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Amnesty International Report 2010 - Greece

HELLENIC REPUBLIC

Head of state: Karolos Papoulias

Head of government: George A. Papandreou (replaced Kostas Karamanlis in October)

Death penalty: abolitionist for all crimes

Population: 11.2 million

Life expectancy: 79.1 years

Under-5 mortality (m/f): 5/4 per 1,000

Adult literacy: 97.1 per cent

Reports continued throughout the year of incidents of ill-treatment by law enforcement officials. A new Presidential Decree left asylum-seekers without an effective right of appeal. There were reports of arbitrary expulsions of irregular migrants and possible asylum-seekers from Evros. Up to 100 people were reportedly left homeless, without access to services, following the forced eviction of a large number of irregular migrants and asylum-seekers from a campsite in Patras. Detention conditions in various immigration detention centres and prisons remained a cause of concern. Attacks by armed opposition groups resulted in injuries.

Background

Armed opposition groups launched a number of armed attacks, including on a police station. They also carried out bomb attacks: some on banks, one on the home of a member of parliament and another on the home of a Member of the European Parliament. One police officer was killed and seven others were injured, three seriously.

Refugees, asylum-seekers and migrants

There was concern about the frequent failure by police authorities at the country's points of entry to register individual asylum claims, thereby denying people access to the asylum procedure. In June, a new Presidential Decree (81/2009) introduced detrimental changes to the asylum determination procedure. Among other changes, the new decree abolished the Appeals Board and thus deprives asylum-seekers from an effective right of appeal against decisions at first instance. What remained was judicial

review of cases by the Council of State, which is limited to examination of the lawfulness of the decision. In July, UNHCR, the UN refugee agency, announced its decision not to participate in asylum procedures unless substantial changes were made. At the end of the year the new government announced plans to reform the asylum determination procedure, establish a new independent Asylum Service and create screening centres for irregular migrants at the country's points of entry. Committees of Experts were set up to prepare proposals on these issues.

Several individuals were forcibly returned to countries where they risked serious human rights abuses.

- In July, 18 Kurdish asylum-seekers of Turkish nationality, including four unaccompanied minors, were forcibly returned to Turkey. Police responsible for their detention in Chania, Crete, had refused to file asylum applications for the four minors or to forward the 14 adults' applications to the competent authorities.

Between June and August, the authorities transferred many irregular migrants and possible asylum-seekers from immigration detention centres on the Greek islands to the border region of Evros. There were reports by local and international NGOs of arbitrary expulsions of individuals from these groups.

In June, Law 3772/2009 allowed for the administrative expulsion of "aliens", even where the individual has been charged with offences punishable by a minimum of three months' imprisonment. Asylum-seekers and refugees were not excluded from the scope of the provision. The same law increased the period of administrative detention from three to six months with a possible extension of a further 12 months under certain circumstances, making a possible maximum of 18 months.

Problems such as overcrowding and poor hygiene, as well as lack of adequate food, outside exercise, access to the outside world and to health services, continued to be reported in immigration detention centres. In June, the European Committee for the Prevention of Torture concluded that "the detention conditions of the vast majority of irregular migrants deprived of their liberty in Greece remain unacceptable".

In some facilities, unaccompanied minors were detained for as long as two and half months due to a shortage of places in minors' reception centres.

- In August, approximately 150 unaccompanied minors went on hunger strike in the Pagani immigration detention centre in Lesbos, protesting against their detention conditions. The centre was temporarily closed in November.
- In July, a large number of irregular migrants and asylum-seekers, including unaccompanied minors, were forcibly evicted from a campsite in Patras. Between 80 and 100 people were reportedly left homeless, without access to water, sanitation or medical assistance. During the same month, approximately 100 irregular migrants were also forcibly evicted from a disused courthouse in Athens.

Racially motivated attacks against migrants and asylum-seekers increased.

In December, a draft law which provides for the granting of citizenship to second generation migrants was announced.

Torture and other ill-treatment

Protesters, lawyers and journalists were reportedly ill-treated by police following a demonstration in January.

- The special guard responsible for the shooting of Alexis Gregoropoulos in December 2008 was charged with manslaughter with intent. The second guard was charged with complicity. Their trial was pending at the end of the year.

Incidents of excessive use of force by police during demonstrations were reported during the year. There were reports of a large number of arbitrary transfers of protesters to police stations, ill-treatment by police against some peaceful demonstrators and of police motorbikes injuring some demonstrators during the protests in December.

Reports continued throughout the year of ill-treatment by law enforcement officials, especially against members of vulnerable groups such as asylum-seekers, migrants and Roma.

- On 3 April, Arivan Osman Aziz, a Kurdish Iraqi migrant, was reportedly severely beaten by a coastguard officer in the port of Igoumenitsa. He died as a result of his injuries four months later. An investigation had not been concluded by the end of the year.
- In May, a police officer allegedly destroyed the Koran of a Syrian migrant during an identity check. The sworn administrative inquiry into the incident had not been concluded by the end of the year. The Muslim migrant community staged several demonstrations to protest about the incident.
- In October, Mohamed Kamran Atif, a Pakistani migrant, died 14 days after he was reportedly subjected to torture during his arrest and detention in a police station in Piraeus. A criminal investigation was opened.
- In October, several asylum-seekers and migrants were reportedly beaten by police guards. The incident followed their request to be let out of a smoke-filled dormitory after a protest about detention conditions and length of detention in Pagani immigration detention centre in Lesvos. Among them was a 17-year-old Palestinian who reportedly was severely beaten. An investigation was opened and some witnesses reported being intimidated.
- The trial of a police officer charged with torturing two detainees with electric shocks in August 2002 commenced in December.

In December, the government presented a Draft Presidential Decree establishing a Bureau to deal with incidents of arbitrary behaviour by law enforcement officials. Concerns existed over the institutional independence and limited mandate of the proposed body.

Workers' rights

In June, the judge in charge of investigating the attack against trade unionist Konstantina Kuneva concluded the investigation, having failed to identify the perpetrators. Concerns were expressed by her lawyers over the quality and thoroughness of the pre-trial investigation. In November, the Council of Misdemeanours in Athens ordered the continuation of the investigation into the case.

Prison conditions

Reports were received of inhuman and degrading conditions of detention in prisons, including overcrowding, inadequate facilities and lack of access to adequate medical care. Women prisoners reported that they continued to be subjected to the practice of internal examinations. In December, legislative amendments were adopted to deal with prison overcrowding and the improvement of prison conditions.

Conscientious objectors to military service

The current law on conscientious objection was still not in line with European and international standards. Conscientious objectors continued to face discrimination and even prosecution.

- On 31 March, conscientious objector Lazaros Petromelidis was given a suspended sentence of 18 months' imprisonment on two charges of insubordination by the Athens Military Court of Appeal. In 2008, the Court of First Instance had sentenced him to three years' imprisonment on the same charges.

Freedom of expression

A report in February by the Council of Europe Commissioner for Human Rights expressed concerns about the over-restrictive practices of Greek courts in failing to register certain minority associations, and ordering the dissolution of the Xanthi Turkish Union. Similar concerns were expressed by the UN Independent Expert on Minority Issues. Despite these, and the judgements of the European Court of Human Rights in 2008, the Supreme Court of Greece upheld the refusal of the Court of Appeal to register the association "House of Macedonian Civilization" in June.

Rights of lesbian, gay, bisexual and transgender people

In March, several people were injured in a homophobic attack on a bar in Athens. It was reported that police and ambulances did not respond to the incident, despite many calls.

Trafficking in human beings

Amid concerns that the government had taken insufficient action to identify victims of trafficking, draft guidelines proposed by a coalition of NGOs, including Amnesty International, were still not adopted. Lack of state funding led to the closure of some shelters for victims of trafficking.

Violations against the Romani community

While acknowledging the special measures already adopted for the social integration of Roma, the Committee for the Elimination of Racial Discrimination (CERD) expressed its concerns in August about the obstacles faced by Roma regarding their access to work, housing, health care and education.

- In August, at least 11 Romani families faced forced eviction from their homes on a landfill site on the island of Lefkada, and were subjected to other violations of their rights to adequate housing and health. By the end of the year, the Romani families continued to remain in the settlement. The construction work on the landfill site was completed and minor improvements had been made to the settlement. However, by the end of the year the local authorities had not taken steps to transfer the Romani community to appropriate alternative accommodation.

Amnesty International visit/reports

- Amnesty International delegates visited Greece in June.
- Greece: Alleged abuses in the policing of demonstrations (EUR 25/001/2009)
- Greece: Proposed changes to asylum procedures flagrantly violate international law (EUR 25/005/2009)
- Greece: Amnesty International reiterates its serious concerns about detention conditions for asylum-seekers following ruling of the European Court of Human Rights (EUR 25/006/2009)
- Greece: Amnesty International condemns forced evictions in Patras (EUR 25/007/2009)

- Greece: Further forced evictions leave large numbers homeless (EUR 25/008/2009)
- Greece: 11 Roma families face forced eviction (EUR 25/009/2009)
- Greece: Amnesty International calls on the Government to create a genuinely independent and effective police complaints mechanism (EUR 25/011/2009)

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