of the children attended school. In April 2008 the GHM reported that 90 percent of Romani children were illiterate.

There were continuing reports of non-Romani parents withdrawing their children from schools attended by Romani children and attempting to prevent Romani children from studying at the same schools that their children attended.

Romani children continued to face social exclusion and discrimination in education and lacked access to social services. Unaccompanied immigrant children were detained in the same cells as adults, lacked safe accommodations and legal guardians, and were vulnerable to homelessness and labor exploitation.

In September the ECRI noted with concern that the law allows for the deportation of unaccompanied minors and that unaccompanied minors were served deportation orders with no specific date and without interim accommodation centers for housing them. The deputy ombudsman for children's rights informed the ECRI that guardianship of unaccompanied minors was among the duties of social workers but that, in practice, this duty was not carried out due to lack of funds and guidelines.

Violence against children, particularly against street children, Romani children, and undocumented immigrant children, was a problem. Corporal punishment and mistreatment of children is prohibited by law, but government enforcement was generally ineffective. Welfare laws provide for treatment and prevention programs for abused and neglected children as well as alternative family care or institutional placement for those in need of it. However, government-run institutions were understaffed, and NGOs complained that they did not have places for all children who needed alternative placement. In 2008 the deputy ombudsman for children's rights reported that the system of children's welfare and protection was deficient overall and did not cover increasing needs. In particular, social services were not appropriately staffed to handle serious family problems, and welfare allowances and support for single parent families were insufficient. In addition, the deputy ombudsman noted that prosecutors for minors, who should by law take measures to protect children in difficult situations, were overloaded with other duties. Child protection institutions were understaffed, lacked certification, and did not have sufficient qualified staff to provide care to abused, refugee, or drug-abusing children. Foster care systems were not adequately implemented, and the process of adoption continued to take several years.

In September, after visits to child welfare institutions in Attica and Ileia, the deputy ombudsman for children's rights reported that, due to a lack of staff, children were sedated, tied to their beds, or even confined in wooden cages to limit their movement.

The legal age for marriage is 18. Child marriage was common within the Romani community, and there were limited numbers of marriages of persons under 18 among the Muslim minority in Thrace and Athens. The UN independent expert for minority issues reported that young Romani women typically marry and have children at a very early age, reportedly as young as 13. Child marriage is considered a tradition in the Romani community but was also a consequence of lack of education and work opportunities. The state-appointed muftis, who may apply Shari'a in family matters, noted that they did not allow the marriage of children under age of 15 and, in order to protect children, required a prosecutor's decision to allow marriages where at least one party was a minor between the ages of 16 and 18.

According to law, the age of consent is 15 for heterosexual sex and 17 for male homosexual sex. The law does not specify an age of consent for female homosexual sex. The country criminalizes sex with children under the age of 15.

The law prohibits the possession and circulation of child pornography as a felony, punishable with five to 10 years' imprisonment.

According to the UN Children's Fund (UNICEF) and local NGOs, the majority of street children (often indigenous Roma or Albanian Roma) were exploited by family members, who forced them to work in the streets, begging or selling small items. The government took insufficient steps to prevent this form of child exploitation. While no national statistics were available, in June the NGO ARSIS reported that it had found 638 street children in Athens and Thessaloniki. During the year ARSIS observed a significant rise in the number of street children, especially Romani street children, from Bulgaria and Romania, while there was a decrease in the number of children from Albania.

Conditions for undocumented immigrants and asylum-seeking children were particularly harsh. During the year local and international NGOs, including Amnesty International and the MSF, as well as the UNHCR on several occasions found unaccompanied minors incarcerated along with adults in detention centers in the Aegean islands under degrading, inhumane, and unsanitary conditions. The UNHCR stated in August that it was alarmed at the conditions in the Lesbos detention center, where 200 unaccompanied children were among the 850 detainees and that many of the 50 infants at the center had illnesses related to the cramped and unsanitary conditions.

The deputy ombudsman for human rights reported in 2008 that an estimated 4,000 to 5,000 unaccompanied minors arrived in the country each year.

Trafficking in Persons

The law prohibits trafficking in persons. The country was a destination and transit venue for women and children trafficked for the purpose of sexual exploitation and for men and children trafficked for the purpose for forced labor.

Women and teenage girls were trafficked from Bulgaria, Romania, Albania, other parts of Eastern Europe and the Balkans, Nigeria, and Brazil into forced prostitution and forced labor. One NGO reported that there were many teenage male sex trafficking victims from Afghanistan and sub-Saharan Africa in the country. Victims of labor trafficking originated primarily from Albania, Romania, Moldova, Afghanistan, Pakistan, India, and Bangladesh, and most were forced to work in the agriculture or construction sectors. Child labor trafficking victims were forced to beg and engage in petty crimes. Several NGOs reported anecdotal evidence that Romani women and children were trafficked within the country.

According to the police, persons from Greece, Eastern Europe, and Nigeria are the

primary traffickers for sexual exploitation. Police estimated that there were somewhat fewer than 100 sex and labor trafficking organizations based in the country. The vast majority were small, cell-based organizations that operated mostly independently. Trafficking rings were flexible and known to cooperate with each other on a short-term basis. Trafficking networks were often linked to bars, clubs, and hotels. Travel and employment agencies facilitated travel and legal documentation for traffickers. Police have discovered a variety of money-laundering fronts for trafficking rings: restaurants, nightclubs, and even a chain of bakeries. Police and NGOs reported a decrease in coercion by violence but an increase in emotional coercion, where traffickers use deception to befriend or enter into a romantic relationship with the victim, who is subsequently forced into prostitution.

Labor traffickers typically operated separately from sex trafficking organizations and were linked more closely to immigrant smuggling groups.

In June NGOs reported they had begun seeing immigrant children washing windscreens or selling flowers and handkerchiefs at city intersections, a phenomenon that had disappeared during the previous few years. The Thessaloniki-based NGO Arsis reported in June that it had identified 638 children in Athens and Thessaloniki, most of Albanian Roma origin, between five and 11 years of age, working in the streets and exploited by family members and traffickers.

The law considers trafficking in persons a criminal offense and provides for imprisonment of up to 10 years and fines of 10,000 to 50,000 euros (\$14,300 to \$71,500) for convicted traffickers. Penalties are harsher for traffickers of children. The government continued to investigate cases of trafficking and secured convictions of traffickers.

In 2008 police conducted 40 trafficking investigations (37 sexual exploitation cases, two labor exploitation cases, and one case of trafficking for human organs), compared with 41 investigations in 2007. They brought charges against 162 suspected traffickers, compared with 121 arrests made in 2006. The government convicted 21 defendants of trafficking-related charges, while 17 were acquitted. Courts handed down fewer suspended sentences in 2008 than in earlier years, and punishment often included both imprisonment and a fine. However, many convicted traffickers remained free on bail for several years while appealing their convictions. The Ministry of Justice continued to lack effective databases, hindering its ability to provide and manage information on convictions and sentencing in all types of court cases.

During the year the government participated in international investigations in cooperation with EUROPOL, INTERPOL, and the Southern European Cooperative Initiative. The Ministry of Citizen's Protection continued working on a police action plan for regional antitrafficking cooperation.

Government entities responsible for combating trafficking and supporting victims included the ministries of foreign affairs, justice, interior, health, education, and finance. A high-level interministerial committee on trafficking in persons met infrequently during the year.

Some police officers and diplomats were reportedly involved in trafficking rings or accepted bribes from traffickers, including from organized crime networks. The police Bureau of Internal Affairs investigated charges of police involvement in trafficking cases. In 2007 the authorities filed trafficking-related charges against three police officers, two of them senior officials. No trial date was set by year's end.

In 2008 the country ratified a child repatriation agreement with Albania for Albanian child victims of trafficking. In July the government began implementing the agreement with the help of NGOs from both countries. ARSIS reported that, while implementation had begun, the process was subject to bureaucratic delays and children sometimes remained in custody for weeks.

While the immigration law provides for a "reflection period" for trafficking victims facing deportation, the screening and referral process did not adequately identify and protect many vulnerable victims, especially children. Some trafficking victims, including minors, were prosecuted for immigration violations, sometimes alongside their traffickers. A few trafficking victims and NGOs reported that inadequate police protection for victims who were witnesses in trials meant that those victims lived in constant fear of their traffickers. Some victims were provided with the full reflection period and testified against their traffickers.

Authorities identified 78 trafficking victims in 2008, a decrease over the 100 victims identified in 2007. These victims were given temporary residence permits and access to free public health and counseling services. The government operated short-term shelters for victims during the year and in 2008 approved over 515,738 euros (\$738,000) in grants to NGOs for trafficking in persons research and to provide shelter, counseling, and legal assistance to victims. Several government ministries also conducted public awareness campaigns to disseminate information about trafficking in persons.

During the year the government conducted numerous training programs for prosecutors and public administration officers, including social workers, psychologists, nurses, police personnel, and justices on identifying victims of trafficking. The government also conducted training programs in conjunction with international organizations, including the IOM.

See also the State Department's annual [Trafficking in Persons Report](#).

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, or the provision of other government services; in practice government enforcement of these provisions was uneven. The law mandates access to buildings for persons with disabilities; however, authorities enforced this law poorly. During the year members of a special parliamentary committee on persons with disabilities reported that this lack of accessibility forced such persons to remain at home and led to serious social exclusion.

Only 5 percent of public buildings were fully accessible to persons with disabilities; most buildings with special ramps did not have accessible elevators or lavatories. The deputy ombudsman for social welfare handled complaints related to persons with disabilities, especially those related to employment, social security, and transportation.

During the year the Ministry of Health and Social Solidarity estimated that there were 180,000 children with disabilities with special educational needs. The Teachers' Association estimated that only 18,500 of these children attended primary school and that, of this number, only 10 percent would attend secondary school, due either to a lack of local special education schools or a lack of accessibility. In 2007 the National Confederation of Persons with Disabilities reported that the educational system for persons with disabilities fostered discrimination and social exclusion and, as a consequence, 90 percent of children with disabilities were excluded from the mandatory nine years of education. The deputy ombudsman for children's rights and the NGO Confederation of the Disabled reiterated during the year that education was not available for persons with serious disabilities and many persons with disabilities were forced either to leave school due to lack of accessibility or to accept a low quality education at the special education schools. The confederation stated that, of the 10 universities in Athens, only two were accessible to persons with disabilities.

In June 2008 members of a special parliamentary committee for persons with disabilities stated that unemployment of persons with disabilities, estimated to be 80 percent, was the greatest social problem these persons faced.

The law states that individuals may be confined in mental hospitals only under a court order. In 2007 the deputy ombudsman for human rights reported that 94 percent of

persons confined in mental hospitals were there under a prosecutor's order but that, in 84 percent of these cases, the decision to confine the patient was not supported by a corresponding court order. As a result, the rights of persons with mental disabilities were not effectively protected. The deputy ombudsman further found that 97 percent of persons with mental disabilities had been transferred to mental hospitals by police, sometimes handcuffed and escorted as "dangerous persons" rather than as patients.

National/Racial/Ethnic Minorities

Roma continued to face widespread governmental and societal discrimination, including systematic police abuse; mistreatment while in police custody; regular raids and searches of their neighborhoods for criminal suspects, drugs, and weapons; and limited access to education and segregated schooling. Their dwellings (in many cases shacks made of cardboard, plastic sheets, and corrugated tin on the edge of city dumps) were at times demolished and, in other cases, lacked running water, electricity, or waste removal. Government efforts to address these problems were inconsistent, especially at the municipality level.

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

The UN independent expert on minority issues, in a March report to the UN Human Rights Council, highlighted that many Roma remained in unhealthy living conditions with their children either in segregated schools or unable to access educational opportunities. Roma faced a severe lack of access to adequate housing and were subjected to forced evictions. The report noted that Roma lacked access to public services, such as public transportation, clean drinking water, and electricity, often due to a lack of action or discrimination by local officials. Roma faced significant discrimination in employment, which often limited their work prospects to menial jobs in the informal sector.

During the year the European Fundamental Rights Agency (FRA), an EU organ, and the ECRI reported that Roma were the most disadvantaged minority group in terms of education and that most Roma who lived in settlements continued to earn their income from scrap and garbage collection. The ECRI noted that few Roma were employed in the mainstream labor market due to discrimination and prejudice, although their lack of qualifications (as a result of a low level of education) also played a role.

According to the FRA, only 4 percent of Roma reported having attended school for at least 10 years and 63 percent were living in segregated conditions, effectively cut off from mainstream society and municipal services. The survey noted that 55 percent of Roma had been victims of discrimination during the year, 90 percent had not reported discrimination to any authority, 86 percent did not know if there was a law forbidding discrimination, 94 percent did not know of any organization that could offer support or advice to them, and 56 percent thought that they had been stopped by the police because of ethnic profiling.

In August the UN CERD Committee expressed concern about obstacles encountered by Roma with regard to access to work, housing, health care, and education.

In late September, the deputy ombudsman for human rights urged the government to have local municipalities register Roma. Without registration, according to the deputy ombudsman, Roma lacked access to schools and other public services and faced severe challenges integrating socially. Media reports indicated that at least half of Roma were not registered with a municipality.

In April 2008 an academic researcher reported that life expectancy for Roma was 55

years (compared to 79 for the rest of the population), 90 percent of Romani children were not vaccinated, the rate of hepatitis B among Roma was three times higher than the rest of the population, and the rate of incarceration for Roma was seven times higher than that of the general population.

Local authorities continued to harass and threaten to evict Roma from their camps or other dwellings, but no actual evictions were reported during the year. There was no follow-up to the April 2008 complaint concerning Romani housing rights by the International Center for the Legal Protection of Human Rights and the GHM against the country with the European Committee of Social Rights. The complaint detailed serious and widespread infringement of the Romani community's right to housing.

Government ministries continued projects to address the chronic problems of the Romani community, including training courses for civil servants, police, and teachers to increase their sensitivity to Romani problems; the development of special teaching materials for Romani children; the establishment of youth centers in areas close to Romani communities; and the deployment of mobile health units and community social workers to address the needs of itinerant Roma. However, the UN independent expert on minority issues and the deputy ombudsman for human rights noted that these projects were not effectively implemented on the local level and urged the government to ensure that national policies were not subverted or defied by local authorities influenced by local prejudices. Roma complained that government-sponsored housing loans, for amounts up to 60,000 euros (\$85,800), were insufficient to purchase housing and that the loan application process was too slow. The government blamed incomplete applications for loan delays. NGOs reported that the loan program lacked sufficient oversight to ensure the money was directed toward housing.

Media and NGOs reported multiple attacks by far-right extremist groups on immigrants during the year. The Hellenic League for Human Rights expressed its deep concern over the rise in racist violence committed by far-right groups. Nineteen Pakistanis were injured in April in different neighborhoods of Athens, and three Pakistanis were attacked in August in Piraeus. Police did not find the perpetrators but stated that they were investigating the allegations. In May members of far-right groups attempted to storm an abandoned former court building in Athens that, at the time, was occupied by an estimated 600 illegal immigrants. Police evicted all the immigrants from the building in July.

Immigrants, who made up approximately 10 percent of the population, faced widespread societal discrimination. Immigrants accused police of physical, verbal, and other mistreatment. They also reported the confiscation and destruction of personal documents, particularly during police sweeps to apprehend undocumented immigrants. In May immigrants in Athens were involved in a series of scuffles with police, protesting the alleged defacement of a Koran by a police officer.

In June police arrested two farmers in Manolada for ambushing, beating, and dragging two illegal immigrants from Bangladesh behind their motorbikes. The two farmers claimed that they wanted to punish the immigrants for livestock thefts in the area allegedly perpetrated by illegal immigrants. The investigation was pending at year's end.

Community leaders reported that it was difficult for ethnic Albanians and other immigrants to obtain citizenship, even after all objective citizenship requirements had been met. Government procedures for granting citizenship are confidential, and the Ministry of the Interior and Public Order is not obliged to explain the reasons for rejecting an application. Immigrant community leaders noted that the ministry regularly rejected the applications of immigrants who believed that they met all citizenship criteria. Applying for citizenship was further discouraged by the 1,500 euro (\$2,150) nonrefundable application fee. In 2008 the ombudsman noted that delays in citizenship processing were excessive and unjustified. The ombudsman reported that few applications for citizenship were accepted by the Ministry of the Interior and Public Order and that many applications were pending for years, even if the applicants met all requirements.

During the year municipal governments in Athens established immigrant councils to foster dialogue on issues such as discrimination, social benefits for immigrants, legalization, employment, and security. Police officials met with representatives of the Pakistani immigrant community to discuss ways to combat discrimination and incidents of police abuse.

A number of citizens identified themselves as Turks, Pomaks (Slavic-speaking Muslims), Vlachs (a Balkan minority group speaking a dialect of Romanian), Roma, Arvanites (Orthodox Christians who speak a dialect of Albanian), or Macedonians. Some members of these groups sought to be officially identified as "minorities" or "linguistic minorities." The government considers the 1923 Treaty of Lausanne as providing the exclusive definition of minorities in the country and defining their group rights. Accordingly, the government recognizes only a "Muslim minority."

Although government does not confer official status on any indigenous ethnic group, nor recognize "ethnic minority" or "linguistic minority" as legal terms, it affirms an individual right of self-identification. However, many individuals who defined themselves as members of a "minority" found it difficult to express their identity freely and to maintain their culture. Use of the terms *Tourkos* and *Tourkikos* ("Turk" and "Turkish") is prohibited in titles of organizations, although individuals legally may call themselves *Tourkos*. Associations with either term in their name were denied official recognition. To most ethnic Greeks, the words *Tourkos* and *Tourkikos* connote Turkish identity or loyalties, and many ethnic Greeks objected to their use by citizens of Turkish origin.

Some members of the Pomak community claimed they were pressured by members of the Turkish-speaking community to deny the existence of a Pomak identity as separate from a Turkish identity. Media in Thessaloniki reported in October 2008 that two editors of *Millet*, a local newspaper published in Turkish, were given 12-month suspended sentences for inciting hatred against the Pomak community. Pomaks filed four suits against the editors, totaling 200,000 euros (\$286,000). The suits were pending at year's end.

The government did not recognize the existence of a Slavic dialect, called "Macedonian" by its speakers, spoken in the northwestern area of the country. However, a small number of Slavic speakers insisted on identifying themselves as "Macedonian," a designation that generated strong opposition from other citizens. These Slavic speakers claimed that the government pursued a policy designed to discourage the use of their language. Government officials and the courts denied requests by Slavic groups to identify themselves using the term "Macedonian," stating that approximately 2.2 million ethnically (and linguistically) Greek citizens also use the term "Macedonian" to identify themselves.

The foreign press and NGOs reported that on June 2, at least a dozen unidentified men violently disrupted a presentation of a new Greek-Macedonian dictionary and a speech by a Western linguist and academic at the Foreign Press Association in Athens. The reports alleged that the men damaged banners and video equipment and injured at least one reporter. Allegedly, they were members of the ultra-nationalist group Golden Dawn.

The UN independent expert on minority issues, in a March report, urged the government to withdraw from the dispute over whether there is a Macedonian or a Turkish ethnic minority in the country and focus instead on protecting the rights to self-identification, freedom of expression, and freedom of association of those communities and complying fully with the rulings of the ECHR that associations should be allowed to use the words "Macedonian" and "Turkish" in their names and to express their ethnic identities freely. The independent expert found that those identifying themselves as ethnic Macedonians still reported discrimination and harassment. Representatives of this minority claimed that they were denied the right to freedom of association, citing unsuccessful efforts since 1990 to register the organization "Home of Macedonian Culture" in Florina.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and

Gender Identity

According to law, the age of consent is 15 for heterosexual sex and 17 for male homosexual sex. The law does not specify an age of consent for female homosexual sex. The NGO, Homosexual and Lesbian Community of Greece (OLKE), stated that the higher age of consent for homosexual males and the lack of any legal treatment of female-to-female sex, constituted gender identity discrimination. OLKE also criticized the country's laws against hate speech for not including sexual orientation or gender identity.

OLKE alleged during the year that police often abused and harassed homosexual and transgender persons and subjected them to arbitrary identity checks and body searches in public places. In March organizers of the Athens Pride parade reported that the police did not respond to a series of attacks against gay bars in Athens. OLKE reported that police protection had improved for the parade and that the ombudsman officials had handed out employment antidiscrimination flyers during the event.

NGOs reported that societal discrimination based on sexual orientation was widespread, but focused on gay male relationships. Transgender and HIV-positive persons were exempted from military service on disability and medical grounds, respectively.

Other Societal Discrimination

Observers indicated that individuals with HIV/AIDS suffered from high social exclusion and a loss of employment if they revealed their status.

In February the Supreme Court ruled against an HIV-positive individual and in favor of his employer in a landmark HIV/AIDS discrimination case. The individual had revealed his HIV-positive status in 2005 and was subsequently fired. The Supreme Court ruled that the dismissal was legal due to the fact that his HIV-positive status caused negative reactions from his coworkers and created a negative work environment. The General Confederation of Greek Workers protested the Supreme Court's decision.

Section 7 Worker Rights

a. The Right of Association

The law provides that all workers, with the exception of members of the military services, have the right to form and join independent unions of their choice without any previous authorization or excessive requirements, and workers exercised this right. Approximately 30 percent of the total labor force was unionized. Agricultural employees, most of whom were foreigners, were not unionized. The law allows unions to conduct their activities without interference, and the government protected this right in practice.

The law provides for the right to strike, and workers in the private sector and in public corporations exercised this right in practice. Police have the right to organize and demonstrate but not to strike. There are some legal restrictions on strikes, including a mandatory notice period of four days for public utility workers and 24 hours for workers in the private sector. The law mandates minimum staff levels (as determined by management) during strikes affecting public services. Courts may declare a strike illegal; however, such decisions were seldom enforced. Unions complained that this judicial power deterred some of their members from participating in strikes. Courts declared some strikes (of transportation workers, air traffic controllers, garbage collectors, dock workers, and others) illegal during the year for reasons such as a failure by the union to give adequate advance notice of the strike or the introduction of new demands by a union during the course of the strike, but no workers were prosecuted for striking.

In December 2008 unknown persons attacked Constantina Kuneva, secretary of All Attica Union of Cleaners and Domestic Workers. The perpetrators threw sulfuric acid in her

face and forced her to swallow it. Her defense of the rights of irregular workers, part of her work with the union, resulted in intimidation and death threats. Trade unions and NGOs demanded a thorough investigation.

b. The Right to Organize and Bargain Collectively

The law generally provides for the right to bargain collectively in the private sector and in public corporations, and unions exercised this right freely. No antiunion discrimination was reported during the year.

There are three export processing zones in the country. There are no special laws or exemptions from regular labor laws in export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits all forced or compulsory labor, including by children; however, women, children, and men were trafficked for commercial sexual exploitation or for labor exploitation in agricultural and construction sectors.

d. Prohibition of Child Labor and Minimum Age for Employment

The law protects children from exploitation in the workplace and prohibits forced or compulsory labor; however, the government did not adequately protect children, especially Roma, who were trafficked for commercial sexual exploitation as well as for labor, such as begging, pick-pocketing, or selling merchandise on the street.

The minimum age for employment in the industrial sector is 15, with higher limits for some activities. The minimum age is 12 in family businesses, theaters, and the cinema. These limits were enforced by occasional spot checks and were generally observed. Families who engaged in agriculture, food service, and merchandising were often assisted by younger family members on at least a part – time basis.

Child labor was a problem, although international and local observers agreed that the number of working children had decreased compared with previous years. A number of children begged or sold small items in the streets. The government and NGOs reported that the majority of beggars were either indigenous Roma or Albanian Roma. Local children's advocates estimated that a large number of the 150,000 children under the age of 18 who dropped out of school each year ended up in the labor market, often in poorly paid and arduous positions. Jobs for dropouts included washing cars, pumping gas, construction, and low-level service sector employment.

In December 2008 Human Rights Watch reported that unaccompanied immigrant children, working mainly in the agriculture, construction, and garment manufacturing sectors, were particularly vulnerable to labor exploitation.

There were reports that children from Albania were trafficked and forced to beg; however, antitrafficking NGOs reported a decrease in trafficking as more Albanian parents entered the country legally with their children. Some parents forced their children to beg for money or used their children to elicit sympathy while begging for money.

The labor inspectorate is responsible for enforcing labor legislation; however, trade unions alleged that enforcement was inadequate due to labor inspectorate understaffing.

e. Acceptable Conditions of Work

The national minimum wage of 32 euros (\$46) per day and 701 euros (\$1,000) per month was not enough to provide a decent standard of living for a worker and family in urban areas with higher living costs. Wages were officially the same for local and foreign

workers, but there were numerous reports of undocumented foreign workers being exploited by employers, who paid low wages and made no social security contributions.

The maximum legal workweek is 40 hours in the private sector and 37.5 hours in the public sector. The law provides for at least one 24-hour rest period per week, mandates paid vacation of one month per year, and sets limits on the amount of overtime worked. Premium pay and authorization by the Ministry of Employment and Social Security is required by law for overtime work. The labor inspectorate is responsible for enforcement of labor legislation; however, trade unions alleged that enforcement was inadequate, especially in the construction and public works sectors, due to inadequate inspectorate staffing.

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