

GREECE 2016 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Greece is a constitutional republic and multiparty parliamentary democracy. Legislative authority is vested in the unicameral parliament. On September 20, 2015, the country held parliamentary elections that were considered free and fair. A coalition government formed by the SYRIZA and ANEL parties headed by Prime Minister Alexis Tsipras led the country.

Civilian authorities maintained effective control over the security forces.

With more than 60,000 migrants and refugees stranded in the country at year's end, the most significant human rights problems were the overcrowding and poor humanitarian conditions facing migrants and asylum seekers at migrant reception and registration sites, including reported gender-based violence; a lack of adequate shelter, food, and potable water; poor hygiene; and insufficient access to such services as health and pharmaceutical care, legal information and assistance, and psychological and social support. Police violence against migrants, asylum seekers, and Roma was also a significant problem. Societal discrimination and instances of violence against individuals perceived to be foreigners and members of the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community were also substantial.

Other reported human rights problems included some restrictions on freedom of press and religion; domestic violence; trafficking in persons; incidents of anti-Semitism; limits on the freedom of certain ethnic-minority groups, including the recognized Muslim minority in Thrace, to self-identify; and discrimination against Roma and exploitation of Romani children.

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

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

a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

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

b. Disappearance

There were no reports of politically motivated disappearances.

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

The constitution and law prohibit such practices and provide safeguards for criminal suspects, undocumented migrants and asylum seekers in detention, but there were reports that police at times mistreated and abused undocumented migrants, asylum seekers, and demonstrators (also see section 2.d., Abuse of Migrants, Refugees, and Stateless Persons). In its 2015 annual report published in March, the Hellenic Police's internal affairs unit reported 19 cases in which public prosecutors charged police with offenses constituting forms of torture as defined under the country's penal code.

On May 13, the alternate minister for citizen protection and the chief of the Hellenic Police ordered an investigation and transfer of four police officers for their alleged involvement in violent incidents against demonstrators during a May 8 rally in Athens.

On July 4, the trial of 13 prison guards and a prison director charged in the March 2014 death of an Albanian convict resumed following a six-month nationwide trial lawyers' strike. On October 13, the court convicted all 13 prison guards of torture resulting in grievous bodily harm. The prison guards were sentenced to three to seven years' suspended prison term, while the court acquitted the prison director. The guards faced a pending appeals hearing and were barred from international travel.

On February 7, the Council of State upheld a court decision awarding 300,000 euros (\$330,000) in compensation, plus interest, to a Cypriot national for damages resulting from police brutality during a 2006 march.

Prison and Detention Center Conditions

Prison and detention center conditions, including holding cells, did not always meet national or international standards. Problems included inadequate supplies of resources such as blankets, clothing, and hygiene products; inadequate diet and sanitation; lack of access to health care and medical treatment; and lack of

recreational activities. There were some allegations of police mistreatment or abuse of mainly underage migrants, refugees, and Roma at police stations throughout the year (see section 2.d., Abuse of Migrants, Refugees, and Stateless Persons and section 6 on National Racial/Ethnic Minorities). On October 1, media reported that a public prosecutor ordered a preliminary judicial investigation into the case of five Syrian minors alleging police ill treatment while detaining the youth for identity verification for seven hours at the Omonia police station in Athens.

Physical Conditions: Prison overcrowding eased during the year. According to the Ministry of Justice, Transparency, and Human Rights, as of September 16, the prison population of 9,505 was below the prison capacity of 9,886 inmates. Authorities reportedly detained approximately 2,000 individuals in pretrial detention. Some underage migrants, including asylum-seeking unaccompanied minors, were held in “protective custody” in the same quarters as adults, or in police stations with limited access to outdoor areas (see section 6, Displaced Children).

Police detained migrants and asylum seekers living in open camps with expired temporary residence documentation if they were suspected of committing unlawful acts. On January 13, a government delegation visited a migrant detention center in Korinthos, Peloponnese. In a post-visit statement, the delegation described detention conditions as “unacceptable” adding that there were no medical doctors or interpreters; legal support and basic hygiene conditions were lacking; and heating, clothing, food, and medicines were inadequate. The statement also alleged the presence of minors among detainees.

Administration: Independent authorities investigated credible allegations of inhuman conditions.

Independent Monitoring: The government generally permitted independent authorities and nongovernmental observers to monitor prison and detention center conditions. The government restricted access to hotspots and official camps for migrants and asylum seekers to nongovernmental organizations (NGOs), diplomatic missions, foreign and domestic journalists, often requiring them to submit formal access requests with advance notice for each specific site. Citing very high demand and security concerns, authorities denied or postponed access on several occasions.

Improvements: The government took several administrative and legislative measures to improve conditions in prisons, including access to drug detoxification programs, access to education for young children co-residing with their imprisoned mothers in Thiva prison in central Greece, and a project facilitating prisoners' computer communication with family members and state officials. From March 28 to August 4, the Ministry of Justice, Transparency, and Human Rights opened three child-friendly visitors' spaces in the prisons of Grevena, Patras, and Thiva. On August 3, parliament passed legislation extending early release provisions for some categories of prisoners to ease prison congestion. Inmates sentenced to less than 10 years' imprisonment, with the exception of convicted pedophiles, were eligible for early release.

d. Arbitrary Arrest or Detention

Although the constitution and law prohibit arbitrary arrest and detention, there were reports that police at times abused their arrest and detention authority (see sections 1.c. and 6, National/Racial/Ethnic Minorities).

Role of the Police and Security Apparatus

Police are responsible for law enforcement, border security, and the maintenance of order under the authority of an alternate minister for citizen protection, who is subordinate to the Ministry of Interior and Administrative Reconstruction. The Coast Guard is responsible for law and border enforcement in territorial waters under the authority of the Ministry of Maritime Affairs and Island Policy. The armed forces, under the authority of the Ministry of Defense, and police jointly share law enforcement duties in certain border areas. Civilian authorities maintained effective control over the police, Coast Guard, and armed forces, and the government had effective mechanisms to investigate and punish abuse and corruption.

There were reports of impunity involving security forces. In an April 19 report, the Racist Violence Recording Network stated that 16 of the 273 incidents of racist violence recorded in 2015 involved law enforcement officials. Seven of the incidents reportedly occurred in detention facilities. The government maintained a hotline for reports of racially and hate-motivated incidents, and special police units were responsible for combating and preventing racist violence. According to official data for 2015, these units investigated 80 potential racially and hate-motivated incidents, while the special hotline received 27 telephone calls. Hellenic Police reportedly investigated ex officio all incidents and informed the

public prosecutor. Law enforcement officials were allegedly involved in 19 of these.

On July 7, the Ministry of Justice, Transparency, and Human Rights announced the establishment of a national mechanism within the Office of the Ombudsman for the independent investigation of incidents of alleged impunity and abuse of authority by police, coast guard, fire brigade personnel, and prison staff. The ombudsman may informally investigate such instances on his own or following denunciations or referrals by the competent ministers and secretaries general. The ombudsman must issue a report of findings within three months after initiating an investigation.

Universities, NGOs, international organizations (IOs), and service academies provided police training on combatting hate crimes and human trafficking.

Arrest Procedures and Treatment of Detainees

The law requires judicial warrants for arrests, except during the commission of a crime, and prohibits arbitrary arrest. Police generally followed these provisions. Within 24 hours of detention, the law requires police to bring detainees before a magistrate, who then must issue a detention warrant or order the detainee's release. Authorities generally observed these provisions. Pretrial detention may last up to 18 months, depending on the severity of the crime, or 30 months in exceptional circumstances. A panel of judges may release detainees pending trial. Expedited procedures may be applied to individuals accused of misdemeanors. Individuals were entitled to compensation from the state if found to have been unlawfully detained. There were no reports of unlawfully detained individuals since 2014.

Authorities generally respected the law allowing detainees to contact a close relative or third party, consult with a lawyer, and access medical services. Since police are required to bring detainees before an examining magistrate within 24 hours of detention, the short time period in some instances may limit detainees' ability to present an adequate defense. Defendants may request a delay to prepare a defense.

Rights activists and the media reported instances in which foreign detainees had limited access to a court-appointed interpreter, or were unaware of their right to legal assistance. Only indigent defendants facing felony charges received legal representation from the bar association. NGOs and IOs provided limited legal aid to detained migrants and asylum seekers including legal assistance in presenting

asylum cases before an appeals committee, submitting second instance appeals, and challenging police deportation orders. Bail and restriction orders are available for defendants detained on felony charges and on lesser charges unless a judicial officer deems the defendant a flight risk.

Arbitrary Arrest: On January 16, Human Rights Watch (HRW) addressed a letter to the alternate minister for citizen protection, upon review of a police circular dealing with stop and search operations. HRW argued that a 1991 presidential decree on police powers allowed police officers excessive discretion, in the absence of clear and detailed guidance, in choosing who to stop for an identity check and that this left room for abuse of power. This review followed a 2015 HRW report alleging that police profiled suspected homeless persons, drug users, and sex workers.

Pretrial Detention: Prolonged pretrial detention remained a problem. On March 27, media reported 2,793 individuals were in pretrial detention, noting that only one of them opted to participate in an existing pilot project allowing for electronic surveillance. As of March approximately 29 percent of the country's total prison and detainee population consisted of individuals in pretrial detention. Courts were overburdened and understaffed, with litigation often a lengthy process. A nationwide lawyers' strike from January to June exacerbated the situation.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Detainees had the ability to challenge the lawfulness of their detention before a Greek court and before the European Court of Human Rights (ECHR) after exhaustion of domestic appeals.

Protracted Detention of Rejected Asylum Seekers or Stateless Persons: Rejected asylum seekers who did not pose public security concerns could be detained for up to six months. Asylum seekers who entered the country after March 20 and whose claims were found inadmissible under the March 18 EU-Turkey Statement, remained in detention pending their return to Turkey. Authorities held asylum seekers in migrant detention centers, police holding places, and prisons.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence. Observers reported the judiciary was at times inefficient and sometimes subject to influence and corruption. Authorities respected court orders.

Trial Procedures

The constitution and law provide for the right to a fair public trial, and an independent judiciary generally enforced this right. The law grants defendants a presumption of innocence, and defendants have the right to be informed promptly and thoroughly of all charges. Delays were mostly due to backlogs of pending trials, understaffing and the six-month nationwide lawyers' strike that ended in June. Trials are public in most instances. Defendants have the right to communicate and consult with an attorney of their choice in a timely manner. The government provides attorneys to indigent defendants facing felony charges. Defendants may be present at trial, present witnesses and evidence on their own behalf, and question prosecution witnesses. Defendants and their attorneys have access to government-held evidence relevant to their cases and have the right of appeal. Defendants who do not speak Greek have the right to free interpretation through a court-appointed interpreter, although some NGOs and media criticized the quality and availability of interpretation.

The government recognizes sharia (Islamic law) as the law regulating family and civil concerns for the Muslim minority of Thrace. Muslims married by a government-appointed mufti are subject to sharia family law. Members of the Muslim minority also have the right to civil marriage and to take cases to civil court.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The judiciary was generally independent and impartial in civil matters. The law provides citizens with the ability to sue the government for compensation for alleged violations of rights. Individuals and organizations may appeal adverse domestic decisions to regional human rights bodies including the ECHR. The government failed to comply with some court decisions pertaining to human rights (see section 2.b.).

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

The constitution and law prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and press.

Freedom of Speech and Expression: The constitution and law provide for freedom of speech but specifically allow restrictions on speech and sanction individuals who intentionally incite others to actions that could provoke discrimination, hatred, or violence against persons or groups, based on their race, color, religion, descent, national or ethnic origin, sexual orientation, gender identity, or disability or who express ideas insulting to persons or groups on those grounds. Members of parliament (MPs) and political party leaders have immunity from criminal prosecution for activities related to the exercise of their duties while in office; however, the parliamentary majority may lift this immunity. On May 11, parliament lifted the immunity of two current and one former Golden Dawn MPs so that they could face trial for alleged violation of antiracism laws. The charge related to the distribution of leaflets inciting the public to rally against undocumented migrants in March 2015.

On August 3, parliament passed legislation ratifying the Council of Europe Convention on Cybercrime and its protocol criminalizing racist and xenophobic acts committed using computer systems.

Press and Media Freedoms: Independent media were active and expressed a wide variety of views without restriction.

Legislation passed February 15 supplemented an October 2015 law authorizing the country's first-ever national television broadcast licensing tender; previously, authorities awarded licenses on an ad hoc basis. The closed-door auction process began on August 30 and ended September 2, with four successful bidders announced, including two existing channels.

Media watchdog groups criticized the government's decision to auction only four television licenses as well as the minister of state's control over the tender. Media owners and other analysts criticized the legislation as a government attempt to reshape and control the country's media landscape. On May 16, privately held television broadcasters, along with their union, filed a lawsuit with the Council of State seeking to abolish the February legislation. On October 26, the Council of State deemed unconstitutional the law granting the government authority to license television permits and decide on their number.

Violence and Harassment: Journalists were subjected to physical attack, harassment, or intimidation due to their reporting in four reported instances. In three of these, perpetrators were allegedly Golden Dawn party supporters. No arrests were made in the four cases.

Censorship or Content Restrictions: While an investigation into polling and news coverage of a July 2015 referendum on the country's bailout program was pending in the courts, the disciplinary committee of the Athens Journalists' Union (ESIEA) on April 6 announced its decision to suspend the membership of seven journalists accused of biased coverage prior to the referendum. Opposition parties criticized this decision, claiming it exclusively affected journalists who had opposed the government's position in support of a "No" vote. On October 6, ESIEA's second instance disciplinary board ruled on an appeal filed by three of the affected journalists and decided not to uphold the sanctions.

Libel/Slander Laws: The law provides criminal penalties for defamation. On February 24, the Supreme Court president filed a lawsuit against a lawyer and professor of constitutional law for defamation of character, arguing that she felt insulted by the professor's social media comments about her. The professor had criticized the court's president for a 2015 letter to EU colleagues asking them to urge the country's international lenders to complete its bailout review. In his blog post, the academic called on the Supreme Court president to resign because her judicial position required apolitical objectivity and neutrality, asserting that her involvement in this matter was inappropriate. On February 25, the Athens Bar Association voiced its concern and disapproval of the lawsuit, arguing that the free expression of ideas, including public criticism of public officials, is an "obvious and non-negotiable human right." The lawsuit was pending prosecutor investigation.

On June 12, a three-member appeals court in Lesvos sentenced a journalist accused of insulting the principal of a local middle school in 2013 to a three-month

suspended sentence. The journalist had called the principal a “neo-Nazi” for his publicly ultrarightist political stance and for urging his colleagues to vote for Golden Dawn. The appeals court found the use of the term “neo-Nazi” instead of “ethno-socialist” to describe the principal’s political beliefs insulting to him.

On September 20, a journalist was placed under arrest for libel following a defamation lawsuit filed by the minister for infrastructure, transportation, and networks.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. According to the country’s national statistics agency, approximately 67 percent of the population used the internet as of March 2015.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

In March 2015 media reported that a public prosecutor in Crete pressed charges against a university professor for allegedly claiming in his book that World War II Nazi war crimes were incited by rebels in Crete. The trial began in November 2015. On February 10, a judge in Rethymno, Crete, acquitted the professor accused of tying Cretan rebels to World War II Nazi war crimes.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for freedom of assembly, and the government generally respected this right. On January 30, police issued a statement forbidding public gatherings in central Athens for a single 12-hour period from 6:00 a.m. until midnight citing reasons of public order.

Freedom of Association

Although the constitution and law provide for freedom of association, the government continued to place legal restrictions on the names of associations of

nationals who self-identified as ethnic Macedonians or associations that included the term “Turkish” as indicative of a collective ethnic identity (see section 6). Such associations, despite the lack of legal recognition, continued to operate.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

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

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, and other persons of concern.

Abuse of Migrants, Refugees, and Stateless Persons: According to a wide range of credible sources, authorities did not always provide adequate security or physical protection to migrants and asylum seekers inside reception, registration, and detention camps when violent incidents occurred. In a May 19 report by HRW, women interviewed at island reception and identification centers, also known as hotspots, on the islands of Lesbos, Chios, and Samos, said they felt particularly exposed to the threat of sexual violence during episodes of fighting among male counterparts.

Female residents at similar facilities, such as Elliniko in greater Athens, Nea Kavala, and Softex in northern Greece were vulnerable to gender-based violence, including domestic violence, sexual harassment, and rape, due to the unconventional physical layouts of sites and the lack of law enforcement coverage. Police sources reported that, aside from relocating alleged offenders to other sites, authorities were limited in their ability to take legal action against them unless their victims agreed to press formal charges. An August report by the Women’s Refugee Commission noted an increase in incidents of gender-based violence; attributing this partly to the longer stays in the country, allowing survivors of gender-based violence more time to seek assistance from local authorities.

On September 8, the migration ministry transferred 82 Yazidi Kurds from Yiannitsa Migrant Center to an all-Yazidi migrant camp located in Serres. Yazidis at Yiannitsa claimed Syrian Sunni Arabs had harassed them because of their religious beliefs. Earlier in the year, Yazidis left Eidomeni, Katsikas, and Nea Kavala camps for the same reason. According to The Liberation of Christian and Yazidi Children NGO, as of September 7, there were 2,535 Yezidis migrants in the country, most of whom (1,323) lived in an open-air camp at the base of Mount Olympus. Camp visits by NGOs confirmed that segregation mostly resolved the Yezidis' protection issues but living conditions still needed to be improved.

On June 29, Doctors of the World NGO (MDM) issued an open letter alleging that police abused unaccompanied minors placed under protective custody at the Moria reception and identification center on Lesbos. The MDM claimed 12 unaccompanied Pakistani youths told MDM staff they had been taken on June 24 to a police station in handcuffs after scuffling with one another. The MDM said they found the minors in a state of shock, with bruises and marks on their hands and other body parts after returning from police custody. Following a July 6 parliamentary inquiry regarding the allegations, the public prosecutor in Lesbos and the Police Directorate for Northern Aegean reportedly ordered an investigation on July 15.

In-country Movement: According to a 2015 law, periods of absence from the country by documented migrants should not impede the renewal of a residency permit. Based on Ministry of Interior data, as of April 19, there were 557,476 documented migrants in the country. According to a law passed in April, all undocumented migrants and asylum seekers arriving in the country after March 20 were to be confined for a maximum of 25 days on island hotspots, during which time they would be registered in a national database and could start the process of applying for asylum. According to the law, exceptions to this detention period were allowed for vulnerable groups, including unaccompanied minors; persons with disabilities; severely ill and elderly individuals; pregnant women and new mothers; single parents with underage children; victims of torture, rape, and other serious forms of psychological, physical, or sexual violence or exploitation; shipwreck survivors; and trafficking-in-persons survivors.

Protection of Refugees

During the year several factors reduced the flow of migrant and asylum seekers to the country from the Middle East, Africa, and Asia; the flow consisted of a mix of asylum seekers/potential refugees and economic migrants.

While the flow of migrants and refugees declined upon implementation of the March 18 EU-Turkey Statement, the closing of the northern borders caused Greece to transition from a predominately transit country to a de facto host for a large migrant and refugee population. As of November 1, government figures indicated 61,327 migrants and asylum seekers were scattered throughout the country.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has an established system for protecting refugees through an autonomous, asylum service under the authority of the Ministry of Interior and Administrative Reconstruction. The law provides that applicants have access to certified interpreters, may appeal negative decisions to the appeals authority, and may be detained but not deported.

Authorities worked with NGOs, IOs, and the European Asylum Support Office (EASO) to inform undocumented migrants awaiting registration in the asylum system, as well as non-EU foreign national detainees, about their rights and asylum procedures and IOM-assisted voluntary return programs. UNHCR also assisted the government with briefings and distribution of multilingual leaflets and information packages on asylum and asylum procedures.

An April 1 law expedited the existing asylum process and allowed for EU and IO assistance in processing asylum claims. The law enables police and military personnel to assist in the registration of asylum applications and for EASO officials and interpreters to assist local asylum service authorities in registering applications and conducting interviews.

The law also enabled asylum seekers without criminal records whose claims had been pending at second instance for more than five years, to be automatically eligible for a two-year renewable residence permit on humanitarian grounds if they opted to discontinue their asylum process. This provision was intended to clear a backlog of pending cases from prior to the establishment of the Greek Asylum Service in 2013.

On June 22, parliament passed an amendment providing for the restructuring of the appeals committees that reviewed second instance asylum claims. Appeals committees subsequently consisted of two administrative court judges and one member designated by UNHCR. The amendment limited applicants' ability to be physically present at a second instance hearing--leaving it up to the appeals

committees--in contrast to the past practice when an applicant could request to be present at the hearing. The amendment also expanded EASO officials' authority to conduct interviews, increasing the rate of asylum claims processing.

Throughout 2015 the asylum service received 13,197 asylum applications. According to governmental and nongovernmental sources, this number reflected the fact that the vast majority of migrants and asylum seekers transiting Greece were reluctant to file asylum claims in the country prior to the closure of neighboring borders and the March 18 EU-Turkey Statement. From January 1 through August 31, the asylum service reported receiving 25,364 asylum applications, a nearly 220 percent increase over the same period in 2015. A significant backlog in asylum claims remained.

From June 6 through July 30, the asylum service, in cooperation with UNHCR and EASO, conducted a preregistration exercise throughout the mainland to address the overwhelming interest in and lack of physical access to the asylum process. The exercise focused on formal reception camps and other facilities hosting migrant and asylum seekers, but it was also available to those residing in informal sites and urban areas. The procedure was available only to foreign nationals arriving in the country through March 19. Migrants and asylum seekers arriving thereafter were subject to expedited admissibility and asylum procedures initiated in island hotspot locations (see section 2.d., Freedom of Movement). The exercise aimed to identify individuals eligible for relocation or family reunification in other EU countries and those who would have to file asylum claims in country. Preregistration documents, issued in the interim period before an applicant filed a formal asylum claim, granted beneficiaries the right to legal residence in the country for one year and access to free health care, but not permission to work. Work was permitted once an applicant started the formal asylum process with an initial interview and received updated documentation. According to asylum service and UNHCR data, 27,592 individuals preregistered as part of the exercise.

IOs, NGOs, and human rights activists expressed concerns about problems related to the asylum system, including the lack of adequate staff and facilities; difficulties in registering claims and questions about the expedited nature and thoroughness of the examination of initial claims and appeals; lack of suitable reception centers to address the increased number of asylum seekers stranded in the country; insufficient welfare, integration, counseling, legal, and interpretation services; discrimination; as well as detention under inadequate and overcrowded conditions inside the hotspots. Asylum seekers of nationalities other than Syrian alleged

delays in the processing of their claims due to the expedited processing of Syrian applications under a special program instituted in August 2014.

Safe Country of Origin/Transit: The country adheres to the Dublin III Regulation, according to which authorities may return asylum seekers to the EU member state of first entry for adjudication of asylum claims.

On March 18, the EU and Turkey reached a migration agreement, with implementation starting March 20. According to the agreement, every undocumented migrant crossing from Turkey into the Greek islands would be confined to a hotspot for up to 25 days, during which time the individual would have the opportunity to apply for asylum in Greece. Individuals opting not to apply for asylum or whose applications were deemed unfounded or inadmissible would be returned to Turkey under the terms of the agreement. The National Commission for Human Rights, an independent advisory body to the prime minister, and NGOs including HRW, Doctors without Borders, and the Greek Council for Refugees expressed concerns, objecting to detention of incoming migrants and asylum seekers. The NGOs argued that the expedited asylum process foreseen in the April 1 law undermined individual international protection rights because there was a lack of access to information on asylum proceedings and inadequate numbers of staff to execute properly the necessary procedures for each asylum claim.

Refoulement: The government provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened because of their race, religion, nationality, membership in a particular social group, or political opinion. In its July report to the UN Committee on the Elimination of Racial Discrimination (CERD), HRW alleged that the readmission of some individuals to Turkey on April 4, under the EU-Turkey Statement, was abusive, contending that some individuals returned were not adequately informed of the process and lacked the opportunity to apply for asylum. On October 28, Amnesty International reported to have evidence that Greek authorities forced the return of at least eight Syrian refugees to Turkey, without respecting procedural guarantees or considering their asylum claims. Greek authorities insisted that all individuals were given the opportunity to apply for asylum on several occasions, also noting that three Syrian nationals from the same group did not return because they had requested asylum at the airport prior to their departure. Authorities also noted that the procedure took place under the supervision of the office of the Greek ombudsman. On October 21, a UNHCR spokesperson expressed concerns about

these and other cases involving Syrian nationals who were returned to Turkey from Greece without “due consideration of their asylum claims.”

Freedom of Movement: Undocumented migrants arriving at Greek islands after March 20 were subjected to special border reception and registration procedures in closed facilities. According to the law, those arriving would experience “deprivation of liberty” for up to 25 days, although NGO and activist sources reported that this timeframe was not always respected. After this 25-day period, undocumented migrants remaining in those facilities were generally allowed to enter and exit. Undocumented migrants were prohibited from travelling to the mainland unless they filed asylum applications deemed admissible by the asylum authorities. Once asylum applications were filed, found admissible, and in process, migrants could move to an accommodation center on the mainland. There was no restriction on movement in/out of the accommodation centers.

Unaccompanied minors were also placed under “protective custody” due to lack of space in specialized shelters. In a July 19 report, HRW, citing the National Center for Social Solidarity (EKKA), stated that as of July 18, an estimated 18 children were held in police stations awaiting transfer, while hundreds of other unaccompanied children were kept in large detention centers in various locations, including the Greek islands. Unaccompanied minors were generally not free to leave these centers, although government and NGOs reported that NGO employees and volunteers were permitted to escort them outside the centers for recreational activities.

The government detained undocumented migrants with expired residence permits or rejected asylum seekers for up to six months. There were also cases of asylum seekers being detained under special circumstances or when under arrest for unlawful acts. Likewise, migrants and asylum seekers living in open camps with expired temporary residence documentation were detained if suspected of committing unlawful acts. Relying on police data, media reported approximately 1,140 migrants were in detention centers as of March 3. Police maintained that 13,928 individuals were deported or voluntarily returned to countries of origin through September 30.

Employment: Recognized refugees and holders of asylum-seekers’ papers were entitled to work. Asylum-seekers who underwent the preregistration process were not allowed to work until they underwent an initial interview and formally filed an asylum application.

Access to Basic Services: Services such as health care, education, and judicial procedures were granted to asylum seekers in possession of a valid residency permit. Legal assistance was limited and was usually offered via volunteer lawyers and bar associations, NGOs, and IOs. Designated refugees were also entitled to public housing, but almost all housing programs ceased due to austerity measures. Asylum seekers had access to special shelters operated under state management or supervision, or administered by NGOs. All residents in the country are entitled to emergency medical care regardless of legal status. Medical volunteers or doctors contracted by NGOs and military doctors provided basic medical care in camps with emergencies or more complex cases referred to local hospitals. The government started an initiative to provide education to refugee and migrant minors in October.

The Reception and Identification Service (RIS)--formerly known as the “First Reception Service,”--co-managed with the armed forces, police, and other agencies, a number of open reception and closed facilities, but the RIS was severely understaffed. The April 1 law placed the RIS under a newly established Secretariat for Reception under the authority of the Ministry for Interior and Administrative Reconstruction. Together with police, the RIS was responsible for registering, verifying the identity, medically screening, and identifying vulnerable groups among undocumented migrants entering the country. The RIS was also responsible for the short-term housing of individuals, the referral of vulnerable individuals to other facilities, and the provision of information concerning options for international protection or assisted voluntary return to the undocumented migrants’ home countries.

More than 40 reception and accommodation camps were gradually established throughout the country to house a migrant and asylum seeking population that ceased being transitory. Most sites were “open” and typically operated in such areas as former military camps; state-owned lands where prefabricated houses were installed; unused and refurbished municipal or state-owned buildings; empty or abandoned and refurbished hotels; or former factory or warehouse facilities. “Closed” sites, typically on island hotspots, mostly operated on military or state-owned plots with additional prefabricated houses. The government participated in a European Commission-funded UNHCR rental subsidy program launched in December 2015 to increase housing capacity. Based on UNHCR data from April through October 31, the program accommodated 16,393 migrants and asylum seekers in a combination of rental subsidies, hotels, host families, and a relocation camp administered by UNHCR.

Sites lacked standard operating procedures and monitoring and evaluation mechanisms. Living conditions for migrants and refugees were occasionally reported to be below international humanitarian standards. NGOs, IOs, and independent observers voiced concerns about overcrowding, poor access to water and sanitation, inadequate food provision, poor access to basic health and pharmaceutical care (particularly for individuals suffering from chronic diseases), limited mental health care and social and psychological support. Accommodation for individuals with disabilities at most sites was inadequate. Connections to sewage and water supply systems were nonexistent or problematic at many sites--although the government prioritized water and sanitation projects in cooperation with local municipalities, NGOs, and others to mitigate long-standing complaints among local resident communities.

In a July 21 open letter published by the Hellenic Centers for Disease Control and Prevention (KEELPNO), its officials cited conditions deemed to pose health risks to migrants, asylum seekers, and the public. According to KEELPNO, their officials visited 16 accommodation facilities along with regional health officers on July 4-8, following a ministerial decree providing for a public-health assessment of these centers. The letter specifically mentioned the site of a former tannery in Sindos, in the Thessaloniki area, noting water at the site probably had high traces of toxic heavy metals and that the facility contained other hazardous materials including asbestos in the ceilings.

Segregation of vulnerable groups was not always feasible at some sites, with overcrowding and a lack of information raising tensions among residents. Credible observers reported several violent incidents, including fist fights involving migrants and asylum seekers, stabbings, gender-based violence (see section 2.d., Abuse of Migrants, Refugees, and Stateless Persons), and at least two alleged killings. Residents initiated periodic hunger strikes and protests, including suicide attempts, inside hotspots and accommodation camps to protest detention policies, delays in the asylum process, overcrowding, and poor living and sanitary conditions.

In its May report, the German-based NGO “Pro ASYL” found conditions in most emergency camps in the Athens area to be substandard, adding that the system of detection and protection of vulnerable groups was ineffective and that migrants and asylum seekers lacked information about and access to asylum, relocation, and family reunification options. Campaigns by NGOs, IOs, and the government helped improve information dissemination, particularly in the months immediately following agreement on the March 18 EU-Turkey statement.

Temporary Protection: As of August 31 the government also provided temporary protection to approximately 21 individuals who may not qualify as refugees.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage, held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: In September 2015 the country held parliamentary elections that observers considered free and fair. As a result of the elections, Prime Minister Alexis Tsipras formed a governing coalition consisting of the SYRIZA and ANEL parties.

Political Parties and Political Participation: An unknown number of Roma may not be registered to vote.

Participation of Women and Minorities: No laws or cultural practices prevent women from participating in political life. Women made up 18 percent of parliament's 300 members. There were four members of the officially recognized Muslim minority of Thrace in parliament. There were no minority members in the cabinet.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not always implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. Observers reiterated concern over perceived high levels of official corruption. Permanent and ad hoc government entities charged with combating corruption were understaffed and underfinanced.

In 2015 parliament passed legislation that replaced the post of national coordinator for combatting corruption with a General Secretariat for Combatting Corruption (GSCC). The GSCC was responsible for developing and implementing a national anticorruption strategy, with an emphasis on coordination between anticorruption bodies within various ministries. An alternate minister for combatting corruption in the Ministry of Justice was assigned to promote a policy of transparency and

uniform rules among state bodies and institutions. Another 2015 law, aimed at reducing bureaucratic delays and potential corruption, provided for the extension of online public services to citizens via state or municipal electronic service centers.

Legislation passed in 2015 provided a wider range of disciplinary sanctions against government employees accused of misconduct or breach of duty, while eliminating the immediate suspension of an accused employee prior to the completion of legal proceedings. If found guilty, offenders could be deprived of wages for up to 12 months and forced to relinquish their right to regain a senior post for a period of one to five years. Certain offenders could also be fined between 3,000 to 100,000 euros (\$3,300 to \$110,000). In its annual report for 2015 issued July 22, the General Inspector for Public Administration called for the re-examination of 116--of 1,718--disciplinary board decisions on cases of misconduct or breach of duty by state employees. In 69 percent of these cases, the inspectorate determined the imposed penalties were lenient. On January 15, the speaker of the house ordered the dismissal of seven parliamentary employees for having submitted fake academic diplomas for their hiring or promotion. On June 2, the government announced the dismissal of 48 state employees in the first quarter of the year on similar grounds.

Corruption: The government intensified efforts to combat tax evasion by increasing inspections and crosschecks among various authorities; however, media alleged instances of complicity by tax officials in tax evasion by individuals and businesses. On January 14, police arrested a deputy bank director--a two-time governing party MP candidate--on bribery charges for accepting 3,000 euros (\$3,300) from a businessman to facilitate the release of EU-approved funds but which the businessman could not access because of debts owed by his father. Authorities also arrested two officers of the financial crimes unit of the Secretariat General for Public Revenue, an employee of the general secretariat for revenues, and the banker's wife in connection with the case.

Reports of official and police corruption continued. The police bureau of internal affairs conducted investigations and took numerous disciplinary measures, including dismissal and suspension, against officers involved in corruption. Data from the police bureau of internal affairs cited 1,403 cases during 2015, of which 1,002 involved police staff, 258 involved state employees, and 66 cases involved both. Authorities arrested 31 police officers, nine special guards, and 16 state employees during the commission of criminal acts. Judicial authorities pressed charges against 220 police and special guards and 47 state employees. In its

annual 2015 report, the General Inspectorate for Public Administration reported investigating 1,388 complaints of alleged offenses in the state sector relating to gaps in financial management and control, disregard of administrative procedures, and lack of transparency among public-sector employees.

Financial Disclosure: The law requires income and asset disclosure by appointed and elected officials, including private-sector employees, such as journalists and heads of government-funded NGOs. Several agencies are mandated to monitor and verify disclosures, including the General Inspectorate for Public Administration, the police internal affairs bureau, the Piraeus appeals prosecutor, and an independent permanent parliamentary committee. Declarations were made publicly available, albeit with delays. The law provides for administrative and criminal sanctions for noncompliance. Penalties range from two to 10 years' imprisonment and fines of from 10,000 to one million euros (\$11,000 to \$1.1 million).

On January 20, financial prosecutors investigating a close aide to a former prime minister, whose name appeared on a list of depositors suspected of tax evasion, forwarded his file to first instance court prosecutors. On September 22, media reported on the indictment of a former finance minister for allegedly failing to make required wealth declarations for the years 2011 and 2012, when he was serving as top advisor of the then prime minister.

Public Access to Information: The law provides for the right to access government-held information, through the "Clarity" and "Open Government" programs with the exception of cases pertaining to national security or privacy. The Clarity program published administrative decisions, including public tenders and the awarding of financial contracts, to increase transparency in government fiscal decisions. The Open Government program published draft bills for public deliberation. NGOs and media observers noted that bureaucratic delays sometimes hindered access to information for individuals unfamiliar with new technology.

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

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases, with the exception of restricted access to detention and reception facilities for migrants and asylum seekers in the islands and in certain

circumstances to official camps in the mainland. Government officials often were cooperative and responsive to their views.

Government Human Rights Bodies: The Office of the Ombudsman, a state body considered independent and effective, investigated complaints by individuals of human rights problems. Five deputy ombudsmen dealt with human rights, children's rights, citizen-state relations, health and social welfare, and quality of life problems. The office received adequate resources to perform its functions. In its 2015 annual report, the office reported receiving 11,502 complaints, of which 80 percent were considered to have been satisfactorily resolved.

The autonomous, state-funded National Commission for Human Rights (NCHR) advised the government on protection of human rights. The NCHR was considered independent, effective, and adequately resourced.

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

Women

Rape and Domestic Violence: Rape, including spousal rape, is a crime punishable by penalties ranging from five to 20 years' imprisonment. Domestic violence is a crime with penalties from two to 10 years' imprisonment. Authorities generally enforced the law effectively. According to police statistics, survivors reported 70 cases of rape in the first six months of the year.

According to the secretary general for gender equality, police, and NGOs, domestic violence, including spousal abuse, continued to be a problem. The government and NGOs made medical, psychological, social, and legal support available to rape survivors. EKKA operated a hotline that provided referrals and psychological counseling for individuals in need of help. The government operated 21 shelters for victims of violence and 25 counseling and support service centers. The General Secretariat for Gender Equality (GSGE) also oversaw 15 centers in each region. Following a memorandum of understanding signed in July 2015 between the Ministry of Education, Research and Religious Affairs and the GSGE, 11 training seminars on gender equality were organized in eight cities throughout the country for primary school teachers.

Sexual Harassment: The law prohibits sexual harassment and provides penalties ranging from two months to five years in prison. In its 2015 report on gender and equality, the ombudsman reiterated previous findings about the absence of a policy

against sexual harassment in most businesses and private and public workplaces, emphasizing that employers were often ignorant of their obligations under the law when employees filed sexual harassment complaints. The ombudsman noted that the increase in gender-equality complaints filed in 2015 indicated victims' increasing awareness and confidence in denouncing such incidents despite the difficulties in proving sexual harassment. In two of the 2015 cases, the ombudsman found substantial evidence to recommend imposing fines on alleged offenders.

Reproductive Rights: The government generally respected the right of couples and individuals to decide the number, spacing, and timing of their children; to manage their reproductive health; and to have access to the information and means to do so, free from discrimination, coercion, and violence.

Discrimination: The constitution provides for equality between women and men. The government effectively enforced laws promoting gender equality, which provided for women to enjoy the same legal status and rights as men, with exceptions related to the practice of sharia law involving the Muslim minority of Thrace.

According to a privately conducted survey released March 8, women held 27 percent of senior private-sector positions. The same survey, however, found that 29 percent of local enterprises had no women in top management.

According to the International Labor Organization and the GSGE, the country's economic crisis had a disproportionate impact on women. Based on data referring to June released on September 29 by the country's Statistical Authority, the rate of unemployment among women was 28 percent compared with 20 percent for men.

The government recognizes sharia applied by muftis as the law regulating family and civic matters for the Muslim minority of Thrace, with local courts routinely ratifying the muftis' decisions. Muslims married by a government-appointed mufti were subject to sharia family law. Members of the Muslim minority also had the right to a civil marriage and the right to take their cases to civil court. Muslim women in Thrace could choose to be subject to sharia as interpreted by official muftis. The NCHR advised the government to limit the powers of muftis to religious duties because they might otherwise restrict the civil rights of citizens. Legislation provides that the courts shall not enforce decision of the muftis that contravene the constitution or international human rights treaties.

Children

Birth Registration: Citizenship is derived from one's parents at birth; a single parent may confer citizenship on a child. Parents are obliged to register their children within 10 days of birth. The law allows belated birth registration but imposes a fine. Birth registration takes place at the municipal level. For children not born in private or public clinics or hospitals, their birth may be officially declared by the mother, father, the doctor, the midwife, or any other medical personnel attending the birth. Attending medical personnel attest to the birth in a written certificate. In the absence of this certificate, a sworn statement by the principal hospital administrator can verify the birth. The mother can designate a representative through a special notary public authorization if health reasons preclude her from attesting to the birth.

Child Abuse: Violence against children, particularly street and Romani children and undocumented migrants, remained a problem. The law prohibits corporal punishment and mistreatment of children, but government enforcement was generally ineffective. Welfare laws provide for treatment and prevention programs for abused and neglected children as well as for alternative family care or institutionalization. Government-run institutions were understaffed, however, and NGOs complained of insufficient places for all children who required alternate placement. In a July 20 press statement, the NGO Smile of the Child reported receiving 352 child abuse-related calls to its helpline involving 722 children during the first six months of the year; it also provided shelter to 287 abused or endangered children.

According to local NGOs, exploitation of Romani children by their parents remained a problem. In the majority of cases, these children were forced to beg or sell trinkets on the streets. Government efforts to prevent such exploitation were inadequate.

On February 17, Smile of the Child reported the start of an initiative, Aegean Smile, to operate information desks inside reception and registration centers for migrants and asylum seekers in hotspots and open reception camps, building upon the European Hotline for Missing Children and the European Helpline for Children and Teenagers. The NGO, in cooperation with a number of government authorities, aimed to protect migrant and asylum seeker children with a primary focus on unaccompanied minors.

On September 8, HRW issued a report on the detention and protective custody conditions of unaccompanied minors in the country, notably in prison station cells, coast guard facilities and pre-removal centers. The report was based on 42 interviews with migrant and asylum-seeking minors ages 14-17 often kept in unsanitary and degrading conditions, facing abusive treatment, without access to critical care and services or to educational opportunities and recreational activities. Nine minors reportedly had been detained in the same quarters with adults. HRW noted that detention, instead of being a measure of last resort and only used for a limited period of time, had become a pattern often lasting for longer periods of time.

Early and Forced Marriage: The legal age for marriage is 18. While official statistics were unavailable, NGOs reported that child marriage was common in the small Romani community, with Romani girls often marrying between the ages of 15 and 17 (some as young as 13) and Romani boys marrying between the ages of 15 and 20. State-appointed muftis in Thrace noted that the marriage of children under the age of 15 was not allowed and that marriages involving minors between the ages of 16 and 18 required a prosecutor's decision. A limited number of marriages of children under 18 occurred in Athens and among the Muslim minority, with the permission of a prosecutor.

Sexual Exploitation of Children: The legal age of consent is 15. The law criminalizes sex with children under the age of 15. In instances when a victim is under 10, there is a mandatory sentence of at least 10 years' imprisonment; if the victim is between the ages of 10 and 13, the penalty is up to 10 years' imprisonment. If the victim is between ages 13 and 15, the court determines the length of imprisonment. The law prohibits the commercial sexual exploitation of children and child pornography and imposes penalties if the crime was committed using information and communications technology accessed from the country. Authorities generally enforced the law with harsher penalties of up to life imprisonment and a fine of up to 500,000 euros (\$550,000). From January 1 through June 30, police investigated 51 internet child pornography cases; Hellenic police reported dealing with 119 internet child pornography cases.

Displaced Children: According to UNHCR data, an estimated 38 percent of 2016 migrant and asylum seekers arriving in the country were children. Unaccompanied minors were not always properly registered, at times lacked safe accommodations or legal guardians, and were vulnerable to homelessness, and labor and sexual exploitation. According to EKKA data, as of August 4, all shelter spaces designated for minors were filled, with 1,495 pending requests. EKKA reported it

received more than twice the number of requests for transfers of unaccompanied children to shelters in the first quarter of 2016 compared with the first quarter of 2015.

On February 15, the minister of health and the alternate minister for migration policy issued a joint decision regulating the process for the age determination of undocumented unaccompanied minors. Upon referral from reception authorities or NGOs, a pediatrician, psychologist, and social worker at state health centers make age determinations based on physical, sociological, and psychological assessments. The ministerial decision provides that the assessment's outcome should be taken into account during the asylum process and be in the applicant's best interest. In case of doubt, an individual would be considered a minor.

Institutionalized Children: Isolated reports alleged police abuse of unaccompanied minors in migrant detention centers (see section 2.d.). Media and anecdotal reports from NGOs alleged incidents of sexual exploitation, physical abuse, including rape, of minors in migrant detention and reception facilities by co-residents. Local and international organizations, including the UN special rapporteur on the human rights of migrants, condemned the use of protective custody for unaccompanied minors for prolonged periods, often in unsanitary, overcrowded conditions, resulting from a lack of available spaces in specialized shelters (see section 2.d.).

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

Local Jewish leaders estimated the Jewish community had approximately 5,000 individuals. Anti-Semitic rhetoric remained a problem, particularly in the extremist press, social networking sites, and certain blogs. The Central Board of Jewish Communities (KIS) continued to voice concern about anti-Semitic attitudes among Golden Dawn party members, including those in parliament. KIS also reiterated concern about political cartoons and images in mainstream media mocking political controversies through the use of Jewish sacred symbols and comparisons to the Holocaust.

In February a known anti-Semitic organization, Unaligned Meander Nationalists, posted internet photos of neo-Nazis performing the Nazi salute in front of swastikas, drawn with graffiti and slogans in the city of Patras.

In March 19, activists monitoring anti-Semitic rhetoric and Holocaust trivialization criticized the minister for interior and administrative reconstruction as well as the main opposition party spokesperson for their March 18 statements comparing conditions in the unofficial refugee and migrant camp of Eidomeni in northern Greece to the Dachau Nazi concentration camp.

On June 28, media reported that Athens police initiated an investigation into a June 10 vandalism incident at the Athens Holocaust Memorial in which unknown perpetrators wrote a word believed to be interpreted as “roasting.”

On September 12, media reported swastika vandalism on the exterior walls of the historic synagogue of Ioannina. The Central Board of Jewish Communities condemned the attack. On September 14, the Ministry of Foreign Affairs also condemned the attack, describing it as a “hideous act” and stated that “this barbaric action offends the memory of Greek Jews and all our fellow citizens who were the victims of fascism and constitutes a direct attack on the values of the democratic Greek society.”

Deputy Education Minister Theodosios Pelegrinis was criticized by opposition political parties after a September 15 speech in parliament where he stated that Jews exploited the Holocaust. He defended himself, saying his speech was misunderstood and that he expressed sympathy for what the Jews suffered.

The mayors of Athens and Thessaloniki signed a declaration against anti-Semitism along with 60 other European mayors.

Trafficking in Persons

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

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, and the judicial system. It provides for other government services, such as

transportation and education. NGOs and organizations for disability rights reported that government enforcement of these provisions was inconsistent.

In its concluding observations on the country adopted in 2015, the UN Human Rights Committee noted with concern the discrimination faced by persons with disabilities, in particular with regard to access to education, employment, and health services. The committee also expressed concern about reports of the continuing widespread use of physical restraints, including enclosed restraint beds, and systematic sedation as a means of restraining patients with intellectual disabilities, including children, in institutions.

Persons with disabilities, including children, continued to have poor access to buildings, transportation, and public areas, which the law mandates they should have, particularly to buildings, ramps for sidewalks and public transportation vehicles. While the law allows service animals to accompany blind individuals in all mass transit and eating establishments, blind activists maintained that they occasionally faced difficulties when attempting to enter public transportation and certain restaurants with service animals or were charged additional fees for transporting them.

On May 9, a bus driver in Athens demanded a blind activist take her guide dog and step down from the vehicle after boarding. The activist refused, and the driver called police to arrest her. On May 31, the head of the Athens' Urban Transport Organization publicly reiterated that blind individuals and persons with visual disabilities may enter public transport with a guide dog, reminding the organization's staff members of their obligation to abide by the law.

NGOs and other groups supporting rights for persons with disabilities criticized government cuts in health-care funding for such individuals, the lack of qualified personnel to provide health and educational support to children with disabilities, the lack of social welfare support for migrants with physical disabilities, and the lack of quality education and appropriate educational support services at all levels.

On June 10, media reported the head of a social welfare center for mentally disabled individuals in Agiasos, Lesbos, filed a complaint with the public prosecutor against two staff members for allegedly mistreating and physically abusing residents. A judicial investigation of the case remained pending.

In 2015 the ombudsman handled 87 complaints related to persons with disabilities; 25 of the complaints alleged discrimination in employment, 56 in education and

vocational training, and six in the provision of goods and services. In his 2015 antidiscrimination report, the ombudsman reiterated that children with disabilities were effectively discriminated against in the educational sector due to belated contracting of special teachers and transportation providers for them, and the lack of adequate teaching and auxiliary staff assigned to assist such children attending mainstream schools. On October 25, at the launch of a new primary school for children with disabilities, the minister for education stated that special-education schools in the country successfully started courses on time, hired 9,000 substitute special-education teachers, and established 500 new entry-level classes.

On February 21, parliament adopted legislation intended to ease municipal taxation on persons with disabilities and to protect labor positions within municipal agencies for employees with disabilities. On February 27, parliament adopted a law establishing a national registry for candidates to serve in executive positions in the public sector. The law facilitates disabled candidates' access to the electronic registration system, provides for all necessary human or resource assistance during the interview process, and mandates necessary accommodations at the workplace.

The Manpower Employment Organization continued to offer EU- and government-funded programs to enhance the employability and entrepreneurship of individuals with disabilities, including subsidies for employers of such persons and subsidies for new businesses run by them.

National/Racial/Ethnic Minorities

While the constitution and law prohibit discrimination against members of minorities, Roma and members of other minority groups continued to face discrimination.

Although the government recognized an individual's right to self-identification, many individuals who defined themselves as members of a minority group found it difficult to express their identity freely and to maintain their culture. A number of citizens identified themselves as Turks, Pomaks, Vlachs, Roma, Arvanites, or Macedonians. Some members of these groups unsuccessfully sought official government identification as ethnic or linguistic minorities. Courts routinely rejected registration claims filed by associations in Thrace with titles including the terms *Tourkos* and *Tourkikos* (Turk and Turkish) when based on ethnicity grounds, although individuals may legally call themselves *Tourkos*, and associations using those terms were not prohibited from operating. Government officials and courts denied requests by Slavic groups to use the term Macedonian

in identifying themselves, stating that more than two million ethnically (and linguistically) Greek citizens also used the term Macedonian in their self-identification.

The government officially recognized a Muslim minority, as defined by the 1923 Treaty of Lausanne, consisting of approximately 100,000-120,000 persons descended from those Muslims residing in Thrace at the time of the treaty's signature and including ethnic Turkish, Pomak, and Romani communities. Some Pomaks and Roma claimed that members of the Turkish-speaking community pressured them to deny the existence of a Pomak or Roma identity separate from a Turkish one and alleged that some Turkish-speaking community members provided monetary incentives to members of the Pomak and Romani community to self-identify as Turkish. In its fifth report on the country in 2015, the European Commission against Racism and Intolerance noted that only two schools in the Thrace region provided secondary bilingual education for minority children in Greek and Turkish.

On March 24, the head of the regional directorate for education issued a circular advising on the use of both Greek and Turkish languages in minority schools when corresponding with administrative educational bodies or in official intra school communications. As this use of Greek in official correspondence was not previously enforced, some Turkish-speaking members of the Muslim minority, including an MP, alleged this circular essentially sought to ban the use of Turkish by Turkish-speaking teachers in these schools. On April 6, the head of the regional directorate for education clarified in a press statement that the circular was intended to address the exclusive use of only the Turkish language in some minority schools.

In April the Racist Violence Recording Network (RVRN) reported on a verbal attack against the chairman of a Muslim minority sports and cultural association by a local political figure from the majority population. The incident took place in December 2015 inside a local police station. Police staff did not deem the act to be a racist crime and did not arrest the perpetrator.

Roma continued to face widespread governmental and societal discrimination, social exclusion, and harassment, including ethnic profiling by police and alleged abuse while in police custody, discrimination in employment, limited access to education, and segregated schooling. In contrast to 2015, there were no reports of arbitrary police raids and searches of Romani neighborhoods, demolition of their settlements, or forced evictions.

On May 4, the UN special rapporteur dealing with racism and discrimination noted that Roma were notably unable to access the justice system, encountering police brutality, discrimination, and racism by prosecutors, and excessive delays in court proceedings.

On August 2, media reported that the parents of two Romani minors accused a 27-year-old police officer in Attica of physically abusing the youth when they were at a police station for identity verification purposes. Authorities initiated a judicial investigation.

Authorities excluded many Romani settlements from municipal planning ordinances, preventing the legal construction of schools and other infrastructure, and isolating Romani settlements from resources and services, including schools, public transportation, health and social care services. Many unauthorized Romani settlements were not connected to the water supply system and had no sewage facilities. NGOs and Romani community representatives reported that government efforts to address these problems and enforce the law were inconsistent, especially at the municipal level.

In his 2015 antidiscrimination report, the ombudsman examined 53 discrimination cases submitted by Roma or their legal representatives, 21 from 2015 and 32 pending from previous years. Four of these cases alleged discrimination in employment, 14 in education and vocational training, and 35 in the provision of services.

Poor school attendance, illiteracy, and high dropout rates among Romani children remained problems. In his antidiscrimination report for 2015, the ombudsman concluded that Romani children continued to be excluded from the educational system, despite government proclamations and the implementation of support programs intended to increase literacy and reduce dropouts. Authorities did not enforce the mandatory education law for Romani children, and local officials often excluded Romani pupils from schools or sent them to Roma-only segregated schools. Government projects to attract Romani children to schools had very limited success. In its August 3-4 report to the UN's CERD for its review of Greece, the Greek Helsinki Monitor noted that 43 percent of mandatory school-age Romani children in the country did not attend school, while 44 percent of Romani minors older than 16 reportedly had never attended school.

The government reported that, in addition to special educational programs, low-income Romani families could obtain an annual allowance for every child enrolled in public school, which was granted only at the end of the year and upon submission of a certificate of regular school attendance.

The government continued to operate 29 employment support centers throughout the country for Roma and other vulnerable populations.

In April the RVRN documented 75 incidents involving racially motivated verbal and physical violence against refugees and migrants in 2015. Observers believed the actual number of incidents was higher and criticized law enforcement and judicial officials for inadequately investigating racial factors in such attacks. Perpetrators were mainly male Greek citizens acting alone. Three of the 75 incidents were recorded as having groups as perpetrators. Perpetrators included civil servants, guards, law enforcement officials, employees, civilians, and members of extremist organizations.

UNHCR, local media, and NGOs reported race and hate-motivated attacks on migrants by far-right groups, including members of Golden Dawn, whose MPs publicly expressed anti-immigrant, anti-Muslim, anti-Semitic, and homophobic views. On May 25, the trial of 69 far-right Golden Dawn members, including 18 current and former MPs, on weapons charges and for operating a criminal enterprise, continued following a six-month break due to a nationwide lawyers' strike.

Courts issued prison sentences during the year on cases relating to attacks on foreigners. On June 6, an Athens court handed down prison sentences to three individuals accused in 2011 of physical attacks on two women believed to be from Albania. In its decision, the court found that the perpetrators attacked the victims motivated solely by racist feelings on imputed nationality.

Five special prosecutors were designated to investigate racist and hate crimes in five cities. Some human rights activists noted that inasmuch as the duties of these special prosecutors were in addition to their other assignments, cases involving racist violence were often referred to other prosecutors, resulting in additional delays in investigating and prosecuting cases.

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

Anti-discrimination laws specify sexual orientation or gender identity. Violence against LGBTI individuals remained a problem, and societal discrimination and harassment were widespread despite advancements in the legal framework protecting such individuals. A 2015 law provided same-sex cohabitating couples the right to enter into civil union partnerships, with the first same-sex civil union in the country recorded January 25. LGBTI activists and human rights organizations maintained the new legal framework enabled same-sex couples to enjoy some of the rights granted to married couples such as inheritance rights, social security and labor benefits, but it did not guarantee adoption rights and legal gender recognition for transgender people.

On March 7, media reported that three Greek Orthodox metropolitans were among a group challenging the 2015 law's constitutionality with the Council of State, citing the civil code, family law, and ethics; the case remained pending at year's end. In June a human rights activist stated that the Athens Special Registry, which records births and marriages of Greek nationals abroad, had not yet registered same-sex civil unions conducted outside the country despite relevant legal provisions.

In its 2015 report, the RVRN documented 125 victims of attacks based on sexual orientation and another 60 victims due to gender identity. Law enforcement officials were allegedly perpetrators in five of these incidents. Criminal proceedings were initiated in six cases, while 11 others were reported to police at the time of the incident. Victims did not wish to lodge complaints in 136 of the 185 cases. The physical attacks reported included one shooting, and two rapes, one of which was considered "corrective rape."

On August 3, media reported an allegedly targeted attack against a foreign homosexual tourist couple on Mykonos island by an unknown perpetrator in which one of the victims lost two of his front teeth. Police were investigating the incident.

The law includes sexual orientation and gender identity as aggravating circumstances in hate crimes, and crimes targeting sexual orientation or gender identity are included in the official mandate of offices combating racist and hate violence. LGBTI activists alleged that authorities were not always motivated to investigate incidents of violence against LGBTI individuals and that victims were hesitant to report such incidents to the authorities due to lack of trust. The European Union Agency for Fundamental Rights' (FRA) 2016 report highlighted a scarcity of data concerning the extent of LGBTI discrimination and that policies on

transgender rights were less developed than those for sexual orientation. FRA also emphasized the lack of LGBTI-specific protocols, training, and confidentiality in healthcare.

Hellenic Police reported 80 potential racially and hate-motivated incidents to the RVRN in 2015, of which 11 related to the victim's sexual orientation and four to the victim's gender identity. In 2015 the ombudsman reportedly examined four complaints alleging discrimination on grounds of sexual orientation or gender identity, including one in education and vocational training and three in the provision of goods and services.

The Greek Transgender Support Association (SYD) criticized discrimination against transgender individuals in education and employment, which limited access to housing and medical care (see section 7.d.).

The only way a person may obtain a formal change of gender identity in identification documents is to undergo a gender reassignment operation, followed by an additional administrative legal process in a court. On July 1, however, according to media reports, an Athens court ruled that a transgender male could formally change his gender identity documents without having to undergo a gender reassignment operation.

On January 18, the SYD criticized a Council of State opinion arguing that individuals who had undergone a gender reassignment operation could not have their technical high school diplomas reissued under their new identity, since such diplomas "can only be issued once." The Council of State argued that graduates could instead be granted documents certifying, based on their new identity data, the receipt of their diplomas. SYD noted that the mismatch of identity data between such certificates and the original diplomas could subject transgender technical school graduates to discrimination and bureaucratic harassment.

The Athens metro transit system continued providing advertising space for the 12th annual Athens Pride Parade in June. Unlike in 2015 the National Radio and Television Council did not accept the Athens Pride request to have its television advertisement broadcast as a free-of-charge social message. Government officials, including the secretary general for transparency and human rights at the Ministry of Justice, Transparency, and Human Rights, the regional governor for the Athens area, and the mayor of Athens, attended and addressed participants. For the fifth time, a gay pride parade under the auspices of the local mayor also took place in Thessaloniki in June.

In March the organizing committee of the second Pride event in Crete denounced local authorities in the city of Rethymno who refused to allow the use of municipal public gardens for the event, offering two closed facilities instead. After the pride organizing committee refused, the municipality counter-offered the garden space for a shorter period. The municipality reconsidered its position, and on June 27, it allowed the use of the garden for the full time requested to host the July 9-10 pride activities.

On June 14, the Ministry of Education, Research, and Religious Affairs announced that for the 2015-17 school years, it would sponsor a helpline providing psychological support and counselling to youth on sexual orientation and gender identity related issues.

HIV and AIDS Social Stigma

While the law prohibits discrimination with respect to employment of HIV-positive individuals, societal discrimination against persons with HIV/AIDS, including employment discrimination, remained a problem. Persons with HIV/AIDS were exempt from serving in the armed forces on medical grounds. A presidential decree provides the ability of professional military staff members to leave for medical reasons, including if a member diagnosed with AIDS does not respond to treatment. In contrast to the previous year, there were no reports of military staff dismissals under this provision. There were no reports of employment discrimination on the grounds of HIV/AIDS during the year.

On May 19, “Positive Voice” and “Synthesis” NGOs expressed concern for the explicit reference to HIV/AIDS on certificates issued by the disability certification centers for submission to tax authorities in order to claim tax exemptions, citing a violation of privacy rights and vulnerability to discrimination and social stigma. On July 29, Positive Voice reported that the Ministry of Finance addressed their claim by adapting its tax registration program to prevent disclosure of HIV/AIDS identifications to non-authorized tax personnel.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers, with the exception of members of the military services, to form and join independent unions, conduct their activities

without interference, and strike. On July 27, parliament passed a law allowing armed forces personnel to form unions, while explicitly prohibiting strikes and work stoppages by those unions. Police also have the right to organize and demonstrate but not to strike.

The law does not allow trade unions in enterprises with fewer than 20 workers and places restrictions on labor arbitration mechanisms. The law also generally protects the right to bargain collectively but restricts the right to bargain collectively on wages for persons under the age of 25. The law prohibits antiunion discrimination and requires reinstatement of workers fired for union activity. The law allows company-level agreements to take precedence over sectoral-level collective agreements in the private sector. Civil servants negotiate and conclude collective agreements with the government on all matters except salaries.

There are some legal restrictions on strikes, including a mandatory four-day notification requirement for public utility and transportation workers and a 24-hour notification requirement for private-sector workers. The law mandates minimum staff levels during strikes affecting public services. The law also gives authorities the right to commandeer services in national emergencies through civil mobilization orders. Anyone receiving a civil mobilization order is obliged to comply or face a prison sentence of at least three months. The law exempts individuals with a documented physical or mental disability from civil mobilization. The law explicitly prohibits the issuance of civil mobilization orders as a means of countering strike actions before or after their proclamation.

The government generally protected the rights of freedom of association and collective bargaining and effectively enforced applicable laws. Penalties for violations of laws on freedom of association and collective bargaining, which provide for fines of 3,000 euros (\$3,300) and minimum three-month prison sentences, reportedly were insufficient to deter violations in all cases. Courts may declare a strike illegal for reasons including failure to respect internal authorization processes and secure minimum staff levels, failure to give adequate advance notice of the strike, and introduction of new demands during the course of the strike. Unions complained this deterred some members from participating in strikes. On July 6, the Council of State ruled that a nationwide lawyers' strike started January 12, was contrary to the constitution and to the European Convention on Human Rights. Administrative and judicial procedures to resolve labor problems were generally subject to lengthy delays and appeals.

There were reports of antiunion discrimination. On June 23 and on July 13, the Union of Professional Drivers in Attica, the Union of Salaried Technicians, and the Pan-Hellenic Union of Lithographers reported three separate cases of what they viewed as illegal dismissals of active union members.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor and provides additional protections for children, limiting their work hours and their work under certain conditions. Although several government entities, including the police antitrafficking unit, worked to prevent and eliminate labor trafficking, there were reports of forced labor of women, children, and men in the agricultural sector, food warehouses business, and transportation companies. Forced begging (also see section 7.c.) mostly occurred in metropolitan areas and populous islands, focusing on popular metro stations, squares and meeting places. Penalties for violations included more than 10 years in prison and fines of up to 100,000 euros (\$110,000) but were not sufficient to deter violations.

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

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for employment in the industrial sector is 15, with higher limits for some activities. The minimum age is 12 in family businesses, theaters, and cinemas. A presidential decree permits children who are 15 or older to engage in hazardous work in certain circumstances, such as when it is necessary as part of vocational or professional training; in this case a worker should be monitored by a safety technician or a medical doctor. Hazardous work includes work that exposes workers to toxic and cancer-producing elements, radiation, and other similar conditions.

The Labor Inspectorate is responsible for enforcing child labor laws, with penalties for violators ranging from fines to imprisonment. Information is not available on whether the penalties were sufficient to deter violations. Employers generally observed child labor laws in the formal economy. Trade unions, however, alleged that enforcement was inadequate due to the inspectorate's understaffing. The government did not adequately protect exploited children.

Child labor was a problem in the informal economy. Younger family members often assisted families in agriculture, food service, and merchandising on at least a part-time basis. Family members compelled some children to beg, pickpocket, or sell merchandise on the street or trafficked them for the same purposes. The government and NGOs reported the majority of such beggars were indigenous Roma or Bulgarian, Romanian, or Albanian Roma. There were reports that unaccompanied migrant children were particularly vulnerable to labor exploitation and worked mainly in the agricultural and, to a lesser extent, manufacturing sectors. On June 16, media reported an estimated 50,000 minors were working in the country.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination with respect to employment based on race, sex, religion, social origin, disability, sexual orientation, age, and HIV-positive status, but not political opinion.

The government did not always effectively enforce these laws and regulations. Penalties provided by the law were not sufficient to deter violators. Penalties included prison sentences up to three years and fines up to 5,000 euros (\$5,500). Discrimination in employment and occupation occurred based on race, sex, disability, sexual orientation, gender identity. There was discrimination against migrant workers (see section 7.e.).

In its 2015 report for gender and equality, the ombudsman reiterated findings from previous years about illegal dismissals from employment and changes in work terms imposed by private sector employers due to pregnancy. Of 87 complaints of disability-related discrimination filed with the ombudsman in 2015, 25 cases concerned discrimination in employment. The ombudsman stated in a report to the Ministry of Administrative Reform and to the Manpower Employment Organization that the requirement for a middle-school certificate to obtain employment constituted indirect discrimination in employment for Roma in unspecified sectors.

The Greek Transgender Support Association criticized discrimination against transgender individuals in overall employment, which the association stated led to limited access to housing and medical care.

e. Acceptable Conditions of Work

The national minimum wage in the private sector for persons age 25 or older was 26.18 euros (\$28.80) per day and 586.08 euros (\$645) per month. The minimum wage for persons under age 25 was 84 percent of the minimum wage of workers older than 25, or 22.83 euros (\$25.10) per day and 510.95 euros (\$562) per month. The government determines public-sector salaries, including the minimum wage, without negotiating with civil servant unions.

The maximum legal workweek is 40 hours. The law provides for at least one 24-hour rest period per week, mandates paid vacation of one month per year, and sets limits on the amount of overtime work. The law regarding overtime work requires premium pay, and employers must submit information to the Ministry of Labor for authorization. Premium pay ranged from 20 to 75 percent of the daily wage, based on the total number of extra hours and the day (Sundays, holidays, nights, etc.). Employers also provided compensatory time off. These provisions were not always effectively enforced in all sectors, particularly in tourism, agriculture, and the informal economy or for domestic or migrant workers.

The law provides for minimum standards of occupational health and safety. According to government sources, the safety and health legislation in the country consisted of about 150 total laws and presidential decrees. Workers have the right to file a confidential complaint with the Labor Inspectorate regarding hazardous working conditions and to remove themselves from such situations without jeopardizing their employment.

According to media, investigation of a May 2015 accident at the Hellenic Petroleum refinery in Aspropyrgos, Attica, by the Athens first instance court prosecutor was still in progress. Authorities fined the company 22,500 euros (\$24,750) for health and safety-related violations. The company's investigation reported that fuel in the reservoir pipeline during maintenance caused the fire that resulted in four deaths. Media reported through July 13 that 29 work accidents had resulted in two deaths.

The Labor Inspectorate is responsible for enforcement of labor legislation. The Ministry of Labor is responsible for all concerns regarding occupational safety and health at the national level. The Directorate of Security and Health in Labor under the General Directorate for Labor and Labor Inclusion and the Labor Inspectorate are the principal competent government authorities. The inspectorate's mandate includes the private and public sectors, except for domestic employment, mining, and marine shipping (which fall under the Ministry of Economy, Development, and Tourism and the Ministry of Maritime and Island Policy). The General

Confederation of Workers and Employees (GSEE) characterized health and safety laws as satisfactory but stated that enforcement by the Labor Inspectorate was inadequate.

The number of inspectors authorized to conduct labor inspections reportedly exceeded 1,000, including Labor Inspectorate personnel and staff of the Ministry of Labor, Social Security, and Social Solidarity, the Social Insurance Fund, and the Economic Crimes Division of the police. No data was available on the number of dedicated labor inspectors in the Labor Inspectorate. Trade unions and the media alleged that, due to insufficient inspectorate staffing, enforcement of labor standards was inadequate in the shipping, tourism, and agricultural sectors. Enforcement was also lacking among small enterprises (employing 10 or fewer persons).

Employers found hiring undeclared employees were fined 10,500 euros (\$11,550) for each undeclared employed over age 25 and 9,197 euros (\$10,117) for each undeclared employee under age 25. The GSEE and other unions asserted that the penalties were not sufficient to deter violations. On March 2, the Ministry of Labor, Social Security, and Social Solidarity reported that approximately 17 percent of inspected enterprises in the country through November 2015 were found employing unregistered workers.

In 2015 GSEE's Institute of Labor data indicated that approximately 1.2 million individuals experienced delays of up to 15 months in receiving their salary. Other reported labor violations included payment of partial wages for full-time work, no payment of holiday pay, non-issuance of benefits, conclusion of contracts for below minimum-wage part-time work, employment for up to 30 consecutive days of work without weekends off, and delays in payments due to ongoing capital controls imposed in 2015. Such violations were mostly noted in the tourism, agriculture, and housekeeping services sectors.