



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Thirty-seventh session

Summary record of the 767th meeting (Chamber A)

Held at Headquarters, New York, on Wednesday, 24 January 2007, at 10 a.m.

Chairperson: Ms. Gabr (Vice-Chairperson)

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Sixth periodic report of Greece
(CEDAW/C/GRC/6; CEDAW/C/GRC/Q/6 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Greece took places at the Committee table.*

2. **Ms. Tsoumani** (Greece) said that she had come before the Committee, not to give an embellished picture of the situation of women in Greece, where the desirable level of equality had still not been achieved, but rather, to discuss the efforts being made to tackle various forms of discrimination against women and any major results. Her country had undertaken initiatives and adopted legislative and other measures aimed at improving women's situation in all sectors. The preparation of its periodic reports and its sustained efforts to implement the Convention and the Committee's recommendations had helped to identify regulatory gaps, deficiencies in the implementation of legislation and equality deficits in general. The Greek Constitution had been revised and now included the obligation of the State to adopt positive measures as a means of achieving real equality between men and women. The new provision was in conformity with article 4, paragraph 1, of the Convention, as interpreted by the Committee's general recommendation 25, *inter alia*.

3. A special law on the prevention and repression of domestic violence had been adopted. The competence to provide consultative services to victims had been entrusted to local government. The new legal framework against trafficking in human beings characterized such acts as criminal offences. Severe punishments for the perpetrators had been established and provision made for effective protection and assistance to victims. The granting of residence and work permits to victims of trafficking and the introduction of a reflection period had been facilitated by law. A recent law on equal treatment of men and women in all aspects of employment tackled sexual harassment as a form of discrimination on the ground of gender. An obligatory quota of one third for each sex in the electoral lists for local office and for the

collective bodies of governmental agencies had been established.

4. Special regulations for the improvement of parental leave for male civil servants had been promoted under a new code for the civil service currently being discussed in Parliament. New mechanisms for promoting gender equality had been established and existing ones reinforced. In 2002, a Permanent Parliamentary Committee for Equality and Human Rights had been created. A National Committee for Equality between Men and Women had been set up as the official forum for dialogue between the State, the social partners and NGOs with a view to the formulation of the national strategy for gender equality and gender mainstreaming, in line with the Committee's general recommendation 6.

5. A law had entrusted the Greek Ombudsman with the competence to monitor the implementation of equal treatment between men and women in employment both in the public and, for the first time, in the private sector. A special department for gender equality would be created within the Office of the Greek Ombudsman. In parallel, the General Secretariat for Gender Equality, the competent governmental body, had been strengthened, with a significant increase of its administrative and scientific personnel.

6. In October 2006, the Finnish Presidency of the European Union had examined the role of government mechanisms for gender equality on the basis of indicators of progress by member States in that area. Greece had been ranked second and third with regard to the level of responsibility of the government mechanism and the human resources employed by it, respectively. Since 2004, the Government had been implementing an integrated national plan of action against trafficking in human beings aimed at screening, identifying, protecting and assisting the victims, as well as giving support to the countries of origin through prevention and reintegration programmes. It was coordinating a plan for cross-border and interregional cooperation and operational action of police services in the countries of South-Eastern Europe whose objective was the dismantling of organized transnational trafficking networks and the release, protection of and assistance to victims.

7. The Government viewed the Convention as an extremely valuable tool for the promotion of women's human rights and the improvement of their position in

society. It attributed great importance to the Committee's recommendations and had carefully studied them in preparing the sixth periodic report. Following the consideration of the combined fourth and fifth periodic reports, the Committee's conclusions and recommendations had been translated into Greek and forwarded, along with the summary records of its meetings on the Greek reports, to all ministries and public bodies concerned. NGOs had been informed and the Greek press had covered the issue.

8. A dialogue with the Committee without NGO input would be ineffective and incomplete. Parallel NGO reports were an important tool in identifying gaps and challenges, both for the treaty bodies and for the Governments concerned. However, such reports did not always paint a fair and accurate picture of the efforts made to implement a human rights convention. They should be viewed with the same critical approach as the reports of the States parties.

9. In response to the Committee's recommendation on the elimination of negative stereotyping of the roles of men and women in society and the family, the Government was focusing its efforts on the educational process and the sensitization of parents, in particular fathers. Several special programmes aimed at minors and adults were being implemented with a view to raising the awareness of teachers in public secondary schools and vocational training institutions, enriching libraries in public technological education schools, reconciling men's professional and private lives, and reinforcing the so-called "parents' schools", which constituted a distinctive lifelong learning structure.

10. In October 2006, a new legal framework had substantially enhanced the fight against domestic violence in response to recommendations by the Committee and other treaty bodies. It protected the fundamental rights of women through five critical reforms: the imposition of stricter penalties for acts characterized as criminal offences when committed within the family; criminalization of marital rape; legislative coverage of non-marital cohabitation; explicit prohibition of physical violence against minors as a disciplinary measure; and institution of mediation for certain criminal cases involving domestic violence. A television campaign was currently being waged throughout the country, printed material was being distributed and training seminars for public administrations, local authorities and NGOs were being held.

11. The Greek State's particular interest in the question of violence against women had been evidenced, *inter alia*, by its voluntary financial contribution of 12,650 euros to the Division for the Advancement of Women for the preparation of the Secretary-General's in-depth study on all forms of violence against women. Greece was also participating actively in the Council of Europe's campaign to combat violence against women 2007-2008.

12. In August 2006, a new law addressing sexual harassment in the workplace had been adopted. It incorporated the relevant European Union directive into domestic law and responded to the recommendations of the Committee. Sexual harassment was currently defined by Greek law as a form of discrimination in the workplace on the ground of gender and was prohibited both in access to employment and across the whole spectrum of labour relationships.

13. In 2001, Greece had started to tackle in a systematic way trafficking in human beings and sexual exploitation of women and girls. Since August 2004, the Government had been implementing an integrated national action plan, which covered a wide spectrum of actions: screening, identification, protection and support of the victim, granting of a residence or work permit, imposition of a reflection period, voluntary repatriation with financing of reintegration programmes, training of police officers, judges and public prosecutors, information and public-awareness campaigns and a national database for monitoring the phenomenon. An important turning point had been a memorandum of cooperation between the special committee that coordinated the plan's implementation, twelve NGOs and the International Organization for Migration (IOM).

14. An extensive television campaign had been carried out to raise public awareness of the problem. Training seminars had been organized for judges, public prosecutors, police officers and health officials concerning the screening and referral process. The National Centre for Social Solidarity, a legal entity supervised by the Ministry of Health and Social Solidarity, ran a 24-hour hotline and provided psychological support and shelters for victims. The Ministry of Foreign Affairs, through the Hellenic Agency for International Development (Hellenic AID), implemented a plan of action covering, *inter alia*, screening, identification and referral to shelters,

accommodation, psychosocial and legal assistance, assisted voluntary repatriation to countries of origin, training of prosecutors and police officers and regional initiatives aimed at addressing the root causes of trafficking in human beings in the countries of origin. Greece was expected to be among the first countries to ratify the Council of Europe Convention on Action against Trafficking in Human Beings, which had been signed in November 2005.

15. In 2003, quotas unfavourable to women's admission to police academies and recruitment as border guards had been abolished. The 10 per cent and 15 per cent quotas for the admission of women to the fire brigade academy and the municipal police, respectively, had been removed by law in 2005 and 2006.

16. According to the National Statistical Service, the employment rate for women had increased from 44 per cent in 2004 to 47.5 per cent in the second quarter of 2006, while the rate for women's unemployment had been reduced from 16.2 per cent in 2001 to 13 per cent in the third quarter of 2006. Despite the downward trend, that percentage remained higher than the corresponding rate for men. For that reason, female employment constituted a priority for the Government, the social partners and enterprises. Supporting women's employment was a special objective in the National Reform Programme 2005-2008.

17. A quota of at least 60 per cent in favour of women was set in all training programmes for the unemployed run by the Greek Manpower Organization. In 2005 and the first quarter of 2006, 35,000 women had benefited from national employment and training programmes. The State had been strengthening the childcare and social care facilities as a support to women's employability. Currently, 1,520 structures were operating at the national and regional levels, with a capacity of 73,000 children.

18. The Ministries of the Interior and Employment were elaborating a new institutional framework, to be completed in early 2007, for promoting women's employability through new methods of bridging the gap between work and family life using existing structures as well as direct financial support for childcare services. In order to reduce a pay gap that amounted to 10 per cent in Greece, according to Eurostat figures for 2005, proactive measures had been taken in cooperation with the private sector as well as

employers' associations. A protocol of cooperation had been signed between the Government and top employer associations. It aimed at mobilizing the business sector in favour of equal professional opportunities for women and men and equal pay in practice. The new Code of Civil Servants recognized the right of the male civil servant to parental leave for childcare purposes, which could consist of reduced working hours or a nine-month paid leave. Single-parent families had the same entitlement.

19. Balanced participation of men and women in public-sector entities and the local authorities had been guaranteed by law since 2000, with a participation quota of 33 per cent for each sex. In addition, since 2001, a quota of at least one-third participation of each sex in electoral lists for local elections had been instituted. In the local elections held in October 2006, the State had supported women candidates with training seminars and educational handbooks to promote communication skills for women, followed by a television campaign. As a result, the number of women elected mayors had increased by 47.5 per cent compared to 2002. Women's representation on the teaching and research staff of universities had increased from 25 per cent in 2001 to 30 per cent in 2004. In technical education institutes, women had represented 39 per cent of the teaching staff in 2004.

20. Members of the diplomatic service were appointed following successful attendance of the diplomatic academy and a special examination. As from 2001, there had been an almost balanced distribution of the two sexes among students admitted to the academy: 11 women and 12 men in 2001, 8 women and 7 men in 2006. Underrepresentation of women, which could still be observed in the highest ranks of the diplomatic service, was expected to disappear gradually within the next few years when a significant number of minister counsellors would be promoted to ambassadorial positions.

21. The Roma, women and men, formed an integral part of the Greek population and enjoyed full protection under the Constitution and the law. In view of their way of life, they were recognized by the State as a socially vulnerable group deserving of positive measures and actions. Under an integrated action plan for the social integration of Greek Roma carried out since 2002, 728 Roma women had participated in social integration programmes, 70 had been placed in new jobs in enterprises, 20 had received subsidies to

create small individual companies and 715 had participated in programmes facilitating their integration into the labour market. From 2005 to 2006, 1,200 Roma had been trained in adult education centres, and women had comprised 83.5 per cent of them.

22. Women members of the Muslim minority of Thrace were the beneficiaries of various education and employment programmes; for example, a project in the region of Eastern Macedonia and Thrace was aimed at enhancing women's employability through counselling, training and entrepreneurship. There was also a special programme for the education of Muslim children, both boys and girls, under the auspices of the Ministry of Education, which provided them with many opportunities for improving their school performance. New policies had been introduced to combat the phenomenon of school dropouts and encourage the integration of pupils into the labour market. Greek legislation provided for a special quota of 0.5 per cent for admission of minority students to institutes of higher education. As a result of such policies, equal numbers of girls and boys participated in primary and secondary education, while in tertiary education, 40 per cent of Muslim students were women.

23. During the period 2000-2006, an average of 4,500 programmes on health education issues had been carried out annually in schools. Educational material on the subject had been prepared specially for secondary school students, and similar materials for primary school students had been ordered. During the current school year, a training programme on sexually transmitted diseases addressed to primary and secondary school teachers was being carried out; it would be supplemented with lectures by experts in charge of health education. Lectures on contraception methods had been given in more than 100 schools to 70,000 students all over Greece. The percentage of deliveries by Caesarean section was high, amounting to 37 per cent. Among the measures implemented to achieve its reduction was the creation of units for painless delivery at the family planning centres of obstetrical hospitals, as well as information programmes on the advantages of natural delivery.

24. Greece was considering favourably the adoption of an amendment to article 20, paragraph 1, which, under its legal order, was subject to ratification by Parliament. The sixth periodic report was the product of collaboration between the services of the General

Secretariat for Gender Equality and other Ministries, independent authorities such as the Ombudsman and the National Council for Radio and Television, NGOs, international organizations and independent experts. Before its submission to the Committee, the report had been favourably received by the National Commission for Human Rights, to which it had been submitted in accordance with statutory regulations. The report had received a huge amount of publicity: 2,500 copies in Greek and English had been distributed, free of charge, both in Greece and abroad, thanks to funding from the Ministry of the Interior. The report and the legislation ratifying the Convention and its Optional Protocol were accessible to all interested parties on the website of the General Secretariat for Gender Equality.

25. On 18 December 2006, with a view to the introduction of the report before the Committee, a consultation meeting had been organized with the participation of women's NGOs, trade unions, equality units of local government bodies and the National Commission for Human Rights. A briefing had taken place on 12 December 2006 for members of Parliament who participated in the Permanent Parliamentary Committee for Equality and Human Rights.

26. The Greek Government attributed great importance to the promotion of gender equality, which since 2001 had been a matter of national strategic planning, in accordance with the Beijing Platform for Action. An integrated cohesive intervention strategy for the period 2004-2008 linked gender issues to national priorities, namely development, employment, education and social cohesion. A political programme was being implemented, focusing on four areas: improving women's employment, combating stereotypes through education, preventing violence against women, and strengthening women's participation in decision-making.

Articles 1 to 6

27. **Mr. Flinterman** said that less than five years earlier, the Committee had had a constructive dialogue with Greece, which at that time had just ratified the Optional Protocol. He commended it for having done so at such an early stage, but pointed out that the Committee had since received no communications under the Optional Protocol from Greek women or NGOs. Perhaps women were able to obtain local remedies for alleged violations of their rights, obviating the need to approach the Committee, but it

was also possible that the cost of court proceedings or lack of awareness of their rights under the Convention militated against their seeking redress. Accordingly he wished to know more about the new law on equal treatment: whether it had become easier for women to submit cases of alleged violations of their rights to ordinary courts of law; whether a legal aid scheme was in place to assist women in bringing cases before the courts; what training programmes currently existed for the judiciary and legal profession, and what areas they covered. The report gave the impression that the emphasis was on European gender-equality policies, not those provided for in the Convention. Had there been any cases in domestic courts that referred specifically to the Convention? He asked whether there were any compulsory courses on women's human rights in law faculties.

28. He had earlier had some concerns about the visibility of the Convention and was accordingly pleased that the Committee's concluding comments had been translated into Greek and circulated widely. The Committee now had 25 general recommendations that shed light on how the Convention should be interpreted; had they, too, been translated? Article 116 of the Constitution was an important text that provided for positive measures, yet it had been adopted in 2001, before the Committee's general recommendation 25, which specifically addressed temporary special measures. The interpretation given by the Council of State to article 116, paragraph 2, allowed for the adoption of positive measures in all fields, including the area of political rights, provided that "[they] do not entail excessive restrictions which affect the core of human and political rights which they concern". He would like the delegation to elaborate on that interpretation.

29. **Ms. Halperin-Kaddari** said that she had found the structure of the national machinery for advancing the status of women fairly difficult to comprehend, although some clarification had come from the State party's detailed responses to the list of issues. She wondered whether the legislation to establish a committee to promote equality between men and women had been passed. As she understood it, the committee was to be, not a supervisory or an executive body, but a forum to promote dialogue between government mechanisms and civil society. The English-language version of the report apparently

omitted the paragraphs devoted to the subject in the Greek original, and she would like to know why.

30. She noted that the General Secretariat for Gender Equality was merely a unit within the Ministry of the Interior. Experience showed that not having an independent ministry or sub-ministry for women's rights tended to create major impediments to efficient functioning. She asked whether the General Secretariat had an independent budget guaranteed by law and what resources were allocated to it.

31. She commended the Greek Government for having made some significant strides forward since the consideration of the previous report, but her general impression was that the national mechanisms and plans for the advancement of women were not functioning very effectively. There were persistent gaps between the Government's gender empowerment measures and the indicators elaborated by the United Nations Development Programme (UNDP). Moreover, there was insufficient information on women who were vulnerable, especially those from ethnic minority groups, such as Roma and Muslim women, and immigrants.

32. **Ms. Pimentel** commended the measures taken in the field of education and to combat stereotypes, particularly the work done under the National Action Plan for Gender Equality (2001-2006) to counteract stereotypes promoted by the mass media. The report mentioned studies carried out by the Research Centre for Gender Equality from 2001 to 2002, but she would like to know what the Centre had done recently. A praiseworthy code of ethics in the mass media was mentioned in the report, but more information would be appreciated on its effectiveness and how the behaviour of media directors and the image of women had changed since the relevant legislation had been enacted. She asked whether there were penalties for breaching the code of ethics and, if so, what kind.

33. It was commendable that the new legislation adopted in October 2006 had stepped up the fight against domestic violence, particularly by criminalizing marital rape and prohibiting physical violence against minors. Alternative sources such as Amnesty International indicated, however, that the rights of victims were being compromised, both in law and in practice. The philosophy behind the new legislation placed emphasis on the preservation of the family unit, to the detriment of the victim of domestic

violence. She requested additional information about judicial arbitration, restraining measures and budgetary allocations, all points of concern to Amnesty International, about steps taken to monitor the actual impact of the legislation on victims of violence and about the necessary enactment of a presidential decree to ensure its implementation.

34. **Ms. Neubauer** welcomed the fact that gender equality mechanisms had been strengthened and new ones established, but she shared the concerns already expressed about institutional mechanisms in general. The United Nations had always deemed them to be essential instruments that Governments must establish or reinforce in order to eliminate discrimination against women and achieve substantive gender equality; in addition, the mechanisms should be at the highest government level. To enable the General Secretariat for Gender Equality to efficiently carry out its mandate, its human resources capacity had been strengthened, and that was commendable. In addition to that central government structure, there was also an Office for Gender Equality in the Ministry of National Defence. It would be good to learn that there were also plans or political will on the part of the Government to introduce units or focal points in each Ministry, or at least in those responsible for areas in which inequality had been manifested.

35. Gender mainstreaming should promote equality as an objective at all levels of the policymaking process. Development and use of the necessary tools and techniques required knowledge and skills. The Interministerial Committee for Gender Equality apparently promoted coordination among ministries and other State operators, but the report was silent about any further institutional mechanisms designed to enable the ministries to carry out the Government's gender mainstreaming policy efficiently and use it to its full potential.

36. The National Committee for Equality between Men and Women was a new mechanism, apparently envisaged as a permanent forum for ensuring effective cooperation between the State and civil society, but she understood that it was not yet operational. If that was correct, she wished to know when it would begin to function, which ministries would be represented on it and what criteria would be used for selecting representatives of the social partners and NGOs that would participate in its work.

37. **The Chairperson**, speaking as a member of the Committee, echoed the concerns expressed about the visibility of the national machinery for women's rights, coordination with other institutions and methods of working with minorities to make policies operational.

38. **Ms. Yannakourou** (Greece), responding to the questions about the application of the Optional Protocol since its ratification by Greece in 2001, said there were perhaps two reasons why so far no communications had been submitted to the Committee. The first was a general reluctance among citizens to have recourse to institutions at the European or international level, which were considered the last resort after the exhaustion of domestic remedies. The second was that Greek law incorporated a comprehensive and effective legal arsenal to protect victims of gender discrimination.

39. Violation of the principle of gender equality invalidated all legal transactions or decisions taken and entitled victims of discrimination to bring legal proceedings. Civil courts could be requested to accord reparation for injury suffered, in the form of pecuniary and non-pecuniary compensation. If discrimination was manifested with regard to terms and conditions of employment, for example promotion or professional advancement, the victim could request pecuniary damages as well as restitution of conditions of equality. If a candidate for a government post passed a competitive examination and was refused the post on account not of the examination results but of discriminatory practices, for example quotas unfavourable to women, the judicial decision authorizing the request for compensation mandated ipso facto the conclusion of a labour contract, even retroactively. If the rejection of a labour contract was declared null and void by a court on the ground of gender-based discrimination or sexual harassment, the victim could request of the court, in addition to damages, an order for reinstatement.

40. A question had been asked about human rights instruction in faculties of law. The subject was being accorded increasing importance: courses on human rights were compulsory at all three law faculties in Greece. All law professors were well versed in the human rights treaties, the Convention itself was well covered in the teaching materials used in universities, and training for the legal profession on the subject was continuing. True, there had been a period when such training had focused on European Community law, but

the country's commitments at the international level had nevertheless not been overlooked. In recent seminars organized in cooperation with international centres of public administration and local collective bodies, the Convention had been presented in detail, and the intention was to pursue such efforts in the future.

41. She acknowledged that it was time for the general recommendations to be translated into Greek. The Council of State in its jurisprudence regularly referred to the Convention, which it used as a legal basis for its decisions. Article 116, paragraph 2, on temporary special measures was truly a great innovation. In its interpretation, however, competition among the various principles guaranteed by the Constitution came into play, and a balance among them must be maintained. Accordingly, whenever one principle was applied, care must be taken not to prejudice the application of the others.

42. The National Committee for Equality between Men and Women had been officially established by law in October 2006 and would become operational in February 2007, when the Government intended to convene its members for their first meeting. The Committee was responsible for gender integration in public administration and society, in cooperation with the social partners and NGOs. Most of the ministries directly concerned were represented on it. The representatives of the social partners and NGOs that participated in it did so at the discretion of the organizations in question, which were invited to appoint their own representatives.

43. The fact that the General Secretariat was an administrative unit of the Ministry of the Interior, Public Administration and Decentralization, meant that it could effectively oversee the fulfilment of gender integration throughout public administration. It had, however, become apparent that the General Secretariat's working methods needed to be improved in the light of its obligations at the international level. The National Committee for Equality between Men and Women had thus been established as a means of ensuring a dialogue between the public administration and civil society.

44. The fact that the Government accorded special attention to the social integration of vulnerable groups was evidenced by the national plan for social integration, in which coherent measures for all

vulnerable groups were elaborated and implemented. An integrated plan of action specifically for immigrants had been envisaged in legislation adopted in 2005 and would be implemented in 2007.

45. **Ms. Tsoumani** (Greece) said that the word "unit" did not accurately reflect the importance of the General Secretariat as a national mechanism and a political, not an administrative, branch of the Government. Its budgetary allocation was adequate, about 3 million euros a year. In addition, substantial portions of the budgets of other relevant ministries, such as those of employment, education and agriculture, were devoted to gender policy issues. The new National Committee for Equality between Men and Women was headed by the Minister of the Interior, who was second only to the Prime Minister in the administrative hierarchy of the country.

46. **Ms. Yannakourou** (Greece) said that the term "positive measures" as used in Greek legislation, which was synonymous with the term "temporary special measures" used in the Convention, had been interpreted by the Council of State to mean measures designed to make equality a reality. The new law on domestic violence was a significant step forward. The efforts inspired by the Committee's general recommendation 19 included: strong legislative measures to protect women who were victims of domestic violence, such as imposition of criminal penalties; recourse to civil proceedings and provision for compensation; preventive measures such as training and educational programmes; and protective measures such as shelters, counselling services and integration and support services.

47. A major innovation under the new law was the institution of mediation efforts in criminal proceedings. The approach was more flexible than judicial arbitration and better guaranteed the rights of victims, including women. It was an entirely voluntary process with no obligation placed upon the victim. The main preconditions for mediation proceedings were: an unequivocal undertaking by the alleged perpetrator not to commit any act of domestic violence in future; in the event of cohabitation, to leave the conjugal domicile for a reasonable length of time if the victim so requested; to undergo specialized therapy in the place and for the period deemed appropriate by competent therapists; and to pay reasonable compensation to the victim.

48. The procedure was in line with general recommendation 19 in both its provision for compensation of the victim and its therapeutic programme for the rehabilitation of the perpetrator. Its aim was to enable women to request assistance from public authorities without initiating criminal proceedings. Studies preceding the law's adoption had shown that women were often reluctant to go to the police, prosecutors or the courts, especially when they had young children or lacked financial resources, for fear of seeing their husbands incarcerated.

49. **Ms. Tsoumani** (Greece) said that the ministries responsible for employment and development had gender units that dealt specifically with women's entrepreneurship and women's involvement in research and new technology. There were also regional committees on gender equality chaired by the governor of each region.

Articles 5 and 6

50. **Ms. Coker-Appiah**, reverting to the subject of the mediation procedure, said that much as the intention behind the procedure was good, it must be implemented with caution. Anyone who dealt with domestic violence knew how reluctant women were to report it. When they did so, they usually had already lived with the phenomenon for a long time and their motivation was to have the perpetrator punished. Mediation was unlikely to be an incentive to report and could actually be a disincentive.

51. Her main concern, however, was that the process was initiated not by the victim but by the prosecutor, who asked the perpetrator to accept judicial mediation in exchange for a promise not to engage in domestic violence again, to attend therapy sessions and to pay adequate compensation to the victim. Only after he had agreed was the victim asked to accept judicial mediation. In that kind of situation the victim was under a great deal of pressure, especially if she was financially dependent on the perpetrator, and she might be forced to accept even though mediation was not necessarily what she wanted. The whole process seemed to favour the perpetrator, because any criminal proceedings pending against him were dropped once he agreed to mediation. She hoped that the Government would monitor the procedure's implementation very closely in order to ensure that women's rights were protected and that mediation was not used by perpetrators to escape justice.

52. She asked whether a presidential decree for implementation of the new law had been passed, and, if so, when the law would come into effect. Under article 22 of the law, a victim could access State funds to cover the cost of proceedings. She would like to know the eligibility requirements, whether all aspects of the judicial process would be covered, and what measures were being taken to ensure that the judges who would conduct the mediation procedures were adequately trained and aware of the full implications.

53. **Ms. Simms** asked for statistics on the number of cases that had gone to mediation and to trial and the number of perpetrators that had been sentenced and imprisoned. A wrong signal was being sent if perpetrators continued to commit criminal offences without the imposition of sanctions. Many women were subjected to atrocious acts and even died from domestic violence — a very serious offence that entirely justified imprisonment of the perpetrator.

54. The Government deserved praise for many of the measures adopted to deal with trafficking in women and girls, but apparently the system did not always work well for the victims. Hotlines and shelters had been introduced but were closing down. Victims were repatriated so quickly that they were not present during the trial phase. Those who masterminded the trafficking were accordingly not feeling the full force of the law and remained at liberty to continue their activities because there was no one to state the case against them. The Committee had been informed that State funding for NGOs, which were of great importance in dealing with trafficking nearly everywhere in the world, had drastically declined. It would be of interest to know what was the general assessment of the trafficking situation to date, whether the strategy for dealing with trafficking had been evaluated and whether statistics or a database on trafficking existed.

55. Prostitution was not illegal in Greece, but it was strongly regulated: for example, brothels could not be close to schools or churches. She asked what sort of oversight system applied to brothels and whether she was right in thinking that it was prostitutes, not their clients or the brothel owners, who were subjected to sanctions.

56. **Ms. Dairiam** said it was evident that Greek women enjoyed legal equality, yet their legal status had not been fully translated into social reality. Certain

stereotypical and patriarchal values that underpinned the actions and behaviour of people and institutions contributed to the gap between legal status and reality. Measures to counteract stereotyping had been mentioned, including sensitization, training and the preparation of new educational materials, but, while essential, they were not enough. The structural causes of inequality also needed to be addressed.

57. She would like to know more about the activities of the Research Centre for Gender Equality and whether it had conducted studies on specific manifestations of the ideology behind stereotyping, namely the subordination of women, the dominance of men, the negative impact of the social ascription of different identities, responsibilities and roles to women and men, and the way that stereotypical norms favoured men over women. If it had not carried out such research, it might consider doing so.

58. She asked whether the Centre had calculated the costs of placing the burden of homemaking solely on women, and whether consciousness-raising efforts had been carried out to show that such burdens constituted discrimination and a violation of rights. The monetary value of the contribution made by women's unpaid labour, should be calculated, so that investments in women as part of State policy could be made and justified. Also, the Centre should review all State institutional rules that privileged men's lifestyles and capacities, as opposed to those of women. She enquired whether any temporary special measures were in place to encourage women to move into non-traditional jobs and men into more female-dominated jobs. The report said that quotas unfavourable to women, such as the 10 per cent and 15 per cent for their admission to the fire brigade and the municipal police, respectively, had been abolished. It would be of interest to know whether the action had resulted in more women joining the fire brigade and municipal police.

59. **Ms. Saiga** asked for details of specific legislation on prostitution and whether any measures were being taken to prevent migrant workers from being lured into prostitution. It was commendable that Greece, a very popular tourist destination and known to be a country of transit for trafficking, had adopted many laws on trafficking. Many Greek women worked in the tourism industry: had any surveys been carried out on the risk of their being trafficked or lured into prostitution, whether in their home country or in other countries?

60. **The Chairperson**, speaking as a member of the Committee, said she understood that there was only one special prison for women in Greece. She asked whether the sexes were incarcerated separately in the other prisons, and whether United Nations and other international norms on treatment of prisoners were respected. Since the unemployment rate was very high, women might be discouraged from making complaints about sexual harassment in the workplace. It was therefore imperative to find ways of better activating the law against sexual harassment.

61. **Ms. Yannakourou** (Greece), replying to the questions about mediation, said it was not an extrajudicial but rather a judicial procedure and was entirely in line with her country's legal tradition in both civil and criminal matters. Attempts to reconcile adversarial parties were among the competencies of judges in civil proceedings; moreover, in criminal proceedings, even before the new procedure had been introduced, attempts to resolve differences, including within families, had been carried out by the prosecutor. That was why responsibility for mediation had been attributed to the prosecutor as opposed to some other entity. She agreed, however, that close attention should be paid to how the new law worked out in practice. No figures could yet be provided, as it had entered into force only recently, in early January 2007. At the time of the law's elaboration, a comparative examination of other legal systems had been carried out. It had shown that in all countries where the phenomenon of domestic violence was regulated, the first step had been the incorporation of penalties in legislation, with subsequent laws adding precision to the legal arsenal. The Greek initiative was that first step, and in a few years' time an analysis of its effectiveness could be carried out.

62. In Greece, a presidential decree was adopted to give effect to a law only when the provisions of the law lacked sufficient clarity for autonomous application. That was not the case with the law on domestic violence, however, where the Ministry of Justice was currently preparing an administrative circular, a much more common practice whereby additional elements were provided to facilitate the interpretation of the law by all concerned: public officials, judges and the police.

63. The new law did not cover assistance for victims of domestic violence because it dealt primarily with criminal penalties, but parallel measures existed.

Assistance was provided by the five consultation centres established by the Research Centre on Gender Equality. They were located not only in Athens but also in various regions. A new municipal code empowered municipalities to provide assistance, counselling and support for victims of domestic violence. That decentralization of competence was in accord with the international trend towards involving local institutions in the provision of assistance to victims. In addition, under a new code of prefectural administration currently being elaborated, associations would be set up through non-profit partnerships with NGOs to establish and operate shelters for victims.

64. **Ms. Tsoumani** (Greece) underlined the strong political will of her Government to benefit women through the mediation procedure. During the preparation of the relevant legislation, consultations had been carried out with NGOs and the National Commission for Human Rights. The Government was prepared to monitor closely how the procedure worked out in practice.

65. **Ms. Katsaridou** (Greece), replying to the questions on the competencies of the Research Centre on Gender Equality, said that the Centre operated under the authority of and with funding from the General Secretariat for Gender Equality. Its role was to support governmental policy and programmes on gender equality in the political, economic and social domains. It had four branches in various regions and preparations were being made to add four more regional branches. The Centre worked to ensure that the Government's international commitments were fulfilled. It cooperated with universities in carrying out studies and research on matters of gender equality, conducted consciousness-raising and sensitization programmes, published texts and pamphlets, organized seminars and conferences and cooperated with other governmental, European and international institutions.

66. In response to the questions about the image of women in the media, she said that article 4, paragraph 2, of the code of ethics for news and other journalistic and political broadcasts prohibited the dissemination of racist, sexist and xenophobic messages and images and of sectarian views. Respect for ethnic and religious minorities and all other vulnerable groups was obligatory. Article 3, paragraph 2, of the Code for Advertising, Telesales Programmes and Sponsoring of Broadcasts stipulated that a broadcast advertisement must not be at variance with respect for human dignity,

use the human body in a degrading manner to promote the sale of goods or services, introduce discrimination on the basis of race, gender, religion or nationality, or encourage sexist or racist standards. In conformity with those texts, the National Council for Radio and Television had taken action in the form of imposition of fines or suspension of the broadcasting of programmes containing violent scenes or scenes detrimental to the image of women.

67. Among the many projects carried out by the Research Centre, she wished to mention the EQUAL initiative, a major consciousness-raising effort that had been launched in various regions. Its objective was to set up support structures and instruments for reducing male-female segregation within the media. Activities included a sensitization campaign for journalists, reporters and other media employees, studies to determine the place of women in the media, the development of educational materials and training on equality of opportunity. In a separate nationwide project on transforming stereotypes in schools, which benefited from generous funding and the massive participation of teachers and students, one issue covered was the image of women in the mass media; it had been found to be of tremendous value for students to learn about the stereotyping of messages by the mass media.

68. **Ms. Tsoumani** (Greece) said that her Government had sought to provide leadership in the fight against trafficking in human beings, gradually creating the solid legal, administrative and material basis necessary for eliminating that modern form of slavery. Greece had enhanced its efforts to react to that phenomenon, including through legislative reforms, cooperation among law enforcement officials, prosecutors and the judiciary, extensive protection for victims and identification of the forms of exploitation of trafficked victims. It had strengthened its cooperation with countries of origin, transit and destination, with encouraging results. The Government and civil society were cooperating in the implementation of a comprehensive national action plan which comprised anti-trafficking efforts at all levels — prevention, protection and prosecution — in cooperation with international organizations and NGOs. That multifaceted strategy to fight modern-day slavery had been duly acknowledged in a June 2006 report on trafficking in persons produced by the United States Department of State.

69. **Mr. Moskoff** (Greece) added that both the Government and the civil society were making a tremendous effort to comply with the best practices existing in international organizations and other countries for combating trafficking. It was a common endeavour with considerable input from NGOs. It was also a major challenge for Greece's legal, political and popular culture. Effectively tackling human trafficking using a human rights approach was very much tied up with work on stereotypes, values, norms and attitudes.

70. The committee that monitored the pace of progress with the national action plan consisted of representatives of the competent ministries, IOM and 12 NGOs. It convened twice a month and thus was able to follow the situation closely and identify new problems as they arose. An effort was made to apply a comprehensive approach combining prevention, protection and prosecution.

71. Although the results achieved were encouraging, it would be wrong to say that the challenge had been fully met. Trafficking was a complex issue, involving human rights on the one hand and organized crime on the other. Criminals often managed to stay one step ahead of the authorities by presenting new incentives that discouraged victims from coming forward. The Greek national action plan incorporated best practices, such as the reflection period that enabled victims to receive sufficient psychosocial support to cooperate with authorities in providing information that would convict the traffickers. Considerable funding was given to NGOs: almost 5 million euros over the past two years. It was used for shelters, legal support and a major consciousness-raising effort aimed at the officials who came into contact with victims of trafficking. Seminars and educational projects had been carried out in 34 Greek cities, in cooperation with the International Police Association. Under a European Union project, a national team of trainers consisting of prosecutors, police officers and representatives of NGOs had been trained with a view to promoting more effective trafficking policies.

72. Databases were an important part of any anti-trafficking strategy, and even though monitoring the phenomenon was not easy, significant efforts were being made. All the participants in the Greek national action plan contributed to the national database. Many legal provisions currently targeted trafficking, in accordance with directives of the Council of Europe and other international instruments that had been

incorporated into the Greek legal framework. It was true that victims had sometimes been tried alongside their traffickers, but that unsatisfactory situation was being addressed, with encouraging results.

73. Initiatives were being undertaken with regard to sex tourism. As part of efforts to promote corporate social responsibility, a cooperation agreement with many Greek tourism operators had been signed in 2006 with a view to developing an ethical code to prevent trafficking and to raise awareness about steps to take in situations when it might occur. Under the new legal framework, clients who knowingly accepted the services of victims of trafficking were subject to punishment by incarceration.

74. **Ms. Tsoumani** (Greece) acknowledged that there was a dichotomy between the legislation in force and the actual situation in Greece with regard to stereotypes. As was true in many countries of the world, stereotypes were a basic cause of active discrimination at all levels of everyday life. The General Secretariat for Gender Equality was working to counteract the phenomenon. Measures to combat stereotypes were included in each of the four main areas of the action plan on gender policy. Hard work and a long-term commitment were necessary in order for visible progress to be made, however.

75. **Ms. Katsaridou** (Greece) said that the Government attached great importance to transforming stereotypes and dominant perceptions with regard to the roles and responsibilities of girls and boys, especially in the family. A project being carried out nationwide by the Research Centre for Gender Equality in order to alert teachers to the issue centred on promotion of gender equality in secondary education and preliminary vocational training.

76. Having described the modalities for the project's implementation, she said that the ultimate objectives were: to expose the gender discrimination inherent in the educational system, specifically in the behaviour of teachers and pupils; take a critical look at the way females and males were represented in school manuals; raise awareness about patriarchal structures and women's inferior place in contemporary society; foster an understanding of how gender stereotyping influenced the formation of personality in the school and family environments; raise awareness of women's civil status and predispose students to work for gender equality as an essential component of democracy; and

encourage students to choose their courses of study and/or careers with a discriminating understanding of the influence of stereotypes.

77. She gave a series of statistics on the project's implementation which reflected, *inter alia*, the increased involvement of male teachers and their growing awareness of gender equality issues. The project was to be introduced in primary educational establishments the following year.

78. Other projects were being carried out to enhance vocational training, using a bibliography comprising works on gender issues, and to help young women make informed career choices so as to combat horizontal segregation and social and professional exclusion. Under a programme entitled "Equal partners — reconsidering the role of men in work and private life", a series of pedagogical tools specifically designed for application at the various educational levels had been used to explain how and why stereotypes affected educational choices, career decisions and behaviour in daily life.

79. **Ms. Tsoumani** (Greece) pointed out that prostitution in Greece was regulated but clients were not punished, as unfortunately was the case in most countries except in Scandinavia. On the other hand, persons involved in the trafficking of women and girls were subject to criminal penalties. Three separate prisons existed for women and girls, and the General Secretariat tried to visit them periodically to see what the conditions were like.

80. **Ms. Pimentel** said that the numerous initiatives and the code of ethics of the media were impressive, and she would welcome any printed information on them that could be provided. It was important to know what had been the actual result of all those efforts: whether the image of women in the media had changed, to what extent the code of ethics was observed, and how those guilty of violations were punished. She had been astonished to learn that Bulgarian women often went to Greece to have babies, and the babies were then sold. What information could the delegation provide on that subject?

81. **Mr. Flinterman** said that the many rights accorded to women under Greece's legislation and Constitution were effective only if there were remedies to back them up. The remedies before the civil courts had been described, but it had not been stated whether they were easily accessible and afforded justice

promptly and inexpensively. He asked whether there was a legal aid system in place for women, and whether it was easy for them to initiate criminal proceedings in cases of alleged discrimination. Did the new law on equal treatment cover proceedings for "low-threshold" conduct, and what was the role of civil courts under that law? He also wished to know whether the General Secretariat intervened in cases where the rights of refugees and asylum-seekers were at stake.

82. **Ms. Coker-Appiah** said that, although the Government apparently did not issue birth certificates for children of immigrant women, according to the report legal residence in the country did not constitute a prerequisite for the registration of foreign children in public schools. She asked how the Government explained that dichotomy.

83. **Ms. Halperin-Kaddari** said that even though the mediation procedure had been approved by the Greek Commission for Human Rights and instituted with the support of NGOs, the overall international consensus following studies on the subject was that mediation in domestic violence cases worked to the detriment of the weak party. She urged the Government to reconsider its approach. The activities of the Research Centre for Gender Equality were impressive, but the Committee would like to receive, not just a description of those activities, but the actual findings of the research done, particularly on minorities and women in vulnerable groups.

84. **Ms. Yannakourou** (Greece), responding to the comments about the possible drawbacks of the mediation procedure in criminal proceedings, explained that it had been instituted solely for acts characterized as offences and not for crimes such as murder. The Committee's concerns had been duly noted. It was premature to state whether the law's impact would be good or bad. The current focus should be on doing everything possible to ensure that the impact was positive and that any weaknesses were identified, so that improvements could be made during its obligatory evaluation after three years of implementation. The procedure was in place in other systems of law, and its institution for certain criminal offences was incumbent upon Greece by virtue of a framework decision of the Council of Ministers of the European Union. It marked the first time that a law had been adopted in Greece to combat domestic violence, and indeed to criminalize marital rape. As such, it was a major step forward. Society was not always ready to

espouse reforms immediately, but legislation had a pedagogical impact which, over time, could foster societal acceptance of new measures and help public opinion to mature.

85. On the possible difficulties for women of availing themselves of remedies before civil or criminal courts, she said that the new law on sexual harassment, equal treatment of men and women in the workplace and access to employment had made sexual harassment a criminal offence with criminal penalties provided for in law. It had reinforced the rights of victims in certain situations. Any victim of discrimination could have recourse to the services of a mediator. A major innovation was the expansion of the rights accorded to NGOs and trade unions. Henceforth they could apply for remedies for victims before mediators, labour inspectorates or any other administrative authorities and intervene on their behalf during court proceedings, obviously with the consent of the victim.

86. **Ms. Tsoumani** (Greece) added that the code of conduct relating to the mass media had not yet been instituted.

87. **Mr. Moskoff** (Greece) said the phenomenon of Bulgarian women travelling to Greece to give birth had greatly alarmed both civil society and the State, and the police had launched a major campaign in recent weeks, with encouraging results. Some of the networks had been dismantled through cooperation between the police and NGOs. The Ministry of Justice had set up a legislative drafting committee to review the legislation on the adoption of children, which incorporated very strict criteria. There was a large demand for adoption, which organized crime was ready and willing to fill.

88. **Ms. Katsaridou** (Greece) said that written materials on combating trafficking and providing support for its victims had been issued in various languages of Eastern Europe and could be made available to the Committee upon the delegation's return to Greece. The births of immigrant children could be officially registered by the parents before the Greek authorities. The presidential decree for primary and secondary school education accorded immigrant children and adolescents access to public schooling, even if they lacked all the necessary documentation, in the following specific cases: students under the protection of the State or that of the United Nations High Commissioner for Refugees because they were refugees; students from regions at war; asylum-

seekers; and immigrants residing in Greece with no legal status. An extensive structure was in place to cover students in such situations and address the pedagogical problems they posed. Teachers and educational institutions had joined efforts to ensure application of the legal instrument that made instruction of such students obligatory. The Ministry of Education had authorized the creation of special private schools under the direct supervision of the embassies concerned. In some, Greek and foreign curricula were offered in both Greek and a foreign language, whereas in others the foreign curriculum was taught but instruction in the Greek language was compulsory. A study on immigration was currently being carried out by the Research Centre for Gender Equality; the results would go to the General Secretariat, which would take them into consideration in adapting its policies and activities. Under projects to facilitate the entry of migrant women into the labour market, legal and other forms of counselling were provided.

89. **Ms. Tsoumani** (Greece) said that the General Secretariat for Gender Equality and the Office of the United Nations High Commissioner for Refugees had signed a memorandum of cooperation aimed at defending the rights of women and underage girls who had received or applied for asylum or humanitarian status. The implementation of the memorandum involved research and analysis of the existing situation; procedures for identifying the most vulnerable cases; coordination of actions necessary for providing legal and other assistance; and raising public awareness of the needs and problems of women immigrants and asylum-seekers. An action plan had been elaborated covering, among other things, visits to places of detention and reception centres for refugees so as to identify the problems they faced.

Articles 7 to 9

90. **Ms. Neubauer** said that figures in the report showed no evidence of progress in achieving the balanced participation of women and men in central executive power. The law mandating inclusion of a minimum percentage of each sex on departmental boards and in the collective bodies of public organizations had improved the percentage of women on the departmental boards of ministries, but nothing had been said so far regarding the collective bodies of public organizations and local authorities.

91. Another measure introduced under a new municipal and community code adopted in June 2006 had preserved a provision from the earlier 2001 law concerning at least one-third participation from each sex in the total number of candidates in local elections. She understood, however, that the new law had actually reduced the minimum of at least 33 per cent of all candidates to 30 per cent of all candidates eligible to take up positions. She asked: what sanctions were imposed in cases when the provision was not fully implemented; what was the average percentage of women candidates and women candidates elected in the municipal elections held in October 2006; and what increase, if any, had been registered in comparison to local governmental elections held in 2002.

92. Data in the report showed a positive trend in the percentage of women elected to the national Parliament, which was nevertheless substantially below European and world averages. She asked what were the main barriers to women's access to elected positions, and were there any promising initiatives under way to introduce quotas for parliamentary elections. The diplomatic sector was heavily male-dominated, especially at the level of ambassadors and ministers plenipotentiary, only eight per cent of whom were women. She was interested to learn how the Government intended to tackle that inequity.

The meeting rose at 1.05 p.m.