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COMMITTEE ON ECONOMIC, SOCIAL  
AND CULTURAL RIGHTS  
Pre-sessional working group  
2-6 December 2002

**IMPLEMENTATION OF THE INTERNATIONAL COVENANT  
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**List of issues to be taken up in connection with the consideration  
of the initial report of GREECE concerning the rights referred to  
in articles 1-15 of the International Covenant on Economic,  
Social and Cultural Rights (E/1990/5/Add.56)**

## **I. GENERAL INFORMATION**

### **A. General legal framework within which human rights are protected**

1. Please give more information on the application of the Covenant's rights as reflected in the extensive economic, social and cultural rights guaranteed in the Greek Constitution. In particular, how do the courts apply those provisions? Please provide concrete details of any court decision relating to the Covenant.
2. Although the Covenant, like all international treaties, is part of the domestic law, it appears that the public knows little about it. What is the State party doing to remedy the situation?
3. Has the National Ombudsman taken up questions relating to minority rights issues, and rights of women, children and other disadvantaged and marginalized groups of society, as far as economic, social and cultural rights are concerned?
4. Does the National Human Rights Commission meet the criteria of independence laid down in the Paris Principles of 1991? What follow-up has been given to the reports submitted by the National Human Rights Commission to the Government on the protection of the social rights of refugees, asylum-seekers and Roma people, combating racial discrimination and human rights education, particularly in the field of economic, social and cultural rights?
5. How and to what extent are NGOs involved in the preparation of the State party's reports?

### **B. Information and publicity**

6. How are the reports to the Committee on Economic, Social and Cultural Rights and its concluding observations made public in Greek society? Are they translated into the Greek language, and is Parliament involved in that process?

## **II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)**

7. Bearing in mind that the Council of State has accepted that there is a need to adopt positive measures in order to attain effective gender equality, what measures has the State party adopted to address gender-based job discrimination, especially in the private sector and particularly in the banking sector in the Athens region?
8. Please provide information on measures the State party has adopted to eliminate gender discrimination in the armed forces, the police force, the fire brigades and the Merchant Marine Service, and in respect of equal access to these services.

9. What measures has the State party adopted to remedy the situation arising from the fact that Shariah law is being applied to Muslim women of Thrace and that, for example, Muslim women are only entitled to one half of their husband's inheritance; their husband may take another wife as long as they "agree"; the custody of children below a certain age is systematically awarded to the mother and above a certain age systematically to the father without due regard to the best interests of the child, which is in contravention of Greek civil law, constitutional law, and international law obligations?

### **III. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)**

#### **Article 6 - The right to work**

10. Considering that the rate of employment among women is lower than that among men, particularly in the rural areas, what measures has the State party adopted to achieve greater gender equality in employment? What have the concrete effects of the National Action Plan for Employment been?

11. What measures does the State party propose to adopt in relation to job discrimination against Muslims, Roma, migrant workers and ethnic minorities, such as those living in Macedonia? What steps is the State party taking to prevent job advertisements in the press which stipulate that foreigners are excluded?

12. Please provide more details regarding the employment of persons with special needs, such as people with disabilities, in the private and public sectors. How is the employment legislation for these categories of employee put in practice, and how is it monitored?

#### **Article 7 - The right to just and favourable conditions of work**

13. Please explain why the State party requires conscientious objectors to perform civilian service which is 18 months longer than military service, bearing in mind that the Council of Europe's Commissioner on Human Rights has stated that civilian service should not be of a punitive nature and that its duration should be within reasonable limits by comparison with military service.

#### **Article 8 - Trade union rights**

14. Please explain in more detail the prohibition on the right to strike in the public administration, in particular in relation to the category of non-essential services.

#### **Article 9 - The right to social security**

15. Please provide more details in relation to access by minorities and repatriates to the social security system in Greece. Please also provide more details about the Social Security Institute (IKA) and the reasons for reducing the number of funds relating to main insurance, supplemental insurance and sickness insurance organizations. What steps are being taken to monitor the operation of such funds?

16. Please explain whether public services are available in practice to illegal immigrants.

#### **Article 10 - Protection of family, mothers and children**

17. Considering the narrow definition of a family under Greek civil law, how are the rights enshrined in article 10 of the Covenant realized for other affected persons, such as children living in single-parent families, same-sex partnerships or other situations?

18. Please give more details about the problem of street children and about the intended new programmes of the Ministry of Health and Welfare to address this problem.

19. What steps are being taken by the State party to combat child labour and trafficking of women and children for sexual purposes? Is the State party considering legislation specifically criminalizing the trafficking of human beings for forced labour and does the State party intend to ratify the Worst Forms of Child Labour Convention, 1999 (No. 182) of the ILO?

20. What measures does the State party intend to adopt in order to introduce specific legislation criminalizing domestic violence and marital rape?

21. Please provide information regarding the problem of child abuse and corporal punishment in the family. What measures has the State party adopted to address these problems?

#### **Article 11 - The right to an adequate standard of living**

22. Please provide more details regarding the National Plan of Action against social exclusion in relation to the right to adequate food as outlined in the Covenant and in General Comment No. 12 of the Committee. Considering that no poverty line exists in the State party, how are those suffering from hunger and malnutrition reached by administrative and social measures?

23. Please give more details regarding the widespread discrimination against Roma people in relation to housing rights, and please explain the Integrated Action Plan (IAP) for the social integration of the Roma people, and for repatriates and other minorities in Greece.

24. Please give more details regarding the housing situation of the poor living in urban areas.

25. What steps has the State party taken to reduce homelessness and address the completely inadequate housing for illegal immigrants, especially in the agricultural sector?

26. Considering that rents in the private housing market may be excessive, what is the State party doing to deal with the problem of housing for people affected by forced eviction following

court eviction orders, in conformity with the Covenant and General Comment No. 7 of the Committee? What steps is the State party taking to address expropriations and forced evictions allegedly because of the Olympic Games when the affected property is actually not used for that purpose?

27. What steps has the State party taken to improve access to safe, sufficient and affordable drinking water in the rural areas in conformity with articles 11 (1) and 12 of the Covenant and General Comment No. 15 of the Committee?

### **Article 12 - The right to physical and mental health**

28. Given the fact that the State party has the highest tobacco consumption rate in the European Union, please provide more details about the measures taken by the State Party to combat the increasing problem of smoking, especially among younger sections of the population.

29. What measures is the State party taking to combat the hepatitis B and C and HIV/AIDS infections?

30. Please provide more details about the deinstitutionalization and destigmatization of mental health patients, following the “Psychargos” programme. What have the interim results been and what is the level of general acceptance of these measures among Greek society?

31. What steps has the State party taken to improve access to mental health services in rural areas?

### **Articles 13 and 14 - The right to education**

32. What steps has the State party taken to reduce the relatively high rate of school absenteeism and school drop-out among the Roma people? Please provide updated information in this regard.

33. Why is the teaching of the Greek Orthodox religion given preferential treatment in State schools?

34. Children with disabilities who cannot be integrated in regular State schools are sent to special schools on the advice of Centres for Diagnosis, Assessment and Support. If parents, or those having custody of the disabled children concerned, do not agree with the findings of the Centres, who decides the issue, and are there legal appeal possibilities?

35. Please explain why the teaching of minority languages is not protected. What steps has the State party taken to ensure that intercultural schools promote the rights of minorities to a different and specific identity instead of simply assimilating them into the Greek majority culture.

**Article 15 - The right to take part in cultural life, enjoy the benefits of scientific progress and the protection of intellectual property**

36. Please explain what steps the State party is taking to extend the measures for the protection of Greek Roma in cultural matters in the Attica area to other parts of the country.

37. Is the State party planning to extend the facilities for Turkish-language programmes on radio beyond half hourly news bulletins?

38. Please provide more information on the resolved cases concerning intellectual property rights as regards the calculation and restoration of damage and the penal sanctions applied aimed at preventing further violations of intellectual property rights.

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