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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS
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**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLES 16 AND 17 OF THE COVENANT**

**Concluding observations of the Committee on
Economic, Social and Cultural Rights**

GREECE

1. The Committee on Economic, Social and Cultural Rights considered the initial report of Greece on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/1990/5/Add.56) at its 6th, 7th and 8th meetings, held on 28 and 29 April 2004 (see E/C.12/2004/SR.6, 7 and 8), and adopted, at its 29th meeting, held on 14 May 2004, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the initial report of Greece, which was in general prepared in conformity with the Committee's guidelines. However, the Committee regrets its late submission and the lack of comparative and disaggregated data in the report concerning the status of implementation of some of the Covenant's provisions.

3. The Committee notes with appreciation the State party's comprehensive written replies to its list of issues (E/C.12/Q/GRC/1), as well as the constructive dialogue with the delegation, which included a number of representatives from different ministries with expertise on the subjects relevant to the provisions of the Covenant.

B. Positive aspects

4. The Committee notes with appreciation that, in accordance with article 28, paragraph 1, of the Greek Constitution, the Covenant takes precedence over any contrary provision of the domestic law and that the Constitution, as revised in 2001, guarantees a wide range of social rights.

5. The Committee commends the State party for establishing, in 1998, the National Human Rights Commission, in compliance with the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles, General Assembly resolution 48/134, annex), as well as the Office of the Greek Ombudsman, whose powers cover the field of economic, social and cultural rights and include the investigation of individual complaints.

6. The Committee welcomes the recent legislative amendments to ban discrimination, in particular gender-based discrimination, in the employment sector, including the abolition of quotas restricting access by women to police schools or a recent Presidential decree placing the burden of proof on the employer if an employee complains about discriminatory practices.

7. The Committee welcomes the adoption of a National Action Plan for Social Inclusion for the biennium 2003-2005, which provides, inter alia, for financial support of low-income families, rent subsidies and interest-free loans for the purchase of houses.

8. The Committee notes with satisfaction that the State party adopted an Integrated Action Plan for the Social Integration of Greek Roma (2001-2008), which aims at improving the housing situation of the Greek Roma and their enhanced access to basic health services, i.e. through the development of new, and the improvement of existing, settlements, the establishment of socio-medical centres in these settlements and the deployment of mobile health units to encampments of the itinerant Roma population, especially in remote areas. The Committee also welcomes the implementation, since 2002, of a programme of housing loans for the Roma, under which some 4,700 grants of €60,000 each have been granted to applicants.

C. Factors and difficulties impeding the implementation of the Covenant

9. The Committee notes the absence of any significant factors or difficulties preventing the effective implementation of the Covenant in Greece.

D. Principal subjects of concern

10. The Committee is concerned that there is only one officially recognized minority in Greece, whereas there are other ethnic groups seeking that status.

11. While acknowledging the State party's efforts to promote the social integration of Greek Roma, the Committee remains deeply concerned about the persistent discrimination against Roma people in the fields of housing, health and education. It is particularly concerned about reported instances of police violence against Roma, sweeping arrests, and arbitrary raids of Roma settlements by the police.

12. The Committee notes with concern that economic, social and cultural rights normally also guaranteed to non-citizens, such as the right to non-discrimination or the right to free education, are reserved to Greek citizens under the State party's Constitution.

13. While appreciating the measures taken by the State party to ensure a legal framework to promote gender equality, the Committee is concerned that women are still underrepresented at the decision-making level in the political, economic and academic fields.

14. The Committee is concerned about the high unemployment rate, especially affecting women and young persons in rural areas.

15. The Committee is concerned that low income persons, the Roma, and documented and undocumented immigrants and their families may not have access to social services.

16. While noting that the State party has established a national observatory on the elimination of violence against women, as well as two reception centres for victims of domestic violence in Athens and Piraeus, the Committee expresses its concern about the high incidence of domestic violence and marital rape, which often remain unreported for cultural reasons and the economic dependency of wives on their husbands.

17. The Committee notes with concern that physical and sexual abuse of children seems to occur at a relatively high rate.

18. The Committee expresses its concern about the high numbers of trafficked women and children who are subjected to forced labour and sexual exploitation, and who are often deported to their countries of origin rather than being granted a residence permit, reportedly in an expeditious manner and without the necessary procedural safeguards.

19. The Committee is concerned that, according to information received, an alleged approximate number of 5,800 children below the minimum working age of 15 years illegally work in the streets.

20. The Committee regrets the lack of statistical data on poverty and the absence of a poverty line in Greece, which does not enable the State party to define the extent of poverty and to monitor and evaluate progress in alleviating poverty.

21. The Committee is gravely concerned about numerous reports on the extrajudicial demolition of dwellings and forced evictions of Roma from their settlements by municipal authorities, often under the pretext of construction projects for the 2004 Olympic Games, and frequently without payment of adequate compensation or provision of alternative housing.

22. The Committee is deeply concerned that many Roma reportedly live in sub-standard conditions, as their settlements often lack access to running water, electricity, sanitation and other essential services.

23. The Committee regrets the absence of statistical data on the extent of homelessness in the State party's report.

24. While noting the State party's efforts to provide basic preventive and mental health services to the population of remote areas, the Committee regrets that it did not receive adequate information from the State party on the frequency of deployment of, or the number of persons serviced by, the mobile health units servicing itinerant Roma or the mobile mental health units providing basic psychological services to persons living in remote areas.

25. The Committee notes with concern that the State party has one of the highest tobacco and alcohol consumption rates in Europe, in particular, among minors.

26. The Committee regrets that the State party did not provide sufficient information on health indicators or related national benchmarks against which the State party's achievements in specific areas of health could be measured.

27. The Committee regrets the lack of information on the results of the State party's vaccination campaigns and other preventive measures to combat hepatitis B and C.

28. The Committee is concerned that a high percentage of Roma and Turkish-speaking children are not enrolled in school, or drop out at a very early stage of their schooling. While it is possible to receive bilingual instruction in Turkish and Greek at the two Muslim minority secondary schools in Thrace, the Committee notes with concern that no such possibility exists at the primary level or outside Thrace, and that members of other linguistic groups have no possibility to learn their mother tongue at school.

29. The Committee regrets the lack of information on measures taken by the State party to preserve, protect and promote minority languages and cultures.

E. Suggestions and recommendations

30. The Committee recommends that the State party promote awareness of the individual entitlements under the Covenant and of the justiciable elements of all rights contained therein as defined in the Committee's general comments, among members of the legal professions, in particular judges and attorneys, as well as among the general public.

31. The Committee urges the State party to reconsider its position with regard to the recognition of other ethnic, religious or linguistic minorities which may exist within its territory in accordance with recognized international standards, and invites it to ratify the 1995 Council of Europe Framework Convention for the Protection of National Minorities.

32. The Committee urges the State party to investigate reported instances of police violence against the Roma and alleged arbitrary raids of Roma settlements, and to bring perpetrators to justice. It further recommends that the State party continue its efforts to train police officers on international human rights standards and to raise awareness of the dimensions of discrimination against the Roma among local authorities.

33. The Committee recommends that the State party harmonize its relevant constitutional provisions with its obligation to guarantee that the Covenant rights will be exercised without discrimination, based on the prohibited grounds as enshrined in the Covenant.

34. The Committee encourages the State party to take effective measures to increase the level of representation of women at all decision-making levels.

35. The State party is requested to include in its next report updated statistical data on employment, disaggregated by age, gender, and urban/rural region, as well as information on the measures adopted to remedy disparities in regional unemployment rates.

36. The Committee urges the State party to ensure access of disadvantaged and marginalized persons and families to individual as well as collective social services. In this regard, the Committee requests the State party to provide, in its next report, disaggregated data on the use of these services, so as to enable the Committee to assess what percentage of the population effectively has access to and uses these services.

37. The Committee urges the State party to proceed with the adoption of its draft legislation criminalizing domestic violence and marital rape by introducing specific provisions into the criminal code, to strengthen its assistance to victims of domestic violence and marital rape, for example, by creating more guest houses and reception centres, to sensitize law enforcement and medical personnel, as well as the public at large, to the criminal nature of such acts, and to collect updated statistical data on the number of victims, perpetrators, convictions and the types of sanctions imposed, for inclusion in the State party's second periodic report.

38. The Committee recommends that the State party remedy the lack of social workers with a view to improving its assistance to children suffering from physical and sexual abuse, and include in its next report updated statistical data on the number of victims, perpetrators, convictions and the types of sanctions imposed.

39. The Committee urges the State party to ensure respect for the necessary procedural safeguards when deporting victims of trafficking in persons, particularly when such victims are children. The State party should also continue and intensify its cooperation with neighbouring countries in combating trafficking in persons, provide medical, psychological and legal support to such victims, and include detailed information on these measures in its second periodic report.

40. The Committee recommends that, in compliance with article 10 of the Covenant, the State party institute criminal proceedings and takes other effective measures against parents or other persons who may be exploiting children below the minimum working age of 15 years illegally working in the streets. The State party should also take measures to ensure regular school attendance by these children, as provided for by article 13 of the Covenant.

41. The Committee requests the State party to include in its second periodic report updated statistical data on the extent of poverty in Greece and draws the State party's attention to the Committee's statement on Poverty and the International Covenant on Economic, Social and Cultural Rights (E/C.12/2001/10).

42. The Committee urges the State party to ensure that forced evictions are carried out in accordance with the guidelines defined in the Committee's general comment No. 7, and that those affected have a right to adequate compensation for the loss of any property, both personal and real, and are provided with adequate alternative housing meeting their specific cultural needs.

43. The State party is also requested to provide, in its second periodic report, detailed information on the number of Roma evicted from their homes, especially in the context of the 2004 Olympic Games, and on any measures taken to remedy illegal acts which may have occurred in that regard.

44. The Committee urges the State party to take measures towards providing for all the Roma, including itinerant and non-Greek Roma, adequate and affordable housing with legal security of tenure, access to safe drinking water, adequate sanitation, electricity and other essential services, and meeting their specific cultural needs. The Committee recommends that the State party ensure the participation of Roma representatives in the assessment of the Integrated Action Plan for the Social Integration of Greek Roma and that it include information on the practical effects of the implementation of the Plan, as well as its applicability to non-Greek Roma legally residing within the State party's territory, in its second periodic report.

45. The Committee requests the State party to address the problem of homelessness, to provide information on the progress achieved in that regard, and to include updated statistical data on the number of homeless people in Greece, disaggregated by gender, age, ethnicity and urban/rural area, in its next report.

46. The Committee requests the State party to provide in its next report adequate information on the frequency of deployment of, and the number of persons serviced by, the mobile health units servicing itinerant Roma, and the mobile mental health units providing basic psychological services to persons living in remote areas.

47. The Committee recommends that the State party strictly enforce the prohibition of smoking in public areas and of the sale of strong alcoholic beverages to minors, adopt effective measures against "subtle" forms of tobacco and alcohol advertisement, in addition to existing restrictions, and intensify its efforts in the field of anti-smoking education and information campaigns.

48. The Committee invites the State party to identify disaggregated indicators on the right to health and appropriate national benchmarks in relation to such indicators, in accordance with the Committee's general comment No. 14, and to inform the Committee on the process of identifying such indicators and benchmarks in its second periodic report.

49. The State party is requested to provide information on the results of the State party's vaccination campaigns and other preventive measures to combat hepatitis B and C, and to include the relevant data in its second periodic report.

50. The Committee urges the State party to take effective measures to increase school attendance by Roma and Turkish-speaking children, including at the secondary level, to ensure, to the extent possible, that children belonging to minority linguistic groups have an opportunity to learn their mother tongue, including regional dialects, at school, and to ensure an adequate staffing with teachers specialized in multicultural education.

51. The State party is requested to include in its next report information on measures taken to preserve, protect and promote minority languages and cultures, which should not be limited to the Muslim minority in Thrace.

52. The Committee requests the State party to disseminate the present concluding observations widely among all levels of society and to inform the Committee on all steps taken to implement them in its next periodic report. It also encourages the State party to engage non-governmental organizations and other members of civil society in the process of discussion at the national level prior to the submission of its next periodic report.

53. The Committee further requests the State party to submit its second periodic report by 30 June 2009.
