

GREECE 2012 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Greece is a constitutional republic and multiparty parliamentary democracy. On June 17, the country held national elections and swore in a new coalition government composed of the New Democracy (ND), the Pan-Hellenic Socialist Movement, and the Democratic Left political parties, with ND leader Antonis Samaras as prime minister. Security forces reported to civilian authorities.

The most important human rights problems during the year concerned unprovoked racist violence against migrants and individuals perceived to be foreigners, conditions in migrant detention centers and prisons, poor treatment of undocumented migrants, discrimination against Roma, and exploitation of Romani children. Security forces detained many migrants, including unaccompanied minors, for long periods in overcrowded and unsanitary conditions pending the outcome of their cases.

Other human rights problems included abuse of detainees by security forces, restrictions on freedom of speech and religion, deportation of unaccompanied immigrant minors, inadequate capacity to receive or provide legal aid for asylum seekers and refugees, domestic violence, incidents of anti-Semitism, trafficking in persons, limits on the freedom of certain ethnic minority groups to self-identify, and discrimination against and social exclusion of the officially recognized “Muslim minority” in Thrace. The media also reported allegations of excessive use of police force against demonstrators, usually related to violent demonstrations in which police officers also reportedly were injured.

The government took steps to prosecute and punish officials who committed abuses, whether in the security services or elsewhere in the government.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices and provides safeguards for criminal suspects and undocumented immigrants in detention. However, during the year several international and nongovernmental organizations (NGOs) alleged that police personnel and the coast guard abused undocumented immigrants and asylum seekers. On April 7, riot police seriously injured the president of the Union of Greek Photojournalists, who was covering a demonstration in Athens. Amnesty International (AI) and the European Federation of Journalists joined the Union of Greek Photojournalists in condemning the police for the alleged use of excessive violence against demonstrators.

In June the UN Committee against Torture (CAT) expressed serious concern regarding persistent allegations of torture and mistreatment by law enforcement officials in policing demonstrations, crowd control, police checks on the streets, and in arrests or detentions, including on the premises of the criminal investigations department. The committee reiterated its 2011 concerns about continued allegations of mistreatment of undocumented immigrants, asylum seekers, and Roma by law enforcement officials.

The media also reported allegations of excessive use of police force against demonstrators, usually related to violent demonstrations in which police officers also were injured.

There were at least 11 reported incidents of police mistreatment of immigrants during the year. On December 19, police suspended a guard for assaulting an illegal Pakistani immigrant held at a detention center and opened an investigation into allegations of assault.

Prison and Detention Center Conditions

Conditions in prisons and detention facilities did not meet international standards. Problems included severe overcrowding, lack of material supplies, poor sanitation, and failure of authorities to separate adult detainees from juveniles and convicted prisoners from pretrial detainees.

Physical Conditions: In January the prison system contained 12,479 inmates while its capacity was only 9,700. The Tripolis prison had a capacity of 85, but held 180 inmates. In the same month, the Korydallos and the Halkida prisons rejected additional inmates due to serious overcrowding. The Korydallos prison had room for 800 inmates but held 2,345. According to January 1 statistics, the country's 12,479 prisoners included 562 women and 587 juveniles; all were incarcerated separately from adult males. Death in prison or pretrial detention centers reportedly was not a problem. Prisoners and detainees had access to potable water.

According to local and international organizations, including the deputy ombudsman for human rights, Doctors without Borders, the Council of Europe's Committee for the Prevention of Torture and Inhumane or Degrading Treatment or Punishment (CPT), the UN special rapporteur on human rights of migrants, and AI, the country continued to face a humanitarian crisis in its prison system and in the detention of illegal migrants.

In its June report, the UN CAT recommended measures to resolve long-standing prison and detention center problems, reiterating concerns over the failure to improve conditions of detention areas in police stations and prisons. The UN CAT specifically cited overcrowded facilities, intrusive body cavity searches of detainees, lack of material supplies such as bedding and mattresses, and deplorable sanitary conditions in many police stations and prisons due to insufficient supplies and staff (including medical professionals).

The UN CAT also voiced concern that police often did not separate unaccompanied or asylum-seeking minors from adults detained in overcrowded and poor conditions. It called for the introduction of systematic monitoring of all detention facilities and for the separation of pretrial and convicted detainees as well as juveniles and adults.

Moreover, the UN CAT expressed concern about a legislative amendment permitting the detention of individuals with an infectious disease who pose a threat to public health. One instance in which police implemented this amendment occurred in May when they arrested, detained, criminally charged, and forced HIV tests on 31 persons presumed to be prostitutes for intentionally causing serious bodily harm. Authorities published photographs and personal data of the detainees on their Web site. Local and international NGOs condemned the police actions.

The CPT found that holding facilities for illegal migrants did not conform to established CPT standards.

In December the UN special rapporteur made unannounced visits to migrant detention centers and found inadequate conditions such as a lack of heating and hot water. He recorded complaints of insufficient and poor quality food, lack of soap and other hygiene products, and insufficient clothing and blankets.

A few sporadic prison protests and hunger strikes took place during the year to protest overcapacity, long detention periods, and poor conditions.

Administration: Recordkeeping on prisoners was adequate. Alternative sentencing for nonviolent offenders was available, but courts did not employ this option. The Prisons' Inspectorate, a semi-autonomous body headed by a judge, conducted routine and unscheduled prison visits; inmates could submit complaints to the inspectorate. Inmates could also send complaints to prosecutors assigned to prisons and to the ombudsman. Prisoners have access to visitors, can observe religious practices, and can submit complaints to the judicial authorities without censorship.

Monitoring: The government permitted independent nongovernmental observers to monitor prison and detention center conditions. Observers included local and international humanitarian organizations such as the Office of the UN High Commissioner for Refugees (UNHCR), the UN special rapporteur on the human rights of migrants, the CPT, Doctors without Borders, the International Committee of the Red Cross, the Greek Council of Refugees, Medical Intervention, and the deputy ombudsman for human rights. The deputy ombudsman for human rights conducted frequent short-notice visits to prisons throughout the country. The observers investigated allegations of inhumane conditions.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention. However, police continued to conduct large-scale sweeps of public spaces, including buses and metro stations, and temporarily detained large numbers of individuals presumed to be illegal immigrants based on their physical appearance, sometimes in crowded and squalid conditions, while determining their residency status. Such police sweeps were a common practice during the year. In August the police launched operation "Xenios Zeus" to combat illegal immigration. As part of the operation, between August and November 24 police temporarily detained 54,751 individuals perceived to be illegal immigrants; subsequently, authorities found only 4,000 of those detained to be illegally present in the country and released the remaining

50,751. Among those temporarily detained were foreign tourists and accredited diplomatic personnel.

Role of the Police and Security Apparatus

The police are responsible for law enforcement and the maintenance of order within the country under the authority of the Ministry of Citizen Protection; the coast guard is responsible for law enforcement in territorial waters under the authority of the Ministry of Shipping and Aegean. The police and the army jointly share law enforcement duties in certain border areas. Civilian authorities generally maintained effective control over the police and coast guard. The Hellenic Police Internal Affairs Unit investigated allegations of corruption and police impunity. The 2010 report of the Internal Police Affairs Unit noted an increase in corruption cases in the police and the public sector in general.

During the year police and coast guard personnel received training from government ministries, regional and international organizations, NGOs, and service academies. Themes included antiracism, antitrafficking, victim identification, asylum-seeker recognition, witness protection, interviewing skills, and crowd control.

Arrest Procedures and Treatment While in Detention

The law requires judicial warrants for arrests, except during the commission of a crime, and prohibits arbitrary arrest. Police did not always follow these provisions.

Within 24 hours of detention, police are required to bring detainees before an examining magistrate and the magistrate must issue a detention warrant or order the detainee's release; authorities generally observed these provisions. Pretrial detention may last up to 18 months, depending on the severity of the crime. A panel of judges may release detainees pending trial. Pretrial detainees made up approximately 41 percent of those incarcerated and contributed to prison overcrowding, according to figures provided by the Ministry of Justice.

Some defense lawyers and legal activists asserted that, while pretrial detention was supposed to be reserved for exceptional cases, it had become the norm. They also maintained that the detention period was excessively long. Bail is available for defendants detained on felony charges and for lesser offenses unless a judicial officer deemed the defendant a flight risk. Officials generally respected the law allowing detainees the right to contact a close relative or third party, consult with a

lawyer, and access medical services. Authorities gave foreign detainees information packets in multiple languages describing the asylum procedure and their rights as detainees, although not always promptly. While authorities generally informed detainees promptly of charges against them, foreign detainees occasionally did not have access to a court-appointed interpreter. Only indigent defendants facing felony charges were provided legal representation by the bar association.

Expedited procedures may be applied to individuals accused of misdemeanors. However, less than 10 percent of applicable cases actually took advantage of the expedited procedures. Defendants enjoyed the right to counsel; however, since police are required to bring detainees before an examining magistrate within 24 hours of detention, the short time period allegedly limited their ability to present an adequate defense. Defendants may request a delay to prepare a defense, but the court is not obliged to grant their requests.

Pretrial Detention: The pretrial detention rate was approximately 41 percent. Litigation, particularly in civil cases, could take many years in the overburdened and understaffed courts. In addition, many judges conducted work stoppages during the year to protest salary and pension cuts due to the economic crisis, further exacerbating the problem.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected this provision in practice. However, observers reported the judiciary was inefficient and sometimes subject to influence and corruption. The judiciary was more lenient toward those claiming political motives for acts of property destruction than those who did not. For example, some anarchists received suspended sentences in lieu of prison time or fines. Authorities generally respected court orders, and there were no reported instances of predetermined trial outcomes.

Trial Procedures

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right. Defendants enjoy a presumption of innocence. Trials are public in most instances, and most felony cases use juries. The law permits denial of a jury trial in cases of violent terrorism. Defendants have the right to be present at trial and consult with an attorney in a timely manner. The government provides attorneys to indigent defendants facing felony charges. Defendants may present

witnesses and evidence on their own behalf as well as question prosecution witnesses. Defendants and their attorneys have access to government-held evidence relevant to their cases. They have the right to appeal.

Defendants who do not speak Greek have the right to a court-appointed interpreter. Some NGOs reported during the year that the quality and availability of interpreters for non-Greek speakers varied from trial to trial.

The government recognizes Sharia (Islamic law) as the law regulating family and civic issues of the Muslim minority in Thrace. Muslims married by a government-appointed mufti were subject to Sharia family law. Members of the Muslim minority also have the right to a civil marriage and the right to take their cases to civil court.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is a generally independent and impartial judiciary in civil matters. The law provides citizens with the ability to sue the government for compensation for alleged violations of rights.

Regional Human Rights Court Decisions

Individuals may seek remedies for alleged violations of human rights by the state before the European Court of Human Rights (ECHR). The government complied with ECHR decisions providing for monetary penalties, but it has not implemented ECHR decisions related to the recognition of the House of Macedonian Culture and the Turkish Youth of Xanthi.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit arbitrary interference with privacy, family, home, or correspondence. However, NGOs such as the Greek Helsinki Monitor reported that authorities did not always respect these provisions in practice, as evidenced during alleged police raids of Romani settlements and immigrant neighborhoods. According to NGOs, police and prosecutors conducting raids and searches of Romani and immigrant neighborhoods frequently entered homes in search of

criminal suspects, drugs, and weapons without authorization. Police raids in Romani settlements were a common practice; they conducted their last such raid on November 29.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and press, and the government generally respected these rights in practice.

Freedom of Speech: Individuals can criticize the government publicly or privately without reprisal, and the government does not impede criticism. However, the law provides for prosecution of individuals who “intentionally incite others to actions that could provoke discrimination, hatred, or violence against persons or groups of persons on the basis of their race or ethnic origin or who express ideas insulting to persons or to groups of persons because of their race or ethnic origin.” In practice the government has never invoked these provisions. For example, despite the fact that the Golden Dawn party had a swastika-like emblem, employed Nazi salutes, and its leaders made anti-Semitic statements, no Golden Dawn member of parliament (MP) had been charged for hate speech.

Freedom of Press: Independent media were active and expressed a wide variety of views. In October the state broadcaster, Hellenic Radio-Television (ERT), suspended two news anchors for repeating allegations first made in the international press that police had abused and mistreated immigrant and leftist detainees in an Athens police station, and criticized the Minister for Citizen’s Protection for his handling of the case. Authorities reinstated the two after their temporary suspension ended. ERT officials defended the suspension as a normal disciplinary action for violation of journalistic standards in repeating unsubstantiated allegations and not offering the accused a right of reply.

The law permits any prosecutor to order the seizure of publications that insult the president, offend any religion, contain obscenity, advocate for the violent overthrow of the political system, or disclose military secrets. According to the law, the National Radio and Television Council, an independent regulatory agency, supervises radio and television broadcasts. The law requires that television stations broadcast at least 25 percent of their programming in Greek; the percentage for radio broadcasting varies. The law also requires national radio and television stations to broadcast 24 hours a day and sets minimum requirements for

available capital and number of employees. In years past the Organization for Security and Cooperation in Europe (OSCE) representative on the freedom of media called for the lowering of such requirements, asserting that their high level made it difficult for minority, community, and low-cost broadcasters to receive authorization, thereby endangering media pluralism.

On October 28, police arrested a Greek journalist for violating personal privacy laws for publishing the “Lagarde List” of more than 2,000 alleged Greek tax evaders with Swiss bank accounts. On November 1, a court acquitted him; prosecutors appealed the verdict, and a trial date was pending at year-end.

In May the OSCE representative on media freedom condemned an assault against a journalist by unknown assailants. According to media reports, three unidentified men attacked Konstantinos Bogdanos, a radio presenter and journalist for Skai television, while he was walking towards his car in Athens on the night of May 9. Bogdanos alleged the attackers knew he was a journalist because they referred to Skai television during the attack. Police hospitalized Bogdanos with head injuries and a fractured hand; he was released from the hospital on May 10. Police were unable to identify the assailants and made no arrests.

Libel Laws/National Security: The law provides criminal penalties for defamation. Nonetheless, in most criminal defamation cases, authorities released defendants on bail pending trial and they served no time in jail.

The law provides for the government to exercise “immediate control” over radio and television stations in case of national emergency and establishes ownership limits on media frequencies. State-operated stations relayed the government’s views but also reported objectively other parties’ positions.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms without appropriate legal authority. According to International Telecommunication Union statistics, approximately 53 percent of the country’s population used the Internet in 2011.

In September the cyber-crime police arrested a 27-year-old man, charging him with “malicious blasphemy and insulting religion.” The man reportedly created a Facebook page using a name that played on the name of a legendary Mount Athos monk famous for his prophecies about Greece and Orthodox Christianity. The

cyber-crime police seized the man's laptop and removed the Facebook page. No trial date had been set at year's end.

Academic Freedom and Cultural Events

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

In June police acting upon a complaint detained, questioned, and hours later released three actors of the play *Corpus Christi*, which portrayed Jesus and the Apostles as gay men. The producers of the play cancelled performances three weeks after the premiere in October due to daily protests by members of religious organizations and Golden Dawn (Chryssi Avgi) supporters. Amnesty International called on Greek authorities to ensure freedom of expression for those involved in the play. The bishop of Piraeus filed a blasphemy complaint against the actors, director, and producer for allegedly insulting the Orthodox religion. On November 16, a prosecutor in Athens acted on the bishop's complaint and pressed criminal charges of blasphemy against those involved in the play. A trial date had not been set by the end of the year.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for freedom of assembly, and the government generally respected this right in practice.

Freedom of Association

Although the law provides for freedom of association, the government continued to place legal restrictions on the names of associations of nationals who self-identify as ethnic Macedonians or associations that included the term "Turkish" (see section 6, National/Racial/Ethnic Minorities).

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation for all citizens, and the government generally respected these rights in practice. The government cooperated with the UNHCR and other humanitarian organizations in providing protection and assistance to refugees and asylum seekers.

Foreign Travel: NGOs and international organizations noted that immigrants with temporary residence permits faced prolonged delays in renewing their permits, sometimes resulting in the denial of their right to return to the country, and consequently creating practical limits to their foreign travel. Many of the country's estimated one million immigrants were in a semi-legal status, holding expired residency permits while undergoing the renewal process. During the year NGOs reported multiple instances of immigrants being subjected to summary deportation without legal due process. The law provides for legalization of undocumented immigrants who can prove by a visa stamp or possession of a tax roll number that they entered the country before 2005. Nevertheless, the deputy ombudsman for human rights noted that this system of legalization remained disorganized, and there was no database of residence permit holders.

Protection of Refugees

Access to Asylum: The country's laws provide for the granting of asylum and humanitarian protection. While the government established a system for refugee protection, it was widely regarded as inadequate, given the large numbers of illegal migrants entering the country. According to Ministry of Citizens' Protection statistics, police arrested 70,227 persons for illegal presence in the first 10 months of the year compared with 82,154 people in the first 10 months of 2011, nearly a 15 percent decrease. The large number of illegal immigrants seeking asylum posed special problems for the country's asylum system capacity.

The UNHCR, the UN special rapporteur on the human rights of migrants, Amnesty International, CPT, the UN CAT, the deputy ombudsman for human rights, Human Rights Watch, the Greek Council for Refugees, and Doctors without Borders expressed concern about the country's problematic asylum policy and practices. Specific problems included serious obstacles in accessing asylum procedures due to structural deficiencies and nonfunctioning screening mechanisms, unacceptable living conditions for asylum seekers, lack of permanent reception centers and the

use of ad hoc facilities, underdeveloped refugee welfare systems, insufficient counseling to assist in the integration of refugees and asylum seekers, lack of appropriate facilities for unaccompanied minors, and deficient interpretation and legal counseling for asylum seekers, especially at entry points.

Local and international NGOs also criticized police sweeps against migrants allegedly based on their physical appearance. The police sweeps, code-named Xenios Zeus, started in August and continued throughout November. Police rounded up individuals perceived to be undocumented migrants, and NGOs claimed that police placed some in administrative detention in overcrowded conditions without any screening to distinguish refugees meriting protection from other migrants. The UNHCR stated in May that, while recognizing the challenges of illegal migration, the country should ensure that persons in need of international protection have access to the asylum procedures. It added that the government must not return refugees from war zones to countries where their lives could be in danger. UNHCR protection officers reiterated that access to the asylum process was extremely limited.

The Hellenic National Police's Asylum Office reported that from January to November 2011, asylum seekers filed 8,525 first-time applications. During the same period, the government reviewed 10,850 applications and appeals and accorded refugee status to 85 applicants (1.9 percent) and special humanitarian status to 69 (1.3 percent).

January 2011 asylum legislation requires decisions on asylum applications within three months and on regular applications within six months. However, authorities did not observe the time limits. The UNHCR noted that the enactment of the law led to progress in 2011, as officials approved more than 30 percent of applications at the appeals level. However, problems related to access and registration of claims and detention conditions of illegal migrants persisted.

In his May report, the deputy ombudsman for human rights reiterated his statements from the previous year that individuals who should be protected did not have access to the asylum process, while at the same time economic migrants used and exploited the asylum system to secure their presence in the country. The deputy ombudsman urged the government to establish a new asylum service and implement the law.

Safe Country of Origin/Transit: The country adhered to the Dublin II Agreement, which involves returning asylum seekers to the first EU country of entry.

Refoulement: In practice the government provided only limited protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. According to the UN CAT, asylum seekers did not, in fact, receive protection against expulsion, return, or deportation to another country.

Refugee Abuse: Numerous local and international NGOs found conditions for illegal migrants and asylum seekers detained by authorities to be generally unsatisfactory, specifically criticizing detention procedures and facilities for refugees and asylum seekers as inadequate. Conditions for undocumented migrants and asylum-seeking children were particularly difficult, with unaccompanied minors occasionally held along with adults in detention centers in degrading, inhumane, and unsanitary conditions. The UNHCR reported that an estimated 4,000-5,000 unaccompanied minors arrived in the country each year. Unaccompanied migrant children lacked safe accommodations or legal guardians and were vulnerable to homelessness and labor exploitation.

The UN CAT in its June recommendations and the UN special rapporteur on human rights of migrants in its December recommendations noted that asylum seekers faced serious obstacles in accessing the asylum procedures due to structural deficiencies and nonfunctioning screening mechanisms. The UN CAT and the UN special rapporteur on human rights of migrants noted that unaccompanied or separated asylum-seeking minors often were not properly registered and were systematically detained in squalid conditions, often with adults. Many ended up homeless in the streets, where they faced heightened risks of exploitation and violence.

Access to Basic Services: After visiting detention centers in the Evros region, Aegean islands, Patras, Korinthos, and police detention centers in the Athens and Attica area, the UN special rapporteur on the human rights of migrants and the deputy ombudsman for human rights alleged that the country's authorities detained migrants, including members of vulnerable groups such as unaccompanied minors, in overcrowded cells and did not separate adult males from unaccompanied minors. Medical care, beds, and toilet and washing facilities were almost nonexistent; food was insufficient and of poor quality; access to interpreters, lawyers, and telephones was scarce and not guaranteed.

Temporary Protection: There was a holding center for refugees approximately 42 miles from Athens, but it was undesirable for many refugees due to its distance from the capital. No data was available for the number of refugees in temporary protection.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

Recent Elections: Observers considered parliamentary elections on May 6 and June 17 to be free and fair.

Participation of Women and Minorities: There were 60 women in the 300-seat parliament and one woman in the 17-member cabinet as a result of the June 17 elections. A quota system requires that 30 percent of all parties' candidates for local government be women. At the three highest courts, 14 of 61 Council of State justices, 28 of 59 Supreme Administrative Court justices, and three of 62 Supreme Court justices were women in 2010.

There were three members of the Muslim minority of Thrace in the parliament; there were no minority members in the cabinet.

Approximately one-third of the Romani population was not registered to vote.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption. The media, the business community, international organizations, and NGOs continued to voice concern over the high level of official corruption. Enforcement of anti-corruption laws and regulations was weak and sporadic; both permanent and ad hoc government entities charged with combatting corruption were highly susceptible to political influence, and personnel in these entities changed frequently.

In Transparency International's (TI) annual *Corruption Perceptions Report*, released in December, TI noted that corruption was endemic and not limited to the

public sector and highlighted the country's failure to limit extensive tax evasion. Since 2011 various ad hoc government entities have conducted investigations against companies in a number of sectors charged with various forms of corruption including bribery and kickbacks. One high-profile corruption case during the year involved a former minister of defense whom, along with some family members, the government charged with siphoning off public funds to offshore bank accounts and shell companies and accepting bribes from private sector contractors. The case continued at year's end.

Tax evasion was widespread among individuals and businesses in the country. A special financial and economic crimes unit in the Ministry of Finance conducted several investigations in 2012 of fuel smuggling rings operating in part to avoid high taxes on gasoline and home heating fuel. Tax officials also made efforts during the year to crack down on evasion of the value added tax (VAT) by businesses. In one widely covered incident, residents of an island near Athens confronted and chased away tax police attempting to collect unpaid VAT from hotels and restaurants. The authorities returned, however, and succeeded in collecting the unpaid tax.

Despite some successes in combatting tax evasion, several sources continued to allege complicity by tax officials in tax evasion by individuals and companies in exchange for bribes from those taxpayers. A Ministry of Finance official responsible for modernizing the tax system resigned in 2012 in protest over the lack of political will to reform the system and address corruption by tax officials. At year's end, the European Commission assisting Greece in meeting structural reform commitments had identified the combatting of tax evasion and official corruption as priorities for the country's reform program.

Reports of police corruption also continued. During the year the police bureau of internal affairs took multiple disciplinary measures, including dismissal and suspension, against officers involved in corruption. Police misdeeds primarily involved forging documents, taking bribes, illegal actions involving arms and explosives, illegally releasing people from custody, procuring, and violations related to alien registration. In December police broke up a drug-trafficking ring in northern Greece and 57 people faced criminal charges, including six police officers and the head of the antinarcotics division in Volos.

There are income disclosure laws for high-ranking public officials and members of parliament. The government generally provided and made public such information.

In 2010 the public prosecutor's office set up a new unit to facilitate the prosecution of economic/financial crimes in the public sector. Authorities designed the unit to work closely with the financial and economic crime unit of the Ministry of Finance and the internal affairs division of the Hellenic Police, which is responsible for corruption cases across the public sector.

The law provides for the right of access to government-held information. However, NGOs and media observers noted that access to information was sometimes difficult to obtain because of bureaucratic delays.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were often cooperative and responsive to their views.

Government Human Rights Bodies: The law provides for an independent ombudsman. The Office of the Ombudsman provided an effective means for citizens to report human rights problems. The office received adequate resources to perform its various functions, which included mediating between private individuals and public administrators and defending and promoting children's rights.

Five deputy ombudsmen dealt with human rights, children's rights, citizen-state relations, health and social welfare, and quality of life problems. The deputy ombudsman for human rights received complaints during the year regarding the government's handling of residence and work provisions for immigrants; overcrowding in prisons and detention centers for illegal aliens; social exclusion and living conditions of vulnerable groups such as Roma and migrants; confiscation of Romani properties because of unpaid housing loans; problems in the asylum and visa processes; arbitrary and unjustified administrative decisions related to professional rights and registration in professional associations; unjustified procedural difficulties in acquiring citizenship; discrimination against aliens; police brutality; an increase in crime and homelessness in the center of Athens; conditions in youth prisons; problems in the citizenship procedure for adult aliens; and school problems of Romani children.

The government-funded National Commission for Human Rights (NCHR) is an autonomous human rights body that advises the government on the protection of human rights. It is composed of representatives of the government, labor unions, political parties, civil society organizations, independent authorities, and academics. Due to a perceived increase in incidents of racist violence, the NCHR, along with the UNHCR and 23 local NGOs, established the Racist Violence Recording Network in October 2011. The organization, which had adequate resources to do its work, monitored and recorded incidences of racist violence in the country through voluntary testimonies of victims, offered services to victims, and raised awareness to combat the phenomenon. On October 23, the network announced its findings. During the period January to September, the network documented 87 cases of racist violence against refugees and migrants. Seventy three of the cases occurred in Athens. The network noted that the actual number of violent incidents was likely higher due to victims' undocumented status and fear of reporting incidents. The network offered detailed recommendations, to which the government has not directly responded.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and the law prohibit discrimination based on race, gender, disability, language, or social status. However, the government did not consistently protect these rights.

Women

Rape and Domestic Violence: Rape, including spousal rape, is a crime. Conviction rates for rape were low for first-time offenders, but sentences were robust for repeat offenders. According to police statistics, victims reported 112 rape or attempted rape cases in the first half of the year. Medical, psychological, social, and legal support was usually available to rape victims from the government and NGOs.

Domestic violence, including spousal abuse, continued to be a problem. The General Secretariat for Gender Equality (GSGE), an independent government agency, reported that domestic violence was common and developed policies to combat it such as encouraging and empowering the victims to report domestic violence and offering shelter services to victims. The law provides for the prosecution of all domestic violence crimes without the need for a victim to press charges. Penalties range from two to 10 years' imprisonment, depending on the gravity of the crime. The GSGE estimated that only 6 to 10 percent of domestic

violence victims contacted the police and only a small fraction of those complaints went to trial. The GSGE received 5,057 calls from victims of domestic violence between March 2011 (when it established a women's abuse hotline) and May 2012.

The GSGE, in cooperation with the Ministry of Citizen Protection, trained police on working with domestic violence victims. NGOs reported that courts were lenient to male offenders in domestic violence cases. Police stations generally had a manual on how police should treat victims of domestic violence.

The GSGE provided counseling and assistance to domestic violence victims. Two GSGE shelters for battered women and their children in Athens and Piraeus offered services including legal and psychological help. The GSGE operated a 24-hour emergency telephone hotline for abused women, and the Ministry of Health and Social Solidarity operated a hotline providing referrals and psychological counseling for victims. The municipality of Athens, the Greek Orthodox Church, and a variety of NGOs also operated shelters and walk-in centers, providing counseling and assistance to victims.

The police recorded 80 rapes during the year, compared with 84 in 2011. Government statistics on the extent of rape, domestic violence, and spousal abuse were either unavailable or outdated. Data on prosecutions, convictions, and prison sentences for rape and domestic violence crimes were unavailable.

Sexual Harassment: The law prohibits sexual harassment and provides penalties ranging from two months to five years in prison. The deputy ombudsman for human rights reported a "very low" number of complaints of sexual harassment in 2010, with only 13 cases submitted, all by women. No new numbers existed; credible reports alleged that while the phenomenon was widespread, women were discouraged from filing complaints and lawsuits by coworkers and family members. The deputy ombudsman complained that addressing sexual harassment cases was difficult, since there was often a lack of evidence and testimonies to support allegations.

The Center for Research on Gender Equality Issues reported that the vast majority of women who experienced sexual harassment in the workplace did not file charges; some quit their jobs. The center estimated in 2010 that 30 to 50 percent of working women and 10 percent of working men experienced sexual harassment at their workplaces each year.

Reproductive Rights: The government generally respected the reproductive rights of couples and individuals. Contraception was widely available in stores and hospitals, and the government respected the rights of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children. Public hospitals provided services free of charge. Consequently, any health issues typically surfaced only after a woman returned to her community, which might have substandard facilities. Both public and private hospitals provided modern and skilled attendance during childbirth. Women and men had equal access to diagnostic services and treatment for sexually transmitted diseases.

Discrimination: The government recognizes Sharia as the law regulating the family and civic issues of the Muslim minority in Thrace, with local trial courts routinely ratifying the muftis' decisions. Muslim women in Thrace may choose to be subject to Sharia law as interpreted by official muftis. However, according to the UN independent expert on minority issues, women's rights under family law, property law, and in the judicial system are inferior to those of men. The UN independent expert on minority issues noted that in some instances Sharia law subjected Muslim women to norms incompatible with the constitution, legislation, and international standards. She further noted that Muslim and Romani women experienced severe inequalities in access to education and consequently suffered disproportionately high levels of illiteracy and unemployment. The situation remained unchanged at year's end.

The NCHR advised the government to limit the powers of the muftis to religious duties and to stop recognizing Sharia because it could restrict the civil rights of citizens. Muslim female activists claimed that, since the overwhelming majority of Muslim women in Thrace were married under Sharia, they were obliged to acquire a mufti's consent to obtain a divorce. These decisions were based on interpretations of Sharia that did not exist in written form and therefore could not be appealed. Members of the Muslim minority in Thrace may also use the services of the country's civil courts.

Apart from the Muslim minority in Thrace, women have rights equal to those of men, and the constitution stipulates gender equality.

The law provides for equal pay for equal work; however, according to Social Security Institute statistics, there was a 28 percent gap between the salaries of men and women. Although relatively few women occupied senior private-sector positions, women continued to enter traditionally male-dominated professions,

such as law and medicine, in larger numbers. Women were underrepresented in labor-union leadership.

Children

Birth Registration: Citizenship is derived from one's parents at birth. A single parent can confer citizenship to a child.

The law grants citizenship rights to alien children born in Greece whose parents have lived legally and permanently in the country for five years. Alien children born abroad to parents who have lived legally and permanently in the country for five years may become citizens upon successful completion of elementary education (six years). Foreigners arriving in the country after the law took effect in 2010 must fulfill a seven-year legal residency requirement before applying for citizenship, which, together with procedural delays, could stretch the wait to a decade.

On November 30, the interior minister ordered state services to suspend processing of all citizenship applications by migrants and the registration of new citizens at municipal offices. The move preceded the anticipated publication of a Council of State ruling that questioned the compatibility of existing legislation with the Greek Constitution, specifically raising doubts as to whether existing laws established sufficient requirements to determine immigrant ties to Greece. Prime Minister Antonis Samaras called for the immediate implementation of the decision. However, the mayor of Athens and six other mayors announced that until the decision was officially registered, they would continue to implement the legislation in existence.

The law gives children born in Greece of immigrant parents the right to apply for long-term residence permits. NGOs estimated that, of the 200,000 foreign children living in the country, only 30,000 could meet the requirements of the law, which include a fee of 900 euros (\$1,188), a certificate of completion of the mandatory nine years of education in country, and two parents with legal residence permits.

Education: Romani children continued to face discrimination in education (see section 6, National/Racial/Ethnic Minorities), with the lack of transportation to some schools preventing their attendance.

Child Abuse: Violence against children, particularly street and Romani children and undocumented immigrants, remained a problem. The law prohibits corporal

punishment and mistreatment of children, but government enforcement was generally ineffective. Welfare laws provide for treatment and prevention programs for abused and neglected children as well as alternative family care or institutional placement for those in need of it. However, government-run institutions were understaffed, and NGOs complained of insufficient places for all children who needed alternate placement. The deputy ombudsman for children's rights reported that the system of child welfare and protection was deficient overall and did not cover increasing needs. Additionally, the economic crisis and the taxation of donations and of institutions' real estate seriously eroded the limited financial resources of child protection institutions. The deputy ombudsman undertook during the year a campaign to raise awareness against school bullying and to protect child victims of bullying.

According to Sharia law, in divorce and separation proceedings, custody of children younger than 12 is systematically awarded to mothers and custody of older children is systematically awarded to fathers without due regard for the best interest or opinion of the child.

According to UNICEF and local NGOs, indigenous Albanian or Romani family members frequently exploited their children by forcing them to beg or sell small items on the streets. Government efforts to prevent this form of child exploitation were inadequate.

Child Marriage: The legal age for marriage is 18. However, child marriage was common within the Romani community; there were a limited number of marriages of persons under 18 among the Muslim minority in Thrace and Athens, performed with the permission of a prosecutor. NGOs reported that Romani women typically married and had children at a very early age, reportedly as young as 13. While traditional in the Romani community, child marriages were more prevalent among families lacking education and economic opportunities.

The state-appointed muftis, who may apply Sharia in family matters, noted that the marriage of children under the age of 15 was not allowed, and in order to protect children, marriages involving minors between the ages of 16 and 18 required a prosecutor's decision.

Sexual Exploitation of Children: The law criminalizes sex with children under the age of 15. If the victim is under 10 years of age, the sentence carries at least 10 years' imprisonment; if the victim is between 10 and 13, up to 10 years; and if the victim is 13 and over, a court determines the length of imprisonment. The law

prohibits the possession and circulation of child pornography, treating it as a felony punishable by five to 10 years' imprisonment.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's *Report on Compliance* at www.travel.state.gov/abduction/resources/congressreport/congressreport_4308.html, as well as country-specific information at www.travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

Local Jewish leaders estimated the Jewish community numbered 5,000. Isolated expressions of anti-Semitism occurred, particularly in the extremist press and certain blogs.

The Central Board of Jewish Communities (KIS) and the Anti-Defamation League (ADL) found the June parliamentary election of 18 members of the Chryssi Avghi (Golden Dawn) party alarming. According to official government figures, Golden Dawn obtained just under 7 percent of the national vote. Local and international NGOs including ADL and the local KIS, characterized Golden Dawn as a neo-Nazi, anti-Semitic party that used an allegedly swastika-inspired emblem, employed a Nazi salute, referenced *Mein Kampf*, and denied the Holocaust. On October 23, a Golden Dawn MP read passages from the anti-Semitic forgery *Protocols of the Elders of Zion*. KIS expressed its abhorrence to the speaker of the house over the election of an MP who had composed a song praising Auschwitz and insulting the memory of Jewish victims of the Holocaust. KIS strongly protested expressions of anti-Semitism, the denial of the Holocaust, and Nazi salutes employed by Golden Dawn leader Nikos Michaloliakos. Some government leaders, members of parliament, and heads of other political parties criticized the actions of Golden Dawn.

The *Golden Dawn* newspaper (the official newspaper of the party) attacked the teaching of the Holocaust in schools and publicly asserted that the "Jewish lobby" and Zionism conspired against the country's wealth.

In July the *Eleftheri Ora* newspaper, also associated with Golden Dawn, included copies of a booklet on the *Protocols of the Elders of Zion* along with the newspaper. The booklet included an introduction by Father Eustathios Kollas,

honorary president of the Greek Orthodox Priests' Association. The Greek Orthodox Priests' Association has not taken a stance on the matter.

In April unknown perpetrators drew swastikas on the door of the Jewish cemetery in Ioannina and vandals painted Stars of David on all banks in Chalkida. In September vandals painted swastikas and anti-Semitic slogans on the wall of the Jewish cemetery in Drama. In October unknown perpetrators painted swastikas on the Holocaust monument in Rhodes.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The law prohibits discrimination against people with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other government services such as transportation and education. NGOs and organizations for disability rights reported that government enforcement of these provisions was uneven.

The law mandates access to buildings for people with disabilities and special ramps for the sidewalks and means of public transportation; however, authorities enforced this law poorly. Activists for the rights of individuals with disabilities reported that parked vehicles often occupied sidewalks and special ramps, thus hindering access for persons with disabilities. The general lack of accessibility forced such individuals to remain at home and led to serious social exclusion. Research by the Polytechnic School of Athens during the year revealed that 69 percent of the country's ports were not accessible to passengers with disabilities. The law allows service animals to accompany blind people in all mass transit, but blind activists claimed they faced serious problems when attempting to use city transportation with their dogs.

Only 5 percent of public buildings were fully accessible, with the majority of these in Athens; for the most part, even buildings with special ramps did not have accessible elevators or lavatories. The deputy ombudsman for social welfare handled complaints related to people with disabilities, especially those related to employment, social security, and transportation.

In 2009 the Ministry of Health and Social Solidarity estimated there were 180,000 children with disabilities including those with special educational needs. The Teachers' Association estimated in 2009 that only 18,500 of these children attended primary school and that of these only 10 percent would attend secondary school, due to a lack of either local special education schools or accessibility. According to NGOs working on this issue, the situation worsened over the year.

There was a shortage of qualified personnel available to provide health and educational support to children with disabilities. Access to buildings, transportation, and public areas for individuals with disabilities, including children, remained poor. Legislation in this regard was not sufficiently enforced.

The Confederation of the Disabled reiterated during the year that education was not available for people with serious disabilities, and many individuals were forced either to leave school due to lack of accessibility or to accept a low-quality education at the special education schools. The confederation stated that only two of the 10 universities in Athens were accessible to people with disabilities and that special schools for children with disabilities housed 80 percent of children in buildings unsuitable to their needs.

The Confederation of the Disabled estimated the unemployment rate for people with disabilities to be 84 percent in 2010 and called unemployment the greatest social problem they faced. Observers believed the situation has worsened due to the economic crisis.

National/Racial/Ethnic Minorities

According to NGOs, Roma continued to face widespread governmental and societal discrimination, including alleged police abuse or mistreatment while in police custody; regular raids and searches of their neighborhoods for criminal suspects, drugs, and weapons; limited access to education; and segregated schooling. Their dwellings lacked running water, electricity, or waste removal and municipal authorities at times demolished them. NGOs and representatives of the Romani community reported that government efforts to address these problems were inconsistent, especially at the municipal level.

In an August case submitted jointly by the Greek Helsinki Monitor (GHM) and the World Organization against Torture, the UN Human Rights Committee ruled that the country violated the International Covenant on Civil and Political Rights by

failing to investigate a claim of mistreatment and discrimination against a local Roma by police officers.

The law provides for the temporary encampment of wandering nomads with the permission of regional authorities in designated locations. The law also stipulates that camps should have the necessary hygienic infrastructure such as running water, sewage, and garbage collection. However, the law was not enforced, and most Romani camps were in sites not designated by authorities due to Roma unwillingness to set up camps and to install the necessary infrastructure. Consequently, Roma continued to establish, without permits, settlements lacking the necessary infrastructure. There were approximately 70 such camps in the country. Local and international NGOs charged that the enforced separation of Romani settlements from other inhabited areas violated the country's international commitments. Roma were also threatened with forced evictions. In March scores of Romani families were evicted from a makeshift settlement on a state-owned plot near the Athens airport. A court order suspended the eviction of Roma from the Athens Halandri area in September.

The illiteracy and dropout rates in high school among Romani children were very high. Authorities did not enforce the mandatory education law for Romani children, and often excluded Romani pupils from schools or sent them to Roma-only facilities. In December the ECHR ruled that government authorities failed to integrate Romani children into the education system, instead placing them in separate classes due to their ethnic origin. The ECHR ordered the state to pay fines and legal expenses to these Romani families.

In his annual report released in May, the deputy ombudsman for human rights noted that, in addition to the grave housing problem, Roma faced serious social exclusion, and Romani women and children were particularly vulnerable. Very few indigenous Romani children attended school, alien Romani children tended not to go to school at all, and government projects to attract Romani children to education had little success.

In May the deputy ombudsman for children's rights and the GHM stated that segregation of Romani children in schools was a persistent phenomenon and noted the existence of Roma-only schools throughout the country as well as the refusal of school authorities in numerous areas to allow Romani children access to schools. The GHM stated that the compulsory education law was not enforced for Roma. Marriages at the ages of 13 to 17 followed by the births of many children continued to prevail in Romani communities.

Romani children also continued to face social exclusion and lack of access to social services, in part because they accompanied their parents who primarily worked as wandering merchants or in sales of scrap materials. According to the deputy ombudsman for human rights, Roma lived in “extremely dangerous and unacceptable shacks” in many areas, and government housing projects for indigenous Roma were largely unsuccessful.

Roma had an estimated life expectancy of 55 years, compared with 80 for the general population. Despite some progress in vaccinating Romani children, approximately 90 percent of Romani children lacked vaccinations, and the rate of hepatitis B among Roma was three times higher than among the rest of the population. The incarceration rate for Roma was seven times higher than that of the general population.

The UNHCR, local media, and NGOs reported an increasing number of racially motivated attacks on immigrants throughout the year by far-right extremist groups and vigilantes, allegedly including members of the Golden Dawn political party. The victims of racist violence were mainly men from Afghanistan, Bangladesh, Pakistan, and sub-Saharan Africa. They suffered various degrees of bodily harm and destruction of personal property. In August unidentified attackers killed an Iraqi man. The government condemned the murder and launched a criminal inquiry. On October 23, the Racist Violence Recording Network presented its January to September findings on incidents of racist violence. The network documented 87 cases of racist violence against refugees and migrants. Seventy three of the cases occurred in Athens; 50 involved severe bodily injury requiring hospitalization; 30 were assaults; two consisted of property damage; and two occurred against women wearing hijabs. The two property damage cases involved arson of a Pakistani-owned hair salon and an improvised explosive device used in a building inhabited by Syrian refugees. In 85 cases, victims reported more than one attacker; 15 attacks had direct police involvement; and in several cases, victims or witnesses described Golden Dawn political party insignias on the attackers’ clothing. Victims in all cases reported verbal abuse and threats against foreigners. Eleven victims filed official complaints while police unwillingness or refusal to investigate their complaints allegedly deterred 22 others. The network noted that the actual number of cases was most likely higher, because many victims were undocumented immigrants and were afraid to report attacks.

In many instances, the perpetrators of racist violence were motorcycle riders dressed in black, with supposed connections to Golden Dawn. In September three

Golden Dawn MPs allegedly took part in attacks against migrant street vendors. In two separate incidents, the parliamentarians went through open-air markets and checked foreign vendors' permits. Golden Dawn's own video footage subsequently uploaded to the Internet showed party supporters smashing immigrants' stalls, ostensibly because the vendors lacked necessary permits. Parliament's Commission on Ethics approved a prosecutor's request to lift the parliamentary immunity of the three Golden Dawn parliamentarians in order to pursue possible prosecution.

In July the National Commission for Human Rights (NCHR) released a report, which concluded that the country's laws and mechanisms to record and punish incidents of racist violence were ineffective and inefficient. The NCHR expressed its deep concern over racism and intolerance expressed through public, political, and religious speech, including racist songs and chants shouted by minors during soccer games. Eleni Zaroulia, an MP from the Golden Dawn party who also sits on the Committee on Equality and Non-Discrimination at the Council of Europe Parliamentary Assembly, referred to migrants in Greece as "sub-human" and "wretches that carry diseases" during an October debate in the Greek parliament. In July Human Rights Watch also released a report showing a sharp increase in attacks against presumed migrants and alleging that authorities regularly ignored or discouraged victims from filing complaints.

Local and international NGOs, criticized authorities for Xenios Zeus police sweeps against individuals, allegedly based on their physical appearance. NGOs claimed that police rounded up undocumented migrants and placed them in administrative detention in overcrowded conditions, without screening them to distinguish refugees meriting protection from other migrants. Police on occasion declined to accept government-issued identification cards, including those of diplomats, as valid proof of residency for persons perceived to be illegal migrants.

A number of citizens identified themselves as Turks, Pomaks (Slavic-speaking Muslims), Vlachs (a Balkan minority group speaking a Romanian dialect), Roma, Arvanites (Orthodox Christians, speaking an Albanian dialect), or Macedonians. Some members of these groups sought official government identification as "minorities" or "linguistic minorities." The government recognized only a "Muslim minority," as defined by the 1923 Treaty of Lausanne. The officially recognized Muslim minority of approximately 150,000 individuals resided in Thrace and consisted primarily of ethnic Turkish, Pomak, and Romani communities. Some members of the Pomak community claimed members of the Turkish-speaking community pressured them to deny the existence of a Pomak

identity separate from a Turkish identity. Some Pomaks claimed members of the Pomak community received monetary incentives to self-identify as Turkish.

Although the government affirms an individual's right of self-identification, many individuals who defined themselves as members of a minority group found it difficult to express their identity freely and maintain their culture. Use of the terms *Tourkos* and *Tourkikos* ("Turk" and "Turkish") are prohibited in titles of organizations, although individuals legally may call themselves *Tourkos*. The government denied official recognition to associations with either term in their name; the last such denial issued in April by the Areios Paghos Supreme Court stated that a 2008 ECHR decision requesting the country to recognize the Turkish Union of Xanthi was not binding.

The government did not recognize the existence of a Slavic dialect, called "Macedonian" by its speakers; nevertheless, a small number of its speakers identified themselves as "Macedonian," a designation that generated strong opposition from other citizens. These individuals claimed that the government pursued a policy designed to discourage the use of their language. Government officials and the courts denied requests by Slavic groups to identify themselves using the term "Macedonian," stating that approximately 2.2 million ethnically (and linguistically) Greek citizens also use the term "Macedonian" to identify themselves. The government has long refused to recognize an association with the name "Home of Macedonian Culture," objecting to the use of the term "Macedonian." The association took the case to the ECHR in 2009. In August the ECHR informed the government that it had accepted the case for judgment and requested the government to submit its position by January 15, 2013.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The legal age of consent for heterosexual intercourse is 15; for sexual intercourse between men, it is 17. The law does not specify an age of consent for sex between women. The NGO Homosexual and Lesbian Community of Greece (OLKE) stated that the higher age of consent for gay men and the lack of any legal framework for lesbian sex constituted discrimination.

OLKE also criticized the country's hate-speech legislation for not including sexual orientation or gender identity. Anti-discrimination laws do not specify sexual orientation.

For the first time a gay-pride parade took place under the auspices of the mayor of the northern city of Thessaloniki in June. The local Orthodox bishop pronounced the march unacceptable and called on his followers to oppose it. Minor incidents marred the parade. Approximately 50 protesters threw eggs and plastic water bottles at parade participants. Police quickly intervened; no arrests or injuries were reported.

In August OLKE alleged that during the police sweep targeting undocumented migrants, authorities rounded up transgender individuals and subjected them to HIV tests. Police reportedly released the individuals a few hours later when they tested HIV negative. In September OLKE and other lesbian, gay, bisexual, and transgender (LGBT) rights organizations alleged there were three homophobic attacks over the course of two weeks in September against LGBT individuals. In one of these, two men on a motorcycle beat a member of the board of Athens Pride and his friend. The injuries did not require hospitalization, and the assailants remain unidentified.

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

Other Societal Violence or Discrimination

Observers indicated that family and friends shunned individuals with HIV/AIDS and an unknown number lost employment once their HIV status was known. In May police forced HIV tests on people purported to be in prostitution. Police arrested 31 HIV-positive individuals, charging them with intentionally causing serious bodily harm. Authorities published photographs and personal data of the detainees on official Web sites. AI called on the police to stop the criminalization and stigmatization of persons supposedly in prostitution. The deputy ombudsman for human rights claimed that the publication of personal data and photographs insulted human dignity and violated the right for medical privacy.

There were no reports of dismissal from work due to HIV/AIDS during the year. Persons with HIV/AIDS were exempt from military service on medical grounds.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law protects the right of workers, with the exception of members of the military services, to form and join independent unions, allows unions to conduct their activities without interference, and permits workers in the private sector, the government, and parastatal corporations to strike. The law also protects the right to bargain collectively. In February the government, as part of its economic stabilization program, announced the implementation of a 22 percent reduction of the minimum wage and salary and a 32 percent reduction of the minimum wage and salary for persons under the age of 25 that employers and workers had agreed to in 2010. The unions filed a complaint with the International Labor Organization (ILO) over alleged violations of ILO convention numbers 154 and 98, which safeguard the right of collective bargaining. The decision remained pending. No antiunion discrimination was reported during the year. Agricultural employees, most of whom were foreigners, were not unionized.

Police have the right to organize and demonstrate but not to strike. There are some legal restrictions on strikes, including a mandatory notice period of four days for public utility workers (including those in the transportation sector) and 24 hours for workers in the private sector. The law mandates minimum staff levels (as determined by management) during strikes affecting public services. Courts may declare a strike illegal, but they seldom enforced such decisions. Unions complained that such judicial power deterred their members from participating in strikes. Courts declared some strikes (of transportation workers, air traffic controllers, garbage collectors, dock workers, and others) illegal during the year for such reasons as the union's failure to give adequate advance strike notice or the introduction of new demands during the course of the strike, but no workers were prosecuted for striking.

During the year there were numerous strikes involving private and public sector employees, public utility employees, truck drivers, and garbage collectors. There were no apparent government impediments to the right to strike. The government enforced a June ruling by an Athens court declaring illegal a nine-month strike by steelworkers at the Hellenic Steel Industry plant "Halyvourgia" outside Athens. On July 20, police forcibly opened the gates of the plant, sparking clashes with strikers, who also scuffled with steel workers returning to the plant.

The state determines salaries for security and armed forces personnel. Reforms of the labor laws in 2011 allowed company-level agreements to take precedence over sectoral-level collective agreements in the private sector. Civil servants negotiate and conclude collective agreements with the government on all issues except for salaries, for which the government has a constitutionally provided prerogative.

The law imposes a salary cap for employees of public enterprises as well as a 10 percent salary cut for salaries above a certain limit.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. There were reports that women, children, and men were trafficked for labor exploitation in agricultural and construction sectors. Several government entities, including the Hellenic Police's antitrafficking unit, worked to prevent and eliminate labor trafficking. On November 19, the Hellenic Police reportedly arrested four Romanian members of a trafficking ring. Police launched an investigation after six Romanians filed a complaint that they were forced into slave labor after being lured by a tourist agency promising farm work in Greece at a daily wage of 25 euros (\$33) and free room and board. According to press reports, the agency smuggled 41 people on buses in November and forced them to work 12-hour days gathering oranges. The smugglers reportedly confiscated the laborers' travel documents and forced them to live in abject conditions and pay exorbitant sums for food. Authorities discovered 10 victims, including two children, in poor physical and psychological condition. They received medical attention and at the year-end were under the protection of the Security Police's organized crime and human trafficking division.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

Although the law protects children from exploitation in the workplace and prohibits forced or compulsory labor, the government did not adequately protect children, primarily Roma, who were trafficked for begging, pickpocketing, or selling merchandise on the street.

The minimum age for employment in the industrial sector is 15, with higher limits for some activities. In family businesses, theaters, and cinema, the minimum age for employment is 12. The Labor Inspectorate enforced these limits through periodic spot checks, and they generally were observed. Younger family members often assisted families in agriculture, food service, and merchandising on at least a part-time basis.

Child labor was a problem. A number of children begged or sold small items in the streets. The government and NGOs reported that the majority of beggars were

either indigenous Roma or Albanian Roma. Drawing upon recent Ministry of Education data, local children's advocates estimated that a large number of the 150,000 children under the age of 18 who dropped out of school each year ended up in the labor market, often in poorly paid and arduous positions. Jobs for dropouts included washing cars, pumping gas, construction, and low-level service sector employment.

There were reports that unaccompanied immigrant children, working mainly in the agriculture, construction, and garment manufacturing sectors, were particularly vulnerable to labor exploitation.

Children from Albania were reportedly trafficked and forced to beg, with some parents forcing their children to beg for money or using them to elicit sympathy while the parents themselves begged.

The Labor Inspectorate is responsible for enforcing child labor laws. Trade unions alleged that enforcement was inadequate due to inspectorate understaffing.

d. Acceptable Conditions of Work

The national minimum wage in the private sector for persons age 25 or older was 26.20 euros (\$34.60) per day and 589.08 euros (\$778) per month. Persons under the age of 25 earned 84 percent of the minimum wage of workers older than 25, which amounts to 22 euros (\$29) per day and 494.83 euros (\$653) per month. The government determines public sector salaries, including the minimum wage, without negotiating with civil servant unions. The National Statistical Authority estimated that the poverty income level for an individual was 7,178 euros (approximately \$9,475) per year and that 28 percent of the population had an income below the poverty level. While wages were officially the same for local and foreign workers, there were numerous reports that employers paid documented and undocumented foreign workers below the minimum wage. Penalties were not sufficient to deter violations.

The law provides for equal pay for equal work.

Workers in the informal economy, comprising approximately 25-35 percent of gross domestic product, usually received less than the minimum wage and had no social security coverage. The Labor Inspectorate estimated in September that more than 35 percent of migrants received salaries below the minimum and did not have social security coverage.

The maximum legal workweek is 40 hours. The law provides for at least one 24-hour rest period per week, mandates paid vacation of one month per year, and sets limits on the amount of overtime. The law regarding overtime work requires premium pay and employers must submit information to the Ministry of Employment and Social Security for authorization. The Labor Inspectorate is responsible for enforcement of labor legislation; however, trade unions alleged that enforcement was inadequate, especially in the construction and public works sectors and in medium and small enterprises, due to insufficient inspectorate staffing. The actual number of labor inspectors was unavailable.

The law provides for minimum standards of occupational health and safety. The country has very complex safety and health legislation, consisting of 2,659 laws and presidential decrees ratifying EU standards and harmonizing Greek legislation to EU standards. The corner stones of the country's safety and health legislation are Presidential Decrees 17 of 1996 and 159 of 1999 ratifying EU guidelines 89/391 and 91/383.

The General Confederation of Greek Workers characterized health and safety laws as satisfactory but stated that enforcement by the Labor Inspectorate was inadequate. Workers have the right to lodge a confidential complaint with the Labor Inspectorate regarding hazardous conditions or situations they believe endanger their health. Inspectors can close machinery or a process for up to five days if they find safety or health hazards that they believe present an imminent danger to workers.

The Ministry of Labor and Social Security is responsible for all issues concerning occupational safety and health at the national level. The General Directorate of Working Conditions and the Health and the Labor Inspectorate (SEPE) are the principal competent state authorities. SEPE monitors and oversees implementation of labor legislation including safety and health, investigates and prosecutes violations, and provides assistance on better implementation. SEPE's mandate includes the private and public sector, except for domestic employees, mines, and merchant marine ships (mines and merchant marine ships fall under the Ministry of Economy, Competitiveness, and Shipping). Workers are registered with social security funds, which cover their mandatory insurance for occupational diseases and work-related accidents.

The SEPE has the right to conduct inspections at any private or public business at any time without warning, and may to shut down a workplace or an enterprise

permanently or temporarily if there is imminent danger to the workers' health or safety. SEPE conducts research on labor accidents, salaries, and working conditions; it can impose administrative penalties and file lawsuits against employers. It has the right of access to records, files, and the archives of enterprises, and it can offer mediation services to resolve individual or group labor disputes.

Nevertheless, overall labor enforcement remained lax, particularly in construction and agriculture, the two sectors employing most immigrant workers. Enforcement was also lacking among the numerous small enterprises in the country (approximately 800,000).

During the year the government organized campaigns to prevent and reduce occupational hazards, to develop a prevention culture, to reduce labor accidents and work-related illnesses, and to promote health and security standards in the small and medium size enterprises. It simplified and adjusted legislation to EU standards and promoted better implementation and enforcement of existing legislation. Training of all parties involved in safety and health policies was also available. The country also participated in EU-wide and local campaigns on specific related domestic issues.

The labor inspectorate investigated the causes of 5,203 labor accidents in 2011, of which 70 were fatal. Of the fatal accidents, forensic experts determined 31 cases were due to pathological diseases.