



Parallel Report on Greece's compliance with the UN Convention on the Elimination of all Forms of Racial Discrimination March 2000

Introduction

This report was prepared for the United Nations' Committee on the Elimination of Racial Discrimination for submission to the 56th Committee session considering Greece's compliance with its obligations under the UN Convention on the Elimination of All Forms of Racial Discrimination. In anticipation of such submission, a complimentary copy was made available to the Greek Foreign Ministry on 3 March 2000.

The International Helsinki Federation for Human Rights (IHF) is an international NGO based in Vienna, Austria. It supports and promotes liaison among 39 members and cooperating organizations in Europe, Central Asia and North America. The Greek Helsinki Monitor is IHF's affiliate in Greece. The IHF gathers and analyses information on human rights violations in the OSCE territory; acts as a clearing house for this information; and disseminates it to governments, NGOs and the public at large.

The IHF has consultative status with the United Nations.

Greek Helsinki Monitor (GHM), since 1993, is the Greek member of the **International Helsinki Federation**. In 1998, GHM became a member of the **International Freedom of Expression Exchange (IFEX)**. 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. It has co-published **'Hate Speech' in the Balkans** (ETEPE, 1998) and **Greece Against its Macedonian Minority: the Rainbow Trial** (ETEPE, 1998). Since 1997, in cooperation with the **European Roma Rights Center**, it runs a **Roma Office** for Greece.

Minority Rights Group - Greece (MRG-G) was created as the Greek affiliate of **Minority Rights Group International** in 1992. MRG-G focused mostly on the 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.

Preliminary remarks

Our organizations would like to state at the outset that they regret that Greece has failed to submit four consecutive reports to CERD since 1993 in addition to six more overdue reports to other UN Treaty Bodies. We hope that such a practice cannot be the result of a deliberate decision by the present government, which, on the contrary, has been trying to reform the country's human rights policy, through timid but persistent efforts since 1996, albeit with modest results. Moreover, in late July 1999, for the first time in Greece's modern history, there was a debate on the possible modernization of the country's minority and citizenship policies. Under the impetus of Foreign Minister George Papandreou, a renowned supporter of multiculturalism, the public was informed that Greece was finally moving towards the application of the internationally accepted norms for national minorities and the recognition of the right to self-identification for Macedonians and Turks. However, this created a general backlash among politicians and media against the Minister, and the minority and human rights NGOs that had previously made similar demands: as a result, the ratification of the Framework Convention on National Minorities, announced for the fall, was postponed indefinitely.

Our organizations consider noteworthy the following "good practices" in Greece:

- first, and foremost, the work of the new Ombudsman's Office that goes even out of its way to sensitize the Greek administration to the need to respect different cultures and not discriminate towards minorities; a work that has been commended by minorities and NGOs, but has, at least in one known case, led to the harassment of its staff by a racist mob
- the introduction in 1995 of a 0.5% university entrance quota for the members of the "Muslim minority" to help overcome the almost prohibitive obstacle of insufficient knowledge of Greek that has been hampering them in their competition with Greek native speakers in the university entrance exams
- the development –completed in 1999- of educational material for the schools of the "Muslim minority," which is elaborate, modern and respectful of the minority's culture
- the introduction in February 2000 of news bulletins in 12 languages by the Greek state radio to cater the needs of immigrant and minority communities

Summary of issues and recommendations

Article 2

1. States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, and, to this end:

- (a) Each State Party undertakes to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation;**

The family names of nearly all Macedonian-speaking families were forcibly changed into Greek ones in the 1920's, soon after the final incorporation of what is today Greek Macedonia. Nowadays, it is in theory possible to revert to the old names, but as the example of one recent applicant showed, such change is practically not only difficult but also risky, hence hardly anyone is using it.

- On 16/8/1996, the prefect of Pella rejected the request of Nicholas Stoidis to change his last name back into Stojanov. That, according to N. Stoidis, was his 'indigenous Bulgaromacedonian' grandfather's name that was forcefully "Hellenized" in 1913. The rejection was based on three citizens' objections which though were never communicated to N. Stoidis. In the meantime, Stoidis' request, though classified 'top secret' by the administration, was leaked to the media with the obvious purpose that Stoidis be harassed by those objecting to his request, which did in fact happen in both local and national media.

Jehovah's Witnesses (JW) have been repeatedly the targets of discriminatory practices by some local authorities, which have not been condemned by other state authorities, let alone punished on the basis of existing legislation. Two recent examples from 1999 can highlight this recurring problem, in relation to the JW's right to be buried in municipal cemeteries and to build their houses of worship (or lecture halls).

- In January 1999, Panayotis Pantazis, a JW, was buried in a field outside the cemetery in Strymoniko near Serres, following the refusal of the local authorities to bury him inside it because of his religious affiliation.
- On 11 July 1999, Mayor Papayanis incited the residents of Kassandreia (in Halikidiki, Northern Greece) to hold a protest rally to impede the construction of a lecture hall by local Jehovah's Witnesses. The latter had obtained the necessary building permit No. 406 on 21 July 1995. The municipality had then expressed its objection at the time with both lawful and seditious means. Almost four years later, on 4 February 1999, the Ministry of Education and Religious Affairs finally approved the application of the Jehovah's Witnesses and on 5 July 1999 the Halkidiki Zoning Office permitted continued construction. During the July protest the mob dug a trench around the Jehovah's Witnesses property using the municipality's bulldozer and then proceeded to park cars in front of the property to make access impossible.

After a new series of administrative impediments, works resumed in October, only to lead to renewed violence. On 21 October 1999, two journalists from Halkidiki's "Super Channel" were beaten by a mob led by Mayor Costas Papayannis. Costas Glykos and Michalis Katsamiras were covering the mob's attempt to prevent the local Jehovah's Witnesses (JWs) from starting the construction of their house of worship, that had once again been allowed by the authorities. During the violent incident, JWs as well as two representatives of the Ombudsman's office were harassed by the mob. The Ombudsman called the issue a challenge to state authority. The two journalists and the JWs pressed charges against the mayor and some alleged accomplices. On 22 October, the prosecutor formally indicted the mayor and his accomplices for crimes that included inciting to religious hatred. Nevertheless, neither during the incident, nor in the ensuing forty-eight hours, did the police arrest the alleged perpetrators of the crimes as called for by the code of criminal procedure.

Eventually, reactions calmed down and the works were completed in November, under police protection. It is estimated that the Ombudsman's intervention was in the end decisive.

Another problem is that some mayors and/or municipal councils take xenophobic actions again without any condemnation by the state. The most recent case concerned the mayor and municipal council of Istiaia (on the island of Euboea, in Central Greece) [<http://www.avgi.org/cgi-bin/hweb.exe>].

- On 6 October 1999, the council voted a nearly unanimous appeal, in which it was said that "the establishment in Greece of illegal immigrants is a brutal violation of the Greek Constitution, the country's independence, civil liberties and all kinds of interests of the Greek people. (...) We therefore ask the expulsion of all illegal immigrants. (...) We refuse the demographic alteration of the country's population as it could lead to national dangers and eventual basis for territorial claims against Greece by neighboring states. We call upon Mayors and Commune Presidents throughout the country (...) to call similar council meetings and ask for the expulsion of all illegal immigrants, for the salvation of the Greek Nation." Only a few newspapers and a minor party condemned the action.

(b) Each State Party undertakes not to sponsor, defend or support racial discrimination by any persons or organizations;

(c) Each State Party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists;

(d) Each State Party shall prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization;

(e) Each State Party undertakes to encourage, where appropriate, integrationist multiracial organizations and movements and other means of eliminating barriers between races, and to discourage anything which tends to strengthen racial division.

2. States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved.

Article 3

States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.

Article 4

States Parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention, inter alia:

(a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

(b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

(c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination.

Greek media and public discourse are full of “hate speech” towards minorities that is hardly ever met even with simple condemnation by the state, let alone, when applicable, by the use of the special law prohibiting incitement to racial hatred. Extensive documentation of the negative stereotypes and hate speech in the media towards national, ethnic, and religious minorities for the period 1994-1998 is available in “Balkan Neighbours” (Issues 1-8, 1995-1999, published by ACCESS, Sofia) and Mariana Lenkova, ed. “‘Hate Speech’ in the Balkans” (Athens:ETEPE, 1998). Comprehensive coverage of the very hostile reaction of Greek media to the appeal for minority rights and the Foreign Minister’s related positive declarations, already highlighted in the preliminary remarks, can be found in a published article by Nafsika Papanikolatos “Minorities: Sacrificial Lamb at Greek Democracy’s Silver Jubilee” (29/7/1999, AIM Athens, <http://www.greekhelsinki.gr/english/articles/aim29-7-99.html>).

- Perhaps the most indicative case of both hostility and violence against minorities in recent years was the attack against and eventual sacking of the offices of the Macedonian minority party “Rainbow” in 1995. “Rainbow” opened an office on 6/9/1995 in Florina, with a sign mentioning “Rainbow - Florina Committee” in both Greek and Macedonian. On the evening and night of 13 (and early hours of 14)/9/1995, the office was attacked and eventually sacked by a ‘mob’, led by the mayor of Florina. Before the sacking, police acting on the prosecutor’s order removed the sign, while the prosecutor announced the indictment of the Rainbow leaders for having incited discord among citizens through the use of the Macedonian language in their sign. No political party, nor any media condemned the sacking of the party offices. On the contrary, it was praised by extreme right nationalistic papers like “Stohos” and “Chrysi Avgghi,” whose members reportedly took part in the sacking. And the use of the bilingual sign

was condemned by all mainstream political parties and other social groups. Greek courts never indicted the perpetrators, unlike the “Rainbow” leaders who did face trial for “causing and inciting mutual hatred among the citizens” through that public use of their mother tongue. It is noteworthy that the witnesses of the prosecution included the local leaders of all five main Greek parties at the time (PASOK, ND, Political Spring, KKE, and Coalition); as well as leaders of professional associations (lawyers, merchants, priests, taxi drivers). Most of them, in their pre-trial depositions characterized the defendants as “paid agents of Skopjan propaganda”, “anti-Greeks”, etc.

The indictment said: “Vasilis Romas, Costas Tasopoulos, Petros Vasiliadis, and Pavlos Voskopoulos are responsible for, having acted jointly and in public, in any way having caused and incited mutual hatred among the citizens, so that common peace was disturbed on September 6, 1995 in Florina. Specifically, in the aforementioned place and time, as legally representing the party with the name “Rainbow” (“Ouranio Toxo”), the four defendants hanged a sign in that party’s office - in N. Hasou and St. Dragoumi streets. Among other words written therein, there were the words “Lerinski Komitet” written in a Slavic linguistic idiom. These words, in combination with the fact that they were written in a foreign language, in the specific Slavic linguistic idiom, provoked and incited discord among the area’s citizens. The latter justifiably, besides other things, identify these words with an old terrorist organization of Slavic-speaking alien nationals which was active in the area and which, with genocide crimes, pillages and depredations against the indigenous Greek population, attempted the annihilation of the Greek element and the annexation of the greater area of the age-long Greek Macedonia to a neighboring country, which at the time was Greece’s enemy.” A comprehensive file of the prosecution can be found in GHM & MRG-G “Greece Against Its Macedonian Minority: The ‘Rainbow Trial’” (Athens: ETEPE, 1998).

Following international outcry, the defendants were eventually acquitted in September 1998.

There is recurrent public hostility towards religious minorities. In his report to the UN, Special Rapporteur Abdelfattah Amor (1996) mentioned hostile acts against the Catholic minority, which, our NGOs add, have rarely led even to a verbal condemnation by the state: “Posters are occasionally put up on the facades of Catholic churches by extremist Orthodox organizations. These posters include such forms of wording as: ‘Zionism, Papism, Turkey, Free Masonry make war on martyred Serbia. Greece alone offers resistance and sympathizes with the struggling Serbs;’ ‘Communism is vanishing in the Orthodox States, in eastern Europe, the Vampire of Rome (the Pope) is preparing to gorge himself.’ Religious objects are sometimes the targets of vandalism. For example, the statue of Christ in the courtyard of the Cathedral of St. Denis in Athens was decapitated in February 1996.”

Jehovah’s Witnesses are also frequently the target of public hostility.

- Most recently, on 20-22 August 1999, they held their annual public meeting in Larisa (Central Greece). Like in previous years, the Orthodox Church showed its intolerance, this time with an anti-Semitic dimension. The mourning toll of the bells of the Orthodox churches filled the air. Noisy liturgies were held in the open at a close distance, opposite to the meeting place. Hostile slogans were chanted and an Israeli flag was burned. In this case, as well as the repeated Cassandra violent incidents [see

above], there was no official condemnation, while some private media went into exuberant praise of the event in Larisa.

Our organizations welcomed the state's admission and condemnation of extensive racial prejudice towards Roma, in the Greek delegation's response to our statements in the September 1999 Vienna OSCE Review Meeting. "Another serious obstacle to the Government efforts is prejudice toward the Gypsies, which, bred over many long years, is still widespread among large segments of the population and is hard to eradicate. Such prejudice, which finds expression in everyday life, takes on more alarming and dangerous character when it is displayed by police officers or by elected officials at the local administration level. We regret – and condemn– the incidents of racist remarks by elected officials and violent acts by police officers mentioned earlier by the representatives of two Greek NGOs."

However, subsequently the publication of a profoundly racist article on the Roma, first, on November 26, 1999, in the extreme-right newspaper *Chrysi Avgi* and then in the local paper *Proini* in Korinthos (Peloponese), on December 15 and 16, 1999, did not draw neither any condemnation nor any action by the prosecutor. In that article ("Let's talk about... Gypsies"), Roma ["gyftoi" in Greek, which has a pejorative meaning] were considered to be "abnormal hybrids of the three races: the yellow, the black and the white;" Also, "they are all tasteless, unable to organize themselves and produce spiritual work; they are liars and dishonest people. They are parasites, living at the expense of the others, which is visible in their 'artistic' contributions. They have polluted the European culture and tradition, just like the Jews." "It was a real fortune that for years they were living in the margin of society. For some of them, this is still the case. The word Gypsy in Greek has a derogatory meaning. Everyone who dealt with Gypsies knows that they are thieves, drug traffickers, and smugglers. The latest events in the Czech Republic show that Gypsies are hated by all White Men."

Another recent example of racist speech been uninhibitedly distributed by a state university concerns the University of Thrace. It maintains one electronic discussion list where from time to time postings with anti-Semitic and/or other racist content are made. When queried about such "tolerance to intolerance," the university answered, on 14 February 2000, that "it is a democratic university that does not interfere with the expression of opinions, even when it may find them objectionable" (<http://www.egroups.com/group/thrace/6130.html>).

Article 5

In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

(a) The right to equal treatment before the tribunals and all other organs administering justice;

Courts treat immigrants much harsher than Greek citizens. Characteristic was the cases we had reported on the International Day Against Racism (21 March 1997).

- Albert Papa, an Albanian citizen whom we met on February 1997 in the Gretare Athens prison of Korydallos, was condemned to a 6.5 years imprisonment for having stolen the wallet of a Greek citizen, for having resisted arrest, and for having intruded illegally in Greece. In his file there was no previous conviction for theft. At the same time, Panayotis Litharis, a Greek citizen, was condemned to a 3.5 years imprisonment by the Jury Appeal Court of Thessaloniki, in the early days of March 1997, for attempt of manslaughter of 4 Albanian immigrants. It must be taken into consideration that these 4 Albanians were not present in Court to testify, since they had already (and so conveniently to the authorities...) been expelled. As our statement concluded then, "As far as the Greek system of justice is concerned, the life of four Albanians counts much less than a wallet of a Greek."

(b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution;

(c) Political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;

Although, since 1996, there have been three members of parliament from the Turkish minority, and there are many Turks elected in the municipal and prefecture councils, there have been two measures introduced specifically to prevent the unhindered participation of Turks in public affairs. First, following the election of one or two independent Turkish deputies in the three elections of 1989 and 1990, a 3% nationwide threshold was introduced in late 1990. This effectively eliminated Turkish deputies from the 1993 parliament, as independent candidates exceeded or just missed the local threshold for election but were not elected as their votes were far from the nationwide 3%. Subsequently, Turkish voters started backing minority candidates of the mainstream parties that could exceed the 3% nationwide. The 3% threshold was also later introduced for the elections of the European parliament.

Since 1994 prefects in Greece are elected. Nevertheless, the related law included a gerrymandering which merged one of the two major minority prefectures, Xanthi, with adjacent Kavala and Drama; and the other prefecture, Rodopi (the Komotini area), with adjacent Evros (the Alexandroupolis area); lest the minority elects its own prefects or a runoff between a Greek and an independent Turkish candidates makes the choice of the Greek parties an 'impossible' one.

Moreover, the dissolution of most Turkish associations and the refusal to register a Macedonian and a Turkish ones (which discouraged the attempt of registration of other such associations) hampers the full participation of these two minorities in public life.

(d) Other civil rights, in particular:

(i) The right to freedom of movement and residence within the border of the State;

(ii) The right to leave any country, including one's own, and to return to one's country;

(iii) The right to nationality;

Article 19 of the Greek Citizenship Code (Law 3370 of 1955) was an obvious case of discrimination. It provided that: “A person of non-Greek ethnic origin leaving Greece without the intention of returning may be declared as having lost Greek citizenship. This also applies to a person of non-Greek ethnic origin born and domiciled abroad. His minor children living abroad may be declared as having lost Greek citizenship if both their parents or the surviving parent have lost it as well. The Minister of the Interior decides on these matters with the concurring opinion of the Citizenship Council.” Article 19 was abolished by a parliamentary voice vote on 11 June 1998, with no retroactive effect, i.e. no right for past “victims” of that article to claim back their citizenship. When announcing the government’s decision to abolish Article 19, on 23/1/1998, Minister of the Interior Alekos Papadopoulos stated that, since its introduction in 1955, 60,000 Greek citizens had lost their citizenship in application of that article; the large majority were members of the minority in Thrace.

Those who have remained stateless within Greece (estimates vary between 300-1,000) or abroad (some 1,400 in Turkey and an unknown number elsewhere) and those who adopted the nationality of another country after losing Greek citizenship and having left Greece (the vast majority) have no immediate right under Greek law to regain Greek nationality. Stateless individuals have had difficulty receiving social services like health care and education and — until December 1997—were even denied the protection of the 1954 U.N. Convention Relating to the Status of Stateless Persons, which Greece ratified in 1975.

As a result of pressure from NGOs and minority deputies and organizations, around one hundred ethnic Turks made stateless under Article 19 have received identity documents from Greek authorities in accordance with the 1954 Stateless Convention. In August 1998, then Foreign Minister Theodore Pangalos stated that within a year most or all of the stateless living in Greece would be offered Greek citizenship; this promise was repeated in subsequent months by then Alternate and Deputy Foreign Ministers George Papandreou and (the late) Yannis Kranidiotis. And in 1999 and 2000 by Minister of the Interior Vaso Papandreou. However, to date the government has taken no steps to carry out this promise, even though most of those stateless are known to have filed the necessary applications. The Greek government must grant citizenship immediately to these few hundred residents (a legal obligation under Article 32 of the 1954 U.N. Convention which Greece has been disregarding) and consider additional means to redress the injustice.

Another category of Muslims was born stateless. Their ancestors moved from Bulgaria and were supposed to be Roma. Christian Roma and most Muslim Roma whose ancestors were born in Greece were granted citizenship in the 1970’s (most Roma had been stateless until then). But these Roma (self-identified Turks) were forced by police to acquire expensive alien’s residence permits valid only for one year: on them police authorities mentioned they were of “undefined” citizenship and of Turkish nationality (ie ethnicity).

- The police department of Komotini refused in 1999 to give an identity document (an obligation under the relevant UN Convention) to one of them, Mr. Durgut Sezgin, when our NGOs pointed out to him the possibility. Mr. Sezgin has been receiving threats by local police not to insist on acquiring such a document. What is more, eight months after his application and only after the Ombudsman stepped in, the police alleged that the reference to an undefined citizenship was a mistake that had supposedly

being repeated for years. They claimed that Mr. Sezgin had Bulgarian citizenship, and asked him to prove that he is not Bulgarian in order to consider him a stateless person. Authorities have no document showing that Mr. Sezgin, who was born in Greece and never left it, has Bulgarian citizenship. On the contrary, they already had such a certificate from the Bulgarian Consulate of Salonica (dated 20 November 1995). At the same time, a formal application by Durgut Sezgin to acquire Greek citizenship has been pending without any response since 19 June 1990.

Many Roma in Komotini and other places in Greece assimilated into the Turkish minority are being refused citizenship rights, and even the status of stateless according to the UN Convention. Mr. Sezgin is one of them. The attitude of the police towards him is typical for most of the cases. Taking advantage of the highly bureaucratic procedures, or simply denying a reasonable excuse, the lower administration blatantly violates the law and refuses to provide people like Mr. Sezgin with the necessary documents. Thus these people are officially considered non-existent and have no access to rights and benefits that are given to all other citizens. Once again, Greece is obligated not only to acknowledge the status of stateless of these people, but also grant them citizenship, in the framework of Article 32 of the UN Convention.

(iv) The right to marriage and choice of spouse;

(v) The right to own property alone as well as in association with others;

(vi) The right to inherit;

(vii) The right to freedom of thought, conscience and religion;

In 1999, the leaders of two minority Christian Churches confirmed the general negative climate against minority religions in Greece. “Legally, religious freedom is secure here,” Antonis Koulouris, Secretary-General of the Greek Evangelical (Reformed) Church, told ENI [ENI (03.03.1999) / HRWF (06.03.1999) Website <http://www.hrwf.net>]. “But the attitude persists that citizens have a duty to be Orthodox, and that belonging to other denominations is unpatriotic and heretical.” Furthermore, the Roman Catholic Archbishop of Athens, Nikolaos Foscolos, told ENI that his Church had no “official contacts” with Orthodoxy, even though its members maintained the same national traditions and had contributed significantly to neo-Hellenic culture. Among areas of “practical discrimination”, the Archbishop listed Greece’s armed forces, where being Orthodox was the “first requirement” for officers. “Orthodoxy is the Church of the state, so non-Orthodox are considered incompletely Greek,” Archbishop Foscolos told ENI. “Although the constitution guarantees citizens the same juridical status regardless of creed, religious discrimination exists.”

Later, on the occasion of public opposition by nationalist and Orthodox Christian Church circles to a possible visit of the Pope to Greece to celebrate the Millennium, Archbishop Foscolos declared: “Since 1989, an anti-Catholic and anti-Pope spirit has been growing in Greece. Do not forget statements a few years ago by a Minister and Orthodox Bishops that the Pope is a war criminal. Official statements never opposed by any official government or Church authorities. (...) There is certainly a situation of oppression of Catholics in Greece. Here the principle that dominated in the medieval West, *cujus regio eius religio*, ie whoever owns the country also owns the religion, applies. For many people, Greek means Orthodox and

it looks strange if someone is Greek without being Orthodox. Such mentality is nourished by both the state and the Orthodox Church. When a Catholic goes to register his child in the municipal registry, usually the employee writes Christian Orthodox without even asking. If he is told 'but I am a Catholic' he answers 'what do you mean? We will write Christian Orthodox.' We usually have to insist ..." ("Eleftherotpyia" 31/8/1999).

Two authoritative studies have concluded that: "with one dubious exception, Greek laws appear to encourage the assimilation of persons of non-Greek ethnic background. (...) Although direct religious discrimination is not easily tolerated by the majority of the Greek courts, most notably the Council of State, there exists a number of laws which fail to take into account religious diversity. (...) It emerges clearly (...) that the enjoyment of several constitutional rights can vary depending on ethnic origin, religion and language," (Stavros, 1996: 120-3). "The preceding analysis has indicated the rudimentary character of the protection of minorities in Greece, with the exception, of course, of the Muslim Turcophones. (...) The degree of homogeneity of its society, the composition of the latter and its rather limited exposure to alien elements (...) have contributed to the creation of a low degree of tolerance and of a high degree of fear of external threats" (Rozakis, 1996:109).

In his report to the UN (1996), Special Rapporteur A. Amor made an eloquent description of the problem of discrimination against religious minorities and offered reasonable recommendations, which our organizations fully endorse.

Also, on 26/9/1996, the European Court of Human Rights published its decision on the case of *Manoussakis and Others v. Greece*. In it, Greece was convicted of breaching Article 9 of the Convention (on religious freedom), and the applicants were awarded DRS 4 million (USD 16,500) for costs and expenses:

- The four applicants, Titos Manoussakis, Constantinos Makridakis, Kyriakos Baxevanis and Vassilios Hadjakis, all Jehovah's Witnesses, had on 28 June 1983 applied to the Ministry of Education and Religious Affairs for permission to use a room Manoussakis had rented in Heraklion (Crete) as a place of worship. The Ministry had informed the applicants six times between November 1983 and December 1984 that "it was not yet in a position to take a decision because it had not received all the necessary information from the other departments concerned." In fact, the applicants had received no answer by the time of the European Court's judgment 13 years later. On 3 March 1986, the Heraklion public prosecutor initiated criminal proceedings against the applicants under laws 1363/1938 and 1672/1939, for having established and operated a place of worship for religious meetings and ceremonies without authorization from the recognized ecclesiastical (i.e., the Orthodox Church) authorities and the Ministry of Education. The applicants were first acquitted but then in February 1990 each was sentenced on appeal to three months' imprisonment, convertible to a pecuniary penalty and a fine of DRS 20,000 (USD 830). The Supreme Court dismissed their appeal.

In August 1991, the applicants appealed to the European Court of Human Rights. On 20 September 1993, the police sealed up the room used as a place of worship by the applicants. In its defense, the Greek government referred to the Orthodox Church's position as a national religion, accused Jehovah's Witnesses of proselytism and of using illegal means to spread their religion. The European Court severely criticized Greek legislation for "allowing far-reaching interference by the political, administrative and

ecclesiastical authorities with the exercise of religious freedom” and for allowing the Minister of Education the possibility to “defer his reply indefinitely or to refuse his authorization without explanation.” The Court noted that in practice these laws had helped the state “to impose rigid or indeed prohibitive conditions on the practice of religious beliefs by certain non-orthodox movements” and adds that there is “a clear tendency on the part of the administrative and ecclesiastical authorities to use these provisions to restrict the activities of faiths outside the Orthodox Church.”

The Muslims’ most serious problem is certainly that of the continuous prosecution of their elected muftis.

- Mehmet Emin Aga’s prosecution is a serious case of violation of the human rights of an individual in Greece. He was elected by minority members Mufti of Xanthi in August 1990. In August 1991 the Greek government applied a new 1990 law abolishing the old 1920 one that called for elections of muftis. The government appointed Emin Sinikoglu as Mufti of Xanthi. Mr. Aga has been charged with violation of Art.175.2 of the Penal Code (pretense of authority) because he issued 42 messages to the Muslims on religious holidays, signing them as Mufti of Xanthi. In February 1998, Amnesty International stated that Greece was acting in violation of international law in sentencing Mr. Aga to imprisonment solely for the peaceful exercise of his right to freedom of expression. To this day, First Instance Courts have convicted him to 139 months imprisonment (of which 18 months in two cases in 1999). Appeal Courts have reduced the sentences of seven cases from 107 months to 69 months (of which 17 months in two cases in 1999). Four new cases are also pending against him. Mr. Aga has spent six months in prison and has bought off the balance, at considerable financial cost.
- The European Court of Human Rights convicted Greece for the similar case of Ibrahim Serif on 14 December 1999. Mr. Serif was elected the Mufti of Komotini on 28 December 1990 by those attending Friday prayers at the mosques. He was subsequently convicted by a Greek court also for pretense of authority for messages he issued, and for wearing the mufti’s clothes. The ECHR held unanimously that there had been a violation of Art. 9 (freedom of thought, conscience and religion) of the European Convention on Human Rights. “In the Court’s view, punishing a person for the mere fact that he acted as the religious leader of a group that willingly followed him could hardly be considered compatible with the demands of religious pluralism in a democratic society. Moreover, the Court did not consider that, in democratic societies, the State needed to take measures to ensure that religious communities remained or were brought under a unified leadership. The Court recognized that it was possible that tension was created in situations where a religious or any other community became divided. However, it considered that this was one of the unavoidable consequences of pluralism. The role of the authorities in such circumstances was not to remove the cause of tension by eliminating pluralism, but to ensure that the competing groups tolerated each other.” It is hoped that Greek courts will now use this case to acquit Mr. Aga from identical charges.

(viii) The right to freedom of opinion and expression;

Individual and associations calling themselves Macedonian or Turkish (and in one case Armonianian) have been repeatedly the objects of persecution, disciplinary action, prosecution, prison sentences, non-registration and dissolution.

- Two Macedonian activists, Christos Sideropoulos and Tasos Boulis, were convicted in Athens, on 1/4/1993, of “disseminating false information and attempting to incite citizens to commit acts of violence upon each other” (Article 191 of the Penal Code) for having declared in an interview to the weekly magazine “Ena” (issue of March 1992) that they feel Macedonian and that there is a Macedonian minority in Greece. They were sentenced to five months in prison and 100,000 drs. (then about \$440) fine and were set free on appeal. The appeal court in Athens, on 28/1/1994, dropped the charges because an amnesty clause in law 2172/16-12-1993 prescribed all crimes by the press still pending at the penal or civil courts.
- Christos Sideropoulos participated in the CSCE meeting in Copenhagen in 1990 and reported there about human rights violations against ethnic Macedonians in Greece, referring to himself as “Macedonian”. In 1994, he was charged with violating article 191.1 of the Greek Criminal Code for “disseminating false information, which can cause disruption of the international relations of Greece. Greek Helsinki Monitor observed the trial of Christos Sideropoulos and concluded that there were significant contradictions with the indictment and the newspaper article on which it was said to be based. GHM also noted that the prosecution was actually based on a document classified as secret by the Greek Foreign Ministry and which was not made available to the defendant. This fact, according to Greek Helsinki Monitor, watered down the attempts of the Greek government to distance itself from the prosecution by claiming that it was an act of the independent judiciary, the opinions of which were not necessarily identical with those of the government. Moreover, the prosecution against Sideropoulos should have been legally inadmissible because Article 6 of the Greek Penal Code states that a Greek citizen can be prosecuted for a criminal act committed in a foreign country only if this act is punishable under the laws of that country, or there is “an application from the government of the country wherein the misdemeanor was committed”. In addition, Sideropoulos’ right to legal defense was curtailed due to the denial of lawyers in Florina to take up his defense. Eventually, in 1995, the charges were dropped as inadmissible on the basis of Article 6.
- The “Home of Macedonian Civilization” first filed for registration in April 1990. The request was rejected by the Multi-Member First Instance Court of Florina (73/296/26/1990); the Court of Appeals of Salonica (1558/1990); and the Supreme Court (795/1994). The European Court of Human Rights (case of Sideropoulos et al.), on 10/7/1998, convicted Greece for the violation of freedom of association (Article 11 of the relevant European Convention). The most important argument of the Court decision was its position towards the Greek courts’ and state’s view that the Home of Macedonian Civilization was not allowed to be established as its founding members did not aim simply at a cultural activity but at supporting the view that there is a Macedonian minority. The latter’s alleged “non-existence” was “documented” by the Greek courts and state with evidence full of “scholarly” quotes even from texts dating from the Nazi occupation period: “a guide to Salonica written by German historians and archaeologists during the last world war states that...” Such minority was considered by the courts “ethnologically non-existent and historically repulsive.” In countering such arguments, the European Court mentioned the binding character for Greece of the OSCE documents which the country has signed and which have usually been considered merely declaratory and without any legal value. The Court stated that the aims of the Home were “clear and legitimate” and added: “Even supposing that the

founders of an association like the one in the instant case assert a minority consciousness, the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE (Section IV) of 29 June 1990 and the Charter of Paris for a New Europe of 21 November 1990 – which Greece has signed – allow them to form associations to protect their cultural and spiritual heritage.” The “Home of Macedonian Civilization”’s registration was subsequently pending before the courts by mid-1999.

- Two Turkish activists, the late Sadik Ahmet –independent deputy of the Greek Parliament (between June 1989- November 1989 and April 1990-September 1993)- and Ibrahim Serif (subsequently elected mufti of Komotini in 1990) were convicted on 25/1/1990, for “causing and inciting citizens to commit acts of violence upon each other and disturbing the peace through disharmony among them” (Article 192 of the Penal Code). In October 1989, while campaigning for parliament along with Ismail Molla who was subsequently elected deputy and thus had immunity from prosecution, they had distributed leaflets that spoke of “Turks,” “Turkish Muslims,” and the “Turkish Muslim minority of Western Thrace.”¹ They were sentenced to 18 months in prison each, with an almost unprecedented adjoining court decision to deny the possibility of to buy out the sentence or be set free pending appeal. They were thus imprisoned from January to March 1990. On 30/3/1990, the Court of Appeals of Patras upheld the verdict, reduced the sentences to 15 months for Ahmet and 10 months for Serif, convertible into fines: they paid and walked free. On 15/2/1991, the Supreme Court rejected their appeal. The court ruled that, “In this manner the appellants had deliberately attempted to describe as ‘Turks’ the Greek Muslims of Southern Rodopi....moreover, they knew that there was no Turkish minority in Western Thrace....”² Ahmet then applied to the European Commission of Human Rights, which declared his case partially admissible in 1994. In April 1995, the commission in its Article 31 report declared that Greece had violated Ahmet’s right of free expression under Article 10 of the European Convention on Human Rights and forwarded the case to the European Court of Human Rights. On November 15, 1996, however, the court dismissed the case because Ahmet had not exhausted domestic legal remedies (i.e. had not argued that his case was a violation of freedom of expression before the Greek courts).³
- In the 17 November 1989 issue of “Güven”, Sadik Ahmet published an article alleging discrimination against and repression of the minority, which he called Turkish. The prosecution engaged against him was held up because of his parliamentary immunity between April 1990 and September 1993. He was indicted for causing and inciting citizens to commit acts of violence upon each other and disturbing the peace through disharmony among them. On 14 April 1994, charges were dropped because they were prescribed by a 1993 amnesty law for crimes perpetrated by the press.

¹European Commission of Human Rights, Application No. 18877/91, *Sadik Ahmet against Greece, Report of the Commission*, April 4, 1995, p. 11.

²European Court of Human Rights, *Case of Ahmet Sadik v. Greece* (46/1995/552/638), Strasbourg, 15 November 1996, Internet edition, p. 11.

³“Case of Ahmet Sadik v. Greece,” *Greek Helsinki Monitor, Press Release*, July 13, 1998. Greece has been convicted ten times by the European Court of Human Rights for violating the rights of minorities living within Greece, including those of Jehovah’s Witnesses, Catholics, Protestants, and Macedonians.

- On 22 November 1989, Sadik Ahmet distributed a tract alleging discrimination against and repression of the minority which he called Turkish. The prosecution engaged against him was held up because of his parliamentary immunity between April 1990 and September 1993: he was indicted for causing and inciting citizens to commit acts of violence upon each other and disturbing the peace through disharmony among them. On 14 April 1994, charges were dropped because they were prescribed by a 1993 amnesty law for crimes perpetrated by the press.
- Between 1996-1998, Mr. Rashim Hid, a teacher at a minority primary school, was the object of a punitive transfer decision of the state-appointed secretary general of the region from the city of Xanthi to a mountain region of Rodopi for using the term “Turkish school” in a teachers’ meeting; an administrative investigation was launched at the same time. In July 1998, after its conclusion, he was suspended for one year.
- The “Union of Turkish Teachers of Western Thrace” (founded in 1936) was dissolved in November 1987 after the Supreme Court decision 1729/1987 affirmed the relevant Court of Appeals of Thrace decision 159/1986. The court held that the word “Turkish” referred to citizens of Turkey and could not be used to describe citizens of Greece, and that the use of the word “Turkish” to describe Greek Muslims endangered public order.
- The “Union of Turkish Youth of Komotini” (founded in 1938) was dissolved in November 1987 after the Supreme Court decision 1730/1987 affirmed the relevant Court of Appeals of Thrace decision 160/1986. Again, the court held that the word “Turkish” referred to citizens of Turkey and could not be used to describe citizens of Greece, and that the use of the word “Turkish” to describe Greek Muslims endangered public order.
- In June 1997, twelve ethnic Turkish teachers were given a suspended sentence of eight months, pending appeal, because they signed a union document that included the name of the dissolved “Union of Turkish Teachers of Western Thrace.” They had been indicted under Articles 188 (“participating in an association the aims of which are contrary to criminal provisions”) and 192 (“inciting citizens to commit acts of violence upon each other”) of the Greek Penal Code.
- On 23 April 1999, the Appeals Court of Thrace confirmed a 1986 First Instance Court verdict to dissolve the Turkish Union of Xanthi (founded in 1946) because “it created confusion on (...) the citizenship of its members whether they are Muslims with Greek citizenship or Turks in nationality and citizenship (...) and that a Greek association serves the aims of a foreign state that is the prevalence of Turkish ideals.”

Sotiris Bletsas, member of the Society for Aroumanian (Vlach) Culture, was indicted because in 1995 he had allegedly distributed a publication of the European Union’s Bureau for Lesser Used Languages (in which Sotiris Bletsas is the Greek “observer”) which mentioned the minority languages in Greece. The prosecution for dissemination of false information (article 191 of the Penal Code) was triggered by charges pressed by ND deputy Eugene Haitidis and the prosecution’s witnesses include the leadership of the Panhellenic Union of Vlach Associations. On 9 November 1999, an Athens Court postponed for 2000 the trial of Sotiris Bletsas.

References to possible human rights violations and discrimination against the minority can lead to prosecution. In 1974, Selahedin Galip was convicted for dissemination of false information (Article 191) and subsequently stripped of his citizenship (on the basis of Article 19 and then Article 20 of the Code of Citizenship).

- Salih Halil, publisher of the minority newspaper “Ileri” has been repeatedly prosecuted between 1975-9. First, for having used the Turkish name of Komotini (Gumulcine) – acquitted. Then, for having published in Turkish a 1914 editorial of well-known writer Spyros Melas critical of Greek gendarmerie –convicted to seven months by both first and appeals courts. Or for having alleged injustices against minority citizens –convicted to seven months (of which he served 72 days) by first, appeals and supreme courts. Likewise, for having criticized land expropriations to create a university –convicted to three months at first instance and served 35 days until acquitted by the appeals court. Finally, for having issued a tract opposing the participation of minority shopkeepers to a strike –convicted along with communal leader Ibram Onsunoglu to seven months at first instance and acquitted by the appeals court.
- Abdulhalim Dede, one time correspondent of Istanbul-based “Hurriyet,” occasional publisher of the minority “Trakyanin Sesi” and owner of “Radio Isik,” has also been repeatedly prosecuted between 1985-1998. First, for dissemination of false information in Hurriyet –convicted to 13 months at first instance, crime prescribed before reaching the appeals court. For satirical sketches –convicted to ten months at first instance, acquitted by the appeals court. For dissemination of false information and defamation of an ultra-nationalist activist from Thrace, through an article denouncing the “shadow state” in Thrace –acquitted for the first charge and convicted to a six-month suspended sentence for the second. For trying to install a radio antenna for “Radio Isik” in his back yard –convicted to eight months in prison. While two cases are pending for illegally operating radio stations. Over three thousand radio stations operate in Greece without licenses, several of which have also installed antennae without permission and without been prosecuted.
- The late former minority parliamentarian Sadik Ahmet had been prosecuted not only for calling the minority Turkish (see section reviewing Article 3 above) but also for expressing his opinion on the minority’s human rights problems. He had been collecting signatures for a petition to the Greek authorities and the international organizations – in which it was claimed that the Turkish Muslim minority was being prosecuted and oppressed – from 1 September 1985 through 9 August 1986, when he was arrested: on that day, the police stopped his car on the way back to Komotini from Alexandroupoli, found and seized the petition with 1,634 signatures, arrested him and two other Turks, held them in custody for the weekend, and charged them of disseminating false information and of forgery on the basis of the petition they had in their car. During the trial, 16 of the 19 Muslim Turk witnesses for the prosecution confirmed their signature on the petition and the problems of the minority, most of them also retracting their statements to the contrary made and signed at police stations, and claiming that the latter were the result of police harassment if not forgery. Nevertheless, the court based the forgery charge on the initial statements claiming that the retraction was the result of pressures by minority activists upon them. As for the complaints in the petitions was the result of pressures by minority activists upon them. As for the complaints in the

petition, most have been reported since in multiple NGO reports and, in any case, it is internationally accepted that, in democracies, people can freely make even false claims.

Macedonians' freedom of expression in their own language and/or about possible human rights issues has been prosecuted. The trials of Sideropoulos (sometimes with others) and of "Rainbow" have been presented above.

- On 19/11/1998, Traianos Pasois was tried in Florina for "dissemination of false information" (article 191 of the Penal Code) in the Greek-Macedonian border in Niki, Florina on 17/2/1996. At that time he was a leading member of "Rainbow." According to the indictment, he was carrying "two wall calendars which he intended to circulate" and which "featured photographs of pure Greek towns and areas, under or next to which were captions written in a foreign idiom." Indeed, the names of the localities were written in Macedonian. The indictment further stated that the captions "praised clearly controversial and provocative actions and decisions by political parties, groups and organizations which took part in the civil war. [These] actions and decisions disputed the Greek character of [the province of] Macedonia, aiming at its dismemberment, secession and annexation by a neighboring state then enemy of Greece". The party implied here was the Communist Party of Greece (KKE) which was illegal during the civil war but is legal today. There was no evidence in the indictment to suggest that the calendars contained any advocacy of violence. Pasois was acquitted.

(ix) The right to freedom of peaceful assembly and association;

- In October 1998 a First Instance Court in Komotini refused the registration of the "Association of Religious Clergymen of Western Thrace Holy Mosques" because of the name "Western Thrace," which "could be interpreted as malign and intentional challenge of the Greekness of Thrace." This was done despite the fact that there were other registered associations that included in their title that name, which has also been commonly used as a geographical term in Greece, including in official state documents.
- In December 1997, the Three-Member Appeals Court of Athens (decision 10493) upheld the 1996 First Instance Court ruling that the Greek Center for Applied Philosophy (KEFE) belonging to the Church of Scientology should be disbanded. KEFE was first dissolved officially because it had carried out business activities which were different from the goals cited in its statutes and which were illegal, given its status as an association; because the aims pursued by the church were alien to the nature and the substance of the human being as a free person; and because these aims were alien to the morals and customs of the Greek people. The court also accepted the public prosecutor's argument that the association had engaged in proselytism and spying and that the Church of Greece and the Panhellenic Parents' Union -which had asked for the dissolution- had a legal right to intervene to protect Greek Orthodox culture and religion. GHM and MRG-G concluded, among other things, that the prosecutor had failed to produce sufficient evidence on any other charges than some minor irregularities regarding financial issues which could have given grounds only for fines.

(e) Economic, social and cultural rights, in particular:

(i) The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;

As mentioned above, Greeks of the Catholic faith are not, in practice, accepted for careers in the army, the police and other sensitive areas of the administration, including diplomacy. Some Catholics reportedly conceal their faith in order to have access to such posts. The Ministry of the Interior, Administration and Decentralization stated that entry to the administration was subject, inter alia, to the requirement of Greek citizenship and not to a religious criterion. The Ministry specified that the law precluded any discriminatory treatment and that in practice such behavior was penalized. The Ministry of Defense emphasized, on the one hand, that there was no legal obstacle to the admission of religious minorities, including Catholics, to the army, and, on the other hand, that no distinction of a religious nature was made within the structures of the army or under military law.

There are very few Turks employed in the public sector, and, with the exception of teachers, most with service jobs. Certainly, Roma face the largest problem of job discrimination. Not only very few are employed in the public sector but even state licenses for their trade activities are frequently being denied.

(ii) The right to form and join trade unions;

(iii) The right to housing;

Article 21.4 of the Constitution stipulates: “The acquisition of a home by the homeless or those inadequately sheltered shall constitute an object of special State care.” The state has indeed and for decades provided this care to all homeless who were not Roma. For the latter, there has never been any such policy and, as a result, some 150,000 of them live in tent settlements with usually horrible conditions.

The Greek delegation’s response to GHM and MRG-G statements in the September 1999 Vienna OSCE Review Meeting was nevertheless commendable for its sincerity and the carefully worded but fair criticism of the Roma leaders inability to help solve the problems of the Roma population:

“The situation of the Roma in Greece is, in the eyes of the Greek Government, unsatisfactory and indeed unacceptable, and (...) although things have been improving,(...) the pace of change is often frustratingly slow. The sluggishness of bureaucracy in its every endeavor is not the least of the impediments encountered by the Government in this case. (...) Another important, but not unexpected, reason for the slow progress achieved is the fact that the Government programs must, at all stages, be inclusive of those concerned, i.e., the Roma themselves, and not be carried out in their absence. Consensus is therefore vital; and building it -a time consuming exercise under all circumstances- is particularly arduous when dealing with a social group composed of smaller groups, scattered around the country, which do not easily speak in one voice.”

(iv) The right to public health, medical care, social security and social services;

An international survey by the **Doctors of the World** (ROMEUROPE Program, Médecins du Monde, Juin 1999) directly associates the odious living conditions in the settlements with the

poor health of Roma tent-dwellers. The results of hepatitis tests in Nea Liossia and Aspropyrgos are significant: 99% of the population has been exposed to hepatitis A. The same percentage for Hepatitis B is 50%: 18% are carriers while the healthy remainder of 32% are adolescents aged 10 - 18, most of which go to school. These percentages do not seem high only in relation to those of the rest of the population. Comparative data from other European cities show that percentages of Roma tent-dwellers in Greece with health problems are higher (42% for the women, 32% for the men). Roma access to the health system is insignificant. The **Doctors of the World** have found complete lack of first aid, vaccination and medical information. Roma do not trust hospitals and First Aid Services, while they find it impossible to follow the pace and procedures in practice in these institutions (except for cases when the doctor has created an atmosphere of trust). Only 15% of them receive benefits. Out of the 40% of Roma who have social security, only 30% are fully covered. These percentages are less than half of the equivalent average for Roma in other European cities.

(v) The right to education and training;

The percentage of illiteracy among Greek Roma remains at the same high levels - 80%, reaching 90% occasionally. From comparative data of the **Doctors of the World** it becomes apparent that the percentage of Roma tent-dwellers who can write and read is 6% in Athens and 60% in Montpellier, France. The 3rd Primary School of **Zefyri (Attica)** is an example of racist attitude: this mixed school became an exclusively Roma school as non-Roma parents transferred their children to other schools by declaring false addresses. Another discrimination is observed in **Xanthi (Thrace)**. **Minority Rights Group - Greece** and **Greek Helsinki Monitor** have found that Muslim Roma children attend the Greek school program even though Greece is obliged, according to the Treaty of Lausanne, to offer them, just like every other Muslim, minority education; these children are not exempted from attending the morning prayer or the subject of religion and they have to parade on national holidays wearing Greek national costumes (foustanela - kind of Greek kilt).

In Greece, most Roma and almost all tent-dwelling Roma speak the Romanes language. That is why it is necessary to have the Greek language taught to them as a second language at school, along with making available boosting teaching material. The **Ministry of Education** has no such systematic program although it has generously funded with billions of drachmas research on Roma children's education with ambiguous results. Rare exceptions are due to the initiative and will of the teachers themselves at school like the 6th Primary School of Evosmos and the 8th Primary School of Nea Zoe in Aspropyrgos. The **DROM Network for the Social Rights of the Roma** has experimented -with volunteers- an appropriately adapted program with Roma children of the Gallikos river (former Evosmos settlement).

(vi) The right to equal participation in cultural activities;

(f) The right of access to any place or service intended for use by the general public, such as transport hotels, restaurants, cafes, theatres and parks.

Article 6

States Parties shall assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental

freedoms contrary to this Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

Roma are frequently subjected to police violence. Even when such cases reach the level of administrative investigation or judicial charges against the perpetrators for serious crimes (torture and murder), based inter alia, on forensic reports, these procedures are never concluded (with disciplinary action or trials respectively) and thus no just and adequate reparation or satisfaction is possible. Three publicized examples follow.

- The case of ill-treatment of two Roma youths - arrested for attempted ice-cream theft - E. Kotropoulos and L. Bekos, at the Mesolongi police station (5/1998) has not yet resulted in the removal of the indicted policemen from the local police station, despite the unambiguous forensic report, the charges brought by the victims, the active involvement of Greek and international non-governmental organizations with letters of protest and memos to competent authorities, even despite the District Attorney's prosecution - «for tortures and other deeds that are offensive to human dignity». The victims have repeatedly being pressed by the policemen to stop the proceedings against them. Meanwhile, the Sworn Administrative Investigation that was ordered by the police and the Ministry for Public Order has not come up with a conclusion a year after the incident, neither has a trial date been set.
- In the case of the murder of Rom A. Celal by policemen in Partheni, Salonica, it took the involvement of Greek and international non-governmental organizations and charges brought by the victim's father to have a Sworn Administrative Investigation by the police and the Ministry for Public Order, as well as a forensic report. The District Attorney's office in charge announced that three policemen were being prosecuted for - among other offenses - murder, attempted murder, illegal possession and use of firearms. In this case too, the Sworn Administrative Investigation has not come up with a conclusion as yet, neither has a trial date been set.
- In November 1996 during a police round-up in Viotia, Rom A. Mouratis, father of 6 children, was murdered in cold blood. While he was lying on the ground at gun-point, Mouratis raised his head to take a look at his children who were also on the ground. This movement was considered «threatening» by a policeman who shot and killed the Rom. The officer was suspended while the Sworn Administrative Investigation was in progress. He was also indicted by the District Attorney, but he was released pending trial.

Article 7

States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention.