

## **GREECE**

Greece is a constitutional republic and multiparty parliamentary democracy with an estimated population of 11 million. In October 2009 the Pan-Hellenic Socialist Movement (PASOK) won a 10-seat majority in the unicameral Vouli (parliament) in elections regarded as free and fair, and George Papandreou became prime minister. Security forces reported to civilian authorities.

Human rights problems reported during the year included: alleged abuse by security forces, particularly of undocumented immigrants; 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; inadequate reception capacity or legal aid for asylum seekers and refugees; domestic violence; trafficking in persons; discrimination against Roma and exploitation of Romani children; limits on the freedom of some ethnic minority groups to self-identify; and discrimination against and social exclusion of ethnic minorities, along with incidents of anti-Semitism.

Parliament passed legislation early in the year that permits legal immigrants to vote in municipal elections; a relatively small percentage of legal immigrants took advantage of the legislation and voted in the November local elections.

### **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 arbitrary or unlawful killings.

Amnesty International alleged that in April 2009, in the port of Igoumenitsa (western Greece), a coast guard officer severely beat a Kurdish Iraqi migrant, who died four months later because of his injuries. An investigation was ongoing at year's end.

Amnesty International asserted that in October 2009 a Pakistani migrant died 14 days after being subjected to torture during his arrest and detention in a police station in Piraeus (port city adjoining Athens). The police opened a criminal investigation, which was ongoing.

In October a Fokida (central Greece) court announced its decision in the trial of two police officers charged with intentional homicide and complicity in homicide in the 2008 killing of 15-year-old Alexandros Grigoropoulos in Athens. The killing had set off weeks of riots and demonstrations by youths and self-styled anarchists in cities across the country. The court sentenced one officer to life imprisonment and his partner to ten years in prison; both appealed the ruling, arguing they received an unfair trial, but the appeal date has not been set.

In June an unnamed group claimed responsibility for killing a 52-year-old police officer in a bomb attack against the Ministry of Citizen Protection. An investigation was ongoing at year's end.

On May 8, a group of protestors who opposed the country's economic reform program firebombed a bank in central Athens and reportedly prevented occupants from leaving the building, resulting in the death of three persons--including one pregnant woman--trapped inside. A criminal investigation of the killings was ongoing, but there were no arrests by year's end.

No minefield-related deaths were reported during the year. On February 4, the Council of Europe's commissioner for human rights published a report stating that since 1995, mines had killed at least 108 persons and severely injured 187 others attempting to cross the border through marked minefields in the Evros area along the Greek-Turkish border.

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 undocumented immigrants in detention. However, during the year several international organizations and nongovernmental organizations (NGOs) reported

abuse by police personnel and the coast guard, particularly of undocumented immigrants, asylum seekers, and Roma.

In October 2009 police guards reportedly severely beat several asylum seekers and immigrants, including a 17-year-old Palestinian, who were protesting detention conditions and length of detention in the Paghani (Lesvos) detention center. During the investigation, some witnesses reported intimidation by the police.

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 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 as well as the destruction of personal property and documents during sweeps and identity checks. The deputy ombudsman for human rights stated that police continued to conduct identity checks and body and vehicle searches based on racial profiling, targeting specific neighborhoods where immigrants were known to reside.

In November the Council of Europe's Committee for the Prevention of Torture (CPT) released a report on its September 2009 visit to the country's prisons and detention centers noting numerous complaints from detained suspected criminals of alleged police abuse, such as kicks, punches, and blows with batons, mainly during questioning by the police but also during apprehension. Many inmates complained about the lack of food and water, as well as bathroom facilities, during the transfer between prisons. The report also stated that several illegal immigrants complained about the physical force used by the police during deportations. The report noted that effective access to a lawyer or doctor was not consistently provided to detainees and stated that "insufficient effort has been made to date to effectively investigate, prosecute, and punish perpetrators of ill treatment." In particular, the report emphasized that the government continued to lack systematic approaches to preventing abuses, such as an "adequately resourced police inspectorate" or a "credible, independent and effective police complaints mechanism." On the other hand, the report noted the CPT delegation "did not receive allegations of deliberate physical mistreatment of prisoners by prison staff."

In contrast with years past, while Romani representatives complained about the lack of response by the police officers to assist in domestic disputes, they did not report any violence perpetrated by police officers during the year.

### Prison and Detention Center Conditions

Conditions in prisons and detention facilities did not meet international standards. According to the CPT's November 17 report, "the provisions in the 1999 Prison Law, setting down the standards of accommodation and the norms for a safe environment, including health and hygiene, to be provided to each prisoner, were still not complied with", and the measures undertaken to improve conditions of detention were limited in scope and not proactive.

In his annual report in May, the deputy ombudsman for human rights noted that the situation in prisons had become "explosive" and that problems of the prison system, mainly caused by overcrowding, were chronic. The ombudsman noted, as an example, the conditions at the Ioannina prison (northwestern Greece), which he described as "inhuman and degrading." Due to the lack of space, the inmates did not have adequate hygienic facilities and were either isolated or slept in bunk beds in the hallways. The UN special rapporteur echoed the observations in October and stated that some prisons he visited were severely overcrowded, with inadequate ventilation and "despicable" sanitary conditions.

The Ministry of Justice reported that as of June, the total prison population was 11,674 (an increase of 310 from June 2009), while the official capacity of the prison system was 9,103.

Poor prison conditions led to multiple prison protests during the year at the Korydallos (Piraeus) prison hospital and at the Trikala (Thessaly region) and Diavata (Thessaloniki) prisons.

The deputy ombudsman for human rights, NGOs, and media reported that female prisoners continued to be subjected to systematic, invasive body cavity searches. The CPT report stated that body cavity searches on women are carried out not "based upon a proper risk assessment but as a routine measure."

During the year the Office of the UN High Commissioner for Refugees (UNHCR), the UN special rapporteur, the CPT, and NGOs asserted that conditions in detention centers for undocumented aliens were unacceptable and amounted to

serious violations of human rights. International organizations, the UN special rapporteur on torture, and the local deputy ombudsman for human rights cited "asphyxiating" overcrowding at certain detention centers and police stations, unhygienic facilities, a lack of outdoor and exercise space, and the intermingling of unaccompanied minors with adults and female with male detainees. NGOs and international entities reported that certain smaller police and border guard stations had especially poor conditions.

The CPT report further observed that the length of lawful detention in many facilities had increased from 2008, with the number of staff at the facilities visited remaining "totally insufficient." For example, the Fylakio and (the now-closed) Paghani centers had only six police officers on duty during the day for 201 and 548 migrants being held at that time in the respective institutions.

While a brochure on detainee rights was reportedly distributed in multiple languages, some authorities reportedly failed to advise detainees of their rights.

In an April 2009 statement, the Ministry of Justice stated that the death of Katerina Goulioni, a female prisoner and prisoners' rights activist (who died during transportation from Thiva women's prison to another prison on Crete) was the consequence of a drug overdose. The statement was based upon toxicology analysis reports by the Coroner's Laboratory of the Medical University of Crete and the Patras General Public Hospital that found the cause of death to be abuse of illegal substances, specifically heroin.

There were a number of other specific reports during the year of overcrowding and degrading and unhealthful conditions at detention centers:

In February the Police Association of Achaia, Peloponnese, reported that the conditions in the Patras police detention center were inhumane and degrading, with up to 60 persons held in a cell intended for a maximum of 14.

In July the deputy ombudsman for human rights noted in a report that treatment of aliens at the detention center of the Athens airport was inhumane and degrading and requested the authorities to take immediate measures to alleviate the situation. Authorities committed to disinfect the center, to replace filthy mattresses, and to expedite construction of a new detention center.

According to a series of September press reports, overcrowding remained a serious problem in many police detention centers, including several in Athens, which held

detainees beyond their capacity. In one case the media reported severe overcrowding in detention centers at the five border stations in the Evros region near the Greek-Turkish border that received 250-300 undocumented migrants per day. Over 600 migrants were held in Fylakio (capacity 300); and 400 in Venna (capacity 250). The deputy ombudsman for human rights made a fact-finding visit to the Venna detention center a month after an inmates' riot in February to protest detention conditions; the results of the visit had not been published as of year's end.

On December 6, Human Rights Watch (HRW) stated that conditions in the detention centers visited in northern Greece "clearly risk the health and safety of detainees, and constitute inhuman and degrading treatment." The organization alleged that the detainees could not lie down to sleep due to overcrowding; the women and children were held in the same cells with men; and the toilet facilities were so limited that guards sometimes escorted detainees to "defecate and urinate in nearby fields." According to the HRW, at the beginning of December 120 unaccompanied migrant children (nine of them girls) were held among the detainees in the Fylakio-Kyprinou detention facilities for periods ranging from weeks to months. Officials reportedly told the HRW that children had to be detained until a place in a reception center was found.

The government permitted monitoring of conditions at prisons and detention centers by local and international humanitarian organizations, such as the UNHCR, the CPT, Doctors without Borders, the International Committee of the Red Cross, the Greek Council of Refugees, Medical Intervention, and the deputy ombudsman for human rights. The ombudsman for human rights conducted frequent short-notice visits to prisons throughout the country. During the CPT's September 2009 visit, it gained unfettered "rapid access to the places of detention visited, was able to speak in private with those persons with whom it wanted to meet, and was provided with access to the information it required to carry out its task."

#### 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 immigrants, 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 Protection. The police and the army jointly shared law enforcement duties in certain border areas. Civilian authorities generally maintained effective control over the police and coast guard, but corruption and police impunity continued to be problems.

Based on a law that prohibits expression of racist ideas, human rights NGOs filed in late March a protest letter with the Athens prosecutor regarding a coast guard special operations unit (36 members) that chanted racist slogans during the March 25 Independence Day parade in Athens.

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 made during the commission of a crime, and prohibits arbitrary arrest. In practice police did not always follow these provisions. Police are required to bring detainees 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, and these provisions were observed in practice. 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 had become the norm. They also asserted that the detention period was excessively long. Bail is available for defendants detained on felony charges and for lesser 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, consult with 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 on occasion did not have access to a court-appointed interpreter. According to the CPT's report, foreign detainees were given a packet

informing them of their rights as detainees in multiple languages, although this was not always done promptly.

Individuals accused of misdemeanors could 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

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 frequently received suspended sentences in lieu of prison time or fines.

The ECHR has on several occasions criticized the country, including twice during the year, for unreasonable length of litigation and inefficiency of the court system.

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 difficulty accessing justice and faced excessive delays in civil cases. Legal observers and NGOs reported discriminatory attitudes and language directed towards Roma in court.

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 interpreters for non-Greek speakers varied from trial to trial.

The government recognizes Sharia (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 Sharia family law. Many NGO and media reports characterized Sharia as discriminatory against women, especially in child custody, divorce, or inheritance cases. Members of the Muslim minority also have the right to have a civil marriage and take their cases to civil court.

#### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

#### Regional Human Rights Court Decisions

In January the European Court of Human Rights (ECHR) found that the country had violated the provisions of the European Convention on Human Rights prohibiting torture and excessively long legal proceedings in the case of a man who alleged he was subjected to police violence during his arrest and detention in 2001. On July 22, the ECHR ruled that the country had violated the European convention's prohibition of inhuman or degrading treatment and the right to liberty in its detention of a Palestinian asylum seeker (see section 2.d., Refugees).

In 2009 the ECHR issued 69 judgments that found at least one violation by the country of the European Convention on Human Rights. The largest number of violations (41) involved the length of legal proceedings. Other decisions involved the right to a fair trial (16 violations); the right to liberty and security (10 violations); the right to an effective remedy (eight violations); the protection of property (six violations); inhuman or degrading treatment (five violations); the right to respect for private and family life (three violations); and right to life/deprivation of life, freedom of expression, and prohibition of discrimination (one violation each).

The country paid the fines levied by the ECHR.

#### 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, in practice these provisions were not always respected.

According to NGOs, the police and prosecutors conducted raids and searches of Romani and immigrant neighborhoods, frequently entering homes in search of criminal suspects, drugs, and weapons without authorization. Local authorities allegedly threatened to evict Roma from camps and tent dwellings during the course of the year.

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, 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 in case of national emergency 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. In 2009 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 for broadcasting in Turkish only.

The law allows any prosecutor to order the seizure of publications that insult the president, offend 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 also provides for punishment of 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 who express ideas insulting to persons or to groups of persons because of their race or ethnic origin."

In a July 28 proclamation, the Sect of Revolutionaries cell claimed credit for the July killing of Sokratis Giolias, a popular blogger journalist.

#### 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. The Internet was available throughout the country and widely used. According to International Telecommunication Union statistics for 2010, approximately 50 percent of the country's inhabitants used the Internet.

There were no reports of the government attempting to collect personally identifiable information on individuals from 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 rescheduled until October 2011.

#### Academic Freedom and Cultural Events

In general there were no government restrictions on academic freedom or cultural events. There were no reports of interference with cultural events of various ethnic groups.

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.

Freedom of Association

The law provides for freedom of association; however, the government continued to place legal restrictions on the names of associations of nationals who claimed to be of "Macedonian" ethnic origin or that included the term "Turkish" (see section 6, National/Racial/Ethnic Minorities).

During the year international organizations and NGOs expressed concern that the government's practice with regard to association names violated freedom of association. The ECHR ruled in October 2008 against the government's 1998 denial of registration to the organization "Home of Macedonian Culture." However, despite this ruling the Supreme Court in June 2009 upheld an earlier appeals court decision that denied the group registration; the group had not been registered by year's end.

In September 2009, the Appeals Court of Thrace rejected the application of the "Turkish Union of Xanthi" for legal recognition despite a March 2008 ECHR ruling 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 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, the ECHR had neglected to consider "political" factors in its decision, Article 12 of the Union's statute, which deals with "Monitoring of Members' National and Social Beliefs" was in violation of Article 5 of the Greek constitution

(an issue not addressed in the ECHR ruling). The case was awaiting Supreme Court's decision at yearend.

c. Freedom of Religion

For complete description of religious freedom, please see the *2010 International Religious Freedom Report* at [www.state.gov/g/drl/irf/rpt](http://www.state.gov/g/drl/irf/rpt).

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, therefore, sometimes denied the right to return to the country, thus facing practical limits on their foreign travel.

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

The law permits the government to deprive a person of citizenship for committing acts contrary to the country's interests for the benefit of a foreign state. The historical number of such cases was reportedly low, and there were no reports of new cases during the year.

Many of the estimated one million immigrants in the country were in a semi-legal status, holding expired residency permits while going through the process of renewal. Immigrants encountered difficulty accessing government services if they did not carry current residency permits. 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 ability to travel outside the country. 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 there was no database of residence permit holders.

Protection of Refugees

The country's laws provide for the granting of asylum and humanitarian protection. While the government has established a system for providing protection for refugees, it was widely seen as inadequate, given the large numbers of illegal immigrants entering the country.

In November 2009 the government announced its decision to reform the asylum process and create a committee of experts to propose recommendations for overhauling the country's asylum process and for setting up a new independent agency for processing asylum claims. The committee produced a report at the end of 2009, and new legislation on refugees was signed in late September. The new legislation requires that asylum decisions be issued within three months in an accelerated process, and within six months for regular applications.

Despite the new legislation, problems persisted. In September the UNHCR, noting the absence of a functioning asylum system called on the country to accelerate the implementation of asylum reform. The UNHCR stated that conditions for asylum seekers in the country, which is one of the principal entry points to the EU, were "notoriously difficult." Most asylum seekers were not identified as such and received no assistance, resorting to living on the streets. On September 21, the UNHCR stated that the situation for asylum seekers constituted "a humanitarian crisis which should not exist in the European Union."

In September Council of Europe Commissioner for Human Rights Thomas Hammarberg stated that the country faced the challenge of dealing with numbers of asylum applications beyond its capacities and that asylum seekers continued to experience enormous difficulties in gaining access to the asylum procedure, without the assistance of interpretation and legal aid. He further observed that asylum seekers faced extremely harsh conditions in the country, where the asylum law and practice did not comply with international and European human rights standards. The commissioner expressed his particular concern that asylum seekers transferred to the country risked being returned to another country where their life and health would be in danger. He also stressed that detention facilities in the country were far from satisfactory.

In his May report, the deputy ombudsman for human rights echoed the aforementioned concerns and also described the plight of unattended minors who did not apply for asylum or who were refused asylum and not granted protective status, thereby becoming subject to repeated detention or to deportation.

Amnesty International, together with various NGOs, alleged in a July report that in some instances authorities deported asylum seekers without due process.

The country adheres to the Dublin II Regulation, under which a signatory country--all signatories are European--may return asylum seekers to the initial Dublin II country of entry. In September the Council of Europe Commissioner for Human Rights called for revision of the Dublin II Regulation on the grounds that countries such as Greece were unable to provide adequate protection due to numbers of asylum seekers that exceeded their capacity. The commissioner stated that the "gravely dysfunctional asylum procedures in Greece have brought the Dublin system to a genuine collapse."

In January UN High Commissioner for Refugees Antonio Gutierrez advised other European states not to return asylum seekers to the country under the Dublin II Regulation pending the implementation of asylum reforms. In September the UNHCR asked the EU to help the country comply with international and European obligations with respect to asylum.

The UNHCR reported that from January to October, asylum seekers filed 6,576 first-instance applications; in the same period, the government reviewed 9,195 applications and appeals and accorded refugee status to 24 applicants (0.26 percent) and special humanitarian status to 30 (0.32 percent); 2,548 applications were rejected.

The UNHCR reported that in October the government had a backlog of 5,929 unprocessed initial claims for asylum and approximately 46,500 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.

The UNHCR, Amnesty International, the UN special rapporteur on torture, the European Commission against Racism and Intolerance (ECRI), the deputy ombudsman for human rights, and Doctors without Borders all 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 islands where 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, especially at entry points.

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.

Conditions for undocumented immigrants and asylum-seeking children were particularly difficult. During the year local and international NGOs, including Amnesty International, Doctors without Borders and 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 reported that an estimated 4,000 to 5,000 unaccompanied minors arrived in the country each year. Unaccompanied immigrant children lacked safe accommodations and legal guardians and were vulnerable to homelessness and labor exploitation. In September 2009 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 of deportation and no interim accommodation centers for housing them pending deportation. The deputy ombudsman for children's rights informed the ECRI that social workers were responsible for the guardianship of unaccompanied minors, but in practice this duty was not carried out due to a lack of funds and guidelines.

On July 22, the ECHR unanimously held that the country had violated Article 3 (prohibition of inhuman or degrading treatment) of the European Convention on Human Rights by holding an asylum seeker in squalid conditions in a detention center. In 2008 the coast guard detained a Palestinian national and placed him in a detention center. He alleged that he had been mistreated by the coast guard during his detention and also complained about detention center conditions. He alleged that he had not been informed of the possibility of appeal and did not have the assistance of a lawyer or an interpreter. The ECHR based its finding of a violation of Article 3 on living conditions in the detention center where the applicant was held, the degrading treatment accorded him, and the lack of diligence on the part of the authorities in providing him with appropriate medical assistance. The court also



found that the treatment of the detainee violated convention Article 5 (right to liberty and security).

### 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 2009; the elections were considered free and fair. Opposition parties functioned freely and had broad access to the media.

Approximately one-third of the Roma were not registered to vote. Some Roma reported that local authorities deprived them of the right to vote by refusing to register them.

According to the law, voting is mandatory for citizens over the age of 18; 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 three 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, 14 of 61 Council of State justices, 28 of 59 Supreme Administrative Court justices, and three of 62 Supreme Court justices were women.

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

### Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for official corruption. In the past the government had not been diligent in implementing the law, and significant official corruption occurred with impunity. The 2009 Transparency International (TI) annual report noted that in 2008 more than 13 percent of citizens bribed officials,

primarily in health care, tax, and urban planning agencies. The 2009 World Bank governance indicators suggested that corruption is a serious problem.

The current government entered office in October 2009 with the goal of increasing transparency and reducing official corruption. While the government has taken some concrete actions, the media, international organizations, and NGOs continued to voice concerns about corruption. In September the public prosecutor's office set up a new unit to facilitate prosecution of economic/financial crimes in the public sector. The unit was designed to work closely with the Financial and Economic Crime Unit of the Ministry of Finance and the Internal Affairs Division of the State Police, which was responsible for cases of corruption across the public sector. The office's caseload included alleged tax violations by a former minister, the Vatopedi monastery land swap scandal, reports of financial mismanagement at a large Athens hospital, and reports of bribery and the issuance of suspect "winning" lottery tickets.

The government also 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.

Parliament conducted an investigation into the alleged land-swap-and-sale scandal involving the "Vatopedi" Greek Orthodox monastery and government officials. The Parliament decided in November to refer three former ministers involved in the case to a special judicial council that would determine whether they should be tried by a Special Tribunal.

Parliament also conducted an investigation involving alleged malfeasance by government officials in financial dealing with the German company Siemens. Parliament did not release the results of the investigations during the year, and the cases remained open. The country's largest opposition party contended that these cases were highly politicized.

Police corruption continued to exist. During the year the police Bureau of Internal Affairs took multiple disciplinary measures, including dismissal and suspension, against officers involved in corruption. The cases primarily involved forging documents, taking bribes, illegal actions involving arms and explosives, illegally releasing persons from custody, procuring, and violations related to alien registration.

A number of cases were pending at year's end, including that of the director and chief warden of prisons in Crete, suspended from duty in July for alleged corruption and violations of the prison code, and an Aliens Division police officer arrested in June 2009 for allegedly taking bribes in order to accept asylum applications. Pending cases from 2008 included corruption investigations against several judges, a ring dismantled by the police's Bureau of Internal Affairs that included law enforcement and intelligence officials, and the appeal of a case involving eight Thessaloniki police officers convicted of beating a Cypriot student in 2006.

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. Several NGOs reported harassment or threats during the year. A leader of the antitrafficking organization European Network of Women (ENOW) reported multiple threats and media harassment 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 received 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 gained access to several prisons during the year for unannounced inspections. The volume of such problems has remained steady in recent years.

The government-funded National Commission for Human Rights (NCHR) is an autonomous human rights body. It is the government's advisory body on the protection of human rights and is composed of representatives of the government, labor unions, political parties, organizations of civil society, independent authorities, and academics. During the year it produced public reports (available on the Internet in English) on citizenship, discrimination, and employment, as well as camera surveillance in public areas, image and sound recording, DNA analysis in criminal proceedings, and the national database of DNA profiles. Regarding migrants and refugees, the NCHR noted progress towards the effective integration of regular migrants and their children in Greece via the new law on "Greek Citizenship and the Political Participation of Aliens of Greek Origin and of Regular Migrants" and stated that it would monitor the ongoing changes in the asylum system.

## 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 robust for repeat offenders. According to police statistics, 298 rape or attempted rape cases were reported in 2009, and police arrested 252 rape suspects, 128 of whom were noncitizens. In 2008 police reported 287 rapes and attempted rapes. Medical, psychological, social, and legal support was usually available to rape victims from the government and NGOs.

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

The GSGE, in cooperation with the Ministry of Citizen Protection, trained police on working with domestic violence victims. Despite training efforts, the GSGE reported that police tended to discourage women from pursuing domestic violence charges, encouraging them instead to undertake reconciliation. 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 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 were unavailable.

The law prohibits sexual harassment and provides for penalties ranging from two months to five years in prison. However, in 2009 labor unions reported that lawsuits for sexual harassment were very rare, with only five cases since 2000. Government enforcement was generally ineffective due to a lack of punishment for offenders.

In its annual study, 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 experienced sexual harassment at their workplaces during the year.

The government generally respects the reproductive rights of couples and individuals. Contraception was widely available in stores and in hospitals, and the

government respected the rights of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children. Public hospitals provide services free of charge; consequently, any health issues typically surface only after a woman returns to her community, which may have substandard facilities. 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. According to data compiled by international organizations, the estimated maternal mortality rate in 2008 was two deaths per 100,000 live births.

Muslim women in Thrace are subject to Sharia law as interpreted by official muftis; their rights under family law, property law, and in the judicial system are inferior to those of men. The government recognizes Sharia as the law regulating the family and civic issues of the Muslim minority in Thrace, with trial courts in Thrace routinely ratifying the muftis' decisions. The UN independent expert on minority issues highlighted in February 2009 that the application of Sharia in some instances subjected Muslim women to norms incompatible with the constitution, legislation, and international standards, particularly with respect to underage marriages (see section 6, Children). The UN independent expert on minority issues noted in 2009 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 a February 2009 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.

In an unprecedented 2008 case, a trial court 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 civil law. The court held that the law of the country and European law should prevail over Sharia. The court stated that the application of Sharia 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.

The National Commission for Human Rights advised the government to limit the powers of the muftis to religious duties and to stop recognizing Sharia because it could restrict the civic rights of citizens. Muslim female activists claimed that, because all Muslim women in Thrace were married under Sharia, they were obliged to acquire mufti consent to obtain a divorce. These decisions were based on interpretations of Sharia that do not exist in written form and therefore could not 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 the constitution stipulates gender equality.

The law provides for equal pay for equal work; however, according to the European Commission, the gap between the salaries of men and women in the country was 22 percent in favor 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. A single parent can confer citizenship to a child and Greece allows for dual citizenship.

A new citizenship law passed in March gives citizenship rights to alien children born in the country whose parents have lived legally and permanently in the country for five years. Alien children born abroad whose parents have lived legally and permanently in the country for five years become citizens upon successful completion of elementary education (six years). Foreigners arriving in the country after the new law takes effect will have to fulfill a seven-year legal residency requirement before they can apply for citizenship, which, together with consideration procedures, may stretch the wait to a decade. The fee for applying for citizenship was recently reduced to 700 euros (\$1,000) from 1,500 euros (\$2,150).

The law gives 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.

Romani children continued to face social exclusion and discrimination in education and lack of access to social services (see section 6. National/Racial/Ethnic Minorities).

Violence against children, particularly against street children, Romani children, and undocumented immigrants, was a problem. The law prohibits corporal punishment and mistreatment of children, 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 and lacked certification and sufficient qualified staff to provide care to abused, refugee, or drug-abusing children.

After visits to the Children's Chronic Illnesses Institution in Skaramangas (Attica), the Center for Care of Children of Lechaina (Peloponnese), the Center of Rehabilitation of Children in Voula (Athens suburb), the Institution for Chronic Illnesses of Children "Saint Andreas" of Rhodes, and the Asylum of Chronic Illnesses of Children of Patras, 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.

Foster care systems were not adequately implemented, and the process of adoption continued to take several years.

The legal age for marriage is 18. However, child marriage was common within the Romani community, and there were a limited numbers of marriages of persons under 18 among the Muslim minority in Thrace and Athens, performed with the permission of the prosecutor. NGOs reported that Romani women typically marry and have children at a very early age, reportedly as young as 13. Child marriage was considered a tradition in the Romani community but also resulted from a lack of education and work opportunities. The state-appointed muftis, who may apply



Sharia 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 involving a minor between the ages of 16 and 18. However, in February 2009 the UN independent expert on minority issues reported that child marriages, which carried serious implications for the health, wellbeing, and life choices of Muslim women, regularly took place unchallenged by the national authorities.

According to law, the age of consent is 15 years of age for heterosexual sex and 17 years 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, treating this as a felony punishable by 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 national statistics were unavailable, in June 2009 the NGO ARSIS reported that it had found 638 street children in Athens and Thessaloniki. In 2009 and 2010, according to ARSIS, there was a significant rise in the total number of street children, especially Romani children from Bulgaria and Romania. However, the number of street children from Albania declined.

The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information on international parental child abduction, please see the Department of State's annual report on compliance at [http://travel.state.gov/abduction/resources/congressreport/congressreport\\_4308.html](http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html) as well as country-specific information at [http://travel.state.gov/abduction/country/country\\_3781.html](http://travel.state.gov/abduction/country/country_3781.html).

### Anti-Semitism

Local leaders estimated the Jewish community numbered 5,000. Isolated expressions of anti-Semitism occurred, particularly in the extremist press. On December 20, the Greek Orthodox Church's Metropolitan Seraphim of Piraeus made anti-Semitic statements on national television; they were immediately condemned by the government and other Church officials. There continued to be

reports of incidents of vandalism of Jewish monuments. In November the police arrested two young men after finding Molotov bomb-making components in their possession, and charged them with planning an arson attack on a synagogue in Athens.

In May three perpetrators set fire to a tomb and painted anti-Semitic graffiti on a number of tombstones, on alley walls, and on the surrounding wall of the Jewish cemetery in Thessaloniki; the suspects were arrested. During the same month, unknown perpetrators damaged the Holocaust monument in Rhodes.

In June a university student painted a swastika on the Jewish monument in Komotini (Thrace) and was subsequently arrested; his trial was pending at year's end.

The Chania synagogue on Crete was destroyed after three arson attacks between December 2009 and January. Police filed charges against five suspects and arrested one, who was released in August due to lack of evidence. The court suspended criminal prosecution against the five suspects, deeming the evidence against them insufficient. The case may be re-opened within five years from the time the crime was committed if new evidence is presented.

The government condemned all incidents of vandalism and desecration and provided funds for the restoration of the Chania synagogue. The police routinely investigated all such instances of vandalism and desecration. Many ministers spoke out immediately and publicly against the arson attack.

In May the Jewish community of Athens unveiled a Holocaust Monument in central Athens during a special ceremony organized by the city and the Jewish community. Government and political party representatives attended commemorative events throughout the country for the Holocaust Remembrance Day and issued public statements.

On September 26, the municipality of Chalkida (Central Greece) unveiled a monument in honor of the World War II Jewish hero Colonel Mordechai Frizis. The country's president and representatives of various political parties attended the ceremony.

In 2007 the Greek Helsinki Monitor (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. In March an appeals court vacated Plevris's 2007 conviction for inciting hatred and racial violence with his book *The Jews--The Whole Truth*. A public prosecutor subsequently filed an appeal with the Supreme Court against the decision, seeking to ensure that it would not set a legal precedent. In April the Supreme Court rejected the appeal.

In 2007 Plevris sued senior representatives of the local Jewish community, journalists, and NGO activists for publicly criticizing some of the judges who participated in the judicial proceedings against him, allegedly disseminating false information through the medium of the press, perjury, and aggravated defamation. The NGO activists were found not guilty in a December 6 verdict. The trial of the journalists and Jewish community representatives was scheduled for January 2011.

### Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

### 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 and special ramps for the sidewalks and means of public transportation; however, authorities enforced this law poorly. Disabled activists reported that, although special ramps for sidewalks were being constructed throughout the country, sidewalks and special ramps were overwhelmingly occupied by parked vehicles, thus hindering accessibility for disabled persons. The general 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, with the majority of these in Athens; 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.

In 2009 the Ministry of Health and Social Solidarity estimated that there were 180,000 children with disabilities with special educational needs. The Teachers' Association estimated in 2009 that only 18,500 of these children attended primary

school and of these only 10 percent would attend secondary school, due either to a lack of local special education schools or a lack of accessibility. In 2009 the National Confederation of Persons with Disabilities reported that the educational system for persons with disabilities fostered discrimination and social exclusion and, therefore, 90 percent of children with disabilities were excluded from the mandatory nine years of education.

The Confederation of the Disabled reiterated during the year that education was not available for persons with serious disabilities and many such persons 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 only two of the 10 universities in Athens were accessible to persons with disabilities and that 80 percent of children in special schools for children with disabilities were housed in buildings unsuitable to their needs.

The Confederation of the Disabled estimated that the unemployment rate of persons with disabilities was 84 percent in 2009 and constituted the greatest social problem they faced.

Athens was selected to host the Special Olympics World Summer Games in the summer of 2011.

#### National/Racial/Ethnic Minorities

Roma continued to face widespread governmental and societal discrimination, including alleged police abuse, mistreatment while in police custody; regular raids and searches of their neighborhoods for criminal suspects, drugs, and weapons; 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) lacked running water, electricity, or waste removal and were at times demolished by municipal authorities. 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.

In his report on human rights, the deputy ombudsman for human rights noted that in addition to the grave housing problem, Roma faced very serious problems of access to education and employment. He stated that very few indigenous Romani children attended school, that alien Romani children did not go to school at all, and that government projects to attract Romani children to education had very limited success. In September the GHM stated that segregation of Romani children in schools was a persistent phenomenon and noted the existence of Roma-only schools throughout the country as well as the refusal of school authorities in a number of areas to allow Romani children access to schools.

In September the secretary for intercultural education intervened in the case of two segregated schools, in Veroia and Ergochori (Northern Greece), resulting in the acceptance of Romani children by neighboring schools. The Ministry of Education acknowledged that Romani children's attendance in school was limited and urged school directors to ensure enrollment and unhindered school attendance of Romani children. According to the European Union Agency for Fundamental Rights' 2009 statistics, 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.

Romani children also continued to face social exclusion and lack of access to social services, in part because they accompany their parents who primarily work as wandering merchants or engage in selling scrap materials. According to the ombudsman, Roma live in "extremely dangerous and unacceptable shacks" in many areas, and government housing projects for indigenous Roma have been largely unsuccessful.

In May the European Committee for Social Rights held that the country violated Article 16 of the European Social Charter because a significant number of Romani families continued to live in substandard conditions, while others were forcibly evicted from their housing and had insufficient access to the legal recourse generally available to non-Roma. A similar March 2009 report by the UN independent expert on minority issues offered the same criticism.

There was no follow-up to the April 2008 complaint concerning Romani housing rights filed by the International Center for the Legal Protection of Human Rights and the GHM against the country with the European Committee of Social Rights.

In late September 2009 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), and that 90 percent of Romani children were not vaccinated, with the rate of hepatitis B among Roma three times higher than among the rest of the population. He further noted that the rate of incarceration for Roma was seven times higher than that of the general population.

Media and NGOs reported multiple attacks on immigrants by far-right extremist groups. NGOs and labor unions expressed deep concern over the rise in racist violence committed by far-right groups. Among the incidents and attacks reported were the following:

In March a gang of mostly teenagers set fire to a house in Sparta (Peloponnese) where a group of Bangladeshi migrants slept; the youths were charged with an arsonist and racist attack. In June in the Aghios Panteleimonas neighborhood of Athens, right-wing extremists severely beat a Pakistani immigrant and subsequently in September attacked an activist for Doctors of the World. During the past two years, Aghios Panteleimonas became the focal point for racist attacks, as immigrants often fell victim to both physical and verbal attacks there. The municipality of Athens closed down a playground in the area as a result of clashes between migrants and right-wing extremists.

In July a group of approximately 60 extremists attacked migrants in the neighborhood and vandalized migrant houses, two cafes, and a makeshift mosque; a Bangladeshi immigrant was injured during the attack. During the same month, a gang of 10 men reportedly beat four Afghan immigrants with clubs after breaking into their home in Areopoli, Peloponnese; the victims were hospitalized and later discharged. In mid-September in Aghios Panteleimonas, local residents held a protest march to the police station demanding that immigrants leave the neighborhood. In November members of a right-wing extremist group threw eggs and verbally insulted Muslims who were praying in a public space during a religious holiday.

Immigrants, who made up approximately 10 percent of the total population of the country, also faced widespread societal discrimination and accused the police of physical, verbal, and other mistreatment. They reported the confiscation and destruction of personal documents, particularly during police sweeps to apprehend undocumented immigrants.

In 2008 the ombudsman noted that delays in citizenship processing were excessive and unjustified. The ombudsman reported that the Ministry of the Interior and Public Order accepted few applications for citizenship and that many applications were pending for years, even when 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 different immigrant communities to discuss ways to combat discrimination and incidents of police abuse. On December 12, the Athens Concert Hall and the Orthodox Archdiocese of Athens organized a religious music concert in an effort to ease anti-immigrant tensions in Aghios Panteleimonas. The President, Education and Religious Affairs Minister, and other dignitaries attended the event.

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 identified officially 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 the 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's 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.

Pomak leaders filed a lawsuit against the local newspaper *Millet* (published in Turkish) for libel, calling for the newspaper to pay a total of 157,000 euros (\$224,500) in damages to three different claimants. In April 2010 the Appeals Court of Thrace ordered the newspaper editors to pay a Pomak journalist 30,000 euros (\$42,900) and a Christian researcher on Pomak issues 60,000 euros (\$85,800). The then-head of the "Cultural Association of Pomaks" in Xanthi also sued the same newspaper for libel and was awaiting a court date. The newspaper owner responded he could not afford the compensation, and some claimants were considering additional legal options. A local Muslim mayor sued the same newspaper for libel. The case was heard in 2009 and the newspaper editor received a 15-month suspended sentence and was ordered to pay 4,000 euros (\$5,720) compensation to the claimant. The editor appealed the decision and the appeal was pending. Thessaloniki media reported in 2008 that two editors of *Millet* received 12-month suspended sentences for inciting hatred against the Pomak community.

The government did not recognize the existence of a Slavic dialect, called "Macedonian" by its speakers 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 individuals 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 UN independent expert on minority issues, in a March 2009 report, urged the government to withdraw from the dispute over whether there is a "Macedonian" or a "Turkish" ethnic minority in the country. He advised focusing instead on protecting the rights to self-identification, freedom of expression, and freedom of association of those communities and on 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 continued to report discrimination and harassment. Representatives of this minority claimed 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 gays 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.

The police provided adequate security for the annual Pride parade in central Athens in June; there were no reports of impediments to the march.

During the year OLKE alleged that police often abused and harassed LGBT persons and subjected them to arbitrary identity checks and body searches in public places.

NGOs reported that societal discrimination based on sexual orientation was widespread but focused on gay male relationships. Transgender persons were exempt from military service on disability grounds.

#### 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 2009 the Supreme Court ruled against an HIV-positive individual and in favor of his employer in a landmark HIV/AIDS discrimination case. The individual revealed his HIV-positive status in 2005 and was subsequently fired. The Supreme Court ruled that the dismissal was legal because 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, but there were no further developments. No such cases were reported during the year.

Persons with HIV/AIDSs were exempt from military service on medical grounds.

#### 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 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. Numerous strikes took place during the year involving private and public sector employees, public utility employees, truck drivers, and garbage collectors. There were no apparent government impediments to the right to strike.

In 2008 unknown persons attacked Constantina Kuneva, secretary of the All Attica Union of Cleaners and Domestic Workers. The perpetrators threw sulfuric acid in her face and forced her to swallow it. Unions believed that the attack was a result of Kuneva's union activism and her advocacy on behalf of migrant workers. The perpetrators were not found and the judicial and police investigation was terminated in June.

#### b. The Right to Organize and Bargain Collectively

The law generally provides for the right to bargain collectively and unions exercised this right freely. No antiunion discrimination was reported during the year. All workers in Greece are covered by collective bargaining agreements except for security and armed forces personnel, whose salaries are unilaterally determined by the state. Civil servants negotiate and conclude collective agreements with the government on all issues except for salaries, for which the

government has a constitutionally provided prerogative. In December the government passed new legislation to implement the EU-IMF austerity plan that allows workplace-level agreements to take precedence over sector-level agreements. The legislation imposes a salary cap for employees of public enterprises as well as a 10 percent salary cut for salaries reaching a certain limit. The unions argued that the reforms would weaken nationwide sectoral unions and diminish workers' bargaining strength.

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. For more information on forced labor, please see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

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, primarily Roma, who were trafficked for commercial sexual exploitation, or for 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 by the Labor Inspectorate 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 advocates for children 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 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. The situation remained largely unchanged during the year.

There were reports that children from Albania were trafficked and forced to beg, although this practice was reportedly less frequent during the year. Some parents forced their children to beg for money or used their children to elicit sympathy while the parents begged 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 33 euros (\$47) per day and 740 euros (\$1,060) 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 exploitation of documented, and particularly of undocumented foreign workers, by employers who paid low wages and made no social security contributions. Workers in the shadow economy, estimated to comprise approximately 25 percent of GDP, usually received less than the minimum wage and had no social security coverage. The Labor Inspectorate estimated in September that more than 35 percent of migrants were getting salaries below the minimum and did not have social security coverage. Legislation passed during the year allows employers to pay workers under the age of 25 wages amounting to 84 percent of the national minimum wage.

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 insufficient 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.