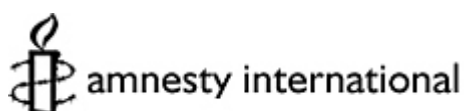


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Amnesty International Annual Report 2011 - Greece

Head of state: **Karolos Papoulias**
 Head of government: **George Papandreou**
 Death penalty: **abolitionist for all crimes**
 Population: **11.2 million**
 Life expectancy: **79.7 years**
 Under-5 mortality (m/f): **5/4 per 1,000**
 Adult literacy: **97 per cent**

Reports of excessive use of force and ill-treatment by law enforcement officials continued. Greece continued to lack a functioning asylum system. Substandard detention conditions at border guard stations and immigration detention centres remained a concern. Incidents of racial violence against migrants and asylum-seekers increased.

Background

The serious financial crisis in Greece led to the country requesting and agreeing a rescue package with the EU, the International Monetary Fund and the European Central Bank. The severe budget cuts adopted by the Parliament in May led to a series of demonstrations by trade unions before and after their adoption. On 5 May, three bank workers died during a demonstration in Athens against the austerity measures after some unidentified assailants threw a petrol bomb at the bank.

Armed opposition groups continued to carry out bomb attacks. In June, a parcel bomb explosion at the Ministry of Citizens' Protection in Athens killed the Minister's aide. Also in June, a Greek journalist was killed by armed attackers in Athens. In November, a series of parcel bombs, addressed to foreign embassies in Greece, the Parliament, international organizations and some heads of EU States were detected and destroyed by the authorities.

In March, new legislation entered into force which would allow migrant children to acquire citizenship if they met certain requirements.

Torture and other ill-treatment

There were reports of indiscriminate and excessive use of tear gas and other chemicals and excessive use of force against protesters during demonstrations.

- Excessive use of force against peaceful protesters was reported during the commemorative demonstration of the second anniversary of the death of Alexandros Gregoropoulos on 6 December. As a result, a number of protesters reportedly sought hospital treatment, including around 45 with head and other injuries, and around 30 as a result of the excessive use of tear gas and other chemicals. According to reports, some riot police officers beat and injured a photojournalist and a photographer covering the events.

Reports of ill-treatment by law enforcement officials persisted, including against members of vulnerable groups such as detained asylum-seekers and irregular migrants.

- Allegations were made regarding the severe beating of several irregular migrants and asylum-seekers detained at the border guard station of Soufli on 16 August. The detainees had protested over their poor detention conditions. Two days later, three of them were allegedly beaten severely following a hunger strike started by the detainees on the day after the first incident of ill-treatment.
- In October, a special guard was convicted of culpable homicide for shooting 15-year-old Alexandros Gregoropoulos dead in December 2008, and sentenced to life imprisonment. A second special guard was convicted of complicity in culpable homicide and sentenced to 10 years' imprisonment.

At the end of his visit in October, the UN Special Rapporteur on torture called for the ratification of the Optional Protocol to the UN Convention against Torture and the establishment of an independent and effective police complaints mechanism. In December, a Draft Law provided for the establishment of a bureau dealing with incidents of arbitrary behaviour by law enforcement officials. Concerns remained over the independence and effectiveness of the proposed bureau.

Refugees and migrants

Substandard detention conditions in border guard stations and immigration detention centres remained a cause of concern, including overcrowding, prolonged detention in facilities not designed for long-term stay, lack of hygiene, lack of exercise and lack or limited access to medical care.

There was a significant increase in the number of irregular migrants and asylum-seekers arriving in Greece through the Greek-Turkish land border in Evros. In October, UNHCR, the UN refugee agency, called on the government to take urgent measures to address the humanitarian needs in the Evros region, including the deployment of sufficient personnel and immediate measures to ensure basic standards of human dignity in detention centres. Concerns were expressed at the deployment by Frontex, the European external borders agency, of a rapid border intervention team on 2 November to the region.

Greece continued to lack a functioning asylum system and much delayed reforms were in the process of being adopted by the end of the year. In September, UNHCR, the UN refugee agency, called the asylum situation in Greece a "humanitarian crisis" and urged the Greek authorities to speed up the asylum system reforms. European states participating in the Dublin II Regulation continued to exacerbate Greece's humanitarian crisis by insisting on returning asylum-seekers to the country.

The transitional Presidential Decree on asylum determination procedures (Presidential Decree 114/2010) entered into force in November. It reintroduced first instance appeals in asylum and other international protection cases and introduced transitional provisions for dealing with the heavy backlog of pending asylum appeals which reportedly were close to 47,000. The Decree retained the police as the competent authority for the initial examination of asylum claims. Free legal assistance continued to be available only to asylum-seekers who filed an appeal to the Council of State.

In December, a draft law providing for the creation of a new asylum determination authority, staffed entirely by civilian personnel, was laid before the Parliament. The law also provided for the creation of first-reception centres and sought to transpose the EU Returns Directive into Greek legislation. Concerns existed among other issues about the maximum length of pre-removal detention provided for in the draft law.

Long delays in the processing of their asylum claims prompted several asylum-seekers in Athens to go on hunger strike.

Discrimination

Incidents of racial violence against migrants and asylum-seekers reportedly increased, particularly in Athens. It was alleged that the police did not protect victims in the area of Aghios Panteleimon in Athens against such attacks.

Roma

In a decision made public in May, the European Committee of Social Rights found Greece in violation of Article 16 of the European Social Charter, assessing that a significant number of Roma families continued to live in conditions that failed to meet minimum standards. The Committee also held that Roma continued to face forced evictions and legal remedies were not sufficiently accessible to them.

- In September, in the case of *Georgopoulos et al v. Greece*, the UN Human Rights Committee found Greece in violation of the International Covenant on Civil and Political Rights with regard to demolishing a Romani family's home in 2006 and preventing the construction of a new home in the Roma Riganokampos settlement in the municipality of Patras.

NGOs expressed concerns over the failure of the Greek authorities to implement the 2008 judgement of the European Court of Human Rights in the case of *Sampanis v. Greece*. Romani children, including the applicants in the case, reportedly remained segregated in education and no effective efforts had been made to improve enrolment rates of Romani children or to ensure their education was fully integrated.

Prison conditions

Poor detention conditions and overcrowding continued to be reported in many prisons throughout the year. In December, around 8,000 prisoners around Greece reportedly refused meals and around 1,200 went on hunger strike and called for improvements in overcrowding and detention conditions, among other things.

Conscientious objectors

In September, new legislation on the right to conscientious objection was enacted, by which the length of alternative service was slightly decreased and reserve obligations for conscientious objectors were abolished. However, the maximum length of the alternative service in law remained effectively punitive, at twice the length of normal military service. The reduced length of alternative service, applied at the discretion of the Minister for National Defence, is still likely to be punitive in nature for the vast majority of conscripts.

The repeated persecution of conscientious objectors continued.

- In February, the Military Appeal Court of Athens upheld the conviction for desertion of professional soldier Giorgos Monastiriotis by the Naval Court of Piraeus and handed down a five months' suspended prison sentence. In 2003, Giorgos Monastiriotis had refused, citing reasons of conscience, to follow his unit when it was sent to the Iraq war.

Trafficking in human beings

In August, Law 3875/2010 implementing, among others, the 2000 UN Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons was introduced. It included positive amendments including rendering the protection and support to victims of trafficking independent of their co-operation regarding the prosecution of alleged traffickers following the fulfilment of certain requirements.

Despite the government's announcement regarding the establishment of further shelters for women victims of trafficking and domestic violence in 2009, only two state-run shelters for 38 beneficiaries were reported as operational, while only one NGO-run shelter for women victims of trafficking remained, due to lack of funding.

Workers' rights

Concerns over the thoroughness of the criminal investigation into the attack against Konstantina Kuneva remained and the case was again at risk of being permanently closed. Following an order by the prosecutor at the end of the year, the investigation into the attack was joined to the investigation about the working conditions in cleaning companies, which meant the case would continue. Konstantina Kuneva, a trade union leader, was severely injured in Athens on 22 December 2008, when she was attacked with sulphuric acid by unknown men.

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