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Parallel Report on Greece's compliance with the UN Convention on the Rights of the Child

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This report was prepared for the United Nations' Committee on the Rights of the Child for submission to the 29th Committee session considering Greece's compliance with its obligations under the UN Convention on the Rights of the Child.

Greek Helsinki Monitor (GHM) is the Greek member of the **International Helsinki Federation (IHF)**. It is also a member of the **International Freedom of Expression Exchange (IFEX)**, the **Euro-Mediterranean Human Rights Network (EMHRN)**, the **Southeast Europe Media Organization (SEEMO)** and **OneWorld.Net**. Moreover, it is affiliated to **Minority Rights Group International (MRGI)** and the **Consortium of Minority Resources (COMIR)**, while it is a co-founder of the **Center of Documentation and Information on Minorities in Europe – Southeast Europe (CEDIME-SE)**. GHM monitors, publishes and lobbies on human rights issues in Greece and, occasionally, in the Balkans. It has participated and often coordinated the monitoring of Greek and Balkan media for stereotypes and hate speech. Since 1997, in cooperation with the **European Roma Rights Center (ERRC)**, it runs a **Roma Office** for Greece. Its extensive list of publications, reports and releases is available at its website (in English and in Greek), the archives of its electronic lists (Balkan Human Rights Listserve and Greek Human Rights Listserve), and its Greek language electronic monthly **Dikaiomatika!** (Rightly!).

Minority Rights Group - Greece (MRG-G) was created as the Greek affiliate of **Minority Rights Group International**. MRG-G has focused mostly on studies of minorities, in Greece and in the Balkans. It has prepared detailed reports on ethnonational, ethnolinguistic, religious and immigrant communities, in Greece; and on the Greek minorities in Albania and Turkey. In 1998, MRG-G was one of the initiators of the **Center of Documentation and Information on Minorities in Europe – Southeast Europe (CEDIME-SE)** which operates a web site (<http://www.greekhelsinki.gr>) and two web lists covering human rights issues and comprehensive and comparable presentations of all minorities in the region. Between 1999-2002, MRG-G as a partner to the MRGI's "Southeast Europe: Diversity and Democracy" program, has organized in

Internet Addresses: Balkan Human Rights Web Pages: <http://www.greekhelsinki.gr>

The Balkan Human Rights List: <http://www.egroups.com/group/balkanhr/fullinfo.html>

The Greek Human Rights List: <http://www.egroups.com/group/greekhr/fullinfo.html>

Dikaiomatika! [monthly human rights review in Greek]: <http://www.egroups.com/group/dikaiomatika/fullinfo.html>

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Affiliation to International Organizations: Consortium of Minority Resources (COMIR), Euro-Mediterranean Human Rights Network (EMHRN), European Roma Rights Center (ERRC), International Freedom of Expression Exchange (IFEX), International Helsinki Federation for Human Rights (IHF), Minority Rights Group International (MRGI), One World Net, South East Europe Media Organisation (SEEMO).

Greece training and regional seminars for minorities as well as a mentoring program for tent-dwelling Roma.

I. Summary

Greece does not suffer from a lack of legislation protecting the rights of the child. What Greece does suffer from is a lack of implementation and enforcement of these laws. This is evident in the area of education, where compulsory education laws exist but are not enforced, in the area of the juvenile justice system, where safeguards to protect minors during arrest are not followed, and in child labor, where 5,800 children between the ages of 2 and 15 work on the streets every day, despite laws prohibiting child labor.

The lack of enforcement is especially apparent in areas which touch the most socially isolated segments of society, including migrants, Roma and the Turkish minority. While most people would agree that every child should have the right to citizenship, a birth certificate and a name, the right to go to school, the right to receive medical treatment, the right not to live in a rat-infested garbage dump without running water, once the children at issue are Roma, the government's political resolve is virtually non-existent. Few people seem to care if these children are left behind, perhaps even some people cease to view them as children once they are labeled Roma.

As a result of the gap between legislation and enforcement, a lack of accountability pervades the Greek police force, public ministries and local authorities. Police officers routinely get away with brutal acts against children, while local authorities are seldom reprimanded for harassing minority groups or evicting Roma. Alarming dropout and failure rates in the education of minorities are reported occasionally (as the state declines to provide official data), but no one seems to react. No matter how many laws the Greek Parliament passes protecting children, these laws will remain "paper tigers" until the Greek government sends a clear message to the police, government ministries and local authorities that impunity will no longer be tolerated.

Time and time again, Greece has demonstrated a lack of respect for cultural and religious differences. Greece is now a country of immigration, not emigration, and there are thousands of children in Greece today of various ethnic backgrounds, who speak other languages besides Greek, and will most likely live in Greece throughout their childhood and adult lives. Not to mention the Turkish, Macedonian and Roma minority children who are born in Greece and are automatically Greek citizens. Rather than highlight the richness of this cultural mosaic, the Greek government clings to the myth of homogeneity: the only good Greeks are the ones who are Greek Orthodox Christians; all other identities besides being "Greek" are unwelcome if not suspect; hence minority/migrant children are offered an assimilationist public education: if they still choose private minority/migrant schools, the state seems to make sure their education is not up to par with Greek public education. As a result of this lack of respect for cultural differences, many children in Greece are not allowed to fully develop their specific cultural identity, and children who are ethnically Greek do not become aware of, let alone fully appreciate, the multi-cultural society that they live in. Greece can only benefit from minorities if it chooses to embrace these children as an integral part of Greek society, rather than keep them marginalized at the periphery.

Greece, moreover, has a tendency to react with overt hostility when its human rights practices are called into question, and IGO and NGO criticism is routinely brushed aside. As a party to the Convention on the Rights of the Child (CRC), as well as to a host of other international human rights treaties, Greece has voluntarily joined the "club" of Western democracies who have committed themselves to upholding international human rights standards. The only way that Greece can succeed in its commitments is if it acknowledges the human rights problems that it has and actively works to find concrete solutions to the problems. Greece's state report to the Committee on the Rights of the Child is characteristic of its approach. The state's report points out all the legislation in existence, but provides no information as to implementation or enforcement, and in general, describes the situation as

it should be, not as it is.

Greek Helsinki Monitor hopes that in the future Greece will make an honest effort to engage in self-criticism. After all, as current Minister of Justice Professor Mihalis Stathopoulos said:

*“Only nationalists can claim that our country does not face the problems [of racism and oppression of minorities] that are plaguing every other country today. Societies are made up of human beings, not angels. And Greece is no exception to that rule. At some point we must rid ourselves of this Hellenocentric attitude that, in the end, is detrimental to our nation’s interests.”*¹

II. Recommendations

Implementation of Rights

- Immediate ratification of all United Nations and Council of Europe Conventions which directly or indirectly protect the rights of the child.

Public Dissemination

- Request that Greece provide data to the Committee on the Rights of the Child on the measures that it has taken to disseminate the CRC.
- Dissemination of the CRC through awareness raising seminars to teachers, students and parents, and to the public at large through the mass media.
- Special measures to disseminate the CRC to minorities in an effective manner.

Dissemination of Country Report

- Request that Greece provide data to the Committee on the Rights of the Child on the measures that it has taken to disseminate the state report.
- Immediate dissemination to the public of the state's report, along with the parallel reports submitted by NGOs and the conclusions reached by the Committee on the Rights of the Child.
- The consultation of the Ombudsman's Office and the National Commission for Human Rights, as well as NGOs and the incorporation of data and expert opinions from them in future reports.
- Greece should make an honest effort to acknowledge deficiencies in the status quo and attempt to create realistic solutions to the problems, rather than make vague, exaggerated promises, while tolerating the perpetuation of existing problems.

Definition of the Child

- Creation of an explicit and uniform legal definition of a child that complies with the strict definition of the child which is found in the CRC.
- Amend Greek law 2510/1997, regarding military service, to prohibit the acceptance of volunteers into the Armed Forces who have not yet completed their 18th year.

Non-Discrimination

- The creation of comprehensive national legislation outlawing discrimination based on gender, race, national origin, sexual orientation, and religion, with specific mechanisms of enforcement, in order to protect the principles of non-discrimination found in the Greek constitution.

- In formulating policies, the Greek government should pay special attention to children living in remote, rural areas, and who have limited access to services and resources due to their geographic isolation.
- See specific sections below on combating discrimination in education, health care, the administration of justice, etc.

Best Interests of the Child

- Request that the Greek government provide the Committee on the Rights of the Child with specific information on the status of implementation of the “Social Consultants” that are to be found in the prefectures.
- Reform legislation so that allowances for children be given to them rather than the families and include a social service to monitor the application of that principle as well as the appropriate use of these funds by the guardians.

Respect for Views of the Child

- Strict enforcement of Article 1511 of the Greek Civil Code, which provides that the opinion of the child should be taken into account, depending on his or her maturity, in all decisions regarding parental custody.
- Reform all institutions involved (courts, social services, etc.) so that special weight be given to the child’s opinion. Children must be treated as subjects of rights rather than objects of protection. Thorough reform of childcare institutions is urgent so as to help children there develop their personalities, rather than be treated as “inmates in uniforms.”

Name and Nationality

- Procedures for obtaining birth certificates should be simplified as much as possible, and special measures need to be taken to disseminate the procedure to minorities who are at a greater risk of not being properly informed.
- Every parent should have the opportunity to give their child any name they want, with the spelling they want, and state authorities should scrupulously respect that in all their documents. The clergy of the Greek Orthodox Church, that has the status of civil servant, should be instructed to respect that right.
- Greek citizenship should be given to all newly born, irrespective of their ethnic background, who do not acquire another citizenship, in full respect of Greek law and international standards. All pending cases, like Mr. Durgut’s, should be immediately solved and sanctions need be imposed on all state agents who have contributed to keep them pending for years.

Freedom of Thought, Conscience & Religion

- A comprehensive review and revision of the Family Law Code in Greece, so as to prohibit the application of discriminatory religious practices (such as the application of the Sharia), which do not necessarily protect the child's best interests.
- There should be a formal official exemption for pupils who so wish for reasons of religious belief or conscience from having to participate in school parades, celebrations, or religious instruction without requiring that they explain their reason and thus declare their religion.
- Strict sanctions against teachers, school administrators or students who are found harassing non-Greek Orthodox students should be enforced.
- An educational campaign at all levels of education, promoting religious tolerance should be launched, including the revision of textbooks used in religious instruction, with the purpose of stressing religious tolerance, and eliminating hostile comments for minority religions.

Freedom of Association & Assembly

- The Greek government must immediately refrain from taking any action which prohibits a person from identifying with a religious or ethnic minority, freely and without any consequences. An example of such action is the prohibition of cultural or political minority organizations.
- Specifically, the Greek state should acknowledge the existence of a Macedonian and of a Turkish minorities, and help them promote their culture, including teaching their language at all public schools children from these minorities attend in sufficient numbers.
- Also, severe sanctions should be imposed on all state agents who attempt to suppress individuals from identifying with a particular minority and/or speaking their mother tongue and/or register their associations.

Rights not to be Tortured or Subjected to other Cruel, Inhuman or Degrading Punishment

- The only way that torture and CID can be eliminated, both for adults and for children, is if police officers are held accountable for acts of brutality. Accountability means that the police officers are permanently discharged from the police force if they are found guilty of torture or CID, and criminal charges are filed against them. Independent investigations of allegations are necessary as current internal police investigations routinely clear all suspects.
- Police brutality found to be ethnically or racially motivated should be sanctioned also according to law against racism. Given current racial profiling tendency of Greek police, special "race sensitivity" training is necessary.
- Given current practice of arrests of children in identical ways with adults, Greece must introduce special training of police and related officer on children's rights.
- Free legal assistance to victims of police brutality who otherwise do not have the means available to bring forth a lawsuit should be available, while forensic examination should be made available on demand and not only after charges are pressed, several days after the fact.

Arrest & Detention of Minors

- Greece should strictly enforce all the existing legislation designed to protect minors, including that minors are detained separately from adults, that minors are arrested by specially trained officers wearing plain clothes in unmarked cars, that minors are not handcuffed unless absolutely necessary and minors are informed of their rights upon request.
- The state should invest into the physical structures of police and prison detention areas, in order to make them suitable for detaining minors, as well as for adults.
- The individual forms informing detainees of their rights must be scrupulously issued to all, while the posters with these rights should be placed in areas usually accessible to detainees.

Children Deprived of Family Environment

- The state should carry out a comprehensive study to evaluate the needs of the National Welfare Organization and address them as a priority. It should also implement legislation already in existence, designed to reorganize the National Welfare Organization into an effective coordinating body.
- There is an urgent need to increase the number of social workers, psychologists, lawyers and speech therapists who work for the National Welfare Organization, in accordance with the needs of the organization.
- The services of the National Welfare Organization need be expanded throughout all the regions in Greece, including the establishment of Child Care Centers in all the Prefectures of Greece, as well as expansion of the foster care system throughout all the Prefectures.
- Children's Villages should be staffed by professionals who are trained to deal with children who are extremely emotionally disturbed or violent.
- Illegal alien minors between 15 and 18 should be allowed to apply for residence and working permits and should be placed under the care and supervision of the National Welfare Organization if unaccompanied by their parents.

Adoption

- Greece should ratify the International Convention of the Hague on International Adoptions.

Abuse and Neglect, Including Physical & Psychological Recovery and Social Integration

- Physical punishment by parents at home should be prohibited by law, which must be strictly implemented.
- The state should acknowledge that child abuse is a public health concern, and create education and prevention programs, including educating both adults and children on the dangers of child abuse and how to recognize child abuse.

- Special child abuse prevention programs for minority groups, such as Roma and Turks, are necessary to address their cultural particularities.
- A substantial increase in the number of social workers, trained to recognize and assist abused children, throughout all the Prefectures of Greece, is required.
- There is a need for special training of teachers, medical professionals and police officers to recognize the signs of child abuse, along with legislation that mandates that teachers, medical professionals and police officers must immediately report suspected child abuse.
- The state should evaluate the effectiveness of the SOS Hotlines currently in existence and measures to correct deficiencies, if any; and provide psychological therapy to juvenile sex offenders.

Survival & Development

- There is a need for an increase in the size of the monetary allowances given to mothers with three or more children and unwed mothers, substantial enough to ensure that children are not living under the poverty mother.
- Every parent or guardian who has custody of a child and is living below the poverty level should receive a government subsidy.
- Strict oversight by government agencies need be introduced to ensure that monetary allowances are reaching the children and are spent on the child's basic necessities, such as food, milk, clothes and shoes.

Disabled Children

- The state should creation secondary schools for children with special needs, and also make regular public schools accessible to children with only physical disabilities.
- Children with extremely special needs, which prevent them from leaving their home, should be provided with free education at home.
- Children with special needs should also receive training to improve their daily living skills.
- Information regarding extra funding to parents of children with special needs should be given to medical professionals and teachers and disseminated accordingly.

Health Care

- All children must have equal access to health care services. Hospital administration or doctors who are found to have refused health care services to any child should face severe sanctions, including the loss of their professional license.
- Every child in Greece should be issued his or her own Health Book, regardless of whether his or her parents have one, and regardless of his or her legal status.

- There is a need for an immediate change in existing legislation which prohibits hospitals from providing undocumented immigrants, including children, with medical services except in the event of an emergency.
- Special mobile medical units should be created for Roma communities. These mobile medical units should provide free medical services to all Roma, especially children, including vaccinations, preventative check-ups, medicine and dental care.
- An education program should be designed for Roma women on contraception and child care, taking into account the particular characteristics of these women.
- Poverty and disease go hand in hand. The only way to truly fight childhood disease is to combat childhood poverty at the same time.

Standard of Living

- Every child in Greece must be provided with certain basic necessities: shelter, which meets minimum standards of sanitation, adequate food and water, clothes and shoes, and access to education and health care.
- Special measures need to be taken to address Roma children. Greece must seriously implement comprehensive statewide programs to ensure that every Roma family is settled in a home with running water, electricity and sewage, near a school, a hospital and public transportation, without the fear that they will be evicted by local authorities.
- Coordination of resources between NGOs who are battling to improve the lives of children and governmental agencies in charge of implementing programs for children, with a focus on long-term, rather than short-term projects.

Education

- There must be strict enforcement of compulsory education laws. This includes the establishment of mechanisms to ensure that children attend school regularly, such as the presence of “street social workers” as are found in other countries, as well as sanctions (although not criminal ones) for parents whose children do not attend school.
- Special measures (including school buses) should be introduced or extended to increase school attendance and lower the dropout rate of children from remote, mountainous and agricultural areas who find themselves far from schools; as well as children from minority and migrant groups. All Roma children should attend the –prescribed by law- school closest to their home, rather than been sent off or distributed to many schools as if they were a “burden.”
- Instruction should be provided to future teachers in the Pedagogical Academy, as well as to current teachers through seminars, in methods for teaching in a multicultural classroom and combating racism and xenophobia in the classroom. All explicit or implicit deterrents to present “sensitive” – mostly minority- communities to students in the spirit of the prevailing international standards should be abolished. Instruction should also be provided in the Pedagogical Academy, as well as to current teachers, as to methods of teaching Greek to students for whom Greek is not their mother tongue.

School administrators who refuse to register Roma or migrant children, or make comments insulting to the cultural identity of minority/migrant children should face severe sanctions.

- The education of minority and migrant children should be appraised and, given –sometimes dramatically higher than average- non-attendance, dropout or failure rates, special programs, like the successful Program for the Improvement of Education for the Muslim Minority, need be introduced. In the meantime, all such children should benefit from effective boosting programs. The only official “Muslim” minority schools should be staffed with an adequate number of well-qualified teachers and boosting classes be offered to help improve the dismal performance of their students; while additional minority secondary schools should be created to provide minority education to all children of that community. Also, the state should be asked to make public detailed data on registration, attendance, dropout, and failure of Roma and Turkish children, as they do for Greek and –to some extent- migrant children. Withholding such data is incompatible with the principles of an open democratic society.
- Each child, for whom Greek is not his or her mother tongue, should have the opportunity to learn his mother tongue at school, if s/he so desires. The state should stop arguing that Macedonian, Romani, Aromanian, and Arvanite are idioms rather than languages, and/or cannot be taught or written. In general, Greece should acknowledge the multicultural character of its society and adapt its educational programs to that, abandoning the *-de facto* if not *de jure*- assimilationist character of the program in all –even the so-called ‘intercultural’ schools. Intercultural education should first and foremost mean multilingual education.
- All textbooks should be revised to help remove all explicitly hostile or implicitly stereotypical references to the peoples of neighboring countries, minorities and migrants; as well as the promotion of the concept of homogeneity of the Greek people and the stress on the connection of Greek Orthodoxy to the Greek people. On the contrary, material on all cultures represented in Greece should be introduced to help make the respective children feel “at home” at schools and their Greek Orthodox classmates get acquainted with these minority cultures.

Refugee Children

- A separate administrative body is necessary to handle cases of unaccompanied refugee children and the development of special procedures for the review of their application, with one goal being to minimize delays as much as possible.
- Children who are awaiting review of their asylum application must have access to health care, education and recreation. Under no circumstances should they be held in the same cells with adults after their arrest, though more generally asylum seekers should not be held in police detention areas alongside (alleged) criminals during the waiting period.
- The Greek government should build several new detention facilities designed for children. These detention facilities should be clean and suitable for children to live in, and must be staffed with trained professionals who have experience working with children, especially child psychologists.
- Refugee children should not be detained for long periods of time, regardless of the suitability of a particular detention center. Rather, the state must find an appropriate living environment for them.

Administration of Juvenile Justice

- The whole juvenile detention system need be urgently reviewed in view of even state admission that it is inefficient, and available data showing it lacks any reformatory role. A substantial increase in the number of probation officers, throughout the Prefectures, is urgent.
- Juvenile detention centers must not be overcrowded or unsanitary. Trained professionals who have experience assisting children must staff juvenile detention centers, and a wide-range of support services must be provided to detainees, including psychological counselling, career assistance and recreational opportunities.
- Children should only be placed in Juvenile Detention centers in extremely rare instances.
- There should be strict enforcement of legislation mandating that juveniles –as well as adults- have the right to a qualified interpreter, as well that they be informed of their rights in a language which they understand. Sanctions need be introduced for law enforcement agents that fail to uphold that right.
- Guarantee free legal representation need be offered to all juvenile offenders, regardless of whether the alleged crime is a felony, along with an oversight mechanism to ensure that court-appointed attorneys adequately prepare the juvenile’s case.
- Juveniles should have the right to appeal any conviction or sentence.
- There is a need to strictly enforce the law that juveniles are not to be detained awaiting trial, provided that the crime alleged is punished by less than ten years imprisonment.
- Juveniles serving sentences should be allowed free on probation after having completed 1/5th of their sentence, similar to adults, rather than the current 1/3rd.

Economic exploitation of children, including child labor

- Greece should strictly enforce the prohibition of child labor under the age of 15.
- Special measures should be taken to ensure that “streetlight children” have the opportunity to attend school and live in a safe environment. Children who are living in Greece without their families should immediately be placed under the care of the National Welfare Organization, with the hope of finding the children a suitable family environment.
- Measures to eliminate child labor will only be effective, if, at the same time, the government combats child and family poverty. It is no coincidence that child laborers tend to come from the poorest and most socially isolated segments of society.

Drug Abuse

- Programs to assist drug-dependent children must be implemented throughout all the regions of Greece.
- An anti-smoking and anti-drunk driving campaign should be part of the school curriculum.

Sexual Exploitation & Sexual Abuse

- CRC should request the Greek government to provide specific data on how laws against child prostitution, child pornography, and sexual exploitation are implemented and enforced, including statistics on the number of perpetrators arrested each year and an estimate on the number of victims annually who are children.

Sale, Trafficking & Abduction

- The Greek government should provide data to the Committee on the Rights of the Child on how existing legislation on sale, trafficking and abduction of minors in Greece is implemented and enforced, including statistics on the number of arrests made every year and estimates as to the number of children involved.
- There is a need to increase in the number of police officers on the “vice squad” who deal with trafficking.
- Severe sanctions, including permanent expulsion from the police force and criminal prosecution, should be applied for police officers who knowingly turn a “blind eye” to child prostitution and trafficking, or worse yet, police officers who actively participate in criminal networks that traffic children.
- Specific measures need be introduced to combat organized trafficking networks from Balkan countries, such as stiffening border control along known trafficking routes.

III. Analysis

A. General Measures of Implementation

Implementation of Rights

Greece has ratified many international conventions protecting the rights of children, but there are several treaties it has not yet ratified (sometimes not signed either). These treaties are:

- The Optional Protocol to the CRC which “raises from 15 to 18 years the minimum age for direct participation in hostilities, for compulsory recruitment and for any recruitment by non-governmental armed groups.”²
- The Optional Protocol to the CRC on “the sale of children, child prostitution and child pornography.”³
- The Hague Convention of 5 October 1961 “concerning the powers of authorities and the law applicable in respect of the protection of infants.”⁴
- The Convention on the Reduction of Statelessness of 30 August 1961.⁵
- The UNESCO Convention against Discrimination in Education of 14 December 1960.⁶
- While Greece has ratified the International Convention on the Elimination of All Forms of Racial Discrimination of 21 December 1965, the government has not recognized the competence of the Committee on the Elimination of Racial Discrimination (CERD) to receive complaints from individuals or groups, even though it promised so in its last two appearances before CERD, in August 1992 and March 2001.⁷

There are also numerous conventions from the Council of Europe which Greece has not yet ratified (nor signed in many cases), some of which are not exclusive to children, but all of which are necessary to protect the rights of children to the fullest extent possible:

- Protocol No 4 to the ECHR of 16 September 1963 prohibiting the collective expulsion of aliens.⁸
- The Framework Convention for the Protection of National Minorities of 1 February 1995.⁹
- The European Charter of Regional or Minority Languages of 5 November 1992.¹⁰
- The revised European Social Charter of 3 May 1996.¹¹
- The European Convention on the Repatriation of Minors of 28 May 1970.¹²
- The European Convention on the Legal Status of Children Born Out of Wedlock of 15 October 1975.¹³
- The European Convention on Nationality of 15 November 1997.¹⁴
- The European Convention on participation of foreigners in public life at a local level of 5 February 1992.¹⁵

Public Dissemination

The “NGO Report”^{*} has already pointed to the need for dissemination of the CRC, customized to fit the needs of particular social and professional groups, through awareness-raising seminars. Greek Helsinki Monitor and Minority Rights Group – Greece (henceforth GHM/MRG-G) would like to emphasize that special measures should be taken to ensure that this information is disseminated to minorities in an effective manner.

Greek authorities are often reluctant to publicly address domestic human rights issues. While the Greek state has voluntarily signed on to numerous international treaties and conventions which are designed to protect human rights, on numerous occasions Greece has not complied with reporting requirements: long overdue are its reports on compliance with the International Covenant for Civil and Political Rights, the International Covenant for Economic and Social Rights, and the International Convention for the Elimination of all forms of Discrimination Against Women. Greece has also not disseminated its reports, has attempted to brush aside criticism from NGOs and IGOs, and in general, has refused to engage in self-criticism.

Even the newly formed relevant advisory body to the Prime Minister, the National Commission for Human Rights, has noted the tendency of the authorities to view NGO and IGO reports as “*undermining the nation*” and to treat them with either “*secrecy or scorn.*” It added that, in 2000, “*no ministry sought the Commission’s advice before submitting a report to an IGO, as mandated by article 1 para 6.e of the Commission’s founding law 2667/98,*” and recommended that state reports or answers to criticism “*should not be confined to banalities or exaggerated promises.*”¹⁶ It would be interesting to know whether the Commission reviewed Greece’s report to the CRC before its submission.

^{*} The “NGO Report” refers to the “NON-GOVERNMENTAL ORGANISATIONS’ REPORT IN APPLICATION OF THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD” submitted to CRC in June 2001 by a coalition of 10 Greek NGOs (ARSIS, Family and Child Care Center, Greek Council for Refugees, Institute of Child Health, International Social Service, Marangopoulos Foundation for Human Rights, Save the Children, Support Center for Children and Family, Smile of the Child, Therapy Center for Dependent Individuals), whose efforts were coordinated by Amnesty International Greece.

B. Definition of the Child

Greece defines the child as being equivalent to a “minor,” which in essence, amounts to no concrete definition at all, since while minors are generally persons who have not completed their 18th year, Greece has carved out certain exceptions to this age. These exceptions are contrary to the strict definition of the child found in the CRC, which allows for no exceptions to the age at which a child attains adulthood.

One case is that Greek legislation allows for the possibility of minors enlisting in the army. Article 14, paragraphs 1 and 2 of Greek law 2510/1997 state that:

“By decision of the Minister of National Defence, which is published in the Government Gazette, it may be permitted the enlistment as proposed, for the fulfillment of their draft obligations, of Greek males who have completed their seventeenth year of age and have not yet been called up for enlistment... During a general mobilization or war period, it may be permitted, by decision of the Minister of National Defence not published in the Government Gazette, the voluntary enlistment, as volunteers, of conscripts or reservists who belong to an age-group or category which has not been called up for enlistment, as well as of fellow countrymen, who have completed their seventeenth year of age and do not exceed their fiftieth one.”¹⁷

This legislation should be changed in order to comply with the strict age minimum of 18 for participation in military service and hostilities, as found in the CRC.

C. General Principles

Non-Discrimination (Article 2)

While Greece's report points out on p. 8 that the Greek Constitution protects all people from discrimination on the basis of nationality, race, language, religious or political beliefs, the reality of the situation is that no specific anti-discrimination legislation in Greece exists to enforce this principle of non-discrimination. As will become evident in the report below, there are on the contrary many cases of outright or implicit discriminatory regulations or practices.

Best Interests of the Child (Article 3)

Greece mentions on p. 15 of its report the establishment of the institution of "Social Consultant" in the Prefectures. The status of this institution is unknown at the present time, and we request that the Greek government is asked to provide further documentation to the Committee on the Rights of the Child on this matter.

The Right to Life, Survival and Development (Article 6)

Respect for the Views of the Child (Article 12)

Greece points to Article 1511 of the Greek Civil Code on p. 11 of its report, which provides that the opinion of the child should be taken into account, depending on his or her maturity, in all decisions regarding parental custody. However, Greek practice

*"...treats the child as 'immature,' and as 'not accomplished individual', thus denying the children their right to participate in decision-making and thus have a natural evolution towards maturity."*¹⁸

Indicative violations include:

- *"Closed child care institutions do not have children councils to involve them in matters of direct concern to them and the promotion of their rights."*
- *In many state child care institutions for children between 6-18 years of age, children lack individual clothing. Clothes are given daily to the children by the staff, to end up in mass laundry and classification by size, in a storage room for clothes. The explanation offered that this is done to avoid losing clothes or to help better 'organize' the institution is indicative of the insufficient investment by the system in fundamental children's rights as compared to the rights of the system or of those that represent it.*
- *For the choice and protection of the child in an environment outside the family, the child's opinion is rarely sought. The decision of whether a child should be placed into a state institution, foster care or remain at home, usually under conditions, is made by professionals, without the input of the child, and often without even the input of the family. This choice is a characteristic example of the treatment of the child as an object of protection, rather than a subject of rights."*¹⁹

When a child is also disabled, and in view of the widespread intolerance of Greek society towards disabled persons, perceived as a burden if not a curse, its rights are even less respected. George Stergioulas, an officer of the Panhellenic Federation of Parents and Guardians of Disabled Persons, reported in July 2001, that, in the summer camp he was in charge of:

“On 9 July arrived to the camp of Welfare [Agency] in Stavros of Thessaloniki 30 individuals from the institution of ‘Saint Nektarios’ in Sidirokastro: their heads where close-cropped to the extent that their sex was unrecognizable, they were wearing striped uniforms and their dental care was shabby. They were bound in rounds and were pacing around their tents, while some had an obvious aggressiveness. Besides, they were accompanied by 20 persons, most of whom lacking the necessary experience, while there were not enough wheelchairs.”²⁰

D. Civil Rights and Freedoms

Name and Nationality (Article 7)

Page 26 of Greece's report indicates that each child has the right to bear a name and acquire a nationality. However, the state's report ignores the reality that minorities in Greece do not have the right to freely give names to their children in their native language. For example, today Macedonian first names are discouraged, and Macedonian and Bulgarian last names were forcefully converted into Greek ones in the 1920s and 1930s.

In the first attempt to recover a Bulgarian name, the request was rejected and the individual was harassed. This was the case of Nicholas Stoidis, who on 5 July 1996 filed to change his name back to Stojanov, his grandfather's name, which had been forcefully "Hellenized" in 1913. In the application he argued, inter alia, that his current name reflects "a Pontic origin" –an accurate claim- which "is not desired" given his "indigenous Bulgaromacedonian" origin. The prefect of Pella, on 16 August 1996, rejected his request, based on citizens' and associations' objections which were never given to Stoidis. Subsequent appeals to regions' governor, the Ministry of the Interior and ultimately the Council of State (supreme administrative court) were rejected in 1996-1998, with the latter stating that "*the issue of the indigenous Bulgaromacedonians has definitely closed with the Treaty of Neuilly in 1919.*"²¹ Soon after its submission, Stoidis' request was leaked to the media, after which he was harassed by those objecting to his request.²² In addition, Stoidis discovered that in the file with the rejected application there was a letter that he had addressed to the president of a neighboring country. He asked that this letter be removed from the whole file and be given back to him, and he also asked for clarification as to why this letter had been included in his application in the first place. The prefecture told him that this letter was sent to them anonymously, "but it constitutes an indispensable part of the whole process and should not be removed." Stoidis asked the Ombudsman to examine the circumstances of the illegal way this letter had been obtained in the first place (implying mail fraud and involvement of the National Intelligence Service), and to intervene for the removal of the letter from the file. The existing legislation that prohibits the use of evidence that has been illegally obtained, means consequently that possession of this evidence by the authority in question is also prohibited, stated the Ombudsman.²³

At the same time, in the rare occasions that, despite the prevailing hostility towards such actions, parents want to christen their children giving them Macedonian names, the (civil servants) Orthodox priests refuse to do so and often end up arbitrarily giving Greek equivalent names. On 23 April 1998, in the Meliti (Florina, Western Macedonian) St. George church, the priest imposed the name of Domna to the infant girl of Evangelos and Elizabeth Anastasiadis who wanted to name her after her grandmother Donka. In 2000, in a church in the Eordaia (Western Macedonia) area, A. H. and A. M. wanted to name their daughter Sultana. The priest objected saying "it is high time we stop using these Turkish, Slavic and other names village people tend to prefer." Only following a protracted argument and the intervention of other priests, did he proceed naming the child Sultana. The vagueness of the latter information is due to the fact that parents are reluctant to report such incidents out of fear: in this case, they agreed to the use of what is reported above, while in other cases they refused to be quoted even that vaguely.²⁴

Moreover, it is frequently reported that migrants including migrant children are christened Orthodox and assume common Greek names, in an obvious effort to get a better chance in a society that has been exhibiting xenophobia and has traditionally promoted if not imposed assimilation of minorities. Occasionally, such ceremonies get wide publicity and official involvement: on 13 May 2001, the daily "Ethnos" reported that Sylvia Abedin from the Tepeleni area of Albania, who lives in Vari with her

parents Kudret and Hamide and her younger brothers Lorenzo and Eugene, and is a first-grade pupil at the high school in Vari (near Athens) with very high grades, “was baptized with her 20 teachers as godfathers” and was named Christina. Her two best friends, Anna Lentina and Besiana Tsani, were also baptized, reported the newspaper, which then highlighted Christina’s most meaningful statement: “I now feel so much Greek” ...²⁵ While, on 25 August 2001, the daily “Eleftherotypia” reported that the mayor of Pyrgos, Elia (Peloponnese) as a godfather christened c8-year old Rom called until then Mavra –an almost non-existent first name for Greeks even though there are churches and villages names St Mavra-, changing her name into Penelope-Haralambia, “to send a message that Gypsies enjoy equality here in Elia.”²⁶ Even the sincerity of these intentions was in doubt, as on 2 July 2001, the same mayor and his city council, with decision 350/2001, unanimously called for the *“immediate eviction of [Roma] tent-dwellers from all areas of Pyrgos ... for the protection of the health of our fellow citizens.”*

On the other hand, Turkish names are arbitrarily transcribed by state authorities –that do not allow Latin characters to be used in official documents, and have occasionally even refused Latin signatures-into Greek characters, often in many different ways for the same person. Moreover, when these names are written in passports with Latin characters, they represent transcriptions of the Greek name, rather than respecting the Turkish spelling. This situation is the source of many problems to the individuals. We will present here evidence from two GHM/MRG-G members, Mehmet Dukkanci and Sezgin Durgut.

Mehmet Dukkanci’s family name has been transcribed in Greek as ?t????a? and then, in his passport, as Ntougkiantzi, a far cry from Dukkanci: as a result, Mehmet reported that he had problems with the registrar in his Istanbul Bogazici university, as many Turkish professor filed grades with his Turkish name while he was registered under the Hellenized one mentioned in his passport, that “sounds Chinese or Swedish to Turks;” he also reported similar problems with the telephone company in Istanbul.²⁷

Much worse is the case with Sezgin Durgut, a born stateless Muslim from the Ifaistos (Kalkantza) community in Komotini (Thrace) that identify themselves as Turks while being perceived by the outsiders and the media as Roma. GHM/MRG-G have been dealing for three years with his statelessness and the arbitrary if not illegal refusal of the Greek state to grant him either the status of stateless or, citizenship (see below), as well as the initial refusal of the local state hospital to give his wife the necessary documents that explained why she was brought there, in March 1999, in a near-fatal condition and had to undergo an hysterectomy, after her obstetrician had operated on her in his study. GHM/MRG-G have official state documents that have the following eight different spellings for the family name: ??????t, ?t?????t, ?t?????t, ??????t, ?t?????t, ?t?????, Durgut, Durkut; five for the first name: Se????, Ses??, Se????, Sezkin, Sezgin; three for the first name S????, S????, S????; and two each for his mother’s first name ?e??, ?e??; her last name Sa????, Sa? ????; and her father’s name ?μ?a??μ; ?β?a??μ. Had Greek authorities simply respected Turkish spelling using Latin letters, none of these problems would have existed.

Page 26 of Greece’s report also states that Greek legislation guarantees that every child shall have a birth certificate, but there are many children in Greece, especially Roma, who do not have a birth certificate or a first or last name. Many Roma parents do not know where to go to register their children, and even if they do know, most are illiterate and do not have the necessary skills to be able to weave through the complicated Greek bureaucracy.²⁸ This problem is also apparent to a lesser extent in the Turkish community in Greece. One specific case of a child with no first or last name is “Osman,” a Turkish pupil at the 87th elementary school in Athens, whose family has migrated from Western Thrace.²⁹ GHM/MRG-G have evidence of many Roma children that have either not been declared or who are registered as “no first name.”

Other specific reasons that are cited in the “NGO Report” as to why certain children do not have a name include “i) lack of information and guidance regarding procedures required and services available (e.g. registration of the child at the appropriate local Registrar’s Office), ii) lack of free legal representation of particular groups, whenever needed (e.g. cases involving the procedure of proper registration of immigrant children, that long-term will affect even their right to school enrolment) and iii) lack of de-centralization of sectors and services for specific ethnic or religious groups (e.g. Muslims of Thrace).”³⁰

On p. 28 of its report the government claims that the process for acquiring nationality in Greece is a combination of *jure sanguinis* and *jure solis*. This is confirmed in Article 1 of Law No. 3370/1955 of the Law on Nationality in Greece.³¹ In practice, however, this law is applied selectively by Greek authorities. UNHCR reports that there are children born stateless in Greece “Greece has not ratified the UN Agreement (for the reduction of statelessness). Children of refugees that are born here in Greece and do not have a citizenship, do not automatically acquire the Greek citizenship.”³²

The case of Sezgin Durgut will be presented in details here as it highlights to what extreme arbitrariness and deception can state authorities –up to the minister’s level- go, when it concerns minorities, ignoring even their own Ombudsman. As Mr. Durgut points out in his letter to the Greek Ombudsman dated 4 April 2000, while the Greek state is required by law to give him Greek nationality according to Greek law N. 535/26-1-1977 (the 1977 United Nations convention on the Reduction of the Number of Stateless Persons –relevant Article 1), since his mother is a Greek citizen and his father is stateless, Greece has not responded to his application for nationality since he filed it in 1990. On the contrary, his sister was granted citizenship on that ground in 1993.

At the same time, Greek authorities also refused to issue him an identity document as stateless, in 1999 and again in 2000 (an obligation under the relevant UN Convention), when our NGOs pointed out to him the possibility. Eight months after his application and only after the Ombudsman stepped in, police alleged that the reference to previously issued residence permits to an undefined citizenship was a mistake that had supposedly been repeated for years. They claimed that Mr. Sezgin had Bulgarian citizenship, because his grandfather had moved to Greece from Bulgaria during the latter’s occupation of Thrace in the Second World War. They asked him to prove that he is not Bulgarian in order to consider him a stateless person. They made the same argument in answering a parliamentary question tabled by the Progressive Left Coalition MP, Maria Damanaki. On July 17, 1999, the Minister of Public Order had replied the following:

“In general all cases regarding aliens are being examined thoroughly by the competent authorities. When it comes to the case of Durgut Sezgin, in particular, to his request to be provided with an identity card for stateless people, it should be stated clearly that issuing such a certificate presupposes giving him the status of a stateless person. Mr. Sezgin has no such status based on the documents that the competent authorities possess. He is a Bulgarian citizen, therefore an alien. It should also be stated that, indeed, the latter has received permission to stay in Greece as a person with undefined nationality. In order to be able to seek treatment as a stateless person, Mr. Sezgin was advised to provide the Greek authorities with a valid certificate stating that he is not a Bulgarian citizen. In case he was unable to do so, he was asked to submit a valid travel document from the Bulgarian authorities for his application, regarding permission to stay in Greece, to be considered under law 1975/1999.”

But as far back as in 1997, Sezgin Durgut had provided the Greek authorities with a Bulgarian Consulate certificate saying that he was not a Bulgarian citizen. The Greek state was aware of that

but was regrettably deceptively pretending it was not. In the 1999 OSCE Implementation Review Meeting, the Greek delegation, probably misled by local authorities, also provided inaccurate information:

“The speaker (...) mentioned one instance, expanded at some length in the report, of one person, Mr. Sezgin, who has been trying to obtain Greek citizenship and whose efforts have not yet been successful. We welcome that such shortcomings of local administration in Greece are brought to our attention. I wonder, however, whether they are really worthy of being discussed in a forum like this, considering in particular that the persons involved cannot be said to be suffering let alone being endangered in any way. Those are cases of people going through a routine administrative process and encountering difficulties in it.”³³

However, Mr. Durgut is suffering, as he has no identity papers at all. One consequence is that he cannot receive benefits for his children. So this bureaucratic harassment is affecting his life negatively. Mr. Durgut resubmitted the same document of the Bulgarian authorities, in February 2000, applying for a second time to obtain a stateless identity card, but has not received any answer. His case was again submitted to the Ombudsman who initiated a dialogue with all competent authorities, investigating the ground for such delay and bureaucratic harassment. By December 2000, GHM/MRG-G obtained a copy of a travel document Greek authorities had issued in 1979 to Sezgin Durgut’s grandfather to travel to Bulgaria, which has even a Bulgarian visa on it. That was the final conclusive evidence that Greek authorities knew very well that the Durgut family was stateless and had the required Bulgarian confirmation in the form of a Bulgaria visa (which is of course not given to a Bulgarian citizen...). As the Ombudsman pointed in its letter of 20 June 2001 to the Ministry of Interior:

“A shadow is cast on our smooth cooperation by the still pending case of Mr. Sezgin Durgut (dossier no. 24251), whose stateless status Greek police unjustifiably continues to contest, claiming that he is a Bulgarian citizen and compelling him, against his will, to remain for nearly two years in a state of sui generis complete illegality, with oppressive consequences on his family life ... The Ombudsman, who has dealt with this case almost since the first days of functioning, has carried out extensive research whose results are reported in my letter no. 883/00/2.2/12.2.2001 to your agency. I noted therein that all available evidence to date allow drawing safely the conclusion that that person’s immediate ascendants have definitely lost the Bulgarian citizenship, assuming they ever had acquired it in first place.”

The Greek authorities’ determination to harass Sezgin Durgut took another turn in mid-2001. Article 69 para 6 of a new Greek law (2910/2001) stipulated that anyone born before 1984 to a mother who was a Greek citizen at the time of birth becomes automatically a Greek citizen from the day of the request. Mr. Durgut applied accordingly on the very first day the new law came in force (5 June 2001). On 13 August 2001, the competent General Secretariat of the Eastern Macedonia and Thrace Region announced that the first eight such “ascertainments of citizenship” were signed, but they concerned only children of parents with ethnic Greek origin.³⁴ for Mr. Durgut, the Secretariat was asking plenty of unnecessary documents, including –as they told GHM/MRG-G- the State Security’s advice, in another obvious effort to stall if not refuse giving him the fundamental right of citizenship. In the meantime, for having dared challenge the Greek administration all these years, Sezgin Durgut is penalized: he cannot travel abroad, have his driving license extended for his work, or get a family allowance. Occasionally, policemen have even verbally abused him.

Freedom of Thought, Conscience and Religion (Article 14)

While Greece claims to protect freedom of religion in principle on p. 31 of its report, there are many instances when Greek law discriminates against individuals because of their religious beliefs. For example, while mothers are traditionally awarded custody of children in a divorce, in cases where the father is Greek Orthodox and the mother is a Jehovah's Witness, the father will frequently be awarded custody of the children, regardless of which parent is more qualified to serve as a guardian to the child.³⁵

Another example of a discriminatory practice is the application of the Sharia (Muslim family law) to the Muslim minority. The Sharia states that in the case of divorce, the mother is awarded custody of the child up until the age of 7 for boys and 9 for girls, after which custody is automatically awarded to the father,³⁶ regardless of whether the child wants to live with the father, or whether the father is in a better position –or in any position at all- to care for the child. Not only is this practice discriminatory against women, but more importantly, the child's opinion is not respected, nor are the child's best interests at the center of the custody award decision-making process.

In practice, freedom of religion is ignored when the children in question are not Greek Orthodox Christians. There have been several examples of discrimination against children who are Jehovah's Witnesses in schools. On two cases, *Valsamis v. Greece* and *Efstratiou v. Greece*, the ECHR ruled against Greece in 1996. These two cases were concerned with the refusal of two Jehovah Witness pupils to participate in their school's parades on National Days. The Court in its ruling did not ascertain that a violation of article 9 had occurred. It did, however, find out that article 13 in conjunction with articles 9 and 2 of the First Protocol had been violated. Specifically, the Court referred to the absence of a national authority responsible of examining the pupil's petition. The Court expressed its surprise at the expulsion of the two pupils for their refusal to participate in the parades and put forward the general principle that:

“Furthermore, the obligation on the pupil does not deprive her parents of their right ‘to enlighten and advise their children, to exercise with regard to their children natural parental functions as educators, or to guide their children on a path in line with the parents’ own religious or philosophical convictions.’”³⁷

These two cases and their rulings changed considerably the position of Jehovah Witness pupils in Greek schools. According to the latest relative law (Presidential Decree 121/1998) on primary level education, the exemption of Jehovah Witness pupils from religious instruction and the compulsory participation in the morning prayer and mass were secured. In relation to National Day parades, no official exemption has been foreseen but any form of penalty against pupils refusing to participate is forbidden. In addition, the book for religious instruction for the Second Class of Lyceum that had a special intolerable chapter on the Jehovah Witnesses was withdrawn.³⁸

There are, however, other ways of attacking the dignity of young pupils, and reports from all over Greece confirm this sad situation. Pupils belonging to the Church of the Jehovah Witnesses are sometimes isolated, abused, ridiculed, and insulted. The official Church of the Christian Jehovah Witnesses in Greece has not legally responded to these incidents because it tries to avoid cultivating the atmosphere of hatred and fruitless discord that some try to create and drag it in.³⁹

Catholic and Jehovah Witness teachers also experience discrimination in attempting to secure teaching positions. Jehovah Witnesses were not allowed to teach even in private prep schools operating outside the official system of education. In respect to teaching permits, the forms of discrimination faced by other religious minorities apply to the Jehovah's Witnesses. This discrimination was marked by the

cases of Pilaftoglou, Tzenos and Nomidis, whose applications for teaching permits were rejected on the ground that they were Jehovah's Witnesses (UN Special Rapporteur's communications, E/CN.4/1994/79 and E/CN.4/1995/91) (Abdelfattah Amor, 1996 & GHM-MRG-G, September 1999). All three of them had actually applied for teaching posts in private foreign language schools. They were denied permission to teach on the ground of the thinking and the decision of the Legal Council of the State (nr. 248/1973) amidst the military dictatorship that denied to a Jehovah Witness appointment at a secondary level school.⁴⁰

Freedom of Association and Assembly (Article 15)

While each child is formally entitled to the right of self-identification and the right to develop his or her own cultural identity, the Greek government makes it extremely difficult for adults, much less children, to identify themselves as something other than Greek. Given all the problems that adults encounter when they identify themselves as belonging to a minority, one can imagine the difficulty that their children face in attempting to do the same. As a result, children are deprived of their right to develop their own cultural identity. Here are just a few examples of cases where governmental authorities have prohibited self-identification. While some of these cases do not directly involve children, they are indicative of the types of problems that children face.

- The Greek government has consistently refused to recognize the existence of the Macedonian minority, preventing Macedonian children from being able to identify themselves with this group. As will become evident later in this report, the refusal to recognize the Macedonian minority also infringes upon the child's right to education in his or her own language, since the natural result of not recognizing Macedonians as a minority is to refuse to allow the Macedonian language to be taught in school. This stance by the Greek government can be summarized by the statements that the Greek delegation made to the meeting of the Committee on the Elimination of Racial Discrimination:

“On the other hand, reference was made by some distinguished members of the Committee on the existence of a Macedonian minority in Greece, and how these provisions apply to this minority. I would like to remind the Committee that there is no such a minority officially recognized in Greece. And I would like to mention that it is really embarrassing that certain circles outside Greece, or within Greece, certain activists try to convince the international community that we have such a national minority on the Greek territory. I would like to mention that the only element that these circles have about the existence of such a minority is that, in the northern Greece areas, people speak a second dialect, the Slavic dialect. However, Mr. Chairman, nobody has asked these people if they are willing to self-identify themselves as belonging to a different ethnic nation. They never have expressed themselves in favor of not being Greeks. They never expressed themselves as having a distinct ethnic identity. And I believe this does not do justice to this population, that, because of the geographical area where they live, simply speaks a different dialect. So if we agree that a very important determinant factor for the realization, for the recognition of the existence of a national minority is the will of the people to self-identify themselves, I think that we have to respect at least the wish of this particular people, who live in these areas and who have never expressed themselves in favor of them belonging in such a national, a different from the Greek nation, minority. This is the reason why Greece consistently denies the existence of such a group.”⁴¹

Greeks view the use of the Macedonian language with suspicion, and as a result, many Macedonian children living in Greece are reluctant to speak Macedonian in public, out of fear of acknowledging that they are Macedonian. In addition, children are discouraged from speaking Macedonian at home by Greek teachers in schools. This fear to acknowledge their identity can only serve to impede Macedonian children's development. Anthropologist Maria Yiannisopoulou, of the state National Center for Social Research (EKKE), did her fieldwork in the area of Almopia (Pella District, Central Macedonia). She reported:

“Generally the children under the age of 15 do not want to use the local [language] in public and even in private family places. They have connected this language with specific discriminations based on their descent. At school even the teachers are censoring the students because their accent betrays them. The accent is really something hard to hide. And this is the reason why the school puts pressure on them not to speak ‘the local’ at home: it causes problems when trying to learn the Greek language. Some of the teachers ask from the Ministry of Education to handle this matter.... Officially this language is no longer forbidden since the 1980’s. For many though, it carries with it memories of the fear of oppression. As for the rest, the refugee population, they rarely tolerate it. They identify it with the word ‘Bulgarian’ and with any danger they perceive as coming from the other side of the borders.”⁴²

GHM/MRG-G regional monitors, in August 2001, have recorded statements that, during the school year 2000-2001, in the Variko Primary School (Florina, Western Macedonia) “teachers repeatedly told pupils not to speak their mother tongue and tell their family at home to do likewise as they hinder the pupils’ further education;”⁴³ while a kindergarten teacher told the children that Macedonian songs “were remnants of Second World War occupation by Bulgarians, and since they did so much harm to us, we should forget these songs;”⁴⁴ while in Koufalia, near Thessaloniki, “some schoolteachers reproach to pupils their heavy foreign accent in Greek and blame it on the elderly who teach children this ‘Bulgarian idiom.’”⁴⁵

- The “Home of Macedonian Civilization” was originally denied registration as an organization by the Greek courts. Its appeal to the European Court of Human Rights was successful as, on 10 July 1998, Greece was cited for violation of article 11 on freedom of association.⁴⁶ However, the “Home of Macedonian Civilization” cannot register for two years. All local lawyers refuse to take up the case. While courts refuse to appoint a lawyer, despite Greece’s report to the Committee of Ministers of the Council of Europe that courts have been instructed to execute the judgment, and the Ombudsman’s written opinion that there is “enough evidence that ‘no lawyer is found’”⁴⁷
- The one-member Court of First Instance of Salonica, on 31 March 2001, refused to register the Macedonian cultural association “Rousali” in Koufalia, whose purpose is the “highlighting and the promotion of traditional values of the local culture.” The reasoning that the court gave for the rejection was, “it is not possible to say with certainty whether this purpose is compatible with the laws of the moral and public order, something which is examined in all cases of union recognitions.”⁴⁸
- In June 2001, the newly formed Parents’ Association of the 2nd Minority School in Komotini attempted to hold an end-of-the-year celebration, similar to those held at Greek schools. The school principal told the Parents’ Association that teachers would not be allowed to attend the celebration, nor would the Association be allowed to use the school. Following that refusal, several teachers

held small end-of-the-year gatherings in classrooms, at which the Board of Directors of the Wakfs barged into the school without permission and disrupted the gatherings.⁴⁹

- On 6 June 2001, the Court of First Instance of Rodopi County rejected the application of 42 women belonging to the Turkish minority to create an organization with the name “Union of Turkish Women of Rodopi.” According to the reasoning of the decision the application was considered “unfounded since the applicants do not invoke a certain national, cultural or linguistic particularity that could justify the use of the term Turk.” Consequently, according to the Court, the name of the Union is misleading and prima facie its foundation is illegal.”⁵⁰
- GHM/MRG-G are aware of at least one very recent case where even academic freedom is violated when it comes to the use of the name Turks for members of that minority. A graduate student was compelled to edit his research paper and replace his reference to “Turks” by “of Turkish origin,” considered by the faculty as the only correct one because it was the officially accepted term in Greece (more specific information withheld upon request) ...
- Sotiris Bletsas, president of the “Society of Aromanian (Vlachian) Culture”, after attempting in 1995 to distribute leaflets from the “European Bureau of the Lesser Used Languages” mentioning the Vlach language as a language spoken in Greece, in addition to Arvanitika, Aroumanian-Armanesti, Bulgarian, Slavo-Macedonian and Turkish, was convicted, on 2 February 2001, by the Athens Court of the First Instance (Decision No 11263/20001) for having “propagated, in the manner described below, false information capable of inciting the populace, and particularly during the cultural event of the Vlachs in Naousa, distributed to people attending the event a pamphlet in the English language which he knew falsely stated that in Greece not including the Greek language, five other languages are spoken to a lesser extent.”⁵¹

Protection of Privacy (Article 16)

Access to Information (Article 17)

Right not to be tortured or subjected to other cruel, inhuman or degrading punishment (article 37)

The Committee Against Torture observed in 2001 that cruel, inhuman and degrading punishment (CID) was widespread in Greece:

“The Committee expresses the following concern that, although the domestic legislation provides a satisfactory framework for protecting human rights in general and of certain Convention rights in particular, difficulties in effective implementation remain, which may amount to a breach of the Convention:

(a) there is evidence that the police sometimes use excessive or unjustifiable force in carrying out their duties particularly when dealing with ethnic and national minorities and foreigners;

(b) the harsh conditions of detention in general and, in particular, the long-term detention of undocumented migrants and/or asylum-seekers awaiting deportation in police stations without adequate facilities;

(c) the severe overcrowding in prisons which aggravates the already sub-standard material conditions and which may contribute to inter-prisoner-violence;⁵²

Greece is not immune from the worldwide tendency of law enforcement officials to abuse the rights of its citizens, including children, during arrests, interrogations, detention or imprisonment. GHM has already documented many examples of torture and CID committed against adults and minors in its “*Parallel Report on Greece’s compliance with the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.*”⁵³ As GHM has already concisely stated,

“There are numerous and continuous reports of ill-treatment, often amounting to torture, of persons during arrest and/or while in police custody (though not when in prison). Hardly any police officer has ever been punished, let alone convicted for such behavior, even in the presence of compelling evidence like forensic reports. Impunity makes ill-treatment a common practice, discourages its victims from filing complaints, and allows the state to claim that -NGO or IGO- reports about ill-treatment are unfounded or widely exaggerated.”⁵⁴

The Greek Ombudsman has confirmed GHM’s findings on police brutality and impunity, summarized in his *Annual Report*,

“Human rights violations by the administration (...) can be codified with the words arbitrariness-indifference-bias-impunity; they take their most acute form when applied on vulnerable social groups. (...) The administration, reproducing the most backward reflexes of our society, often shows its worst face when dealing with members of minority groups. (...) It is common wisdom that in the administration prevails a feeling of impunity, that in some cases favors occasional illegal actions, or in other cases it perpetuates a status of generalized anomy and corruption.”⁵⁵

Perhaps even more telling of the situation of police brutality in Greece is Greece’s “outstanding” record with the Council of Europe’s Committee for the Prevention of Torture (CPT). In the last five years (1996-2001), the CPT has felt it necessary to visit Greece four times (in 1996, 1997, 1999 and 2001), as compared with one or two visits to all other European Union countries (with the exception of Spain which has been visited three times, but has not been visited again since 1998). At the same time, Greece is the only EU country which has systematically prevented the publication of the CPT reports ensuing from these visits, evidencing the government’s refusal to acknowledge the problem of police brutality and impunity.⁵⁶

Unfortunately, police violence, torture and inhumane treatment are not limited to adults. Here is one such case where minors were the victims of police brutality:

- Two minors, ages 14 (initials: P.T.) and 16 (D.A.), were arrested on 19 August 1994, and brought to the police station in Kassandreia, Halkidiki (Northern Greece), as suspects for the theft of 460,000 drachmas (around USD 2,000 at the time) from their employers. During their interrogation, three police officers, separately and jointly, for more than an hour, beat the two minors with their hands, feet, truncheons, and shafts. They even took off the pants of one minor and obliged him to bend over and shout “I am a fag,” while threatening to force a shaft into his behind and submit him to electroshock. All of this was done in order to extort confessions from the youths. In the end, it turned out they were wrongly suspected in first place and were set free. A forensic report verified the injuries and the probable causes. The previous acts are described in the 1263/1998 judgment of the Three-Member Misdemeanor Court of Halkidiki, which convicted the

three police officers of torture (under article 137A of the penal code), and sentenced each of them to 4 years in prison and 5 years of deprivation of their civil rights. Despite the gravity of their actions, though, the three policemen were set free on appeal. Worse yet, they were not even suspended from the police force. On 3 March 2000, the Three-Member Appeals Court of Salonica acquitted the three policemen from these charges, arguing that the incidents of torture were “exaggerated by the minors” and that their employers had caused the injuries before the minors were brought to the police station. The prosecutor, who had asked for the policemen’s conviction, subsequently filed to the Supreme Court for the cassation of the court’s decision.⁵⁷

There have also been instances where the Greek police force has targeted immigrant children, mostly Albanians. Here are two examples of such brutality:

- On 8 February 2001, police arrested 16-year old Albanian Refat Tafili, because he was an illegal immigrant. Probably because the other Albanians who were with him escaped arrest, policemen repeatedly beat the youth during the arrest. Then, in the police station, he fainted. Fearful, the police released him, literally throwing him in the street. Tafili was taken to the hospital and had to undergo an operation for the removal of his spleen. After the operation, he was turned over by the state hospital, in compliance with new regulations, to the police for administrative deportation, even though the hospital certified that he needed to be under care for the two-month post-operation period. He had to be taken to another hospital again, following post-operation complications. There a doctor alerted the leadership of the Ministry of Public Order, which ordered to the youth’s release and launched a sworn administrative investigation, but also ordered the deportation of the victim of police torture (so he could never testify...). Only after media reports on the issue and an intervention on the part of the Ombudsman, was Refat Tafili granted a residence permit on humanitarian grounds. Without media coverage, the youth would have been swiftly deported and impunity would have been guaranteed for the police officers who had tortured him.⁵⁸
- Another characteristic case of impunity is that of S.F., a Greek from Albania. On 21 January 1999, then 15-years-old, S.F. was arrested at the end of a pupils’ demonstration. Police officer Pantelis Lagouros called the youngster “dirty Albanian” and forcefully cut his long hair. Afterwards, S.F. was cleared of any suspicion for participation in the incidents. He had been arrested only because of his long hair. The General Police Directorate of Athens announced then (23/1/99) “for this action, which we outright condemn, a disciplinary procedure was launched for the severe and exemplary punishment of the police officer.” The same day, the Minister and the Secretary General for Public Order Phillipos Petsalnikos and Dimitris Efstathiadis also promised “an exemplary punishment.” On 13 November 2000, *Exousia* revealed that this “exemplary punishment” amounted to a low fine.⁵⁹

Roma children have also been frequent targets of police brutality. Similar to other cases of police brutality, the police officers involved in these incidents often go unpunished. Here are just a few of the many cases which illustrate the problem:

- In May 1998, Lazaros Bekos and Eleftherios Kotropoulos (17 and 18 years old respectively) were ill-treated by police officers during their detention at the police station in the town of Mesolongi. According to a forensic certificate, they had “medium bodily injuries, inflicted with a broken instrument.” In July 1998, the two Roma pressed charges against the police and, in December, three officers were indicted for violation of article 137A of the criminal code on “torture and other offenses against human dignity.” Specifically, they were accused of having violated paragraph 3, section 1, for “concurrent bodily harm caused by a person, whose duties are the investigation of possible criminal acts, with the intent to extort from another person under his authority a confession, a deposition or an information.” Throughout 1998 and again in 1999, the Roma youth

were harassed by these police officers to retract their statements. Even after their indictment, the three police officers were neither transferred nor suspended from duty. The case has yet to reach the courts.⁶⁰

- On 15 June 2000, a 17-year-old Rom, Christos Demetropoulos, was shot at and lightly wounded in the arm. Based on his testimony, the perpetrators were non-Roma citizens of Nea Kios who had shot at him without any reason. The police did not investigate his allegations, but rather immediately accused Demetropoulos of perjury and arrested him along with his mother. The police arbitrarily concluded that Demetropoulos was shot by an unknown Rom. Even worse, police claimed that they had found drugs near his tent, which was refuted by laboratory evidence the next day. The police's version of the facts was based on hearsay evidence, given by an unnamed person to the local police chief, allowing the police chief to conveniently substantiate his false charges against the Roma. This "eyewitness" was never asked to testify under oath as required by law, hence strengthening the impression that the local racist police force was trying to frame the Roma. In a 1 August 2000 letter to GHM, Greek Police General Staff ("Archigio") regrettably subscribed to the local police's version of the events. However, during the arraignment, the Public Prosecutor released the Roma and ordered a preliminary investigation, obviously having considered the police's version of the events unsubstantiated.⁶¹
- During the police raid of May 25, 2000 in the Romani settlements of Nea Kios, Rom Kostas Demetropoulos, his sons and his nephews were ill-treated by police officers. At around 6.30 a.m., police entered his hut with guns to conduct searches. K. Demetropoulos addressed himself to the Public Prosecutor and the officers, asking for the reason for such an investigation. He was then dragged outside the hut and placed into a police car. His sons, Gerasimos, 16 years old and Thanasis, 17 years old, followed the police officers outside the hut, asking for the proper treatment of their father, as he was ill. The sons were kicked, beaten with truncheons and insulted. Together with three of his nephews, his two sons and his son-in-law, K. Demetropoulos was brought to the police station accused of stealing electricity. Around 15 people were kept in a small stinking cell. According to Demetropoulos, none of the detainees was informed of his/her rights and no one was allowed to make phone calls. Christos Demetropoulos, nephew of Kostas, (17 years old, who was also resident of Nea Kios) was beaten once with a truncheon in the back when he protested against the ill-treatment of his uncle. Christos was brought to the police station together with his two brothers Thanasis and Kostas. They were set free when no pending warrants were found against them.⁶²

Police often treat Roma children in a degrading and inhuman manner, even when the children are not actually being arrested. Towards the end of April 2001, police raided the settlement in Nea Zoi, Aspropyrgos (just outside Athens). Below is a non-exhaustive account of incidents that took place in relation to that raid.

- Dionysia Panayiotopoulou, aged 34 was walking her two children, aged 8 and 10 and her brother's three children, aged 7, 10 and 12, to school, when she was stopped by uniform policemen at around 7.30 in the morning. The police told her that she could not continue on that road, and that she needed to go around on a different road. She followed the police officer's instructions and walked down the other road. She and the children were stopped again by uniform policemen, this time being told that they all had to get into the police van. The children were very afraid throughout this ordeal. The police van passed by the school and Panayiotopoulou asked the police to leave the children at school and take only her to the police station. The police refused and took Panayiotopoulou and all the children to the police station. Once at the police station, a police officer recognized Panayiotopoulou from another matter and released her. She asked the police again if they could take the kids to school, but the police refused. Panayiotopoulou and the children

walked for two hours in order to return home from the police station.⁶³

- At approximately the same time (7.30am), while walking to school with his brother, 13-year old Vangelis Aristopoulos was stopped by the police. The police told the two boys to take off their backpacks. The police then proceeded to search through the children's backpacks and emptied out all of the children's books onto the ground. The children were then allowed to proceed. The children encountered another police block further up the road where the police ordered the children to return to their camp, rather than go to school. On the way back to their camp, they were stopped by another police block, where their bags were searched again.⁶⁴
- Meanwhile, back at the settlement, police officers gathered all residents and separated them into two groups, one consisting of men and the other of women and children, machine guns and tear gas canisters at the ready. The police then took the men, along with all of the boys who were 8 years old or older to the police van for identity checks.⁶⁵ There, several children, both male and female, aged 8 to 17 were handcuffed, reportedly on suspicion that they were Albanian Roma (there is an Albanian Roma settlement nearby). The police then drove them to the Aspropyrgos police station, where most of the men were detained. The children, along with some of the adults (who were transferred to the police station after the other men were released from detention) were left in the police vans, presumably due to the lack of proper detention facilities. Both men and children were released at around 3 o'clock in the afternoon and were not provided with transport back to the settlement. They were thus forced to walk for about 2 hours in order to return to the settlement.⁶⁶
- A particularly egregious aspect of the raid was the behaviour of certain police officers towards minors. 15-year-old M.A. was sleeping as well when the police burst into the camp. Following their orders, she got out of the shed and joined the women's group. At a certain point she got thirsty and asked whether she could have some water to drink, to which a police man replied "Fuck your Virgin Mary, sit down". She was really scared and sat down again.⁶⁷

It should be noted that according to p. 38 of the Greek government's report to the CRC, "As a rule, minors are arrested by the specially trained officers of the Juvenile Division, are detained in a separate part of the Security Police headquarters and are referred to the Juvenile Division Public Prosecutor, who, if temporary detention is required, orders their detention in a Juvenile Correctional Institution. When arrested, minors are not handcuffed, unless it is considered that there is a particularly high risk of their escaping. The police officers escorting them wear plain clothes and the official vehicles carrying them are unmarked, so as not to stigmatise the minor in any way."⁶⁸ It is evident from the incidents above that virtually none of these measures were applied in the raid at Nea Zoi (or in all other cases involving minorities). Even the handcuffing of minors that took place appears to be more due to the perceived national/ethnic origin of the minors concerned rather than to objective grounds relating to the likelihood of their escaping.

Another recent case which illustrates the extent of the impunity of police officers follows:

- On 14 June 2001, at approximately 2 a.m., police stopped Paraskevi Kalamioti, her husband Nikos and their infant son, residents of Halandri, as they were leaving a party in Pefkalia, Agia Paraskevi, in their car. The police told them, "Get out of the car because we are going to fuck you." Nikos replied, "But why, we are just leaving." The police officer laid his weapon on the child and Paraskevi said, "What right do you have to do this," to which the police officer replied, "Shut up whore because we are going to fuck you." The whole time the child was afraid and crying. The police proceeded to search all of the contents of the car, including the child's bottle of milk, after which they allowed them to leave.⁶⁹

Even when children are not the targets of the police's brutality, the police often exposes them to senseless violence. One example of this is the shoot-out, which occurred at the 38th High School in Athens, near the Court House. Here is an eyewitness account of the incident:

“It was around three o’ clock in the afternoon of 25 May 2001 and there were approximately 160 students taking their final exams at the 38th Secondary School in Athens. 4-5 men, one from the Port Authority, the others in plainclothes, jumped into the school yard from the adjacent courthouse. At least 7 shots were fired on school premises. Afterwards, 4-5 people from the Port Authority forced down 5-6 young Kurds at gunpoint. The [undocumented migrants] Kurds had escaped from the courthouse that was located next to the school and had jumped into the school area, followed by the Port Authority. The Port Authority then proceeded to beat the Kurds with extraordinary ferocity, and one of the officers had removed a bar from the fence and used it as a weapon. The Port Authority beat the Kurds all over their bodies, including their heads, legs, genitals, chest, back, and waist, while shouting “we will kill you, we will fuck you.” As the eyewitness pointed out, this extreme violence was entirely unnecessary since the fugitives were already handcuffed from the courthouse and could have been simply captured and led back to detention. The students themselves did not witness what happened as they were forbidden from exiting the classrooms during the exams, but they understood that something was wrong. Although most of the students remained calm during the whole event, some started crying. The teachers said it was a violation of school asylum and that the Port Authority should have warned them first before entering the school, given that it could have easily been a break time for students, who in that case would have been in the schoolyard. The Teachers Organization of Greece submitted an appeal to the Ministry of Education and the Ministry of Merchant Marine, to take responsibility for the event and to condemn those responsible. So far there has been no answer from the government and no indication of any sanctions imposed on those responsible for this violence.”⁷⁰

Arrest and Detention of Minors

According to p. 38-39 of the state's report, Greece has extensive legislation which protects minors in the event of arrest and detention. Greece's lack of compliance with the CRC in this field mirrors other problematic areas in that while legislation exists, there is a lack of enforcement. For example, legislation in Greece provides that minors are to be detained separately from adults upon arrest. However, when the Ombudsman investigated the Omonia detention center due to a plethora of complaints against it, he discovered that children were detained in the same holding area as adults.⁷¹ The Greek office of the UNHCR also reports that refugees, including children, are detained in appalling conditions.⁷² Lawyers have reported to GHM and MRG-G similar situations in many cases over the years, usually as a result of overcrowding of detention areas. Moreover, Greek television has shown that in cases of mass arrests of foreigners while being smuggled in Greece, they are all held together by the Port Authority, adults along with children, for days if not weeks: in June 2001, a group of 164 persons were held behind fences in a deserted airport lounge in Chanea, Crete (and many were tortured), while in August 2001 a group of 150 persons were held in three inadequate facilities in Kos. Both cases were documented by the Doctors of the World – Greece.⁷³

On p. 38 of the state's report, Greece claims that minors are arrested by specially trained officers of the Juvenile Division, minors are not handcuffed unless there is a particularly high risk of escape, and

that the police officers arresting them wear plain clothes and are in unmarked vehicles. Despite all these safeguards, however, in none of the specific cases cited above were these procedures followed.

Greek law also requires that minors be informed of their rights upon arrest. However, in none of the above cited cases were minors ever informed of their rights during arrest or detention, just as adults are not informed either. Information forms with the detainees' rights, introduced in 1995 on CPT recommendation, have to this day not been issued to each detainee with signed proof of receipt as required. Only in some detention facilities their content has been posted in up to 14 languages, following a 24 October 2000 Hellenic Police order No 4803/22/14a, after GHM/MRG-G reported the non-use of the forms in the March 2000 and October 2000 OSCE meetings. Even in these cases, though, they are posted in places not usually within reach of the detainees, but visible to visitors. Moreover, this posting was supposed to be in addition to, rather than instead of, the issuing of the forms, for which the Hellenic Police admitted that they had to be sending "repeated reminders" to police stations.⁷⁴ To no avail, however, as policemen told GHM/MRG-G, on 23 August 2001, in Hellenikon Holding Center, "since these rights are posted, we do not need to issue them individually." GHM/MRG-G have to this day not met anyone who has been issued and signed such form, nor any lawyer aware of his/her client having serviced such document.

E. Family Environment and Alternative Care

Parental Guidance (Article 5)

Parental Responsibilities (Article 18)

Separation from Parents (Article 9)

Recovery of Maintenance of the Child (Article 27)

Children Deprived of Family Environment (Article 20)

A National Welfare Organization was profoundly restructured by law no. 2646 in 1998 with the purpose of co-ordinating child welfare services with organizations, such as the PIKPA, throughout Greece. Since 1998, however, there has been no implementation of this law. The new co-ordinating body of the government exists on paper only. Recently even more legislation has been passed reorganizing the National Welfare Organization and providing for several innovative programs, none of which, however, have been implemented.⁷⁵

One of the major problems plaguing the National Welfare Organization is an acute shortage of professionals qualified to handle the problems of children. There are approximately only 70 social workers and psychologists employed by all the programs of the National Welfare Organization, and there is a lack of child psychiatrists, lawyers, and speech therapists.⁷⁶ Thus, the National Welfare Organization lacks the personnel needed to be able to effectively implement its programs.

One complaint of the employees, which has resulted in a worker's strike, is the government's refusal to evaluate the needs of the National Welfare Organization. While the government continues to plan new programs (the operative word being plan, not implement), it has never carried out a study to determine what problems the National Welfare Organization faces and how to take action to address these problems.⁷⁷

Another major problem with the National Welfare Organization is the complete lack of children's welfare services in several regions in Greece. For example, there are no Children's Villages or Child Care Centers in the Peloponnese and the Ionian islands. If a child in Patras needs to be placed in such a state institution, the child must leave Patras and come to Athens or another city. There are plans by the National Welfare Organization to address this lack of services in many geographic areas, but up until now, no specific action has been taken.⁷⁸

The National Welfare Organization operates eight Children's Villages and 13 Child Care Centers. There are numerous child care centers run by ecclesiastical authorities or other private organizations. The goal of the National Welfare Organization is to place children in stable family environments as quickly as possible. The reality of the situation, however, is that it is becoming increasingly difficult to place children. Now approximately 44% of the children in the guest houses run by the National Welfare Organization are foreign, mostly from Albania. Ninety-two percent of these children come from unstable family environments, and 20% have been victims of some form of abuse. Many children suffer from psychological disorders relating to their family life, and often display tendencies toward criminal behavior. While of course there are exceptions, many Greek families do not want to adopt a child who is not Greek or is disposed to delinquency, the result being that these children remain in state-run guest houses throughout their childhood and are never placed with families.⁷⁹ In addition, the individuals who work in these guest houses are not trained to help children who are severely

emotionally disturbed or display various forms of violent behavior, preventing these children from receiving the assistance they need.⁸⁰

As the “NGO Report” points out, Juvenile Protection Societies were established by Law 2724/1940 but are inactive in most prefectures, and where they do exist, are inadequately staffed and severely underfunded.⁸¹

The “NGO Report” also points out many problems regarding the state’s foster care system, including that foster care is limited primarily to the Athens area, and that the program is understaffed and underfunded, and thus unable to meet the needs of children.⁸²

It was recently reported that more than 50 alien minors, between the ages of 12 and 17, have applied for residence permits in the municipalities of the prefecture of Athens. These children all live essentially by themselves in Athens, and no one seems to know how these children came to Greece or who brought them there.⁸³ It is doubtful that these are the only children who are living by themselves in Greece, but should be under the care and supervision of the Greek state. Even worse, alien minors between the ages of 16 and 18 who are currently working in Greece, and are not accompanied by their parents, are not allowed to apply for a residence permit to legalize their status. The Greek government’s indifference to the plight of these children is characterized by Vaso Papandreou, Minister of the Interior, who has stated, “*Which state would take responsibility for those children that live by themselves,*” who has been previously quoted as saying, “*the relevant legislation doesn’t intend to cover all the cases, but it aims at regularizing the situation.*”⁸⁴ Gazmend Kaplani, from the “Home of Culture of Albanian Immigrants” commented that by not allowing children to apply for legalization is in essence turning them over to various criminal networks, virtually ensuring that they will be exploited.⁸⁵ Here are two such cases reported in the media:

- Sokrat T. 17-years-old, traveled to Greece by himself from Elbasan, Albania on foot. He was 15 at the time, and came to Greece to work because his parents and his sisters in Albania were experiencing dire financial problems. “I finished primary school and then I came here to find a job and help my family” Sokrat says. He worked here for a while, then he went back to his parents and he came back once more. “I have been here for the last three years” first at Giannitsa and then in Athens, “in the last two months.” He went to the Kolonos center with his birth certificate in order to get a temporary residence permit but he was rejected because he is a minor.⁸⁶
- Gendi, 17 years old, also from Albania, resides and works in Mesolongi. His parents were left behind in Albania. He has been working ever since he came to Greece in the fields and in other agricultural occupations. But his employer doesn’t to give him his revenue stamps because he is a minor, OGA (Agricultural Insurance) cannot give him a certificate, and the Center for Immigrants in charge did not even allow him to submit an application form because of his age.⁸⁷

Only a few days before the 2 August 2001 deadline for legalization of undocumented migrants did the state revert its policy and allowed children above 15 to legalize their presence: it was too late for most to do it however.

Adoption (Article 21)

Greece has yet to sign the International Convention of the Hague on International Adoptions of 1993.⁸⁸

Illicit Transfer & Non-Return (Article 11)

Abuse and Neglect (Article 19), Including Physical & Psychological Recovery and Social Integration (Article 39)

Most experts in Greece that deal with child abuse concede that there are approximately 4,000 new cases of child abuse each year, and that the actual number in fact is much higher due to the underreporting of cases. Every year approximately 100 children die as a result of abuse from family members.⁸⁹ The Institute of Child Health predicts that in the future there will be between 18,000 and 36,000 abused children in Greece between the ages of 0 and 18.⁹⁰ Other estimates number the number of cases of abuse and neglect in Greece each year between 5,000 and 10,000.⁹¹

According to the organization Smile of the Child, the officially reported statistics by the Institute of Child Health grossly underestimate the extent of child abuse in Greece. This is because children who are abused by family members are usually too afraid to report their abuse. Family members and neighbors are also afraid to report cases of abuse because of the procedure that they must go through in filing official complaints with the police department, as well as due to their close proximity to the abuser. In addition, doctors are often reluctant to report cases of abuse because they do not want to be dragged into burdensome court hearings. The result of all of this is that only the most extreme forms of abuse tend to be reported. Thankfully, with the implementation of the Smile of the Child's SOS hotline, people can make anonymous reports, which has contributed to an increase in reporting.⁹²

In a study on elementary school children, it was discovered that 65.5% of parents use corporal punishment to punish their children.⁹³ While physical punishment of children in schools has been outlawed by Presidential decree, it is not unlawful for parents to physically punish their children at home, which is a violation of the child's rights.⁹⁴ The organization Smile of the Child, which runs an SOS Hotline for abused children, reports that 46% of the calls that it receives in the Elia prefecture (Peloponnese) are related to family members physically beating children.⁹⁵ One in three children aged 7 are beaten by their parents at least once a week, while one in six children aged 7 are beaten every day.⁹⁶

According to the Vice-President of the Athens Bar Association, A. Paxinos, Greece lags behind other European countries in child abuse prevention. Instead of prevention programs, the government's response is ex post "institutionalization" of children in state-run institutions, institutions with substandard living conditions.⁹⁷ Representatives from the Smile of the Child commented,

“Another form of abuse that cannot really be reflected in the collected data is the abuse that takes place because of the lack of facilities or non infrastructure in the institutions where abused children are taken. This can also be a form, of abuse, for a fragile child that has been in such a situation and is being held in an institution improper for it (especially when the child for example has a mental disorder for example).”⁹⁸

Sexual abuse of children is also a serious problem in Greece, despite the threat of criminal prosecution. Against a background of sexual abuse remaining a high taboo and being underreported, a study done by the Institute of Child's Health on a sample of 743 students, found that 17% of girls and 7% of boys had been sexually abused. The average age for the start of the abuse is 11.5 years, usually by someone at least five years older.⁹⁹ In addition, therapy is not offered as an alternative to a penal sentence to juvenile sexual offenders, thus limiting the possibilities of rehabilitation.

There is a drastic shortage of social workers in the Prefectures in Greece, which prevents social workers from being able to adequately help children who have been abused. Currently there is 1 social worker for every 70,000 inhabitants, while abroad the number is 1 for every 2,500 inhabitants.¹⁰⁰

Representatives from the organization Smile of the Child commented on the dysfunctional social services, mainly due to a lack of social workers:

“There is lack of infrastructure, the services are understaffed so that things cannot be accomplished as they should. People are generally sensitive but it is not enough but still the infrastructure is incomplete. If there are not enough social workers to go where a problem has been notified and check and observe, or if they check they do not check as they should, like in the case of 11 children left in a container, a really horrifying incident. What happened then is that a complaint was made in June last year and the district attorney for minors –from what we found out later on- gave the case to be examined by the social service. The social service’s answer was there is no problem, everything is ok. There was a second complaint, the social service went to see the what happened and they said again there is no problem , no worries, and the third time everything came out because the container in which children were in, was on fire. Then even the whole prosecution procedure in order to take the custody of the children from the parents. was incomplete. So overall I seems that the system is not working properly.”¹⁰¹

In cases where abuse or neglect is discovered, there is no automatic immediate intervention by social welfare services, illustrating the lack of collaboration between law enforcement and social services in such cases.¹⁰²

F. Basic Health and Welfare

Survival & Development (Article 6)

The Greek government gives monetary allowances to mothers with more than three children, as well as to un-wed mothers. In practice, while most mothers do receive this money, the government does not oversee how this money is spent. State administrations usually do not even inform the mothers as to the purposes of these allowances. Often the result of this lack of oversight is that some mothers do not spend the money on the child's basic necessities, such as food, milk, clothes and shoes.¹⁰³ Many Roma families report to GHM and MRG-G not receiving these allowances, either out of ignorance or bureaucratic red-tape.

Moreover, the fact that they are given to mothers, not to children's proven guardians, may occasionally lead to the money never reaching the children. GHM/MRG-G are aware of a case of four Roma children in Aspropyrgos living with their grandmother, as the father is incarcerated in a psychiatric hospital and the mother has deserted their father and her children for some ten years. However, she still receives the allowance for these children, as she continues to declare them, while there is no social service to check whether the children are beneficiaries of the allowance or not.

In addition, even with these government allowances, many children live well below the poverty line. As the "NGO Report" points out, 19.5% of Greeks live below the poverty line, and the 15,000 drachmas monthly state allowance for children living in poverty is ridiculously low and does not come close to addressing the problem of poverty that many children in Greece face.¹⁰⁴

Disabled Children (Article 23)

As the "NGO Report" points out, there are only primary schools in Greece for children with special needs, and children with special needs who are of secondary school age are thus deprived of their education, including mandatory junior high school education. In addition, there is a lack of information available to parents of children with special needs regarding extra funding for their children.¹⁰⁵

Health & Health Services (Article 24)

Greece's official report emphasizes on p. 96 that health care services are available to every resident of Greek territory, regardless of nationality, especially children. The report then outlines all of the available medical care for children in Greece, such as which hospitals have special pediatric units, which hospitals offer pre-natal screening, etc. There is no doubt that good medical services may exist for children in Greece. The problem is that not all children have equal access to these medical services, especially immigrant and Roma children.

First, Greece follows a "family-centered" approach in its social insurance policy, with children being covered by their parent's health insurance. If a child's parents are uninsured, the child is also considered to be uninsured and is denied access to basic health care services.¹⁰⁶

One example of unequal access is a recent law passed by the Greek government, ordering hospitals to deny medical services to undocumented immigrants, including children, except in the event of an emergency.¹⁰⁷ As representatives from the Smile of the Child commented,

“You can see on the walls of a hospital posters advertising the rights of the child no matter what his/her color is, his/her nationality, his/her origins, his/her social position, but here in the same hospital they will refuse medical treatment to a child that doesn’t have the Greek nationality (unless of course someone pays for it).”¹⁰⁸

Greece’s official report highlights on p. 96 special efforts made to improve the health of Roma children, including a program for vaccinations and control of infectious disease. However, a study of a group of Muslim Roma children living in central Athens by the Support Center for Children and Family shows that only 28.6% of the children had been vaccinated.¹⁰⁹ In addition, one-third of the Roma mothers did not know where to go for vaccinations.¹¹⁰ Also, the illiteracy rate among Roma women is extremely high, and often times even if they take their children to be vaccinated, since they cannot read the Health Book, they do not know what vaccines have or have not been done.¹¹¹ Finally, GHM/MRG-G are aware that few tent-dwelling Roma children have been vaccinated by the state, while many more have been vaccinated thanks to the programs of Doctors of the World.

Studies done by Doctors of the World of tent-dwelling Roma in Attica reveal similar problems. Roma children do not have equal access to health care and vaccination, and suffer much greater health problems than their non-Roma counterparts. Results of hepatitis tests in Nea Liosia and Aspropyrgos revealed that 99% of the population has been exposed to hepatitis A and 50% of the population to hepatitis B. In addition, there was a complete lack of first aid, vaccination and medical information. Roma do not trust hospitals and First Aid Services, and they find it impossible to follow the pace and procedures of these institutions, except for cases where the doctor has created an atmosphere of trust.¹¹²

Social Security and Child Care Services & Facilities (Articles 26 & 18)

Standard of Living (Article 27)

On p. 105 the state report notes that a child’s right to an appropriate standard of living is protected by Greek legislation, and the state is obliged to help parents meet the responsibilities of caring for their children. The reality of the situation is that not only is there an unacceptable number of children living in poverty, but there are many children who lack basic necessities such as running water. For example, in a study done on Roma and Turkish children in Athens, the Support Center for Children and Family found that a several children were living in homes without any running water or electricity, and in those homes that did have running water and electricity, living conditions were still highly unsanitary due to the large number of people living in one room and the lack of indoor plumbing.¹¹³

Destitute living conditions in Roma settlements infringe upon the child’s right to housing, sanitary living conditions, health care and education, among other things. In an Albanian Roma settlement, in Aspropyrgos, near the Ano Liosia garbage dump, children are running naked and barefoot amidst heaps of all sorts of trash.¹¹⁴ This situation was mirrored by a nearby Greek Roma settlement. A representative of Doctors of the World-Greece stated that these children are exposed to so many kinds of skin diseases that they must have literally developed immunity against them. There are many parents who would like to send their children to school, but a lack of basic services, such as water for bathing the children, makes it impossible for them to do so.

Conditions in other settlements, while not as appalling as the ones prevailing in Aspropyrgos, are no more conducive to an adequate standard of living. There is no provision for electricity, sewage and (perhaps more importantly) running water in the camps at Agia Paraskevi, Marousi and Halandri,

situated virtually next to the center of Athens, near the 2004 Olympic Games facilities. In practically all these settlements, inhabitants are forced to resort to “stealing” water from taps belonging either to individuals or to the respective municipalities, in order to meet their most basic needs.

One would expect that the living conditions in “model” settlements built by the state would be better. While undoubtedly not as appalling as the ones just referred to, Ms Josephine Verspaget, Chair of the Specialist Group on Roma/Gypsies of the Council of Europe noted in relation to the Roma settlement at Spata, the state launched in 2000:

“They have been settled since last October without any papers of ownership or lease of the property, in a former NATO waste dump, possibly contaminated from toxic waste. There is no electricity, no playground for children, who have also been deprived of their education, as there is no public transport nor special buses for school children, while the settlement is 5 km away from the last houses of Spata, of which 1,5 km is a bumpy dirt road.”¹¹⁵

As for the provision of water, a water carrier brings them water day by day and deposits it in two plastic tanks that are scorched by the sun. Roma living there are afraid that they might suddenly run out of water, especially during the summer when consumption is increased. There is no garbage collection. Furthermore, the lack of school transport has forced all the children that went to school to drop out. It was also reported that it two occasions, municipality trucks emptied rubble on the road leading to the settlement, thereby effectively cutting off the settlement from the outside world.

As if the above were not enough, Roma many times face abusive police raids and hostile local authorities. It has been already shown how the former might disrupt the daily life of Roma living in the settlements.¹¹⁶ Nevertheless, action by local authorities has more far reaching consequences. Thus, on the morning of 14th of July 2000, a team from the technical services department of the Municipality of Aspropyrgos, equipped with a bulldozer, demolished the shacks of the Roma camp in Ano Liosia/Garbage dump, while police stood by. It appears that the municipal authorities took advantage of the fact that many Roma were not present at the camp at the time in order to proceed with what they called a “removal of garbage left behind by passing gypsies.” The result of this “cleaning” operation was that many shacks, along with the occupant’s personal property, were leveled to the ground.¹¹⁷ Similar incidents had taken place in the neighboring settlement of Nea Zoi, in Aspropyrgos. In February 1999 local authorities, escorted by police, had set fire to 5 Roma lodgings. No protocols of eviction were served nor was a District Attorney present. Additionally, on the 26th of July 2000, municipal bulldozers demolished half of the shacks in the settlement.¹¹⁸ The Greek Ombudsman found the eviction illegal and, in January 2001, asked for possible administrative and penal sanctions but in vain.¹¹⁹

It is highly likely that similar attempts to evict Roma will take place in other settlements, especially those situated on land that will be needed for the 2004 Olympic Games (the prime candidate being the Kalogreza settlement in Marousi, right next to the existing Olympic Stadium which will be expanded). A “weapon” that municipal authorities have at their disposal and which they seem increasingly ready to use is an 1983 Common Ministerial Decision of the Minister of Internal Affairs and the Minister of Health entitled “Sanitary Provision for the organized relocation of wandering nomads,”¹²⁰ Art 3.1 of which provides that

“The lands for the organized encampments of wandering nomads which are going to be designated, in accordance with the article 2 of the present decision, must be outside the inhabited areas and in good distance from the approved urban plan or the last consecutive houses”

This provision was behind the relocation of the Roma community of Spata to their present location. Recently, on the 2nd of July 2001, the Municipal Council of Pyrgos (in the Peloponnese), invoked the aforementioned ministerial decision, calling for the relocation of all Romani settlement, considered as health hazard.¹²¹ If the relocation is allowed to proceed and takes place in accordance with the “Spata” example, then it is highly likely that similar problems with the facilities will arise.

At times the hostility of the local authorities has erupted into overt racism:

- On 20 May 2000, the municipal council of Nea Kios (in Argolida, Southern Greece) unanimously decided to evict all Roma living in their municipality, holding them collectively responsible for allegedly (but not verified by any police data) rising criminality. The government called the incident a case of “personal vendetta.” Excerpts of the decision:

“We declare that we do not want the gypsies to be present, move or stay in our Municipality until the issue is settled in principle. We denounce all those who have sold land to gypsies up to now and we consider them instigators of the present situation. Those who do likewise will have to face the entire Municipality of Nea Kios as well the community itself. There is no room for more gypsies in our town. We invite those of the gypsies who have bought land in the area, since they cannot abide by the law and order, to return their property and we declare that we are willing to play a decisive part in this procedure.”

- On 31 May 2000, the municipal council of Nea Tirynta (in Argolida, Southern Greece) unanimously decided to evict all Roma living in their municipality, holding them again collectively responsible for allegedly (but not verified by any police data) rising criminality. Here the Ministry of Justice encouraged the eviction decision. Here are excerpts from the decision:

“The document of the Ministry of Justice with protocol no. 100324/24-9-99 concerns the decision for the allotment of a plot of land for the widening of the present road connecting the National Road with the Provincial Road that is adjacent to the Gypsy settlement. We are required to proceed regarding the following:

- a. Fencing the remaining property of the Country Prison*
- b. Eviction of the settlement of the Athiganoi.*

The above-mentioned allotment of land will be cancelled in case the previous two requirements are not provided for.

It is unanimously decided that the illegal settlement of Athiganoi will be evicted immediately from the area on the Provincial Road of Nafplio-Nea Kios, which belongs to the Municipality of Nea Kios and the State. This must be completed so that road-widening works can freely begin on the Country Road connecting the Nafplio-Argos National Road with the Provincial Road of Nafplio-Nea Kios. We request the assistance of the Public Prosecutor, the Police, the Prefectural Authority, and all other agencies for the eviction of the Athiganoi by the deadline date of 31 August 2000.”

- In July 2000, the municipal council of Midea (in Argolida, Southern Greece) unanimously decided (resolution 165/2000) to evict its Roma population, again collectively held responsible for

unsubstantiated crimes. Following are excerpts of the decision:

“The area where Athiganoi live is an important crossroad used by the residents of all districts of the Municipality of Midea along with many other transit visitors. This puts at stake the sense of security of all passers-by, including of the Athiganoi. This crossroad includes the road leading to the archaeological sites of the Municipality (Dendra, Midea). As a result, many of the Greek and foreign visitors of those sites have been repeatedly assaulted and robbed by the Athiganoi.

To the increasing number of registered municipal residents of Midea, a large number of non-registered residents are being added, resulting to the highest criminality rates within the Prefecture.

Local Athiganoi with real estate property should remain in our region, though not at the existing site. Their property should be replaced with other land elsewhere. Regarding those Athiganoi without real estate, the Municipal Council should insist on its initial position namely the allocation of a suitable place for the accommodation of all Athiganoi in the Prefecture with the best possible infrastructure (water and electricity supply, sewage system, telephone, etc.).

This proposal is submitted after having taken into consideration the feelings of anger of the municipal residents, resulting from all sorts of Athiganoi’s illegal activity. As well as from the large number of immigrants living in our region, which, for lack of personnel, the Police is in no position to control.”¹²²

In this respect, it should be noted that under the new Government Program for the Roma announced in May 2001, the local authorities are supposed to play an instrumental role in implementing the Greek state’s policies (which include, *inter alia*, a number of education programs) towards the Roma communities within their jurisdiction. In light of the above examples of overt racism, it is doubtful whether the local authorities will play the constructive role, which is envisioned by central authorities.

There are several NGOs in Greece which have done important work to improve the lives of socially marginalized children, such as the Support Center for Children and Family and the organization Dromoi Zois (Paths of Life). Both of these organizations work in the Gazi-Kolonos-Metaxourghio area of Athens, and assist Turkish and Roma-speaking children with school work, provide children with food and clothes and arrange for child immunizations, among many other services. While the work of these organizations cannot be discounted in the least, they do not have adequate resources to carry out their missions to the fullest extent possible. As representatives from Dromoi Zois pointed out, there is a lack of coordination between the public and private sector in addressing societal problems, and without this coordination and institutional support from the government, NGO efforts will remain insufficient.¹²³

In addition, while certain governmental ministries, such as the Ministry of Labor have created programs to allow NGOs to carry out public service work, these programs are designed to last for a short period of time, and at the end of the program, the people helped by the program are left stranded. As the members of Dromoi Zois stated, the Greek government must create sustained programs with the needs of the people that it is trying to help in mind, rather than merely creating short-term programs for the sake of creating programs.¹²⁴

G. Education, Leisure & Cultural Activities

Education, including vocational training and guidance (Article 28)

Page 108 of the state's report highlights that Greek law requires that each child attend school for a minimum of nine years. The government's report states that "Penalties are provided for by the law and the Civil Code for parents or guardians who infringe on relevant legislation." In reality, however, there is no enforcement of this law by the competent government agencies or the police, and parents know that they will go unpunished for not sending their children to school. The result is that an unacceptably high number of children do not attend school.¹²⁵ One study in 1995 found that 12% of children in Greece had either never attended school or had not completed the compulsory number of years of education. Of this 12%, 70% of these children quit school with the acquiescence of their parents and were actively employed. Usually these children are from the most socially isolated and economically disadvantaged backgrounds.¹²⁶

UNICEF-Greece found that there are approximately 5,800 children, aged 2-15 years, who work on the streets each day. Of these children, 67% do not attend school at all and another 13% occasionally attend school.¹²⁷ This high percentage of children who "visibly" do not attend school demonstrates the lack of willingness in Greece to implement compulsory education.

In a study of Muslim Roma children in central Athens by the Support Center for Children and Family, 48.2% of children had never attended school and 79.31% are unable to read or write.¹²⁸ The primary reasons that the parents cited for the failure to attend school is that the Roma children do not feel welcomed in the classroom by non-Roma students, the children do not want to go, and the family has moved around several times.¹²⁹ Other factors which compound the problem are that these children do not go to school because they work all night (or all day or both), their parents have never gone to school and do not realize the importance of sending their child to school, and parents know that there are no consequences for not sending their children to school.¹³⁰

While the ambivalence that Roma parents often display toward their children's education is one major obstacle that must be overcome in order to increase the number of Roma children who attend school, the Roma face numerous other problems which negatively impact the child's education. These other problems include sub-standard living conditions, racism on the part of teachers and school administration, insufficient boosting and reception classes for Roma students and insufficient efforts on the part of school administration to ensure that the children attend school regularly. These problems are explained in more detail below in the section on Aims of Education.

Greece also lacks administrative infrastructure to effectively enforce the laws on compulsory education. There is no family court yet, and there are no juvenile street social workers, as are found in countries such as the United States.¹³¹

There have been several occasions where refugee children, as well as children of undocumented immigrants, have faced difficulties in registering for school, due to a lack of documents proving their status, even though ministerial instructions do not make them necessary.

Page 107 of Greece's report states that the overwhelming majority of infants attend kindergarten. This is not the case, however, for minority students. The vast majority of Roma and Muslim children do not attend kindergarten, and the Ministry of Education's statistics on kindergarten attendance implicitly admits this. While the Ministry of Education reports the number of Roma, Turkish and foreign students who attend primary schools, it provides statistics only for foreign students on kindergarten attendance

(which incidentally shows that only 5.4% of the children who attend kindergarten are foreign, while foreign children make up 9.7% of the pupils enrolled in Greek public elementary schools, demonstrating that foreign children attend kindergarten at a much lower rate than Greek children), and provides no data for Roma and Turkish students, presumably because Roma and Turkish students do not attend kindergarten. One of the primary reasons for this is that all instruction in public kindergartens is in Greek. Turkish parents often view this only-Greek instruction as assimilationist efforts by the state and thus refuse to send their children to kindergarten. While Roma children with Romani mother tongue cannot cope.

The drop-out rate cited in the government's report on p. 109 is not indicative of the drop-out rate of the Muslim minority, which leaves school at a much higher rate. Greek-language lower high schools (gymnasiums) that Greek authorities have set up in the mountain area of Xanthi have the country's highest drop-out rates: between 61%-95% of the class of 1997-1998 did not graduate in 1999-2000 (as compared with 7% for all schools).¹³² One of the main reasons why the drop-out rate for the Muslim minority is so high is that the Ministry of Education refuses to allow Turkish to be taught in non-minority public schools, even if the child's native language is Turkish, and he or she speaks no Greek, even in minority areas where all pupils come from the minority. Martha Floratou, Principal of the 87th elementary school in Athens, one of the "inter-cultural schools" where approximately 45% of the students speak Turkish at home, has repeatedly asked the Ministry of Education to provide a teacher who can teach the children Turkish, a request which has been repeatedly denied.¹³³ Floratou commented that, "***First of all it is only through his/her mother tongue that you can introduce any child into the learning process. This is determined by the principles of pedagogical science. Furthermore a different kind of communication will be established between us and the parents who will trust us more.***"¹³⁴ The absence of instruction of the mother tongue is a major reason that many migrant children too either do not attend, or drop out, or do not do well in Greek public schools. This is one reason why the Director of Elementary Education in Magnisia (Thessaly), Mr. Dialetaras, stated to the regional daily *Thessaly* that "***the only educationally correct solution for migrant children is the intercultural education. This is why in the future bilingual education will be considered necessary, as the purpose is not that foreigners simply graduate from primary schools but really acquire knowledge and education.***"¹³⁵

In a recent story, Professor George Tsiakalos illustrated the problems that minority students face due to language barriers:

"Last week the results of the first grade of a high school in a small town of Thrace came out. 62% of the students failed the exams and were not promoted to the next grade. Mainly were children of Roma and Pomak families that had failed in English language course and History. Such a high percentage of failed students, in the rest of Europe, could have been a good reason for the exam to be cancelled and to start examining the reasons why it happened in the first place. Especially since it concerns the children of minorities that for years were not allowed access to the educational system. But this has not happened in this case. In a country, where the education of minorities seems to be an issue of concern not only of the Ministry of Education but also of the Ministry of National Defense, the Ministry of Public Order, the Ministry of Internal Affairs, the Ministry of External Affairs, the Ministry of Culture, the Ministry of Macedonia, the Ministry of Thrace and of course of the Prime Minister himself, it seems that there are so many people in very high posts dealing with this issue, coming up with such aspiring solutions that there is no one left to give an answer to the very simple question: 'who has exactly failed in this specific school?' Lets take the case of a girl that wasn't promoted because she failed in English and in History. Her mother tongue being Pomak, she goes

*to a school where the teaching language is either Greek or Turkish. She graduated successfully from the primary school and by overcoming many cultural resistances goes up to high school. There she seems to be failing in a 'foreign' language course. Is it really possible that those in charge of the educational issues, do not realize the comical and at the same time tragic paradox of such a situation?"*¹³⁶

Greece provides statistics on the student/teacher ratio in schools on p. 120 of its report, but fails to provide any data on whether this student/teacher ratio is found in minority schools, as well. One high school teacher in Komotini reported that she had at one point 42 students in her class, illustrating that the student/teacher ratio mandated by law is not maintained in minority schools.¹³⁷

Many Greek teachers lack practical training in dealing with a multicultural classroom, resulting in a lack of sensitivity and communication between Greek teachers and non-Greek students. Many Greek teachers and parents display unease and xenophobic attitudes toward foreign students in schools. In March 2001, UNICEF commissioned KAPA Research to study xenophobia among parents, teachers and students at Greek schools in Attica and Salonica, with startling results. Surveys of teachers revealed that 70.7% thought that they were not qualified to teach foreign students, and only 41.8% of teachers believed that immigrant children should be allowed to register at Greek schools, while the rest believed that they should have to register in special schools for foreigners or be placed in separate classrooms than Greek students. Out of the parents surveyed, 33.7% believed that the presence of immigrant children in schools is a negative occurrence while 7.7% of parents viewed the presence of immigrant children as a threat. Only 39.3% of parents thought that immigrant children should be allowed to register at any Greek school, while the rest believed that the children should have to go to separate schools for immigrants or be placed in special classes at Greek schools. 50.5% of the parents said that it would definitely or probably bother them if the school which their child attended had a significant number of foreign students, while the number increases to 54% if their child is placed in the same classroom with a significant number of foreign students. In general, 52 % of parents were concerned with the presence of immigrants in Greek society, while an additional 16% were bothered by their presence.¹³⁸

A 1993 survey research whose results were reported Professor Anna Frangoudaki at al.'s book *?? e??' ? pat??da ??a?;* (What is our fatherland?) confirms that xenophobic attitudes are prevalent among the Greek public. 49% of the people surveyed believed that foreign students should go to different schools than Greek students, and 63% of people questioned believed that illegal immigrants should be deported.¹³⁹

While there has been a slightly better response from the Ministry of Education within the past two years, overall the Ministry of Education has done very little to help schools with large segments of the student body who do not speak Greek as their native language. Recently the Ministry of Education has adopted textbooks designed for students for whom Greek is not their native language, but the Ministry still refuses to allow teachers to teach in languages other than Greek.¹⁴⁰ There are some programs administered by the European Union to train teachers and social workers in working with foreign students, however these programs are of a short duration and do not train teachers who are currently employed.¹⁴¹

Aims of Education (Article 29)

Pages 123-124 of Greece's report portray the aims of Greek education as promoting the individual child's development by embracing differences in his or her religious background and cultural heritage. What Greece's report leaves out, however, is that the basic aim of education, enshrined in the Greek

Constitution, is the creation of a good, Greek Orthodox citizen. The main goal of Greece's education system is the assimilation of minorities into the dominant culture, rather than the acceptance and celebration of their differences.¹⁴²

While the government's report stresses the principles of freedom of religion and religious tolerance in schools on p. 124, the Greek Orthodox faith is enshrined in the Greek Constitution as the dominant faith of the land. "Greece has what is widely considered as state religion. Its Constitution is proclaimed: 'In the name of the Holy and Consubstantial and Indivisible Trinity.' Relations between the Church and the state; relations between the state church and the other Orthodox Churches; as well as even the authorized version of the 'Holy Scripture' are defined by Article 3: 'The prevailing religion in Greece is that of the Eastern Orthodox Church of Christ.'"¹⁴³

Greek course materials serve the purpose of assimilation of minorities into the dominant Greek culture. Greek textbooks either ignore historical minorities, such as Turks, Macedonians, Roma and Jews, or portray them in a discriminatory manner.¹⁴⁴ One only needs to look at the religion textbook of the 3^d year of secondary education in Greek public schools, *Εκκλησία και Νέα Κοινωνία* ("Church. The Development of New Society"), to witness the discriminatory portrayal of non-Greek Orthodox religions. Following are just a few of the ways that religions, besides Greek Orthodoxy are depicted in the book:

- Islam is "**war-mongering**."¹⁴⁵
- The Roman Catholic Church is repeatedly referred to with the demeaning "**Papist**," and that it "**tries to approach Orthodox Christianity in a treacherous way through the Uniate Church.**" The latter is "described" through excerpts from the book of a notorious fanatic anti-Catholic priest and academic...¹⁴⁶
- The textbooks refers to major Protestant churches as "**heresies**" rather than religions, with a "**strange sociopolitical mission**".¹⁴⁷ The book also mentions that the Protestant churches have been used by the CIA "**to conquer nations and civilizations ... to create confusion to the various people that were to be 'civilized'... with Latin America as the first victim and the Orthodox countries of the former Eastern Block as the last.... 35.000.000 Latin Americans have become prey to some 500 Protestant sects active in their continent backed financially by the USA...In Latin America, neo-Protestant creeds have undermined the struggle of 'liberation theologians'backing with all means dictatorial regimes serving the interests of the USA and large multinational companies.**"¹⁴⁸
- The textbook links Greek culture with the Greek Orthodox Church, and makes clear that being a Greek Orthodox Christian is imperative to being a Greek citizen, as "**it is important to turn towards our genuine, Orthodox Christian roots**" and the Orthodox Church has a rights to react with vigor to perceived attempts of proselytism to other beliefs. For example the book states, "**It is a given fact that the Orthodox Church has played an important role in the historic journey of our people... This is why there is discerned a special sensitivity, when certain extreme heretic groups use illegitimate methods with the goal of attracting believers.... Christian love must characterize our relationships. But here requires caution. In the cases where our beliefs and traditions as a people are offended, the Church must react with vigor.**"¹⁴⁹

Moreover, Professor Anna Frangoudaki wrote in 1997 a documented article concluding that "**there is an inexplicable absence of the Jews from history textbooks, including the lack of any reference to the Jewish communities and their economic and cultural development, or the reference to**

Jews Greek citizens. While the absence of a comprehensive reference to the Holocaust is not only inexplicable but also politically problematic.¹⁵⁰ She recently confirmed to GHM/MRG-G that there has been absolutely no change since then.¹⁵¹ This reflects the general situation: schoolbooks make also hardly any reference to Turks, Pomaks, Roma, Aromanians, Arvanites, Macedonians, or migrant communities.

Greek textbooks do not limit themselves to negative portrayals of ethnic or religious minorities, however. Greek textbooks in primary schools are also filled with sexist portrayals of women, serving to cultivate patriarchal attitudes in children. The newspaper *Ta Nea* recently published a research conducted by Evangelia Kantardzi in which she discovered that Greek mathematics textbooks, though examples used, reproduced many negative stereotypes of women, including: women were shown to be limited to certain occupations, women were shown to earn less money than men, women were portrayed as incapable of doing mathematical calculations or solving technical problems, and men, not women, were responsible for paying rent. All of these depictions send the message to young children that women and men belong to separate and unequal social spheres.¹⁵²

Indicative of the situation is the fact that two –otherwise very useful- textbooks –one for the student and a teacher’s companion- published in 2000 by the Center of Studies and Documentation (KEMETE) of the Federation of Secondary School Teachers (OLME) to combat racism, under the title *“School without borders,”* have extensive sections on migrants and refugees, and shorter chapters on street children, homeless, disabled persons, AIDS victims; but nothing on religious and ethnic minorities, even Roma...¹⁵³

In Greece, most Roma and almost all tent-dwelling Roma speak the Romani language. In the first 1996 comprehensive program for the Roma, the government envisaged the introduction of the teaching of Romani at schools, but this was quickly abandoned, as it did not suit the assimilationist essence of Greek education. So, the current Education Program for Roma provides for preparatory classes and teaching material solely in the Greek language. Unlike similar education programs in other European countries, the Greek program seems to undermine the Roma identity of the children. Professor Thanasis Gotovos, director of the Education Program for Roma Children, espouses an assimilationist approach which deprives Roma children of the right to an education in the Romani language, as well as of the opportunity to fully develop their unique cultural identity. Professor Thanasis Gotovos maintains that Roma are a Greek “social group,” rather than a distinct culture. Thanasis Gotovos claims that,

“The group referred to as ‘Greek Roma’ is not a ‘tribe’ but a diverse social group, sharing as a rule a common ethnic identity with the rest of Greek citizens. The word ‘Roma’ refers to a secondary cultural identity of the person constituting the Greek Roma group.”¹⁵⁴

The Education program for Roma has attempted to assimilate Roma children into a “Greek cultural code,” as Professor Thanasis Gotovos maintains that,

“...the education of Roma children, can only be one that will be integrated in the same educational context as the rest of the children in Greece. This project acknowledges certain particularities that exist in some parts of the Greek population and develops them through education, but also accepts the view that those particularities can be very functional when accompanied by a common cultural code, which means a common Greek identity.”¹⁵⁵

Furthermore, the Education Program of Roma reports that in 1997 the drop-out rate for Roma in primary school was 75% and that in 2001 the figure has dropped to 26%, while 20% continue to high

school.¹⁵⁶ However, this report does not detail what percentage of Roma children drop out in the middle of the school year, how many students attend regularly, or how many children pass exams at the end of the year. Both the Ministry of Education and Professor Thanasis Gotovos, in charge of the above program, failed to respond to requests from GHM/MRG-G –in preparation of this report- as to the specific number of Roma children enrolled at each school, drop-out rates for each school, and the number of Roma students which successfully completed the school year. Detailed data is necessary as, from repeated GHM/MRG-G visits to some 40 Roma tent-dwelling communities, there is a prevailing tendency that few Roma children attend school, even fewer complete the school year, while it is questionable what they learn: pupils in fifth grade not capable of even writing their name have been found.

Leaders of several Roma communities in Greece reported criticism of the Education Program of Roma to GHM/MRG-G for its focus on increasing the number of students who are registered to help boost statistics, without having measures to ensure that Roma children who are registered attend school regularly, obtain a quality education and successfully complete the school year.

According to a 1999 research conducted by a state agency, D.E.P.O.S., only 23% of the Romani school children at the ages corresponding to secondary education have ever been to school and only 4.3% of them continue to attend. Similarly, only a 21% of children at the ages corresponding to primary education have been to school and only 13% of them continue to attend. The sample consisted of 432 Romani children (age range 6-18) from 10 different settlements.¹⁵⁷ In a more recent survey conducted by the GHM, in June 2001, in a group of 60 children of Roma leaders from Spata, Aspropyrgos, Salonica, Heraclio, Halandri and Marousi, GHM/MRG-G found that only one-third of the children (20 of the 60) had ever attended school. All of these statistics fly in the face of the proclaimed success of the Education Program on Roma.¹⁵⁸

When Roma children do attempt to enroll in school, they often face discrimination. State authorities, teachers and non-Roma parents often do not want Roma children in their schools, and will either attempt to prevent Roma from enrolling or will withdraw their students from the school. Here are just a few of the many types of discrimination that the GHM/MRG-G recorded that Roma children encountered in the last eighteen months:

- On 22 May 2000, the daily *Eleftherotypia* reported that Roma children in the municipality of Velo (Corinthia, Peloponnese) were not allowed to attend classes in the local primary school, following the reactions of non-Roma residents and teachers who locked the school. As a result, the children missed more than one year of preparatory classes under the Educational Program for Roma.
- Non-Roma parents try to prevent Roma children's enrollment in schools. When they fail to do so, they unlawfully withdraw their children from the mixed schools, in violation of Greek law which mandates that every pupil is assigned to a particular school based upon their address. The third primary school of Zefyri (Western Attica) and the Christian school in Evlalo - an ethnically mixed village in Western Thrace populated by Muslim Turks and Christian Roma and Greek families - are indicative examples of previously mixed schools turned into "Roma schools."
- Another form discrimination is observed in Xanthi (Thrace). Muslim Roma children in the district of Drosero attend the Greek school program even though Greece is obliged to offer them Muslim minority education like every other Muslim, according to the Treaty of Lausanne. These children are not exempted from attending morning prayer or the subject of (Orthodox Christian) religion. They have to parade on national holidays wearing Greek national costumes.
- In 2000, we had many attempts to remove Roma children from the schools they were assigned, as

they were “overburdening” their schools. On 19 October 2000, it was reported (*Avghi*) that 10 of the 19 Roma pupils in the Second Primary School of Halastra (Greater Salonica) were sent to another school by the departmental school authorities. On 13 November 2000, the same school was closed down by a parents’ take-over to protest that an additional 32 pupils were assigned to that school from the newly installed adjacent Roma community of Gonou. A week later the school opened and the pupils were accepted, only because of an uproar and the pressing of charges by NGOs against all those responsible for the closing down of schools.

- More generally, some 130 elementary age children from the “model” Gonou settlement, inaugurated by state authorities in October 2000, were distributed by the latter to 13 schools 4 to 17 km away, because the local Municipality of Ehedoros refused them to register to its own schools.¹⁵⁹
- In December 2000, it was reported that the Mayor of Nea Allikarnassos (Crete) also intended to distribute the Roma pupils, then going to two schools, to many schools to “balance out the burden.” Again there was a public uproar, including by the Senate of the University of Crete, that has probably led to the cancellation of the plan.¹⁶⁰ In addition, the pupils -all from one community- were already attending two different schools which is contrary to the Greek law that every child is assigned to a particular school based on where he or she lives: worse, the division in two groups followed the inter-Roma linguistic division, as if only to reinforce the separation between Greek-speaking and Romani-speaking Roma. Thus, Roma children who live together should go to school together. Having Roma children all in one school, rather than divided among other schools, makes it easier to have special support mechanisms in the schools for these children.
- Romani-speaking communities have stated repeatedly that they want the teaching of the Romani language to their children in schools, but this request has been continuously ignored by the Greek government, in opposition to the Council of Europe directive which indicates that the Roma have the right to be educated in the Romani language.¹⁶¹

The result of these various forms of discrimination is that many Roma children do not enroll in school at all, and those that do drop out before completing nine years of compulsory education. The Greek Ministry of Education reports that 8,500 Roma children attended primary school in the 1999-2000 school year, that is a small percentage of the total number of Roma children living in Greece. In addition, only 1,750 Roma children were reportedly enrolled in secondary school in that same time frame, illustrating that most children drop out of the education system before the compulsory nine years. In addition, these statistics appear to be estimates and it is difficult to determine their accuracy. The Ministry of Education denied GHM/MRG-G’s request for a more detailed break-down of these statistics, while it provided one for foreign children. In any case, even this data shows that 10,000 Roma attend primary and secondary schools, a figure almost similar to the 9,000 figure for Turkish pupils, when the size of the latter minority is estimated to be a quarter of the size of the former (85,000 vs. 350,000). Or, viewed differently, Roma pupils make up less than 1% of all pupils in the twelve-year education system (and 1.3% at the elementary school level) when Roma make up 3% of the population of Greece.¹⁶²

The Greek government’s report refers on p. 125 to reception classes and special tutorial programs to assist children who do not speak Greek. These special classes, however, are not for children of the Muslim minority, while there are only few and of questionable quality for Roma and migrant children.

The Greek government’s report also points out on p. 126-127 that there are special primary and secondary schools geared toward foreign students. What the government fails to point out is that these are not public schools, but rather, private, often elite schools with expensive tuition. Thus, only certain elite segments of Greek society and the children of diplomats and businessmen have the opportunity to attend these schools, not children of immigrants.

Some immigrant communities, such as the Polish, Filipino, Japanese, African and Iranian communities, have indeed created their own schools, to teach the children of these communities their native language and culture. These schools, however, are plagued by difficulties, including a lack of teachers who are qualified to teach Greek to the students and dilapidated infrastructure. The Ministry of Education has persistently refused to provide these schools with assistance, maintaining that every student in Greece should attend Greek schools instead.¹⁶³

While one of the goals of the government's education programs is the development of the pupil's personalities, this development does not occur in minority students for two reasons. First, the Greek curriculum causes minorities to feel like outsiders in Greek society, and second, the students cannot learn fully because of language difficulties that they encounter.

When Minister of the Interior Vaso Papandreou, suggested that Turkish language should be offered as an elective language in Greek secondary schools in Thrace, there was such a reaction that she withdrew her statement. Nevertheless, New Democracy MP Anastasios Spiliotopoulos responded by tabling a question toward the Minister of Education, stating that the teaching of Turkish even as an *elective* is ***“unrealistic and also dangerous. Unrealistic because the languages being taught today in Greek public schools were chosen based on certain specific criteria and not in accordance with the whimsies or games of a particular Minister. Dangerous because it is an irrational decision and is possible that it will open a Pandora's Box in various sensitive regions of the country.”*** As a result, the Minister of Education quickly responded that ***“In any case, the idea is under study and no decisions have been made as of yet.”***¹⁶⁴ When Members of Parliament are free to publicly denounce the study of the Turkish language as “dangerous,” forcing the government to quickly backpedal, how can children of the Muslim minority possibly feel that they are free to develop their cultural identity?

The government's report on p. 128-129 mentions the conversion of certain schools in Greece into “inter-cultural” schools but does not provide any data on these schools. GHM/MRG-G requested and never received information from the Ministry of Education regarding the number of students attending these schools, the ethnic and religious composition of these schools, drop-out and completion rates, and which schools provide instruction to students in their mother tongue. We ask that the government provide the Committee on the Rights of the Child with this information.

In addition, these “inter-cultural” schools have been aptly portrayed by experts as promoting assimilation of minorities into Greek majority culture, rather than encouraging their right to a different identity and the development of non-Greek culture and languages. Linguistics Professor Spiros Moschonas, one of the critics of the Ministry of Education's assimilation tactics commented:

“One often hears official sources say that the majority education provided in the Greek public schools, which is primarily directed towards Greek-speaking Orthodox Christians, is the only ‘way out’ for minority or migrant groups of all types. No distinction is made among these groups, which include non-Greek-speaking populations (Turkish speakers, Albanians, ‘Gyps,’ Slavophones of various origin and dialect: Slavomacedonians, Russians, Pomaks, etc.) and/or non-Orthodox populations (Muslims, etc.). This is the view presented by those who implement the educational programs for non-Greek-speaking and non-Orthodox populations. Moreover, one can also read this same view - that majority education is the only one that is in the best interest of any minority - behind or between the lines and footnotes or in ‘the chapters to follow’ in quasi-scientific writings, whose pompous titles inevitably flaunt the borrowed term ‘Intercultural Education.’

While majority education is portrayed to minorities of every origin and situation as the education of ‘integration’ or the ‘way out,’ it is presented to the majority, on the other hand, as an education of ‘progress’ or ‘ascent.’ From a rhetorical perspective this is actually a move in two different directions: one ‘out of’ and the other ‘upward.’ Implying that minorities must be led ‘out of’ their culture, their religion and their language if they want (like the majority does) to ‘progress.’ Thus the dysfunctional and ineffectual public education of the majority throughout the country is being upgraded to a kind of ‘elevated’ education, leading minorities ‘upward’ – after, of course, having made sure that they are ‘out of’ the problematic (as it is presented, at least) position of ‘foreigner.’

The same rhetoric baptizes ‘intercultural’ the following educational approach: minority and majority pupils must necessarily be in the same class and be taught together the majority language, the majority religion, the majority history, the majority culture, as if they all belonged to the majority. This is an educational approach that can be precisely called assimilationist – but not ‘intercultural.’

...This policy of assimilation ‘delicately’ promoted as intercultural education may be, after all, the only realistic one for the Greek educational system. This issue requires further discussion. But any discussion must be direct, without rhetoric and cosmetic verbiage - even brutally straightforward if necessary. But until this difficult discussion takes place, it is neither scientifically correct nor morally acceptable to call ‘intercultural’ the current educational policy of assimilating minorities and migrants.

The majority school and any formal proposals to ‘improve’ it so that it can ‘smoothly’ receive and assimilate minorities, appear to need this ‘intercultural’ rhetoric; it is precisely what enables one to forget the proper preconditions for real intercultural education.

What the Greek majority school constantly ‘forgets’ is that both majority and minority pupils must have a mutual interest and reason to know each other’s language and culture. That, hence, the culture, religious beliefs and languages of minority groups cannot remain locked outside the school environment. That, in our time and place, it is a relative advantage, not a disadvantage, to know languages such as Turkish or Russian. That, in pursuing the mutual influence of different cultures and languages upon each other, intercultural education addresses majority and minority pupils alike.

And finally, that the most powerful motivation for minority pupils to learn their majority schoolmates’ language and culture is if their own foreign language and different culture is treated amicably and with interest and respect by all parents, pupils and teachers.”¹⁶⁵

While education researcher Christos Katsikas added:

“The Greek school initially dealt with the migrant children like a procrustean bed: they laid on it and cut to size. In the primary school, where there were no failing exams, these children continued but failed to learn the Greek language... When they continued in the first grade of high school, our data indicate that they failed once, twice, three times, and ended up dropping out.

It is irrational to impose the use of only one language to children who speak 20 languages and come from 34 countries... We have thousands of children that already have integrated one language: instead of preserving its use and also help them learn the Greek language, in bilingual schools wherever such children are in adequate numbers, we have an education policy that in essence forces the child to forget his mother tongue and learn broken Greek. One cannot learn Greek if s/he cannot cultivate his own language.”¹⁶⁶

A “Documentary” on migrant children shown on state television *NET*, at 10 pm. of 27 August 2001, illustrated very well a few aspects of that assimilationsit “intercultural” education. It showed for example that in the 76th Elementray School of Athens (in the Patisia neighborhood), with more than half of the pupils being foreigners, all of them (mostly Albanians and Africans) started the day with the morning, ritually Orthodox Christian, prayer... While a considerable number of foreigner children of all ages, and some of their parents speaking about them, when interviewed stressed that, not only they feel Greece as their (first or second) fatherland, but that they also feel Greek rather than the ethnic identity of their origins: they were probably aware that, when you are born and raised in Greece, you have better chance if you proclaim yourself Greek.

It is therefore not surprising that the Greek government rejected in 2000 the concept of multicultural society, in response to a related criticism by the Council of Europe’s European Commission against Racism and Intolerance (ECRI). In its *Second Report on Greece*¹⁶⁷ ECRI reported the situation in Greece as follows:

“Problems of racism, intolerance, discrimination and exclusion persist, however, and are particularly acute vis à vis the Roma/Gypsy population, Albanians and other immigrants, as well as the members of the Muslim minority. These problems are connected with the low level of recognition, within Greek society, of its multicultural reality, an acknowledgement which is all the more urgent given the new patterns of migration to Greece in recent years. In the following report, ECRI recommends to the Greek authorities that further action be taken to combat racism, xenophobia, anti-Semitism and intolerance in a number of areas. These recommendations cover, inter alia, the need for the fine-tuning and effective implementation of existing legislation, the need to strengthen and effectively implement existing policy initiatives, the need to address the situation as well as the specific problems faced by non-ethnic Greeks, and the need to raise the awareness among the general public of the multicultural reality of Greek society.”

The Greek government’s rebuttal of ECRI criticism, was an almost categorical rejection.

“The Greek authorities wish to assure the members of the Commission, as well as everybody concerned, that the Greek Government and the Greek society are well aware of the reality prevailing in the country; we see the challenges before us, but we feel comfortable that we can deal with them, and we are not threatened by them. What we are not keen to do is adhere to preconceived and ideological notions as to the character of our society... The policies of the Greek Government in the fields falling in the purview of the ECRI ... do not imply adherence by the Greek Government to the notion of a multicultural character of the Greek society. This notion, repeatedly mentioned in the report, has in our view not been sufficiently analyzed in all its political and legal implications, and therefore cannot be resorted to

lightly.”

We urge CRC to endorse ECRI's recommendations in its concluding observations.

On the positive side, the Ministry of Education began the Program for the Improvement of Education for the Muslim Minority in 1997, and achieved its goals by June 2000. This program, headed by Professor Anna Frangoudaki, designed new textbooks for teaching Greek, as well as history, geography, environmental studies and social and political studies, to students who belong to the officially recognized as Muslim minority (i.e. the Turkish minority) and whose native language is not Greek. With this program the Greek government recognized that children who begin school without knowledge of the Greek language need special instruction and materials, and cannot simply be taught with the same methods that are used for Greek students who speak Greek at home. With this program the Greek government also confronted the fact that Greek public school teachers were not prepared to teach Greek as a second language, and part of the program included training for teachers.¹⁶⁸

On the other hand the Greek government has persistently refused to allow the teaching of the Macedonian language in schools, even in villages where the majority of inhabitants speak Macedonian. The Greek government, via its Spokesperson Minister for the Press and the Mass Media Dimitris Reppas, refused an appeal by the European Parliament's "Green and European Free Alliance" group to Prime Minister Costas Simitis, in May 2000, for the recognition of the Macedonian language and its introduction in the education system.¹⁶⁹

The Committee on the Elimination of Racial Discrimination recommended in March 2001 that, "...*the State party ... pursue further its dialogues with representatives of the Roma, Pomak, Albanian and other minority populations, with a view to expanding as necessary the available range of multi-lingual educational programs and policies,*" but no steps have been taken by the Greek government to teach Romani, Turkish, Macedonian, Albanian or other migrant languages since then (there is no demand for Pomak language teaching as most Pomaks have assimilated into the Turkish minority, while efforts to develop Pomak teaching material by ... the Greek Armed Forces and nationalist entrepreneurs have discredited any future teaching of that language).¹⁷⁰

Minority Schools

The only officially existing minority schools are the "Muslim" schools. Greece's report itself demonstrates on p. 127 the restriction on the right to self-identification for Turkish students. Turkish students are not allowed to refer to themselves as "Turks" or "Turkish," but rather, are limited to the designation "of Turkish origin."¹⁷¹

The government's report also violates children's right to self-identification by imposing on certain students the arbitrary distinction of being "Pomak," as found on p. 127. Many "Pomaks" do not wish to identify themselves as Pomak because they desire or have been imposed assimilation with the Turkish minority, and view the label of "Pomak" as the government's way of creating a distinction in order to weaken and further ghettoize the Turkish minority. Imposing on these children the identity "Pomak" when they do not want it, is a violation of their right to self-identification.¹⁷²

All elected leaders of the "Muslim minority" have claimed the right for the minority to be recognized as Turkish. The US Department of State *Country Report on Human Rights Practices –2000* for Greece noted: "*Most of the Muslim minority... are ethnically Turkish or Turcophone... The Muslim minority also includes Pomaks and Roma. Many Greek Muslims, including Pomaks, identify themselves as Turks and say that the Muslim minority as a whole has a Turkish cultural consciousness.*"¹⁷³ An EU *Euromosaic* survey¹⁷⁴ carried out in 1995 among minority

members found that 80% of its members have a Turkish identity (vs. 10% who have a Greek identity). ECRI reported that *“the majority within the Muslim minority identify themselves as Turks, although this general category includes Pomaks and Muslim Roma as well.”*¹⁷⁵ Perhaps the most comprehensive description is offered by an inter-governmental institution (the Parliamentary Assembly of the Council of Europe):¹⁷⁶

“We hold the following assessment of the NGO Human Rights Watch¹⁷⁷ to be correct: ‘While it is indeed true that the minority is mixed on an ethnolinguistic basis, being made up of ethnic Turks, Pomaks ... and Roma, the group overwhelmingly identifies itself as Turkish. Indeed many Pomaks and Roma will, especially to outsiders, even deny their ethnolinguistic origin in the belief that being called ‘Pomaks’ or ‘Roma’ is merely a state artifice to suppress them. One commentator [Professor Christos Rozakis, vice-president of the European Court of Human Rights] noted that, ‘Due to the uniform way in which Greek authorities and local communities have treated Gypsies and Pomaks, the latter tend to identify with the stronger elements of the minority in Thrace, who are, of course, the Muslim Turcophones.’”

Likewise, there have been many cases of the Greek government actively promoting the existence of Pomak and Roma associations in the minority region of Thrace, while banning associations which refer to themselves as “Turkish,” demonstrating the government’s policy of allowing self-identification only when they believe that its in their best interests to do so.

Minority schools are offered only in Thrace. Thus, children of the “Muslim minority” living outside Thrace, such as in Athens, Salonica, Rhodes and Kos, are denied access to this education. Not only that, but Muslim children who live in the Dodacanese are not even allowed to identify themselves as members of the Muslim minority.¹⁷⁸

Even with the presence of the minority schools in Thrace, most members of the Muslim minority choose to go to Greek high schools, both because of the sub-standard quality of the education at the minority schools and because of the limited number of spaces available for students in the only two minority high school existing. One example of both of these phenomena is the secondary minority school Celal Bayar in Komotini. In 2001-2002, there are over 100 students interested in attending Celal Bayar but only 30 spaces available, which means that the state may resume the “draw” system.¹⁷⁹ The school is lacking in infrastructure to be able to accommodate more students. Other problems include the fact that last year teachers from Turkey did not begin classes until late in the year, losing valuable classroom time, and the books used at are from the 1960s and 1970s, too outdated to allow teachers to instruct the students adequately.¹⁸⁰ The fact that the General Secretary of the Region visited Celal Bayar for the first time in fifty years indicates the low priority with which Greece views minority education.¹⁸¹

Moustafa Moustafa, former Member of Parliament, summarized the problems of minority education as follows:

*“We begin with the absence of kindergarten, elementary schools do not educate the children, and thus we have this dropping out in the junior high schools.... Right now we have 250 minority schools, of which 100 are staffed with only one teacher. That means that the child must learn both Greek and Turkish under the worse possible conditions.”*¹⁸²

In fact, Celal Bayar’s teacher Sibel Ali highlighted the generalized low level of education in minority schools:

“The level of the children is low, because of the poor Greek and Turkish they learnt in primary minority schools. Naturally, they cannot learn a foreign language under those circumstances.”¹⁸³

The failure rate at Celal Bayar speaks for itself on the problems facing minority education and the lack of adequate preparation that the minority elementary schools provide to children. During the 2000-2001 school year, only 26% of the students (56 of 214 students) successfully completed the first year of secondary education. 30% of the students (64 of 214) did not pass and need to retake final examinations in September in order to have an possibility of passing, 37% of the students failed and do not have the possibility of taking exams again (79 of 214 students), and 7% of students (14 of 214) failed because of poor attendance. Overall, approximately only one in five students who begin the first year of secondary education in that school go on to reach the third year of secondary education (which is compulsory), and of those students who reach the third year, only approximately one in three complete it.¹⁸⁴ While these statistics are only for one secondary school, we assume that statistics would be similar at the other such school in Xanthi. Unfortunately, we cannot know for certain because GHM/MRG-G's request to obtain similar statistics for all schools was repeatedly denied by the Ministry of Education. The data above was taken from a report of the teachers in the local press.

However, the most telling evidence of the extremely poor education in minority schools is the fact that ***“this year 2000-2001... all 51 senior students of the minority high school and religious school who took their nationwide baccalaureate exams in our school received grades between 1 and 3 out of 20 in all courses.”*** Similar results were reported for the 1999-2000 school year.¹⁸⁵

Incidentally, Greece's report is factually incorrect on p. 127 as to the number of secondary minority schools in Thrace. There are only two, not twelve minority high schools in all of Greece (one in Xanthi and one in Komotini).

There have also been several problems with the exchange teachers from Turkey, which the government cites in its report on p. 127. These teachers do not arrive until late in the school year.¹⁸⁶ Last year the teachers did not take up teaching until mid-December. Usually human rights violations are not reciprocal between countries, but in this case, there is a reciprocal, almost concerted, violation between Greece and Turkey. Both countries allow the other country's teachers to take up teaching (in Thrace and in Istanbul) late in the school year, causing the minority children of these schools to lose valuable classroom time.

In the 1999-2000 school year, there were 7,065 Muslim children registered in primary schools in Greece and only 1,912 students registered in secondary schools.¹⁸⁷ While the Ministry of Education supposedly does not keep statistics on the drop-out rate of Muslim students, the large discrepancy between the number of students enrolled in the six grades of elementary schools with those enrolled in the six grades of secondary schools indicates that a large portion of Muslim students drop out of school before they have completed their nine years of compulsory education.

Greece has implemented an affirmative action quota of 0.5% at the university level for Muslim students, to ensure that Muslim students have access to higher education. However, only a portion of this quota, corresponding to an estimated 400 places (0.5% of the total 80,000 places) –again the authorities refuse to provide the exact figure–, is filled every year.¹⁸⁸ In 1996, 70 Muslim students were admitted through the Greek quota system, in 1997, the numbers increased to 114, in 1998, 112 students were admitted, in 1999, 100 students were admitted, and in 2000, only 74 students were admitted.¹⁸⁹ The continual decline in the number of Muslim students who are admitted to higher education probably reflects a failure of both the quota program in its goal to increase minority representation, and the Greek education system in preparing Muslim students for higher education. In addition, the Greek government provides no data as to the number of students who have entered through the quota system

and have successfully graduated from universities, even though statistics on the class of 1996 should be available. Minority community representatives claim that they do not know of many, if any, who have indeed graduated successfully. GHM/MRG-G urge the government to provide this data to the Committee on the Rights of the Child.

H. Special Protection Measures

Refugee Children (Article 22)

There is no separate governmental administrative body to deal with unaccompanied child refugees. Unaccompanied children have special needs and there should be a separate process for the reception of these refugees, as well as for the evaluation of their asylum applications.¹⁹⁰

The “NGO Report” on Greece has already summarized many of the problems that refugee children face in Greece, and should be consulted for further information. The following is a list of some of the problems that the “NGO Report” has explored in detail:

- Refugee children often face long delays in processing their refugee status. In the interim they are unlawfully detained without judicial review in detention centers which are designed for short-term stays and are not appropriate for long periods of detention: sometimes they are detained in the same facility/cell with adults. During this period, children are denied health care and education, because they lack the requisite paper work which shows that they are refugees, a blatant violation of their human rights.
- Refugee children are not informed of their rights, or of the application process, in their native language.
- While the government has established the National Youth Institution - Student’s Hostel in Anogia, Crete for refugee children, there is still a shortage of facilities designed to accommodate such children.
- Refugee children are often not separated from adult detainees, especially in border areas.
- Refugee children are often kept in inhumane conditions, in living quarters which the European Court for Human Rights has found to be degrading treatment for adults, much less children, contrary to Article 3 of the European Convention on Human Rights.¹⁹¹

The newspaper *Crete* reported on 13 June 2001 just one example of the appalling conditions that refugees, including children, are detained in. The newspaper reported that 164 refugees, including men, women and children, were being detained in Hania in a space with only three toilets and no air-conditioning, in extreme heat, endangering the health of both the detainees and the police. Seventy of these prisoners had positive results in their “Mantou” tuberculosis tests, while the nearest hospital is over 20 kilometers away from the detention center.¹⁹² This case was confirmed by Doctors of the World-Greece who visited the detention facility and found that there were 25 children among the refugees, and that the 164 refugees were being kept in a space of approximately 125-150 square meters. The detainees also evidenced signs of ill treatment by the Coast Guard, most likely from truncheons.¹⁹³ Thankfully, the Doctors of the World-Greece were successful in transferring the women and children to the Night Shelter for Homeless Asylum Seekers and Refugees in Athens,¹⁹⁴ but not until after the children were forced to suffer through the ordeal at Hania.

Administration of Juvenile Justice (Article 40)

Despite the extensive number of legal protections which are afforded to minors, there has been a failure on the part of the Greek police to enforce these legal guarantees, as well as a failure on the part of authorities to investigate the lack of implementation by the police. All of what has been written

previously in Section D concerning the arrest and detention of juveniles is applicable here. Juveniles are not notified of their rights upon arrest, and they are often kept in detention with adults. There have been numerous cases of police brutality directed against minors, especially Albanian and Roma youths, including the cases of P.T. and D.A., Refat Tafili, S.F., Bekos and Kotropoulos, and Demetropoulos.

Also, Greek law emphasizes the rehabilitative nature of the juvenile justice system. However, this goal of rehabilitation is hampered by an acute shortage of probation officers. According to Justice Minister Michalis Stathopoulos' reply to a parliamentary question by MP Fotis Kouvelis, in February 2001, *"juvenile probation services are in a very difficult situation because of the complete lack of juvenile probation officers at the Juvenile Institution in Volos (Idrima Agogis Volou) and the constantly diminishing staff, due to retirement, at these juvenile probation services."*¹⁹⁵ On average, each probation officer is responsible for approximately 600 cases a year, and there are 14 juvenile courts in Greece which have no probation officers.¹⁹⁶ This lack of probation officers requires that minors who ordinarily would be entitled to probation remain in confinement. The "NGO Report" also addresses the deterioration of the probation system, pointing out that there are only ten probation officers for all of the Greater Athens area.¹⁹⁷

The rehabilitative goal of the juvenile justice system is also undermined by the large percentage of juvenile offenders who are sentenced to Juvenile Reformatory Centers. Between 1991 and 2000, 19,180 juvenile offenders were sentenced to Juvenile Reformatory Centers.¹⁹⁸ In addition, while the number of convictions has been steadily decreasing over the past several years, the number of sentences of confinement have been steadily increasing. In 1999-2000, the Juvenile Court of Athens sentenced 1,869 juveniles – the fewest number of convictions since the judicial year 1996-1997, when 2,495 juveniles were convicted. The total number of convictions appears to have been steadily decreasing since 1996, given that 2,673 juveniles were convicted in 1997-1998, and 2,114 in 1998-1999. According to statistics from the Juvenile Probation Service, the sentences of juveniles to confinement during the judicial year 1999-2000 shows a dramatic increase - in the neighborhood of 68.7% - over 1998-1999. The Juvenile Court of Athens, last year, imposed the fewest reprimands since 1996. Reprimands show a decreasing trend, 91.4% over the judicial year 1996-1997, 75% over the year 1997-1998, and 45% over the year 1998-1999! The other two light juvenile sentences, parental custody and probation, show a decrease, but one that is less marked. It should be noted that a prison sentence can be bought off, and so may not lead to confinement. But it does lead to it if the juvenile is from the most vulnerable of social strata, without the means to buy off his sentence.¹⁹⁹

Violations of the motor vehicle code, theft, begging, illegal entry into the country, and possession and use of narcotic substances constitute the vast majority of offences for which sentences were imposed last year by the Juvenile Court of Athens. According to data for the year 1999-2000 from the Juvenile Probation Service, convictions for offences of a minor criminal nature exceed 80% of all sentences imposed. Precisely the same picture for each year of the past decade.²⁰⁰

In Greece, as is common in other Western democracies, there is a discrepancy in the punishment of juveniles along ethnic lines. Aliens, mostly Albanians, are the vast majority of juveniles imprisoned by the Juvenile Court of Athens, while the vast majority of juveniles sentenced are Greeks. Here are some telling statistics which illustrate the disproportionate burden of the criminal justice system on immigrant children:

- In the past two years, 700 children have been arrested for begging or illegal entry into Greece, representing between 20 and 22 percent of the cases in Juvenile Court during 1998-2000.
- 70-75% of the juvenile offenders who receive the most severe punishments are immigrants.

- In the Juvenile Detention Center in Volos, for the period 1998-2000, out of 149 youth offenders, 35 were Greek and the remaining 114 were foreign children, mostly Albanians.
- In the Avlona Detention Center, of 294 juvenile offenders, 89 were Greek and 205 were foreign children (76% of which were Albanians).²⁰¹

The “NGO Report,” which provides slightly different statistics, confirms the presence of ethnic discrepancy in sentencing, pointing out that in the Avlona Juvenile Detention Center in 2000, out of 287 detainees, 160 were foreigners, and of the Greek detainees a high number were Roma.²⁰²

In addition, while Greek law does guarantee juveniles interpreters if they cannot speak Greek (p. 149 of the state’s report), in reality this law is not implemented effectively for two reasons. First, court interpreters are often poorly trained and thus fail to provide the child with an adequate translation. Second, during court proceedings, judges often ask people on an ad hoc basis to serve as translators simply because they happen to be on hand during the trial and speak the child’s language. However, these people are not trained in interpretation and do not necessarily have the child’s best interest in mind. Not to mention that sometimes, when the defendant appears to understand some Greek, no interpreters are provided.

Also, while Greek law stipulates that juvenile offenders are to be tried as quickly as possible, no later than six months after the offense in question (p. 146 of the state’s report), in reality, trials are delayed for long periods of time, with the result being that the juvenile is tried as an adult, even though they were under the age of 18 at the time of the alleged offense.

Other information regarding the administration of juvenile justice can be found in the “NGO Report.” Some of the human rights violations that children face documented in the “NGO Report” report include:

- The lack of appeal for juvenile offenders for penalties of less than one year in prison.
- Legal representation is not guaranteed for juvenile offenders unless the offense is a felony, and even then the representation provided by the criminal justice system is inadequate because the attorneys do not have knowledge of the case or enough time to prepare.
- Juvenile offenders must complete a larger portion of their sentence than adult offenders to qualify for probation.²⁰³

In addition, while Greek law requires that only when suspects for crimes for which a punishment of ten years imprisonment is prescribed can juveniles be detained awaiting trial, a report submitted by the Governor of Avlona Juvenile Detention Center in 2000, found that out of 287 detainees, 120 were awaiting trial (42%) and of these 120, 29 were awaiting trial for theft, a crime which is not punishable by ten years imprisonment.²⁰⁴

The Council of Ministers has recently announced that it is changing the Juvenile Reformatories to “Youth Care Units” In reality, this change is in name only, and these new “Youth Care Units” amount to the policy of incarceration for juvenile offenders, a policy which, along with the Juvenile Penal Code, has been called outdated and in need of change, by lawyers and judges.²⁰⁵

Finally, and most importantly, repeated criminological studies have questioned the reformatory efficiency of juvenile detention centers, calling them “preparatory schools for criminals” or “universities for criminals” as 96.7% of all serious offenders in Greek prisons today have had previously been incarcerated in juvenile institutions, where “they enter as trainees and transform

themselves into doctors of crime” (team research and statements by Panteion University Professor Antonis Manganas and Assistant Professor of Criminology Vaso Artinopoulou and Athens University Professor of Criminology Nestoras Kourakis).²⁰⁶

Economic exploitation of children including child labor (Article 32)

Greece has extensive legislation preventing children from working under the age of fifteen, and regulates the employment of children between the ages of fifteen and eighteen, noted on p. 152 of the state’s report. Despite these laws, however, there is a severe lack of enforcement, evidenced by the large number of children who work illegally on the streets.

According to the Ministry of Labor and Social Affairs, there are approximately 80,000 children between the ages of 14 and 19 who work, many of these children under harsh conditions or without pay. The rate of child labor is especially high in poor rural areas.²⁰⁷ Greece needs to provide data on how many of these 80,000 children are under 15, as in 1996 there were officially 3,639 14-year old lawfully employed, which is why the European Committee of Social Rights, in its 2000 review of Greece’s compliance with the European Social Charter, asked for updated data, as well as for a description **“of the strategy of the authorities in detecting and combating illegal work by children and an indication of the results obtained.”** deferring until then its related conclusions on Greece’s compliance with the Charter’s Article 7 provisions on minimum age of admission to employment, safeguarding the full benefit of compulsory education, and prohibition of night work for children.²⁰⁸ CRC is recommended to reiterate these requests for supplementary information.

Even someone who is a casual visitor to Greece cannot help but notice the overwhelming presence of “street children.” In November of 2000, ALKO research company carried out a survey, commissioned by UNICEF, of 955 “street children” in Attica. Based on the results of this survey, UNICEF has estimated that there are approximately 5,800 children between the ages of 2 and 15 who work every day in Greece on the streets, and provide their exploiters with approximately 1 billion drachmas of income each month. Most of this work is comprised of selling flowers, tissues and other small trinkets, begging or washing car windows at intersections. ALKO found that of the 955 children surveyed, 9.6% of the children were five-years-old or younger, while 31.3% of the children were between the ages of 6 and 9. The vast majority of the children were foreigners, Roma or members of the Muslim minority. Only 20.4% of these children attend school regularly, while another 13.4% state that they rarely attend school. Of the children who do not attend school, 21% state that they would like to go to school. 1.8% of the children are homeless, and a large number of them live in abandoned buildings, old houses, tents, or cars.²⁰⁹

The government report states on p. 163 that the “police take protective measures...against children begging at traffic lights...against children selling flowers at night clubs, etc.” but in reality, very little is done to keep these children off the streets.²¹⁰ And when the police do pick up these children, it is only a temporary solution to the problem. Nothing is done afterwards to make sure that these children attend school, seldom is any action taken against parents or other people who may be exploiting the children, and the children continue to work as soon as they are released. “Street children” also suffer from high incidents of sexual abuse, especially those children who are victims of organized criminal rings.²¹¹ A study done by the Support Center for Children and Family confirms the large number of children who work illegally rather than go to school.²¹²

In another study done of 156 children who live in institutions run by the Ministry of Justice, it was found that 26% of the children had begun working systematically between the ages of 5 and 10 and 39% between the ages of 12 and 14. Of these children, approximately 27% are illiterate.²¹³

The Institute of Child's Health found that there are as many as 10,000 children under the age of 15 engaged in some type of work in Greece.²¹⁴ In cases where children are working legally, on average they receive 50% less gross pay than adults.²¹⁵

Finally, following the ratification of the ILO Convention No. 182 on the Worst Forms of Child Labor, the Minister of Labor created a 13-member committee to record such phenomena in Greece: it is indicative that its members (academics, doctors, union representatives, and ministry officials) do not include any representative of specialized or human rights NGOs.²¹⁶

Drug Abuse (Article 33)

While there are several noteworthy programs in Athens to help children with the problem of drug abuse, these services are focused on Athens, and are inaccessible to children in other parts of Greece.²¹⁷

Sexual Exploitation and Sexual Abuse (Article 34)

Greece's report states on p. 169-174 the applicable laws but does not provide any indication on how laws against child prostitution, child pornography, etc. are implemented and enforced.

Sale, trafficking & abduction (Article 35)

Again, the government's report highlights on p. 173-174 existing legislation in Greece but provides no data as to implementation and enforcement.

It is very difficult to obtain reliable data on the number of children which are trafficked or involved in prostitution because of the enormous profits and powerful criminal organizations involved, as well as the social taboo of sexual exploitation. According to the a study by Ira Emke-Poulopoulos, young girls aged 12-15 are the preferred 'commodity' of traffickers, and that certain prostitution rings procure girls and boys, mostly from Albania, to work in brothels and sex clubs. According to police sources, child prostitution is limited in Greece, but the few cases which are reported grossly underestimate the number of cases in actuality.²¹⁸ It is also common for boys and girls between the ages of 7 and 16, most of which are probably foreign children, to be used in the production of pornographic materials. Similar to trafficking, the number of children which are exploited is unknown.²¹⁹

In recent years, there has been a dramatic rise in the number of women and children who are trafficked into Greece for the purposes of prostitution, mostly from the Balkans and Eastern Europe, through organized criminal networks. A survey carried out by the Marangopoulos Foundation for Human Rights between September 1995 and March 1997 in Athens, revealed that approximately 3,000 children were involved in prostitution and the forced provision of sexual services. These children reveal a serious disjunction between the laws in existence in Greece on paper designed to prevent the trafficking of children, and the enforcement of those laws.²²⁰

According to Professor Emke-Poulopoulou, Greek legislation is unfair and ineffective because it imposes very small sentences on pimps and other "intermediaries," while the immigrants women and children are punished, not only with legal penalties, but with deportation and social stigma.²²¹

Corruption of Greek authorities and police officers is one of the reasons behind the flourishing prostitution industry, including child prostitution in Greece. In some cases police turn a “blind eye” to the problem, and in the worst instances, police collaborate with the traffickers. Here are a few of the examples of corruption on the part of Greek authorities and police:

- Employees in Greek Consulates in Eastern European countries issue illegal documents permitting aliens to obtain Greek nationality, enabling procurers and other criminals to live legally in Greece.
- 14 out of 20 police officers at the Menidi police station were found to be involved in forgery, blackmailing and issuing of false certificates for residence permits to foreign women working as prostitutes.
- Passports of deported women have been found in police officers’ homes, along with money and address books of clients’ names.
- Retired police officers were arrested for money laundering from “white slavery,” having transformed a house into an illegal brothel.²²²

Even if many police officers are not directly involved in corruption, an even greater problem is the insufficient number of police officers on the Vice Squad (only 20 police officers) assigned to deal with the problem of trafficking.²²³

Societal indifference in Greece to sexual exploitation is another hurdle which must be overcome to stop the trafficking of children. A characteristic example of this is the case of a 13-year-old Albanian girl who was tortured in the apartment of an Albanian pimp. Neighbors had suspicions because they could hear voices and screams, but no one reported the incident for months.²²⁴

The impact of sexual exploitation and trafficking on minors is particularly devastating. These children often endure long-term life threatening consequences, including psychological trauma, the risk of early pregnancy and its attending dangers, and the risk of contracting HIV/AIDS and other sexually transmitted diseases, such as trichomoniasis, chlamydia, gonorrhea and syphilis.²²⁵

Trafficking is certainly not limited to children, and the Greek state’s reluctance to deal with it, if not partial complicity has been highlighted in July 2001 by both the US Department of State and Human Rights Watch. The latter’s 24 July 2001 press release is telling:

“Trafficking of women into Greece for forced prostitution is a serious human rights problem the government has failed to address, Human Rights Watch said today. In a 41-page memorandum, the group criticized the Greek government for punishing victims while their traffickers enjoy impunity. Trafficking victims are often apprehended by the police, detained, and deported without getting justice for the abuses they suffered while traffickers and their accomplices are rarely held accountable, the memorandum said.

“Trafficking victims in Greece are treated like criminals,” said Elizabeth Andersen, executive director of Human Rights Watch’s Europe and Central Asia Division. “Meanwhile, the real criminals are going free. The Greek government’s response to this issue punishes the wrong people.”

The memorandum comes on the heels of a U.S. State Department report released on July 12 that gave Greece the lowest rating possible—along with Burma, Pakistan, Russia, Saudi Arabia, Sudan and Turkey—for failing to combat trafficking, protect

victims, or even acknowledge publicly that trafficking in Greece is a problem. The United Nations and various European institutions have also criticized Greece for inaction on the trafficking of women for forced prostitution.

Human Rights Watch's specific concerns include:

- *the absence in Greece of comprehensive anti-trafficking legislation;*
- *few prosecutions for trafficking under existing criminal laws;*
- *the lack of witness protection programs for trafficking victims to facilitate their participation in prosecutions;*
- *the absence of government-sponsored services for all trafficked women, including shelter, medical care, psychological support, and assistance with other basic needs;*
- *the on-going detention and prosecution of trafficking victims;*
- *and the continuing complicity of police officers in the trafficking of women.’²²⁶*

IV. Notes

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- ²⁴ Information collected by GHM/MRG-G regional monitors during interviews with the parents on 1 and 6 August 2001 respectively.
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- ²⁶ http://www.enet.gr/online/online_p1_text.jsp?dt=25/08/2001&c=112&id=45027
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- ¹⁴⁸ *????s?a ? ??a ???????a se p??e?a*, *op. cit.*, p. 241-243.
- ¹⁴⁹ *????s?a ? ??a ???????a se p??e?a*, *op. cit.*, pp. 222, 245.
- ¹⁵⁰ Anna Frangoudaki, “*?? ?β?a?? st? s????? ?st??a*» (Jews in school history textbooks), *Ta Nea*, 10 May 1997 http://ta-nea.dolnet.gr/neaweb/nsearch.print_unique?entypo=A&f=15832&m=P13&aa=1
- ¹⁵¹ GHM/MRG-G interview with Anna Frangoudaki, 21 August 2001.
- ¹⁵² Aristoteleia Peloni, “*Sta μa??mat?? t?? d?μt???? ?? ??a??e? ????? ??? d?a??su?t??*” (?n elementary school

- mathematics, women have a 'decorative' role," *Ta Nea*, 20 June 2001, p. N16, http://ta-nea.dolnet.gr/neaweb/nsearch.print_unique?entypo=A&f=17068&m=N16&aa=1
- ¹⁵³ KEMETE *S????e?? ????? s????a* (School without borders) student manual and teacher's companion, Athens 2000.
- ¹⁵⁴ Thanasis Gotovos, "Educational Interventions and Social Marginality: the Case of Greek Roma," mimeo, University of Ioannina, Dept. of Philosophy, Education and Psychology, 2001.
- ¹⁵⁵ Sotirhou, Ioanna, "s????a??p??a: ?????a? ta s????e?a ??a t? 75%" (Gypsy children: the schools opened for 75%), *Eleftherotypia*, 16 June 2001, p. 54, http://www.enet.gr/online/online_p1_text.jsp?dt=16/06/2001&c=112&id=31475
- ¹⁵⁶ Sotirhou, Ioanna, op. cit., p. 54; and Nota Triga «S?µa?t??? βe?t??µ??? ? e?pa?de?s? t?? ts???a??pa?d?? ta te?e?ta?a ?????a» (Gypsy children education significantly improved in recent years), *To Vimal*, 17 July 2001.
- ¹⁵⁷ DEPOS, "e??t? s?ed??? p????µµat?? ??a t?? a?t?µet?p?s? t?? ?µes?? ?????st???? p??B??µ?t?? t?? e?????? ts???????" (Study, plan and program to meet the immediate housing problems of the Greek Gypsies), Athens, July 1999, Section 3.4.1 and Annex II Table II 7.
- ¹⁵⁸ These 60 children are the children of a score of Roma leaders of the respective communities who attended the GHM/MRG-G seminar "????µe??t??? ?p?d?t??µe?? ?µe??da ??a ??µ? t?? ?????da?. St??as?, ??pa?de?s?, S??s? µe t?? ?????: ??a??µata, ?aβ??se?? ?a? ??t?µet?p?s? t???" (Informational Subsidized Symposium for Greece's Roma. Housing, Education, Relations with Authorities: Rights, Violations and Reactions to Them), 11 June 2001. One would expect that the children of Roma leaders may tend to go to school more often than the other children of these communities.
- ¹⁵⁹ Sotirhou, Ioanna, op. cit., p. 54.
- ¹⁶⁰ "Human Rights in Greece: Joint Annual Report for 2000," op. cit., p. 61-62.
- ¹⁶¹ According to the Appendix to Rec No R (2000) 4 of the Council of Europe's Committee of Ministers to member states on the education of Roma/Gypsy children in Europe, "The curriculum [of educational policies in favour of Roma/Gypsy children]...and the teaching material should therefore be designed so as to take into account the cultural identity of Roma/Gypsy children" and that participation "...of representatives of the Roma/Gypsy community should be encouraged in the development of teaching material on the history, culture of language..." (point II.9). Additionally, and more importantly, point II.12 provides that "In the countries where the Romani language is spoken, opportunities to learn in the mother tongue should be offered at school to Roma/Gypsy children."
- ¹⁶² Ministry of Education, Aggregate Statistics on School Attendance for the 1999-2000 school year.
- ¹⁶³ Alkis Galgadas, "a s????e?a t?? ??????" (The foreigners' schools) *To Vima* (Sunday magazine), 17 June 2001, p. 62.
- ¹⁶⁴ Damon Damianos, "p????d??? ? d?das?a??a t?? t????????? ?????a?!" (The teaching of Turkish in schools is dangerous!) *Paratiritis*, 19 June 2001, p. 8. See also «??da ?a?a????a ?a t? µe????t?ta: ? ? ??staf?? ??staf? ?????e?t?? ep?s?µ? p???t?? ?a t? µe????t?ta t?? T????? t? de?aet?a 1991-2001.» (Roses and thorns for the minority: Mustafa Mustafa evaluates the official policy for the minority of Thrace in the decade 1991-2001) *Ios*, 6 July 2001, http://www.enet.gr/online/online_p1_fpage_text.jsp?dt=14/07/2001&id=37277.
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- ¹⁶⁶ Interview of Christos Katiskas to George Tolios in Flash 961 FM, 13 August 2001.
- ¹⁶⁷ Released on 27 June 2000 (<http://ecri.coe.int/en/02/02/12/e0202120036.htm>).
- ¹⁶⁸ Ministry of Education and Religion, "Program for the Improvement of Education of the Muslim Minority," Athens, 1998.
- ¹⁶⁹ Avghi, 26 May 2000 http://193.218.80.70/cgi-bin/hwebpressrem.exe?-V=hpress_int&-A=217022&-P
- ¹⁷⁰ UN Committee on the Elimination of Racial Discrimination, "Concluding Observations of the Committee on the Elimination of Racial Discrimination: Greece." 22/03/2001. CERD/C/58/Misc.24/Rev.3. <http://www.unhchr.ch/tbs/doc.nsf/MasterFrameView/d3fcc3818953c1c0c1256a18005a1218?Opendocument>.
- ¹⁷¹ International Helsinki Federation for Human Rights, et al., "Parallel Report on Greece's compliance with the UN Convention on the Elimination of all Forms of Racial Discrimination," March 2001, p. 6-7, http://www.greekhelsinki.gr/bhr/english/organizations/ngos_cerd.doc.
- ¹⁷² "FCNM Report" op. cit., p. 8.
- ¹⁷³ <http://www.state.gov/drl/rls/hrrpt/2000/eur/index.cfm?docid=769>
- ¹⁷⁴ <http://www.uoc.es/euromosaic/web/document/turc/an/e1/e1.html>
- ¹⁷⁵ <http://ecri.coe.int/en/02/02/12/e0202120036.htm>
- ¹⁷⁶ PACE Committee on Legal Affairs and Human Rights (Rapporteurs: Domenico Contestabile and Valdimir Solonari) *Situation of the Muslim Minority in Thrace* (AS/Jur (2000) 12 rev, 7 March 2000 –made public on 7 September 2000) (<http://www.greekhelsinki.gr/bhr/english/organizations/ajdoc12.2000rev.doc>).
- ¹⁷⁷ *Greece: The Turks of Western Thrace* Vol. 11, No. 1 (D) (<http://www.hrw.org/hrw/reports/1999/greece/index.htm>) p.11.
- ¹⁷⁸ The Greek government has refused to recognize the Muslims of Dodecanese as belonging to the Muslim Minority protected under the 1922 Lausanne Treaty. See Chiotakis, Stelios, «S????? e?pa?de?s? ?a? ?????????? e?s?µ?t?s? t?? µ??s??µ???? t?? ??d??» (Education and social integration of the Muslims of Rhodes), periodical *Sichrona Themata*,

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- ¹⁷⁹ Damon Damianos, “? e????t??? e?pa?de?s? ??a μ?d??” (The ‘zero hour’ for minority education), *Paratiritis*, 22 June 2001, p. 4.
- ¹⁸⁰ “? e????t??? e?pa?de?s? ??a μ?d??,” op. cit., p. 4.
- ¹⁸¹ “? e????t??? e?pa?de?s? ??a μ?d??,” op. cit., p. 4.
- ¹⁸² “??da ?a? a????a ??a t? με????t?ta” op.cit.
- ¹⁸³ Dilek Habib, “??at?μ?a t?? p??B??μ?t?? t?? ‘??e??? ? pa????’” (Anatomy of problems at ‘Celal Bayar’) *Paratiritis*, 25 June 2001, p. 10.
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- ¹⁸⁵ Statement by the principle of the 3rd Senior High School of Komotini, Nikos Hatzopoulos, *Partiritis* 25 July 2001, p. 10.
- ¹⁸⁶ “FCNM Report” op. cit., p. 47.
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- ¹⁹² Pantelis Houlakis, “St?μa t?? f?B??,” (Stigma of fear) *Crete*, 13 June 2001, p. 12.
- ¹⁹³ Doctors of the World-Greece, Letter from Dr. Theophilos Rosenberg, Surgeon and assistant Professor at the University of Athens, Member of the Board of Directors to Melanie Anderson, Amnesty International, Europe Region (no date, June 2001).
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- ¹⁹⁵ Greek Helsinki Monitor, “Addendum to report to UN on CAT,” excerpts from *Avghi* newspaper articles by Vangelis Venizelos, http://www.greekhelsinki.gr/bhr/english/organizations/ghm_cat_add.doc.
- ¹⁹⁶ “Addendum to report to UN on CAT,” op. cit.
- ¹⁹⁷ “NGO Report,” p. 21.
- ¹⁹⁸ Christos Zervas, “?p? t? d?μ?t??? st? ?????μa,” (From elementary school to crime), *Eleftherotypia*, 17 June 2001, p. 58-59, http://www.enet.gr/online/online_p1_text.jsp?dt=16/06/2001&c=112&id=31827
- ¹⁹⁹ “Addendum to report to UN on CAT,” op. cit.
- ²⁰⁰ “Addendum to report to UN on CAT,” op. cit.
- ²⁰¹ Christos Zervas, op. cit, p. 58-59.
- ²⁰² “NGO Report,” p. 21.
- ²⁰³ “NGO Report,” p. 22.
- ²⁰⁴ “NGO Report,” p. 22.
- ²⁰⁵ Vasilis Venizelos “?p? ta a?μ??f?t???a sta ...a?μ??f?t???a!” (From Juvenile Reformatories to Juvenile Reformatories) *Avghi*, 3 July 2001, http://193.218.80.70/cgi-bin/hwebpressrem.exe?-A=258235&-w=&-V=hpress_int&-P
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- ²⁰⁸ http://www.humanrights.coe.int/cseweb/GB/GB2/Conclusions_XV-2/Greece%20XV-2.doc
- ²⁰⁹ UNICEF-ALKO, op. cit.
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- ²¹¹ E. Agathanos-Georgopoulo and Maria Tsangari, op. cit., p. 66.
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²²⁰ “NGO Report,” p. 20.

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²²² Ira Emke-Poulopoulos, op. cit., p. 32.

²²³ Ira Emke-Poulopoulos, op. cit., p. 32.

²²⁴ Ira Emke-Poulopoulos, op. cit., p. 32.

²²⁵ Ira Emke-Poulopoulos, op. cit., p. 32.

²²⁶ Press release: <http://www.hrw.org/press/2001/07/greece0724.htm> .

Memorandum: <http://www.hrw.org/backgrounder/eca/greece/index.htm>

Addendum to the Parallel Report on Greece’s compliance with the UN Convention on the Rights of the Child

October 2001

Inconsistent Definition of the Minor

As described in Greece’s state report to the CRC (pp. 5-7), according to Greek civil law a minor (*amilikos*) is someone who has not reached his/her 18th year, consistent with the CRC definition. But according to the Greek Penal Code (article 121) someone is a minor until s/he has reached his/her 17th year. The same article defines as a ‘child’ (*paidi*) someone who has not reached his 12th year (and as adolescent – *efivos*’ – someone between 12-17. This discrepancy has many detrimental consequences for the 17-year olds, since they can be arrested, detained, HELD IN REMAND prosecuted and punished as adults but do not have full legal capacity as adults. **GHM and MRG-G recommend that Greece bring in line the two age limits by amending the Penal Code to define minors as those who have not reached 18.**

Moreover, adolescents have the right to submit complaints on their own (article 118 of the Penal Code), separately from their guardians (called legal representatives) who also have that right (instead or in addition to the adolescent). HOWEVER But when the complaints go before the courts, only their guardians can represent them, including by constituting themselves *partie civile*’ (article 82 of the Code of Penal Procedure). In fact, adolescents cannot be present even in the audience (article 329 of the Code of Penal Procedure). So, an adolescent may lose his/her rights for redress if his guardian does not wish to represent him/her. Worse, as article 82 refers to representation “*according to the related provisions of the Civil Code,*” GHM and MRG-G have noticed that adolescents are in practice required to have their guardians’

consent to submit complaints, and up to the age of 18, not just 17. **GHM and MRG-G recommend that Greece amend its penal legislation to allow adolescents to defend themselves without their representatives, if they so wish, in all cases they have the right to bring complaints without the consent of their representatives.**

Non-Existent Juvenile Division

GHM and MRG-G have interviewed persons related to juvenile issues in Kalamata and Patras, who confirmed that the Juvenile Division mentioned in page 38 of the Greek state report operates today only in Greater Athens and Greater Salonica. In other cities, like the ones mentioned above, such agencies were either set up in the past but were gradually disbanded (Patras) or never set up (Kalamata). As a result, minors are arrested and often abused like adults, as regular policemen have no special training on how they should treat minors. The ill-treatment of 16-year old Thodoros Stefanou (see below) is indicative. **GHM and MRG-G recommend that Greece reactivate the agency wherever it was created and extend it to other areas to the extent possible or train policemen wherever there is no juvenile division how to treat minors. Failure to apply these standards need be punished severely.**

New Case of Ill-Treatment of a Roma Child by Police

In the night of 4 to 5 August 2001, 16-year old Rom Theodore Stefanou, resident of Patras, presented himself to the Argostoli (Cephalonia) police station, when he learnt that police was searching for him. There, he was questioned about the theft of an important sum of money from a kiosk. During a quarter of hour, he was allegedly punched and slapped hard in the face by a policeman, in presence of two other policemen, including the Commander of the Argostoli Police Station, who reportedly kept questioning Stefanou as if nothing was happening. After being taken handcuffed to his truck, Theodore Stefanou was reportedly brought back to the police station where he was again beaten for another quarter of hour. He was eventually released, as no charges were pressed against him. On the insistence of his sister, Theodore Stefanou visited the next day the local state hospital where he remained for 4 hours. According to the official medical report, Theodore Stefanou was found to be suffering inter alia from a head injury caused by a beating received 12 hours earlier, a slight weakness in focusing, swelling and sensitivity on the ridge of his nose and a small frontal left hematoma. Three other Roma (young adults) also reported they had been ill-treated on the same day, for the same investigation. Although they were forced to sign statements admitting the theft, the court accepted their retraction and acquitted them on 6 August. On 8 October 2001, with the help of GHM and MRG-G, Stefanou submitted a complaint against the policemen: indicative of how difficult it is to press charges against policemen, lawyers of Cephalonia, including the local Bar Association's President, who were contacted to serve as the local correspondent of the Salonica-based GHM lawyer – as required by law- refused to accept this formal assignment, and Stefanou has now to request the Argostoli courts to appoint a –mere correspondent- lawyer. No police investigation has been launched to date, even though the incident was published in the media. All this shows how difficult it is to have a fair investigation, let alone trial and conviction of policemen for ill-treatment, especially of minorities, as the next case confirms.

Acquittal of Policeman Tried for Ill-Treatment of Two Roma Youth

On 8 October 2001, the Chief of the Security Section of the Mesolonghi (Western Greece) Police Station Apostolos Tsikrikas was acquitted by the Three-Member Misdemeanor Appeals Court of Patras of charges of having ill-treated Roma youth Bekos and Kotropoulos in May 1998 (see GHM & MRG-G Report to CRC, p. 27). It is noteworthy that the Greek Police's own Sworn Administrative Inquiry (SAI) into the matter, concluded on 26 May 1999 and conducted by Major General Efthimios Skouras, 3rd General Inspector of the Greek Police, recommended that Tsikrikas and his deputy be placed on "temporary suspension," because, "during their detention ... they behaved with exceptional brutality towards the two young individuals," with the report then detailing the brutal beatings. But the Chief of the Police Ioannis Georgakopoulos, on 14 July 1999, decided to punish only Tsikrikas with a mere fine of 20,000 drs (app. \$50) for "not preventing the unacceptable and cruel behavior by his subordinates towards the two detainees which resulted in their been beaten by policemen under his service, during their detention, and -as a result of that behavior- in their suffering bodily injuries." The Greek Police has thus opted not to identify the perpetrators of the ill-treatment that it admitted as having happened. Moreover, both the forensic report and the SAI have been completely ignored during the trial, leading to the acquittal of Tsikrikas. There is no right to appeal this decision under Greek law. Furthermore, Mr. Tsikrikas has reportedly threatened to sue the Roma for perjury. One can imagine how in most other ill-treatment cases, with much less incriminating evidence against policemen, perpetrators are punished.

Addendum to the Parallel Report on Greece's compliance with the UN Convention on the Rights of the Child

November - December 2001

PRESS RELEASE

19 November 2001

**TOPIC: CHILDREN, UNPROTECTED VICTIMS OF SEXUAL ABUSE
AND PUBLIC ABUSE BY STATE AUTHORITIES AND MEDIA.
INTERNATIONAL DAYS AGAINST CHILD ABUSE (19/11) AND FOR
CHILDREN'S RIGHTS (20/11)**

Greek Helsinki Monitor (GHM) expresses its concern over the problem of child sexual abuse in Greece. This abuse is facilitated by the fear that pressing charges against such acts is likely to result in

the victim's public abuse, similar to that of the two recent cases involving 13-year-old girls in Athens and the northern Greek city of Drama. On the occasion of the international days against child abuse (19/11) and for the rights of the child (20/11), GHM highlights the recently published findings of the organization "The Child's Smile" and of criminologist Angelos Tsigris, which show an extremely low percentage of sexual abuse charges. The reasons for this are that the interrogating authorities (prosecutor and police) often try to dissuade the victim from pressing charges, and/or the fear of public abuse of the minor victim, which makes him/her vulnerable to the threats of victimizers. The press and electronic media play a decisive role in public abuse, using sensationalizing tactics that do not respect their obligation to protect the minor victim, and by irresponsibly making public cases and even interviews with the victims. The superimposition of an electronic "mosaic" over the victim's face or using initials instead of a name, when the context makes it easy to identify the victim is inadequate if not hypocritical.

We urge the Prosecutor of the Court of Cassation (PCC) and the National Radio and Television Council (ESR) to make public what measures they have taken to avert similar problems and to punish those who have already contributed to the public abuse of the two 13-year-old girls. We welcome the PCC directive 6/3287/13-11-2001, and further ask if any steps have been taken in disciplinary proceedings and criminal sanctions. For example, against the composition of the court of Drama, which publicly tried the 13-year-old female defendant without a special juvenile court judge present. And/or against the media, which publicly covered the two cases in interviews with the juvenile victims, and/or mentioned the names of the victims' parents or the high-school principal accused of indecent assault, and his school - all of which resulted in making the victims' identities obvious.

It should be noted that a UN Committee is currently examining the implementation in Greece of the Convention on the Rights of the Child (honored by International Children's Day, tomorrow). In the questionnaire submitted to Greece there are specific questions on the extent of child sexual abuse and how it is handled. GHM has notified the Committee of today's appeal and will communicate to it all pertinent responses it may receive.

To Vima
20-11-2001

Defenseless innocence

(Translated by GHM from Greek original posted at:
http://www.greekhelsinki.gr/bhr/greek/articles/pr_20_11_01.html*)*

By Ilias Kanelis

Today is International Day for the Protection of the Rights of the Child. Yesterday, the world community celebrated International Day Against Child Abuse. In general, we have a wealth of anniversaries during which we honor in every way the rights of every type of social subgroup and every minority. But what happens in reality?

In recent days, two cases of sexual abuse have preoccupied Greek society at length. In the northern Greek city of Drama, a mother was prostituting her underage daughters; in Athens, a high-school

teacher was sexually abusing his underage student, a girl of Albanian origin. The color the mechanisms informing the public used to present these two incidents was the usual yellow.

Prior to this, a study had been made by the organization “The Child’s Smile” and criminologist Angelos Tsigris, which basically concluded that many more cases like this exist. The study was not aired: research is boring; it isn’t sensational; and it doesn’t sell. However, according to the study, many cases involving the sexual abuse of minors are not prosecuted for two main reasons. One, is that the interrogating authorities, the prosecutors and the police, dissuade victims of sexual abuse from pressing charges for the violence they suffered because instead of discretely investigating the problem, they essentially treat the victims themselves in an abusive manner. Second, is the fact that certain vehicles of the press and electronic media use the victims to satisfy sensationalist desires, which does everything to discourage the victim from going public in such cases. Best to let it go, say the victims - and their parents agree. In seeking justice for the bad thing that happened to you, you run the risk of encountering something even worse.

You ask: isn’t the good citizen an informed citizen? I agree. And I ask in turn: how much does the publicizing of the titillating details in a sexual abuse case, how much does the extensive and detailed references to the surroundings, the people and the things involved in the case contribute to shielding our citizens, to the quality of news information and, consequently, to the quality of democracy? Don’t say that because television conceals the victim’s face, that it is also protecting his/her anonymity. All at once (at least in the Drama case) the “informed citizen” has learned of the village where the event took place, has seen the girls’ the mother, has heard from the lawyers on both sides. At least those who need to know - those who live in the same social environment as the victims - have learned everything, and in full detail. What’s left? Derision and rejection. The victims who supposedly should be protected have been permanently stigmatized.

At this time, a special UN Committee is examining how the Convention for the Rights of the Child is being implemented in Greece. But in this sunny land, where the UN is disparaged by specious arguments claiming to be certainties (primarily that the UN is totally bound to the interests of the American superpower), it is likely that the public abuse of even defenseless child-victims of sexual violence will be construed as an anti-imperialistic act! In the mathematically yellow realm of the scandal-mongers media, anything is possible.

Flash.gr
21/11/2001

Abortions twice as many as births in Greece

By Matina Dallari

2% of Greek women take the pill as opposed to 40% in Western Europe

(Translated by GHM from Greek original available at:
<http://greece.flash.gr/soon/2001/11/21/13616id/>*)*

Greece holds one of the highest abortion rates in the world. There, the annual number of terminated pregnancies exceeds 200,000 - more than double that of births. This data comes from a nationwide poll conducted by Metron Analysis for the Institute for Social and Preventative Medicine.

One out of every four women asked, stated that she had had at least one personal experience with an unwanted pregnancy. A comparably distressing record is also seen in Russia and, to a lesser extent, in Bulgaria. According to the poll's evidence, among young women, particularly, there is an ignorance of birth control methods and family planning. Only 2% of Greek women take the pill, which is considered by medical professionals to be the safest method of contraception, while the percentage of users in Western European countries is nearly 40%.

Seven out of ten teenagers learn about contraception, mostly from their friends. But they will be over 25 years old before they turn to their gynecologist for information. It is characteristic that 70% of Greek women believe that they are sufficiently informed, yet 80% do not know, for example, which are the fertile days in a woman's cycle.

In light of these disturbing findings, the Institute for Social and Preventative Medicine has embarked on a nationwide campaign to inform young people on matters of sex education, contraception and family planning. The presentation of the study included a videotaped statement by Health Minister Alekos Papadopoulos, who stressed the importance of similar initiatives to deal with issues of social and preventative medicine.

The Institute for Social and Preventative Medicine

"The picture Greece presents is one of an uncivilized country in matters concerning prevention, and not just in contraception but in other matters such as smoking, diet or physical exercise," declared Yannis Tountas, President of the Institute for Social and Preventative Medicine, speaking on Flash Radio 9.61. He went on to say, "This number of abortions, which is double that of births for the same period, is one that we see - in proportion to the population - only in certain Eastern European countries. This picture is indeed one relegated to underdeveloped countries."

Mr. Tountas stressed that one solution to the problem is the education of young people, who must establish proper sexual behavior. "This issue must enter the schools; it must become part of the daily life of our young people in order for them to overcome the taboos surrounding it." Mr. Tountas expressed the opinion that such taboos are propagated within the family as well as by certain institutions in society - such as the Church - that play a reactionary role in these matters.

However, the Institute's President was optimistic about the activities of the Ministries of Education and Health: "Right now, projects are being prepared for the schools in 6 key areas of prevention, including sex education. The Ministry of Health is preparing a 5-year program on health prevention and advancement, one of whose 16 topics deals with contraception and women's health."

Addendum to the Parallel Report on Greece's compliance with the UN Convention on the Rights of the Child

January 2002

Greek Helsinki Monitor (GHM) and Minority Rights Group – Greece (MRG-G) regret that Greece had not submitted through 13 January 2002 its answers to the “list of issues” UN CRC had sent her on 19 October 2001 with a request to reply by 3 December 2001. GHM and MRG-G are aware that at least two Greek state agencies had collected the data requested from them by the end of November 2001. So, the expected submission of state answers on the eve of Greece's review, on 16 January 2002, may only aim at avoiding their careful, and where necessary critical, examination. Indeed, Greece had also submitted an updated state report, three times larger than the initial one, on the eve of its review by UN CERD in March 2001. GHM and MRG-G are therefore submitting only some complementary information related to developments in the last quarter of 2001.

Developments on issues raised in the “Addendum to the Parallel Report on Greece's compliance with the UN CRC (November - December 2001)”

1. Public abuse of children known to have become victims of sexual abuse

No charges or other sanctions have been imposed against the composition of the court of Drama, which publicly tried a 13-year-old female defendant, forced to prostitution by her mother, without a special juvenile court judge present. And/or against the media, which, in November 2001, publicly covered this

case and the case of a 13-year-old alleged victim of sexual abuse in interviews with the juvenile victims, and/or mentioned the names of the victims' parents or the high-school principal accused of indecent assault, and his school -all of which resulted in making the victims' identities obvious. GHM's related appeals to the Prosecutor of the Court of Cassation (PCC) and the National Radio and Television Council (ESR) [protocol numbers 3366/20-11-01 and 5660/20-11-01 respectively], competent authorities to press related charges or impose sanctions, did not receive even an acknowledgment. On the contrary, similar publicity was given later in November to another case of alleged sexual abuse of a 13-year old by her teacher. The absence of sanctions makes the repetition of such phenomena likely and this is one reason why there is a prevailing impunity for the perpetrators of sexual abuse, as reported in a survey by criminologist Angelos Tsigris (related press headlines "*Impunity for Family Rape and Abuse*" *Ependytis*, 17-18/11/01, and "*Children's Abuse. He caressed her. So what?*" [*Smile of the Child*' President] K. Yannopoulos denounces the authorities' tolerance." *Eleftherotypia*, 18/11/01).

2. 200,000 abortions vs. 100,000 births annually

"The situation is so desperate that minor girls when they are 'cutting' school they may have an abortion as easy as they may go to the hairdresser's. Only 14,000 out of 200,000 abortions are carried out in state hospitals; it is thus legitimate to wonder if the other ones are done correctly, without endangering the women's health and life" (Professor Heleni Samaritaki, Department of Obstetrics, Technical Institute of Athens, and President of the Midwives' Association of Athens). *"When compared with the rest of Europe, Greek women show little interest for the pill, something that characterizes only our neighbor Turkey. They also show the same decline of interest in the last five years as that recorded in Turkey."* (Z. Papathanasiou, Scientific Director of the Greek Institute of Sexology). [Quotes from *To Vima*, 5/12/01].

Other recent related developments

1. Greece's youth 'first' in xenophobia

The above was the title of "*Kathimerini*" [9/11/01] when reporting the results of a Eurobarometer survey in all 15 EU countries showing that, in spring 2001, 44% of Greeks between 15-24 years consider the number of foreigners in Greece too large (vs. 29% EU average and 38% for second highest Belgium); while 25% would like all of them to be deported (vs. 8% for the EU and 18% for Belgium).

2. Mention of religion in High School certificates

Progressive Left Coalition MP Fotis Kouvelis denounced, in a parliamentary question, a recent 2001 circular of the Ministry of Education that makes mandatory the reference, in school certificates, of the reason why a pupil was exempted from (Orthodox) religious classes at school, i.e. his/her (non-Orthodox) religion, a policy that undermines the whole concept of the exemption. [*Argghi*, 8/12/01].

3. Inappropriate curriculum for schools with large numbers of foreign pupils

"Professor George Tsiakalos, Pedagogy Department of the University of Salonica, and a large team of scholars characterize the material taught at schools today 'Hellenocentric and outdated' for the character of today's society... Mr. D. Halkiotis, former Special Secretary for Intercultural Education, says unambiguously: 'The content of education must change so that the school is responsive to the needs of each pupil and not vice versa... The school must take into account otherness and multiculturalism.' In today's school, says a teacher at the 32nd High School of Athens, 'the professor is hostile towards the pupils that he is not acquainted with and the latter are hostile towards him.'" During the presence of a teacher in class there is tension, as the teachers [have to] improvise continuously, since these ghetto schools are not officially multicultural but 'conventional schools of a mono-ethnic culture, where are taught children of other cultures' as said characteristically by a philologist of the 8th High School of Athens... Mr. Priftis, from the 8th High School, wonders why in the textbook on the introduction to civilizations only the Greek civilization is mentioned and not also the Chinese, the Inkas', the Egyptian, or the various Balkan civilizations. The latter would have been of interest to the many Albanian pupils." [*To Vima*,

25/11/01].

4. The image of the Turks among pupils

“Two research projects of the University of Salonica on ‘Sociological and linguistic approaches to the speech of Senior High School and of Primary School pupils’...sketch out the image of the neighbor among Greek children. Primary school children refer to the Turkish yoke, the lost fatherlands, and characterize the Turks as ‘warmongers and savages.’ ... Senior high school pupils use strong and cruel qualifications to call the Turks basic enemies of Greece.” [To Vima, 9/12/01].

5. Additional data on the low quality of Turkish minority education

During the first visit in 50 years of a minister –Minister for Macedonia and Thrace George Paschalidis- to the ‘Celal Bayar’ (Turkish minority) High School, in Komotini, -from which the two minority deputies of the government party, both residing in Komotini, were excluded (!)- local media reported that there is a vital problem of adequate classrooms, with the result that there are 35-40 pupils per class on average. Moreover, the state gave the school recently ten computers but there is no one knowing how to use them, so they remain in their boxes. Turkish teachers teach in Turkish mathematics, physics and chemistry using ... Greek textbooks (Turkey shares the responsibility for this problem). Finally, and most significantly, the pupils that come from minority primary schools know neither Greek nor Turkish well. *“It is about time that the Greek state, having admitted the presence of a problem in minority education, finds efficient ways to solve it and does that immediately. Everything thing else [i.e. declarations etc.] is meaningless”* concludes Paratiritis [14/12/01].

6. The prevalence of sharia for the ‘Muslim minority’

On the basis of an ill-conceived interpretation of the Treaty of Lausanne, Greece tolerates the use of sharia (Islamic law) by the state-appointed muftis, recognized also as judges in family law matters. It was recently reported that even polygamy is still allowed, even though it is a crime punishable by the Greek penal code (article 356). A 55-year old Muslim wanted to marry his wife’s 15-year old niece: he had the support of his wife, the mufti, and apparently the region’s (Thrace) Appeals Court. *“Marriage is an institution that comes under their religion which should solve whatever problems emerge, ... told ‘Ethnos’ a prosecutor of the Appeals Court of Thrace.”* In a related story, it was reported that a state pension agency (IEVE), on the instructions of the mufti of Komotini, divided the pension between the two widows of a deceased Muslim. The mufti’s spokesperson insisted that Greece must respect Islamic law in matters related to the religion, like marriages. Surprisingly, there are even leading Greek academics who find this acceptable: *“For the Professor of Penal Law at the University of Salonica John Manoledakis, there is no conflict between laws. As he explained ‘since Islamic law allows bigamy, the unjust –for us- character of the act is cancelled.”* [Ethnos, 23/12/01]. On the contrary, Professor of Public International Law at the University of Macedonia P. Naskou –Perraki, in her *“The Legal Framework of Religious Freedom on Greece”* (A. Sakoullas, 2000, pp. 50-7) recalls that Law 1920/1991 obliges the Muftis to take decisions in accordance with the Constitution, which makes Islamic Law provisions on marriage, divorce, and care of children of divorced parents –that make women inferior and do not account for the children’s best interests- contrary to the principle of equality (article 4 of the Constitution), as well as many related international documents Greece has ratified.

7. Most prostitutes ‘foreign teenagers without residence permits’

“Most of the women forced into prostitution -an estimated 60 percent of all women prostitutes in Greece- are foreigners without a residence permit and often no more than 12-15 years old, Macedonia-Thrace Minister George Paschalidis told a discussion group in Thessaloniki on December 12.” [Athens News, 14/12/01].

8. Failure and suggested reforms of juvenile justice

“There is a need to change the legislation regulating the juvenile delinquency notes [by now retired] Prosecutor of First

*Instance Irini Pantazi- Melista. Having served for three-and-a-half years in the Juveniles' Prosecutor's Office in Athens, she realized that the current system is not working properly... The major problem ... is that the majority of the children (who come from families with problems) recidivate, risking becoming criminals in the future. For that reason, she recommended new measures (like that of the mediator)" [To Vima 20/11/01] "aiming at dealing effectively with the delinquent behavior of minors without criminal prosecution and other suppressive measures... Juvenile delinquents who would participate in programs of 'rehabilitative justice' will not be indicted to courts by the juveniles' prosecutor and would therefore not be incarcerated in correctional facilities." [Eleftherotypia, 18/11/01]. Similar criticism of the existing system and recommendations for alternative non-incarcerating approaches were also made in a public workshop, organized by the NGO "Arsis," by Professor of Criminology J. Panousis, president of the Central Prisons' Council (CPC), Lecturer of Criminology S. Vidali, Ombudsman Expert E. Fytrakis, criminologist and member of the CPC N. Koulouris, and Athens Bar Committee for the Rights of the Child member G. Papisinos [Avghi, 25/10/01]. **Greece need be urged to implement the recommendations of these experts.***

9. Minorities and minority rights NGOs in Greece

On 6 October 2001, under the auspices of the Greek newspaper "Makedonia," published in Salonica, a regional conference on "Borders and Minorities in Balkans" was organized in that city. The speakers' list included leaders of the minority parties -and government coalition partners- in Albania (Greek party), Bulgaria (Turkish), Kosovo/FRY (Serb) and Macedonia (Albanian), but no minority representative from Greece -seat of the conference- not even either one of the two government party deputies from the Turkish minority. Moreover, NGOs working on minority rights from Bulgaria, Macedonia and Turkey were represented, but their Greek counterparts were not; instead, authors of notorious anti-minority publications -one belonging also to a nationalist organization in Greece- were among the speakers. The meeting was also attended by government ministers, the US ambassador etc. Two Macedonian minority NGOs alongside GHM and MRG-G issued a protest on 19/10/01. Oliver Vujovic, the Southeast Europe Media Organization (SEEMO) Secretary-General stated: "SEEMO, as a leading media organization for Southeast Europe and an affiliate of the International Press Institute, supports the [NGOs] press release. In the opinion of SEEMO, the SEEMO Print Media Committee and Print Media Committee Coordinator Radomir Licina, it is very important that Greek minority non-governmental organisations [NGOs] always participate at meetings like this one."

On International Human Rights Day (10 December 2001), an appeal was published calling upon Greece: to ratify, without any declaration or reservation, the Council of Europe's Framework Convention on National Minorities (FCNM); to recognize the presence on its territory of minorities, according to the prevailing international standards; in public schools attended by a significant number of children with a non-Greek mother tongue whose families are citizens or residents of Greece, to provide classes on the mother language and culture of these children; and to adapt their curriculum so that children at the same schools with Greek as a mother tongue become familiar with the cultures of their classmates with a non-Greek mother tongue. Characteristically for the "marginality" of minority rights in Greece, the appeal was signed only by two minor political groups (the Liberals and the Renovative Modernist Movement of the Left - AEKA) and three NGOs, Evropaiki Ekfrasi (European Expression), GHM and MRG-G; while Amnesty International (AI) - Greece issued a separate statement urging the ratification without reservations of the FCNM. With AI's exception, none of the NGOs who co-authored the other alternative report to the UN CRC, nor the NGOs appointed by the state to the National Human Rights Commission, nor the NGOs who make up the RAXEN - Greece group (as part of the EU's Monitoring Center of Racism and Xenophobia) or the ENAR - Greece group (EU's NGO Network Against Racism), signed the appeal, though invited to do so. Only two newspapers briefly mentioned the appeal itself. A previous similar appeal in July 1999, signed by NGOs and minorities, was extensively covered by Greek media only to be attacked (by all but one newspapers or television stations) in an unprecedented anti-minority and anti-NGO media campaign. Even Foreign Minister George Papandreou had called these reactions "*harsh, an indication of fear and panic.*" **Greece need be urged to ratify the FCNM, recognize the presence of minorities, introduce the teaching of all minority**

languages where there is sufficient demand, and adjust the curriculum to the multicultural character of its schools and its society.