

2011 Promoting Equal Treatment - The Greek Ombudsman as a National Equality Body

1. INTRODUCTION

This report records the Greek Ombudsman's (GO) activity as a national equality body promoting the principle of equal treatment, irrespective of racial or ethnic origin, religion or faith, disability, age or sexual orientation, under the provisions of Law 3304/2005.

The total number of complaints investigated in 2011, in which discrimination on the above mentioned grounds was reported, is at the same level as last year. However, an increase is observed in the number of complaints which fall within the regulatory scope of Law 3304/2005. This strengthens the view, expressed in last year's annual report, that there seems to be a gradual familiarization of the public with a regulatory framework that is extremely complex. This is particularly true in cases involving discrimination on grounds of disability and age, where the majority of complaints received fell within the GO's mandate.

On the other hand, where reporting would involve disclosure of sensitive sides of one's personal and social life, the number of

complaints remains very low. Complaints on grounds of sexual orientation and religious or

other beliefs were almost completely absent in 2011, a fact that continues to concern the GO, since it obviously can not be taken as an indication of an absence of discrimination in these areas .

By contrast, cases involving discrimination based on race still account for a significant percentage of the total number of reports submitted. However, in no way does the GO regard the number of these complaints as representative of actual discrimination experienced on this ground, especially by vulnerable population groups such as the Roma.

In this context, the need for further action by the GO to inform and encourage the submission of complaints is evident. To this end the GO, drawing on the successful experience of the Roma network, which was established by the GO in 2007, is attempting to set up similar networks for all grounds of discrimination. This initiative is part of a framework of actions called "Iris", funded by the «Progress» program of the European Commission. It aims at increasing the number of complaints filed and familiarising stakeholders (individuals and NGO's) of the relevant legislation and protection provided. The main aim of the GO is to contribute to the

gradual development of a comprehensive anti-discrimination culture, both in the manner of exercising administrative action as well as the perceptions of the general public.

The GO has sought institutional cooperation with the “Municipality Mediators” in order to share knowledge and experience and improve the flow of information concerning particular regional issues involving discrimination.

Finally, as has been repeatedly pointed out in previous annual reports, the GO continues to be concerned with the limitations in the scope of existing legislation and its effectiveness in combating discrimination.

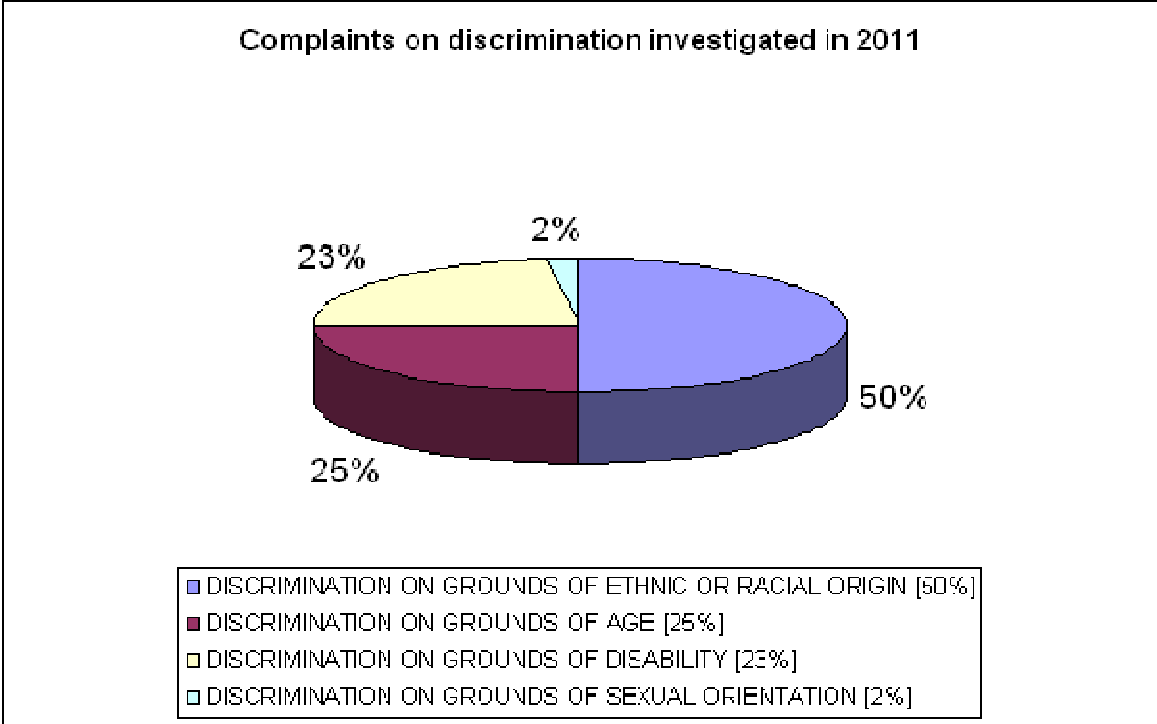
2. PRESENTATION OF CASES

In the course of 2011, the Greek Ombudsman investigated (57) cases in which it was alleged that there was discriminatory treatment at the expense of a person or persons for reasons

mentioned in the provisions of Law 3304/2005. From these cases (9) were filed, as they fell beyond the GO’s mandate, were unfounded, or their investigation was terminated due to the lack of sufficient information provided by the complainant.

The outcome of the (21) cases whose investigation was completed in 2011, was in principle positive for the citizens in (14) cases, while in (4) cases it was found that there was refusal to comply on the part of the administration and in (3) cases it was found that the administration had acted legitimately.

The remaining (27) are still being investigated, as the final response of the administration is pending. In (18) cases that concern the housing of Roma (see chapter 3) the GO has opted, due to the structural character of the problem, to keep these cases under investigation until the problem is definitely resolved.



2.1. DISCRIMINATION ON GROUNDS OF DISABILITY

2.1.1 New Cases

2.1.1.1 Reasonable accommodation –Transfer request

An employee of the Citizens Service Centre (KEP) requested the mediation of the GO in order to be transferred to a KEP closer to where his parents live, citing serious health problems that he faces. His request had already been rejected by the Ministry of Interior, Public Administration and Decentralization, on the ground that he had not completed five years in his original post and therefore the transfer was not permissible under Article 16 of Law 3448/2006.

The GO pointed out that the above provision violates the obligations of the Greek State, as an employer, in accordance to Article 10 of Law 3304/2005, for measures of reasonable accommodation of disabled persons. Objective conditions such as the need for regular and specialized medical monitoring and care, or the need for support from family and friendly environment, need to be taken into account when deciding upon such requests. In view of these, the GO advised the administration to examine the actual merits of the specific claim in conjunction with the operational needs of the KEP, as well as alternative measures of reasonable accommodation.

Finally, the issue was dealt with through legislative reform and specifically with the provision of article 53 of Law 3979/2011,

which allows for transfer of employees suffering from incurable disease or a disability of 67% or more. Following this development, the GO concluded the investigation of this complaint (case 138797/2011).

2.1.1.2 Reasonable accommodation-Request for reduced working hours

An employee of a public hospital, who qualified for reduced working hours due to her disability, requested the mediation of the GO in order to be exempted from work in the evenings and holidays. The complainant claimed that during these shifts, as there is no other employee who can perform the required work, her right for reduced working hours is not, in practice, possible, nor can she take a break because of the continuous influx of patients.

The GO informed the hospital's management of the legal framework within which it must examine the substance of the request (i.e. Article 10 of Law 3304/2005), taking into account her medical condition and asked whether her exclusion from her duties on evenings and holidays would lead to a disproportionate burden for the rest of the hospital staff. Following this intervention, the complainant informed the GO that her request had been satisfied (case 142727/2011).

2.1.2 Developments in cases that were lodged in previous years

2.1.2.1 Requirement of medical tests as a prerequisite for enrollment in vocational training school

A complaint was lodged on behalf of the interested party by an NGO that represents HIV/AIDS patients, concerning the requirement set by the Organization for Tourism Education and Training (OTEK) for a variety of medical tests (including syphilis, hepatitis type B, C and HIV/AIDS) as a prerequisite for enrollment in the vocational training that it offers. The GO argued that the above requirement, in light of Law 3304/2005, constitutes indirect discrimination on grounds of disability, which is not justified by the nature of the particular vocational training nor the occupational activities for which the training is provided. The GO brought to the OTEK's attention relevant reports, both by the Ministry of Health as well as the Hospital for Venereal & Skin Diseases of Athens ("Syngros Hospital"), which concluded that persons with syphilis, hepatitis type B, C and HIV/AIDS should not be subjected to any restrictions in their access to employment or be excluded from the relevant education/training.

Following the GO's intervention, the OTEK eliminated the requirement of submission of the above mentioned medical examinations and the case was filed.

However, it should be noted that during the investigation of this complaint, broader issues were raised concerning the lack of a uniform practice in the medical examinations required by the competent services of the local prefectures for employment in food and beverage establishments. The GO requested the Ministry of Health to issue a

circular in order to streamline the requirements on a national level, ensuring equal treatment and the enjoyment of fundamental rights (case 17381/2009).

2.1.2.2 Granting compensation upon retirement due to disability

An employee at a municipal enterprise under private law, filed for a disability pension because of severe health problems; she requested the mediation of the GO to be applied *mutatis mutandis* in accordance with a statutory provision that grants a lump sum compensation to those who retire due to reaching lawful age (Law 435/1976, Article 5). The GO found that this provision constitutes indirect discrimination, since it appears to be neutral, but in reality puts disabled people at a disadvantage when their state of health does not allow them to remain at work until they reach pension age. Furthermore, they were not satisfied that in this case the conditions allowed for such a distinction, as provided in the second paragraph of case b, § 1 of Article 7 of Law 3304/2005.

Based on the above considerations, the GO recommended that the applicant apply for compensation referring to the combined application of Article 5 of Law 435/1976 and the provisions of Law 3304/2005; an informal mediation was made to the legal counsel of the municipal enterprise. In the end, the GO was informed that the request was accepted and as a result, concluded the investigation of this case (case 132198/2010).

2.2. DISCRIMINATION ON GROUNDS OF AGE

2.2.1 New Cases

2.2.1.1 Establishing a maximum age for recruiting seasonal staff

A candidate applying for a fixed term job, as security staff at the Acropolis Museum, appealed to the GO complaining about his exclusion from the procedure because he exceeded the age limit laid down by the relevant notice (45th year). The GO sent a letter to the Acropolis Museum noting that, in accordance with the conditions laid down by Law 3304/2005, the establishment of any maximum age must be supported by specific reasons for deviating from the general prohibition setting an age limit. In reply, the Acropolis Museum argued that it had already justified a ceiling age for recruitment of the relevant specialty before the Supreme Council for Civil Personnel Selection (ASEP), which controls the recruitment process. The reasoning was that security personnel must be in constant readiness for action - anything can happen unexpectedly at the Museum - which requires maturity and physical strength. This reasoning was accepted by the ASEP and deemed adequate. The GO concluded its mediation, since, under the provisions of article 3, paragraph 2 of N.3094/2003, it cannot control other independent bodies' main function.

2.2.1.2 Establishing minimum age for recruitment of Mediators and Arbitrators

A candidate for a part-time job as an independent advisor at the Organisation for

Mediation and Arbitration (OMED) was excluded due to non-compliance with the minimum age of thirty-five (35), stipulated by the recruitment notice. Indeed, the provisions of article 17 of Law 1876/90 (as substituted by the provisions of article 14 of Law 3899/10) stipulate a minimum age for recruitment of Mediators as the 35th year and the 45th year for Arbitrators. The GO wrote to the office of the Minister of Labour and Social Security stating that the stipulation of these limits does not seem justified by the professional experience required to perform the duties of this position as, in the case of mediators five years of proven experience in labour relations are required; in the case of arbitrators, 10 years are required. The GO awaits a reply to that letter (case 140062/2011).

2.2.1.3 Age restrictions for receiving scholarship from the IKY

Two candidates for scholarship sought the GO's intervention concerning the legality of age requirements set by the State Scholarships Foundation (IKY). Specifically, the age limits set for scholarships for graduate studies is the 28th birthday and for a doctoral dissertation the 30th birthday. The GO noted that although this case does not fall, *stricto sensu*, within the scope of Law 3304/2005, these age limits need to be sufficiently justified in accordance with the Constitutional principle of proportionality. The cases remain pending (cases 144154/2011 and 143628/2011).

2.2.2 Developments in cases that were lodged in previous years

2.2.2.2 Age limits for doctors

Setting age limits as a prerequisite for applications to the National Health Service (ESY) medical staff particularly preoccupied the GO. Specifically, the secretariats of the council's recruitment and assessment board do not forward files to the advisers so that they can examine the documents and prepare their recommendations, when candidates are over 45 years of age at the time of the deadline for submission of documents. The GO has appealed to the leadership of the Ministry of Health and Social Security seeking reform of the legal framework, in line with the requirements of equal treatment in the workplace (cases 5817/2009, 8516/2009, 18892/2009, 124018/2010, 124748/2010, 126398/2010, 128555/2010).

2.3. DISCRIMINATION ON GROUNDS OF SEXUAL ORIENTATION

2.3.1 Harassment of IEK student because of his sexual orientation

A student at a professional training institute (IEK) student appealed to the GO complaining about the derision, abusive and degrading treatment suffered at the hands of IEK students because of his sexual orientation, and also the absence of any intervention from the institution's tutors in order to reverse the status quo that had been created at his expense. The applicant gave to the Authority an application that he

had submitted to the administration of IEK in late May 2011, requesting the investigation of specific incidents, to which he has received no answer, to date. The GO in its approach to the IEK in question and the National Employment Agency (OAED), pointed out the directives in prevailing legislation prohibiting discrimination based on sexual orientation, noting in particular that the conduct of those responsible constituted harassment and, therefore a non-permissible form of discrimination, under the provisions of Article 2 § 2 of n.3304/2005, which specifically provides that "*discrimination is also harassment or any other offensive action which manifests in undesired conduct related to one of the grounds specified in Article 1 and has the purpose or effect of violating the dignity of a person and creating an intimidating, hostile, degrading or humiliating environment.*" The GO pointed out the obligation of every public authority, especially one that can easily play an educative role because of its mission, to contribute actively and effectively in combating stereotypes that feed attitudes that offend human dignity and individual freedom of choice, requesting a thorough investigation of the alleged incident and the disclosure of the results of relevant research (case 142382/2011).

2.4. THE EXCLUSION OF CITIZENSHIP

As previously noted by the GO, Law 3304/2005 states that "*The provisions of this chapter shall not apply to cases providing for different treatment due to nationality and is*

without prejudice to provisions governing the entry and residence of third country nationals or stateless persons in the territory, nor treatment related to their legal status as indigenous of third countries or individuals without citizenship"(cf. art. 4 Paragraph 2 and 8 § 2 of Law 3304/2005).

2.4.1 Access to employment - Procedure and conditions for hiring a special assistant by a municipality

An Albanian citizen appealed to the GO complaining about the rejection of her application to the position of special assistant on immigration issues, in the Municipality of Athens, as she did not have Greek citizenship nor nationality of a Member State of the EU. The GO pointed out the advantages of recruiting foreign nationals could be made because the immigration status of the candidate for this position could be a great asset provided she met the other basic requirements for the position. Furthermore, the GO pointed out that the occupation of these positions by candidates of foreign nationality and possessing immigration experience would be expected to be encouraged within the scope of integration policies for immigrants. Furthermore, the GO noted that the criterion of nationality could constitute grounds for discrimination under the provisions of Article 8 (respect and protection of privacy) and 14 (prohibition of discrimination) of the European Convention on Human Rights (ECHR).

Finally, the GO noted that the complainant is the mother of Greek minors and thus has a

residence permit. Under current legislation, family membership entitles Greek residence in the country for the protection of family members of Greek or EU citizens. Specifically, in accordance with the provisions of Law 3386/2005, Greek family members means spouses and direct descendants of Greeks (Article 61 § 2). Furthermore, provision is made for the acquisition of permanent residence to Greek family members or other EU Member State after five years of legal residence in the country. The relevant residence permit is "*granted by decision of the General Secretary of the Region, subject to public order and security conditions.*" A "*Permanent Residence Card*" is renewable automatically every ten years and entitles the holder access to the labor market" (Article 63 Fri .1). In a document responding to the above intervention, the pertinent directorate of the Interior Ministry noted that because there is no explicit legal provision for hiring 3rd country foreigners "*the case in question prevents the specific appointment*" (case 139673/2011).

2.4.2 Social benefits - a student housing allowance to recognized refugees

A recognized refugee appealed to the GO, complaining about the refusal of the competent tax office to grant him a student housing allowance on the grounds that beneficiaries are only Greek or EU citizens, as defined in Article 10 of Law 3220/2004. The GO pointed out that the country's obligations towards recognized refugees are defined by the Geneva Convention "*on the*

Status of Refugees", which binds our country, and by the EU law (see Articles 22 and 23 of the Convention and Article 18 of the Charter of Fundamental Rights of the European Union). Referring to the scope of Law 3304/2005, the Authority noted that in accordance with article 4, paragraph 1, "*With the reservations provided paragraph 2 of this Article and Article 5, the provisions of this chapter shall apply to all persons in the public and private sector regarding: ... f) social benefits, g) education ...*". Especially for the exceptions on grounds of nationality, the GO pointed out that these are only allowed "*in cases providing for different treatment based on nationality and do not apply to provisions governing the entry and residence of third country nationals or stateless persons in the territory, nor any treatment related their legal status as indigenous third country citizens or individuals without citizenship*" (see Article 4 § 2). It follows then that the exclusion of a recognized refugee from a student housing allowance, constitutes discrimination based on nationality not exempted by the scope of that law.

The GO also referred to the recent case law of the European Court of Human Rights (ECtHR), which upheld that the exclusion of recognized refugees from social benefits discriminates against them, in accordance with Article 14 of the ECHR (see *Case Fawsie v. Greece, no 40080/07, and Saidoun v. Greece, no 40083/07, of 10.28.2010*). The GO noted specifically that in complying with the above decisions,

Greek legislature amended the previous law, according to which the payment of benefits was confined to citizenship [eg see Article 63 of Law 1892/1990 for the payment of 3-child allowance to large families, with the recent amendment of paragraph 1 of Article 42 N.3918/2011]. In response to these findings, the GO received a document from the Ministry of Education, Lifelong Learning and Religious Affairs, according to which "*if the student does not have said nationalities (ie the Greek or EU member state), the student is not entitled to receive housing benefit, even if the other conditions are met*" and that "*it has not yet stipulated its intention to amend the provisions relating to the granting of student allowances.*"

The GO reverted with a new document and noted that this issue should be resolved before the start of the new academic year 2011-2012 with the introduction of appropriate legislative framework safeguarding the payment of student housing benefit hereafter to recognized refugees. At the same time, the GO proposed the retroactive payment of this allowance to recognized refugees, like the plaintiffs in this investigation report, who met the other requirements and whose request was rejected by the authorities on grounds of nationality. Since the relevant department of the Ministry of Education, Lifelong Learning and Religious Affairs, did not respond within a reasonable time to the letter from the Authority, the GO sent a further letter to the relevant departments of two ministries requesting: a) the payment of student

housing allowance to recognized refugees for the academic year 2011/2012, and b) the retroactive payment of this allowance to the rejected refugees from previous years (case 138735/2011).

2.4.3 Education - Refusal of IKY scholarship to a student who does not have Greek citizenship

The State Scholarships Foundation (IKY) refused to grant a scholarship to an Albanian citizen who came first in national exams, adhering to the view that, under prevailing statutes, the scholarship is granted only to students who have Greek citizenship.

The GO wrote to the IKY, reminding them of the existence of the Authority's findings from 2008

(<http://www.synigoros.gr/resources/docs/200128.pdf>) which stated, inter alia, that denial of scholarships to foreigners and particularly to foreigners who have graduated from Greek schools and are therefore presumed truly integrated into society, constitutes unfair discrimination against them on the grounds of ethnic origin. An answer from the Foundation is still pending (case 145730/2011).

3. USE OF THE GREEK OMBUDSMAN'S INSTITUTIONAL CAPABILITIES FOR THE APPLICATION AND PROMOTION OF THE PRINCIPLE OF EQUAL TREATMENT

3.1. ADVANCED STRATEGIC ACTION ON SOCIAL INCLUSION OF ROMA

3.1.1 Roma (Votanikos) relocation procedures

The GO continues to note Government inertia in taking measures to improve the

living conditions of both the Roma population living in the Votanikos camp, as well as to prevent risks to public health and safety of the non-Roma inhabitants of the region. In this context, there has been no progress on the issue of resettlement of this population to another location, or any other alternative solution to the problem of their adequate housing. The delay in addressing the problems in the region which ensue from the illegal settlement of the Roma has contributed greatly to their deterioration, as well as to the increase of difficulties in managing the situation. The Authority has repeatedly pointed out that the intensity and severity of the problems, as well as the need to plan and implement a long-term solution, requires the participation and effective contribution of all relevant stakeholders (see for example, annual report 2008 pp. 40-41, 2009 pp. 44-46, 2010, pp. 38-40 and annual reports for equal treatment).

In this context, the GO took the initiative and held a series of meetings with stakeholders in central and local government, with a view to updating the Authority on the steps they have taken or intend to take, to resolve the problems and its contribution to the intensification of efforts to plan and implement actions in the short and long term.

These meetings and relevant updates of involved public services revealed that on the issue of cleanliness, steps have been taken for the disposal of waste in the camp, but these are deemed to be insufficient. Furthermore, the Authority was informed that

from July 2011 the Municipality of Athens and the Hellenic Center for Disease Control & Prevention (KEELPNO) were collaborating on a programme to vaccinate children in the camp and provide health services, without however combining this programme with any of the already planned actions into a more coordinated effort and in particular, with the task of recording the population. In addition, specific actions that were announced for the education of Roma children (Ministry of Education, Lifelong Learning and Religious Affairs), for the prevention of cable burning, for the terms and conditions of operating metal plants (scrap) and the creation of green points for the collection and administration of recycled material resulting from the activities of the Roma (the Special Secretariat of Environment and Energy Audit), as well as policing activities to control delinquency (Ministry of Citizen Protection), are still under planning. According to the information supplied by relevant services, their implementation is expected to begin in the coming months.

Specifically with regard to the educational integration of Roma children living in the Votanikos camp, the GO met with representatives of the 'Education of Roma children' programme of the University of Athens and participated in an event organized by the programme in the camp. Furthermore, the GO visited nearby schools to monitor the actions aimed at Roma children's enrollment in schools and support of their studies. At the same time contacted

KEELPNO, to ensure that the children were vaccinated.

The Authority's intervention in the case of the Votanikos camp takes into account the rights of affected neighbors in the region, the local Roma, as well as, the private individuals on whose properties the Roma are encamped. The combined approach to all of these parameters makes relocation imperative, especially since a recent court decision forced the Greek government to pay compensation to property owners in Halandri where also Roma were installed. In this context, individual initiatives and actions by agencies and services, according to their competence, in existing camps (vaccinations, hygiene, education, policing, etc.), obviously are particularly important for the immediate resolution of existing acute problems; they do not appear to be linked, however, within a specific plan and a timetable which will bring solutions of the severity and intensity of the problem in the long run.

The GO has repeatedly stated that registering of the population is the starting point and basis of any effort attempting to find a solution to the issues of Roma housing rehabilitation. This critical parameter is still under consideration while the actions adopted for the Votanikos camp are implemented without any prior specific registration of the population, their needs and particular characteristics. Moreover, cooperation between local authorities and Regional Administration is essential, according to the provisions of Law

3852/2010, for the selection of the property which will house the Roma in a possible relocation, as well as with the pertinent Department of the Ministry of Interior which must oversee the entire process.

The Authority continues to investigate this case and will publish a report on its findings in a in the near future.

In conclusion, the GO considers that:

a) Measures are needed as a matter of priority, which must aim and designed to both, protect the basic rights and the human dignity of the inhabitants of the camp and to appease the all inhabitants of the region.

b) It is deemed that the relocation process and the process of social integration of the target group, provided there is adequate planning and cooperation by the competent bodies, would benefit everyone thus far affected by this situation, especially if implemented in terms of "public interest", which of course depends on political will. Overcoming potential problems, however, will be a case of 'good practice', capable of operating as a "pilot" for other areas of the country where there are similar camps (cases 7611/2009, 135730/2010).

3.1.2 Delays in integrating settlements in city plan

An example of the problems of housing rehabilitation and social integration in general is the state of the settlement at Drosero, Xanthi. Although the settlement of Drosero was included in the General Urban Plan of the city of Xanthi in December 2010 and while a land registry study and chart

was drafted, to date the municipal authority has not taken the necessary steps towards implementing the proposed urban study. Consequently, the implementation of the main goal of integrating the settlement in the city plan is still pending. At the same time, there are delays in implementing the specific local street plan that would allow the construction of schools (elementary and high school, for which funding has already been approved by the National Strategic Reference Framework (NSRF). These facilities are absolutely necessary to serve school-age children of the village, the number of which appears to exceed 800.

During a meeting between the Deputy GO for quality of life issues and the Mayor of Xanthi, it was noted that the lack of initiatives on the part of the municipality was the main reason for not starting the procedures necessary for the integration of the settlement in the city plan. A result of this inactivity is the continued state of lawlessness and the *de facto* creation of non-reversible situations in housing settlements in Drosero. The Authority has committed itself to the removal of barriers and the elimination of bureaucratic obstacles, in order to move ahead and finalize the integration process of Drosero, Xanthi (case 131746/2010).

Similar situations occur in other parts of the country, for many years, where there are Roma camps. In 2011, Authority representatives visited facilities in Agrinio, Lechena-Amaliada Ilia, Atalante Fthiotida, Nea Alikarnassos and Rhodes during the

implementation of the "Iris" project, in addition to visits made to settlements in Xanthi and Komotini. The GO continues its mediating efforts, to accelerate individual steps necessary to address the issues impeding the social inclusion of Roma in these areas.

3.1.3 Installation / relocation, living conditions of Roma

During the year, intensive efforts by the Authority continued for the coordination and initiatives of stakeholders, particularly local communities, on issues which required immediate intervention to existing Roma settlements.

In the case of Kos (see Annual Reports 2009 and 2011, case 1464/2008), the GO was informed of the temporary relocation of Greek ROMA living in the old factory AVIKO, to the "Simaies" area; the Authority was also informed about the jobs given to certain members of this group in the collection and recycling of waste. However, due to the temporary nature of the new facilities, the Authority requested to be informed in writing and in detail about the steps the municipality of Kos had undertaken, intended or planned to immediately apply, in order to have a complete picture of the changes taking place, particularly as regards the housing of this population in more stable structures.

On the other hand, there was a positive response on Roma issues in the Aliartos area (case 15083/2009) where the actions of the local municipal authority could be used as a "good practice" model. Specifically, in

an effort to develop a framework for the establishment of good neighborly relations between the Roma and non-Roma residents of the municipality, the Mayor of Aliartos undertook several steps to eliminate problems which could give rise to tensions in the area where there is unauthorized Roma installation. Thus in the region where the installation is mixed, ie houses and huts, the Mayor proceeded to the following actions:-

- *'face to face'* contact with the "*leader*" of the Roma settlement in order to establish joint commitments on commonly accepted norms of behaviour.
- undertaking "*to build roads, so that they don't live in the mud; to extend public lighting and the water supply network; place waste bins.*"
- undertaking by Roma "*to keep their area clean, respect their neighbors and demolish the surrounding huts.*"

The assessment of the municipal authority is that there is progress and that, with additional actions to be undertaken ("*discreet cover of open areas with small parks or playgrounds*" in order to avoid free lands for placing huts), this area "*will be integrated into the social fabric more easily, compared to other parts of the municipality.*"

In the area where the situation was deemed "*by far the most serious*" as regards existing problems, the main cause being the people living in makeshift huts, the municipality decided to react according to the specific

problems highlighted by this habitation. These problems are mainly:

- persons *"not registered"*, ie apparently not recorded in the municipal registry and therefore *"not feeling the need for commitment to the rest of the local community"*
- a fluctuation in the population at different periods due to seasonal work, which does not enable planning and implementing actions which would prevent phenomena that lead to social tensions.
- lack of infrastructure for decent living conditions (eg connection to mains water) has implications not only for camp inhabitants themselves but also for their neighbors, as the quality of life of local residents is affected by the inappropriate conditions prevailing in their neighborhood.
- increasing delinquency, which includes stone throwing, pollution, noise, inappropriate behavior and driving without a license.

To reduce these phenomena, the municipality:

- improved roads and the connection of the camp to the water supply, positioned waste bins and communal water taps, knowing that *"ensuring better living conditions for the Roma ... will automatically improve their own lives"* [ie the neighbors]
- designed a vaccination program, to be implemented in collaboration with the Aliartos Health Centre.

- took the initiative of having Roma children examined by orthopedic doctors in order to ascertain possible muscular-skeletal diseases
- held a general census of the population with special emphasis on children in order to assess their needs and programme relevant interventions
- implemented an action plan by a group of volunteers, teachers, etc. to educate Roma, mostly children, in elementary hygiene.

The GO, welcoming in principle the intention of the municipality to seek practical ways to resolve, without the requirement of large funds, the problems that arise from the presence of this socio-economically vulnerable group in the municipality of Aliartos, inquired further about the features and needs of the population and the gradual, at least, planning of operations deemed as absolutely necessary.

Finally, reference should be made to the problems that persist due to the economic downturn in the country. According to the Authority's investigations, these relate mainly to the difficulty of repayment of housing loans Roma took through the program of the Ministry of the Interior, pursuant to Ministerial Decision 33165/2006, as well as the continuation of business grants through the OAED program "Businesses of Young Entrepreneurs with cultural specifications (Roma) Eastern Macedonia & Thrace."

3.1.4. Vaccination and enrollment of Roma children in schools

The GO investigated a complaint lodged by a non-governmental organization (Ark Children) on the vaccination and enrollment of Roma children living at the Corinth Examilia school. For this case it contacted the General Hospital of Corinth and KEELPNO, to determine who will undertake the vaccination of these children. Although originally the General Hospital of Corinth was deemed responsible for this action because the Roma people in the region are not considered nomadic population, subsequently, the failure of the hospital to cover this action, resulted in the KEELPNO agreeing to include it in current programming. Regarding the inclusion of these children in school, the GO requested the cooperation of the Special Secretariat for Intercultural Education of the Ministry of Education as well as of the Project "Education of Roma children" of the University of Athens, which planned actions and meetings with local educational entities to ensure that all Roma children were admitted in school (case 143265/2011).

3.2. ACTIONS FOR AWARENESS, TRAINING AND BROADER EXPERTISE

3.2.1 GO staff training and training offers

During 2011, an intensive collaboration and exchange of expertise by the GO with other entities operating within and outside Greece continued on the implementation and promotion of the principle of equal treatment. Furthermore, utilizing its knowledge and

experience, the GO participated in a series of training courses aimed at informing and raising awareness on the fight against discrimination in the workplace.

3.2.2 Communicative actions of the GO for the promotion of equal treatment

An important part of the communication activities of the GO, under its mandate as promoter of the principle of equal treatment, were funded by the «Progress» programme of the European Commission for employment, social affairs and integration. The Authority, was thus able to implement the following actions: a) publication and mass distribution of an GO leaflet against discrimination, b) a guide for local authorities (OTA) on Roma integration, c) an English version of the GO's website for Roma issues, d) a series of interventions by the Authority in rural areas (Agrinio, Amaliada, Lamia, Rhodes, Thessaloniki, Xanthi, Lesvos and Heraklion) where significant problems have been identified due to the social exclusion of the Roma population.

3.2.2.1 «Discrimination stops here!» – Publication of a new GO leaflet

The GO issued a leaflet on discrimination that was distributed nationwide in 75,000 copies through a free press newspaper (<http://www.synigoros.gr/?i=metaxeirisi.el.nesws.57823>). Simultaneously, the leaflet was translated and printed in Braille for persons who are visually impaired and already 500 copies have been distributed, with the help of the 'Lighthouse of the Blind' organisation.

3.2.2.2 Issue of a practical guide for local authorities on the social integration of Roma

A special GO edition (<http://www.synigoros.gr/resources/toolip/doc/2012/02/02/romaguide.pdf>) was published, designed to summarize the positions of the Authority and respond in a straightforward manner to potential Questions of Local Government Officials on marginalized Roma. At the same time, we hope this issue can become a handy communication tool for the Authority's interventions in the field of social integration of Roma, as this focuses and organises the obligations of the pertinent authorities at local level.

3.2.2.3 Action to promote the principle of equal treatment regardless of sexual orientation

The GO distributed for the fourth consecutive year a brochure on protection against discrimination due to sexual orientation, at the "Pride Festival-Athens Pride» event, at Klathmonos Square on Saturday 4/6/2011 (<http://www.synigoros.gr/?i=metaxeirisi.el.news.57830>).

3.2.2.4 New websites on equal treatment and Roma

A new website of the GO on equal treatment (<http://www.synigoros.gr/?i=metaxeirisi.el>) and a special website for Roma (<http://www.synigoros.gr/?i=maps.el>) were launched in 2011.

3.2.3 Participation in national and international networks to combat discrimination

Since 2005 the GO has participated in the Equinet European Network, a network connection and horizontal coordination of official bodies for the implementation of EU anti-discrimination directives in the EU and acceding countries. A GO officer was elected in 2009 as board member of the Network and the GO is actively involved in all network working groups and is regularly represented at annual meetings for the organization of work groups, as well as the exchange of information on issues of discrimination in the context of individual projects of the group. Since 2009, the GO has undertaken to coordinate the actions of the network in order to evaluate discriminations against the Roma in Europe, but also the effectiveness of the protection granted under the relevant EU directive.

4. IMPLEMENTATION ISSUES OF THE LAW - RECOMMENDATIONS

The GO has repeatedly pointed out in its special annual reports on equal treatment (see Annual Report 2010 p. 22 <http://www.synigoros.gr/resources/annual-report-on-discrimination-2010-english.pdf>, Annual Report 2009 pp. 28–29 <http://www.synigoros.gr/resources/docs/diakriseon-aggliko.pdf>) its concerns regarding the limitations on the scope of existing legislation and its effectiveness in combating discrimination.