

**FRANET**

**Migrants and their Descendants:  
Social Inclusion and  
Participation in Society**

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## Executive summary

This report examines the social inclusion and participation of Third-Country Nationals (TCNs) and their descendants in Greece, focusing in particular on the legislation and policies adopted by the Greek state from 2010-2014 as well as the resources available for the implementation of these policies. Another part of this report refers to the equal treatment of Third-Country-Nationals (TCNs) and their descendants in terms of access to public services and legal protection from phenomena of discrimination. The report also aims to investigate the level of social and political participation of Third-Country-Nationals (TCN's) and their descendants and the means offered for this purpose by the state or civil society.

### **Legislation and policy instruments**

#### **i. Legislation**

- The major legislative development is Law 4251/2014 '*Code for Immigration and Social Integration*' that was adopted in April 2014. In a text of 140 articles, the code gathers all the provisions on migration previously contained in 20 laws, 6 presidential decrees and 42 regulatory acts. The law simplifies the procedures and gives migrants with ten-year or indefinite duration residence permits the right to convert them into permits for long-term residents. The main positive points of the law with respect to inclusion and participation of TCNs include:
  - Second-generation immigrants are given the right to a special long-term permit. This defines a protective framework that facilitates their social inclusion perspectives as they do not have to renew their permits, risking losing their legal status.
  - a broader application of 'exceptional reasons' (Art. 19) in order to address the problem of immigrants who were not able to renew their permits due to the economic crisis (without however fully solving the issue)
  - a positive step in the relations between immigrants and the state through the creation of "one-stop shop" informing third-country nationals about their contact with the public services.
  - Overall, Law 4251/2014 is a driver for integration, as it promotes legal security and establishes a status of rights and entitlements, safe residence and return to legality. However, for critics, it excludes from its scope the majority of those who could not renew their residence permits, while it is too general in certain points.

#### **ii. Policy Instruments**

- The major policy development relates to the adoption of a National Strategy for the Integration of Third-Country Nationals in April 2013. The strategy places emphasis on training and developing the skills of third country nationals and key categories of the general population, like public employees and the police, and includes policy objectives on access to reception, language and introductory courses and social and health services. However, the National Strategy is more a roadmap with integration proposals rather than an explicit commitment of the state to implement the suggested policies.
- The Ministry of Interior has implemented several social inclusion programmes with co-financing from the European Integration Fund (EIF). Programmes include language and history courses for migrants, multicultural training for the police, public servants, and others. However, many of these integration

measures have been implemented without clear monitoring and evaluation and, as a result, they have been fragmented and ad hoc.

- Integration actions are not monitored at central level and integration experiences are not evaluated. No specific requirement or indicators for monitoring social integration have been developed nationally, while existing data is not formally used to measure and report on inclusion. To the extent that any monitoring takes place, it is project-based and implemented by independent entities, mostly with EU funding, as mentioned above.
- Many coordination problems exist in the design and implementation of integration policies. Until February 2015 at least five ministries (Interior, Labour, Health, Foreign Affairs and Public Order) were directly involved in the design of immigration policy and three more services in its implementation (ministries, regional authorities and municipalities). In February 2015 the Ministry of Public Order was merged with the Ministry of Interior and a new ministerial position, that of Deputy Minister for Immigration was established for the first time in the Ministry of Interior. However, it cannot be ascertained whether these developments will enhance coordination.
- Support classes for migrant students and returning Greeks were established with law 3879/2010. Primary Schools can develop training programs and support classes regarding the improvement of Greek language and other integration activities. Also, the training program for foreigner and returning nationals students" is implemented by the Aristotle University of Thessaloniki in all primary and secondary schools with migrant or returning Greek students above 10% of the total.

#### **Equal treatment and discrimination**

- In the field of non-discrimination legislation, there is no mechanism or database to record campaigns undertaken by national or regional authorities targeting migrants or their descendants in the national anti-discrimination legal framework. The general exclusion related to citizenship (of Law 3304/2005, art. 4 para.2) creates difficulties to equality bodies regarding the investigation of complaints against TCNs. The Greek Ombudsman has consistently noted the need for amendment, as the general clause contributes to a vagueness regarding the exact status of protection and raises serious concerns of hidden discrimination on the grounds of ethnic or racial origin when dealing with the investigation of complaints by TCN's.
- The National Strategy for the Integration of Third Country Nationals addresses equal treatment and contains sub sections on combating discrimination and confronting racism. The strategy contains indicative actions, like media campaigns, information campaigns for the rights and the obligations of TCNs, and others. Despite these positive provisions, there is no clear implementation mechanism.
- The Greek Ombudsman has noted the difficulties faced by vulnerable groups with regard to access to services for promoting their rights and the information and knowledge gap of civil society organisations with regard to evolutions in legislation and jurisprudence
- Interventions include, almost exclusively, programs implemented through the European Integration Fund and the European Social Fund. The Multi-Annual Program 2007-2013 (extended until 2015) of the European Integration Fund funded a number of actions for the training of public servants that deal with third country nationals, with the aim to promote equal treatment in the exercise of their duties. However, the Greek Ombudsman highlights the existence of negative stereotypical behaviors and notes that the Greek

administration is reluctant to attribute rights to third country nationals even after they acquire the Greek nationality.

- Law 4236/2014 transposes Directive 2010/64/EU and introduces amendments to the criminal procedure code with regard to the access to information and the rights to information. Neither the Ministry of Justice nor the Greek Ombudsman reported any specific initiatives aimed at facilitating the reporting of incidents of discrimination. The GO has tried to develop a network of mutual information and awareness with civil society organisations active in the field of discrimination, in order to improve contact with groups facing discrimination. The Greek police has launched a telephone number and a special registration form on its website for victims to report anonymously.
- The Racist Violence Recording Network was established in 2011 by several NGO's as an independent body to record racist attacks assist the victims.

### **Political and social participation**

- In the field of political and social participation, the Citizenship Law 3838/2010 adopted in 2010 introduced new citizenship criteria for migrants and their descendants (second generation) and opened Greek citizenship to new groups of the population by endorsing the 'principle of territory'. In addition, Law 3838/2010 gave immigrants the right to vote in local elections. This positive development was reversed with Judgment 460/2013 of the Supreme Administrative Court (Council of State), according to which both the provisions relating to the criteria for citizenship acquisition for second generation immigrants and the right to vote were considered unconstitutional. The *Code for Immigration and Social Integration* (Law 4251/2014) provided residence permit rights for the second generation, but did not touch upon citizenship and professional rights.
- A draft law on the new citizenship criteria became available for public consultation on May 14th, 2015 (consultation was concluded on May 25th). The draft law introduced the following in citizenship legislation: (i) acquisition of Greek citizenship by birth is not possible (as it was with law 3838/2010), (ii) children born in Greece have a right to citizenship under certain preconditions: (a) after they are registered in the 1st class of elementary school and continue attending the first class during the year they submit their citizenship application, (b) when one of their parents has been living in Greece legally (with a residence permit) for at least five consecutive years before the child was born and if not, 10 consecutive years, (c) when one of the parents holds a long-term residence permit in the time of the child's application. Children that were not born in Greece have the right to citizenship: (a) if they attended Greek school for at least nine years, (b) if they attended six years of secondary education, (c) if they have a degree from a Greek lyceum and they graduate from a Greek higher education institution.
- The National Strategy for the Integration of Third Country Nationals, introduced on April 2013, promotes the social and political participation of TCNs. It includes policies and describes actions in the direction of strengthening participation in consultative bodies; it promotes representation in both migrant and mainstream associations, develops the knowledge of Greek and provides training to the majority in order to accept multiculturalism and diversity. However, the strategy remains a little known text among decision-makers and civil society organizations and the prospects of its implementation are not promising thus far. Moreover, it includes no specific indicators for inclusion. Social inclusion programs have been implemented to promote social participation were supported by the European Integration Fund.

- Only Greek citizens have the right to vote in both national elections and local elections. Third country nationals were eligible to vote in the period from 2010-2013 (before the relevant provisions in law 3838/2010 were cancelled by Judgment 460/2013) and they exercised this right during the 2010 local elections. The Ministry of Interior conducted few short information campaigns. There is no data available for regional authorities and municipalities. No official data exists with regard to the number of candidates, the number and % of elected representatives, or those of migrant origin who were elected or appointed to a high public office. Desk research has shown that it is not possible to know whether a candidate or an elected representative has a migrant background or not, unless (s)he declare it or this can be deduced by his/her name. No wide debate or any major study can be identified on candidates of migrant background or elected representatives.
- With regard to public opinion, a poll conducted in 2014 showed divided opinions, with 48% negative and 47% positive responses on whether migrants should vote in local elections.
- The only consultative body that explicitly provides for the participation of immigrants is the Immigrant Integration Council (IIC) that was established by law 3852/2010 in municipalities. Each IIC is constituted by five to eleven members appointed by local municipal councils and this is the first time that the Law establishes consultation between migrant organizations and the state. By 2014, 219 IIC's were established in a total of 325 Municipalities. However, reports state that less than 100 operate on a regular basis. The framework of operation and duties of the IIC's consist of general guidelines and much discretion is left to the municipality. There is no data about the frequency of meetings, the relation to other public or private bodies, the modalities for representation and participation or the criteria for selecting the migrant groups represented. No official data or formal evaluation was provided regarding the awareness of migrants about consultative bodies. Available research points in the direction that the existing legal framework on the IICs is very vague, and that the municipal authorities have, very often, failed to treat the institution with the necessary confidence. A problem has been identified in the fact that a number of municipalities deny the existence of integration or cohesion problems and argue that IIC's would generate non-existing divisions.
- Regarding participation in other aspects of social, cultural and professional activities, no legal restrictions exist, except in cases of employment in the public sector and membership in professional associations. However, very limited information exists on actual participation and on practical barriers.
- There are no legal limitations regarding membership and participation in unions and associations, or regarding election as representatives there. The General Workers Association (GSEE) reported no complaints for the period 2010-2014 regarding practical barriers, while various programs are implemented to bring together migrant and Greek workers.
- Official statistics on the participation of TCNs in trade unions are not available as there is no distinction between national and alien workers in registration catalogues. The same applies for elected representatives and for differences between high and low skilled workers. No data was provided in that direction.
- Professional and scientific associations determine the conditions for membership in their statutes. No general rule applies with regard to membership in associations and investigation needs to take place on a case-by-case basis. There are no official statistics. Third country nationals cannot be officially registered as lawyers and therefore they do not work as legal professionals or become members of Bar Associations. Doctors can be employed only in exceptional cases and they can visit patients only in a team with a Greek doctor. TCN's are eligible for membership in doctor associations. No ways to encourage and support membership in associations was reported or identified.

- There are no legal limitations regarding participation in social, cultural and public life. There is no general rule applied for the membership of associations and each sets its own conditions for membership. There is no official data and no official information.
- There is no data on the presence of migrants in the media. However independent research shows that migrants are often presented as the 'other' and as a 'problem'. Often the media discourse presents a sharp distinction between "us" (Greeks) and the "others" (migrants), frequently focusing on migrants as a "problem" and a "threat", giving specific reference to migrant actions against the law.
- TCN's are not eligible to be employed in the public sector (3528/2007) but only in exceptional cases, while their descendants can be employed one year after naturalization.
- No legal limitations exist for the establishment of associations by migrants. There are notable cases of migrant organisations and many migrant organisations participate in joint projects funded externally. Despite the large number of migrant associations, literature shows that these are not always recognized as equal partners by official institutions and are often excluded from public life. There is no official data in that regard. There are no special provisions or campaigns to increase the presence and participation of TCNs in social, cultural and public life. Most organisations and political parties do not record the ethnic origin of their members. No data was provided by political parties; desk research has shown that TCN's are not eligible to become members in some political parties.
- With regard to school life, no legal barrier exists regarding the participation of parents in school life, however, practical limitations exist, such as the language barrier and stereotypes against them. There are various extracurricular activities and students are occasionally involved in civic education activities, however the majority is designed and implemented by third parties and do not constitute an officially endorsed policy. No official data exists.
- With regard to the participation in the educational system, TCNs cannot work as teachers. Their descendants have equal access only when they hold Greek citizenship. There is no legal limitation on the participation of parents of migrant background in school life, however it is reported that in practice parents face barriers because of negative responses by other parents and stereotypes against them. There are no organized efforts to encourage their support or to remove barriers of communication. Due to the lack of official data, desk research has shown that there are extracurricular activities involving and engaging with children and parents, but these are mostly independent or organised by third-party initiatives. Similar is the case with bi-lingual education which takes place in exceptionally few cases, without a plan, as part of specific – mostly European funded – programs. However, cases of segregation are extremely rare, if they exist at all. There are few occasions when students are targeted and involved in civic education activities. A number of informal activities exist organized by the teaching staff or external bodies (such as NGO's), however there is no official data and desk research shows that the majority of these activities do not represent an officially endorsed policy but isolated activities implemented either individually in a specific school by volunteers or in a group of schools by various projects.

#### **4. Social cohesion and intolerance**

- The main funding tool for social cohesion and integration is the European Integration Fund. According to the competed ministry, the allocation of funds takes place according to the needs identified and the priorities set by the EU. Emphasis is given to Greek language courses, improving access for TCNs to

social services and in combating racism and xenophobia. No other specific information was made available and therefore, no overview or breakdown of funding per area of integration policies is possible.

- The National Integration Strategy highlights the importance of social cohesion and actions to combat racism and includes measures for migrant integration and to strengthen social cohesion, while several actions in that direction have been implemented since 2007 and more are due to be implemented. However, not much information exists regarding the sense of belonging and identification of migrants and/or their descendants. Research points in the direction that migration is a contested issue of contestation in Greece and that the policy framework for integration is far from being implemented.
- Integration Councils have been the main institutions to promote and organize activities aiming at building trust.
- Law 4285/2014 introduced new anti-racist legislation, which defines racist crimes, imposes increased penalties for hate motivated crimes and specifies the minimum limits of sentence for racist crimes. According to Presidential Decree 132/2012, Police Services for Racist Violence were established across Greece. However, it is reported that the Police Departments for Racist Violence face severe challenges in their operation and do not have interpreters to facilitate communication with the victims when receiving complaints on racist attacks. No further measures, initiatives or practices were identified with the aim to combat racism and intolerance. No official data regarding mixed marriages was provided.

# 1. Legal and policy instruments for migrant integration

## 1.1. Description of existing instruments and target groups

	<p>This section should present the overall state of play concerning national and, where applicable, regional legal and policy instruments focusing on how they address fundamental rights, core EU values and principles, as well as international legal standards and related EU law and policies, such as the Common Basic Principles and the Common Agenda on integration of migrants. Please complete the <b>template in Annex 2</b>.<sup>1</sup></p> <p>Please make sure the brief information you provide in the table includes the following aspects:</p>
<p>Does the national strategy on migrant integration contain a definition of integration? If so, please include it in the original language and full English translation.</p>	<p>The National Strategy on migrant integration contains the following definitions:</p> <p>"The National Strategy borrows the term [integration] from the 1<sup>st</sup> Common Basic Principle of European Union [Council of the European Union (2005), Common Framework for Integration: Common Basic Principles for Immigrant Integration Policy in the European Union, COM (2005) 389]: "Integration is a dynamic, interactive process of mutual adjustment both of migrants and of the citizens of member-states"<sup>2</sup>.</p> <p>[...]</p> <p>"Social Integration aims to secure the rights of the Third Country Nationals, rights that guarantee their equal participation in the economic, social and cultural life of the country on the one hand, while on the other they aim to secure the responsibility [by the migrants] to respect the fundamental terms and values of the Greek society"</p> <p>[National Strategy, p. 47]</p> <p>Original Language:</p> <p>"Η Εθνική Στρατηγική για την Ένταξη υιοθετεί τη σχετική έννοια όπως αυτή ορίζεται από την <b>1<sup>η</sup> Κοινή Βασική Αρχή (ΚΒΑ)</b> της Ευρωπαϊκής Ένωσης (Βλ. Council of the European Union (2005), Common Framework for Integration: Common Basic Principles for Immigrant Integration Policy in the European Union, COM (2005) 389): «<i>Η ένταξη είναι μια δυναμική, αμφίδρομη διαδικασία, αμοιβαίας προσαρμογής τόσο των μεταναστών όσο και των πολιτών των κρατών μελών</i>»."</p> <p>[...]</p> <p>«<i>Η κοινωνική ένταξη αποσκοπεί στη χορήγηση δικαιωμάτων στους Πολίτες Τρίτων Χωρών, τα οποία διασφαλίζουν αφενός</i></p>

<sup>1</sup> You can use and update the information as in the Table 1.7 of the FRA Annual Report 2012 (pp.62-63). You should add more detail, for example, instead of identifying 'education' under the category 'focus area' be more specific, e.g. review of curriculum in secondary education to address integration issues, etc, provided this level of detail is specifically mentioned in the relevant policy instruments

<sup>2</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών) (2013), National Strategy for the Integration of third country nationals, (Εθνική Στρατηγική για την Ένταξη των πολιτών τρίτων χωρών), 23April 2013

		<p>την αναλογικά ισότιμη συμμετοχή τους στην οικονομική, κοινωνική και πολιτιστική ζωή της χώρας και, αφετέρου, αποβλέπουν στην υποχρέωση σεβασμού των θεμελιωδών κανόνων και αξιών της ελληνικής κοινωνίας” (3386/2005)<sup>3</sup>.</p>
	<p>Are there specific references in the national strategy or relevant legal or policy instruments to fundamental rights in relation to migrants?</p>	<p>National Integration Strategy contains two specific references. Reference 1: “The aim of the national migration policy is to rationally manage legal migration flows within the framework of the fundamental rights of the foreigners with a specific reference to the rights of children and other vulnerable groups” (p. 7). Reference 2: “The fundamental rights of children despite their nationality should be respected, as described in the Convention of the Rights of the Child of UNICEF<sup>4</sup>. The Code of Migration and Social Integration does not include any reference to fundamental rights in relation to migrants. Finally, the National Action Plan for Human Rights that was published on December 2013 makes specific references to fundamental rights, but these are for “all people”<sup>5</sup> and not just migrants.</p>
	<p>Which are the target groups of the national integration strategy? Please provide any definitions relevant or the determination of the persons that are entitled to or beneficiaries of the relevant action plans and policy measures (e.g. ‘integration agreements’: who signs them and what do they contain). Please specify any residence requirements (e.g. which migrant and/or residence status counts or not for “legally residing third country</p>	<p>The target group of the national integration strategy is ‘Third-country nationals residing legally in Greece’ [«Νόμιμοι διαμένοντες πολίτες τρίτων χωρών»]. The term ‘third-country nationals’ describes ‘citizens of states who are not EU members’ who have lived in Greece ‘for at least 12 months’. The strategy makes specific reference to the citizens of Albania as ‘the majority of the third-country nationals legally residing in Greece’. It also describes other migrant communities as ‘sizeable’; those from Eastern Europe and the ‘former Soviet Republics’, from Asia, North Africa and the Middle East. However, there are no specific policy measures targeting these groups except for the reference to the size of their community. The National Action Plan for Human Rights targets ‘all humans’.<sup>6</sup> Its subsections make special references to ‘immigrants’ in general, as well to ‘children’, ‘the elderly’, ‘Roma’ and ‘people with disabilities’<sup>7</sup>.</p>

<sup>3</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών) (2013), National Strategy for the Integration of third country nationals, (Εθνική Στρατηγική για την Ένταξη των πολιτών τρίτων χωρών), 23 April 2013

<sup>4</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών) (2013), National Strategy for the Integration of third country nationals, (Εθνική Στρατηγική για την Ένταξη των πολιτών τρίτων χωρών), 23 April 2013

<sup>5</sup> Greece, Ministry of Justice (Υπουργείο Δικαιοσύνης) (2013), National Action Plan for Human Rights, (Εθνικό Σχέδιο Δράσης Ανθρώπινα Δικαιώματα), December 2013

<sup>6</sup> Greece, Ministry of Justice (Υπουργείο Δικαιοσύνης) (2013), National Action Plan for Human Rights, (Εθνικό Σχέδιο Δράσης Ανθρώπινα Δικαιώματα), December 2013

<sup>7</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), (2013), National Strategy for the Integration of third-country nationals (Εθνική Στρατηγική για την Ένταξη Πολιτών Τρίτων Χωρών), 23 April 2013

	nationals" that eventually would be covered by these policies) for persons to be considered members of the targeted groups.	
	In reference to the CBP 1 <sup>8</sup> <i>'Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States'</i> : please specify if and how the majority population is explicitly targeted; distinguish, if possible, between policies or measures targeting the general population and specific target groups, such as public authorities, e.g. teachers, police, judiciary, etc.; outline the objectives of such policies and measures, and their duration.	Three types of measures target the majority population: 1. Training for 'Public Servants' (groups identified: employees of the Ministry for Public Order and Civil Protection, hospital staff, judges, employees of the municipalities and regions, staff in prisons) in order to adjust their services to the specific needs of people with migrant background and to develop their multicultural skills. 2. Increasing awareness of the 'wider public' on issues regarding integration of third-country nationals and towards 'prosperity for all'. 3. Common cultural and sports events between the majority and third-country nationals in order to strengthen interaction and co-existence <sup>9</sup> .

## 1.2. Drivers & barriers in developing, implementing and assessing legal and policy instruments

	On the basis of material collected, including past research, studies, assessments, evaluation and contacts with the	<p><b>Drivers</b></p> <p>National Strategy for the Integration of Third Country Nationals. The strategy presets a coherent framework for promoting integration, acknowledges the importance of participation and introduces education and enrolment in the Greek school system as the most successful component of</p>
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<sup>8</sup> European Commission (2004), Common Basic Principles for Migrant Integration Policy in the EU, Press Release, 19 November 2004

<sup>9</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), National Strategy for the Integration of third-country nationals (Εθνική Στρατηγική για την Ένταξη Πολιτών Τρίτων Χωρών), 23 April 2013

	<p>authorities, public officials and key actors for social inclusion and participation of migrants, outline the main drivers and barriers for social inclusion and integration policies <b>in general</b>. Please mention also any important differences at regional level. A more detailed outline of <b>specific</b> drivers and barriers for specific policy areas will be required in the following sections.</p>	<p>the integration policy<sup>10</sup>. The strategy also places emphasis on training and developing the skills of TCNs and records the need to improve access to better jobs, higher wages and highly qualified jobs<sup>11</sup>.</p> <p>Funding provided through the European Integration Fund (EIF) for the period 2007-2013 (extended to 2015), which allowed a series of actions to be implemented promoting the smooth integration of TCNs. From actions implemented so far, both locals and TCNs have benefited in the fields of information regarding services to TCNs, raising awareness in local society, networking and cooperation at local and European levels, and others<sup>12</sup>.</p> <p>The Code for Immigration and Social Inclusion includes articles that operate as a protective framework that facilitates TCNs' social inclusion perspectives as they do not have to renew their permits, risking losing their legal status<sup>13</sup>. Certain articles of the code also operate to establish a status of rights and of safe residence status for the TCNs<sup>14</sup>. The code also foresees favourable treatment for second-generation immigrants<sup>15</sup>. Finally, the code establishes the 'Immigration and Social Integration Coordinating Committee'<sup>16</sup></p> <p><b>Barriers</b></p> <p>Objectives and measures in the National Strategy for Integration of TCNs fail to specify whether and how these shall be subject to monitoring and evaluation; also, they fail to prescribe the evaluation of the strategy as a whole<sup>17</sup>.</p> <p>The Integration Code of 2014 fails to accommodate the needs of migrants who have lost their legal status due to the economic crisis. This is reported to be a significant barrier to social integration<sup>18</sup>. Moreover, the code introduces certain barriers, such as for family reunification and the</p>
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<sup>10</sup> Greece, Greek Ombudsman (2013), Comments on the Draft Law on the Ratification of the Migration Code and Social Integration (*Παρατηρήσεις επί του Σχεδίου Νόμου για την Κύρωση του Κώδικα Μετανάστευσης και Κοινωνικής Ένταξης*), Athens, Greek Ombudsman

<sup>11</sup> Greece, European Migration Network (EMN) (2013), *Annual Report 2013 on Migration and Asylum Policy in Greece*, Athens

<sup>12</sup> Council of Europe, European Commission against Racism and Intolerance (ECRI), ECRI Report on Greece (fifth monitoring cycle), Strasbourg, Council of Europe, 24 February 2015

<sup>13</sup> Greece, European Migration Network (EMN) (2013), *Annual Report 2013 on Migration and Asylum Policy in Greece*, Athens

<sup>14</sup> Greece, Greek Ombudsman (2013), Comments on the Draft Law on the Ratification of the Migration Code and Social Integration (*Παρατηρήσεις επί του Σχεδίου Νόμου για την Κύρωση του Κώδικα Μετανάστευσης και Κοινωνικής Ένταξης*), Athens, Greek Ombudsman

<sup>15</sup> Greece, European Migration Network (EMN) (2013), *Annual Report 2013 on Migration and Asylum Policy in Greece*, Athens

<sup>16</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), '*National Report Greece. Integration of Vulnerable Migrant Groups*', Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

<sup>17</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), '*National Report Greece. Integration of Vulnerable Migrant Groups*', Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

<sup>18</sup> Greece, Hellenic League for Human Rights (2014), 'Code of Immigration and Social Integration: Just a small step forward: Partly too little, partly too late' (*Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης: Απλά ένα μικρό βήμα μπροστά: Εν μέρει πολύ λίγα, εν μέρει πολύ αργά*), Athens, , (available at: [http://www.hlhr.gr/images/site/1014/1025\\_large/keimeno\\_tekmhriivshs\\_kvdkas\\_metanasteyshs2.pdf](http://www.hlhr.gr/images/site/1014/1025_large/keimeno_tekmhriivshs_kvdkas_metanasteyshs2.pdf))

		<p>requirements for renewing their residence status<sup>19</sup>. The code also abolishes the right to vote and be elected at local level<sup>20</sup>.</p> <p>Legal provisions for the second generation do not address the exclusion of the second generation from various professions, where Greek nationality is a prerequisite.<sup>21</sup> A progressive policy, such as 3838/2010 regarding citizenship for second generation, seems to have stopped.<sup>22</sup></p> <p>Policy and legal documents (the strategy or the code) do not make any reference to the immigrants' right to preserve their distinct cultural-ethnic or religious identity<sup>23</sup>.</p> <p>The objectives and measures in the National Strategy for Integration of TCNs fail to specify whether and how these shall be subject to monitoring and evaluation; also, they fail to prescribe the evaluation of the strategy as a whole<sup>24</sup>.</p> <p>The Integration Code of 2014 fails to accommodate the needs of migrants who have lost their legal status due to the economic crisis. This is reported to be a significant barrier to social integration<sup>25</sup>. Moreover, the code introduces certain barriers, such as for family reunification and the requirements for renewing their residence status<sup>26</sup>. The code also abolishes the right to vote and be elected at a local level<sup>27</sup>.</p> <p>Legal provisions for the second generation do not address the exclusion of the second generation from various professions where Greek nationality is a prerequisite.<sup>28</sup> A</p>
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<sup>19</sup> Greece, Greek Ombudsman (2013), 'Comments on the Draft Law on the Ratification of the Migration Code and Social Integration' (Παρατηρήσεις επί του Σχεδίου Νόμου για την Κύρωση του Κώδικα Μετανάστευσης και Κοινωνικής Ένταξης), Athens, Greek Ombudsman

<sup>20</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamap.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

<sup>21</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamap.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

<sup>22</sup> Council of Europe, European Commission against Racism and Intolerance (ECRI), ECRI Report on Greece (fifth monitoring cycle), Strasbourg, Council of Europe, 24 February 2015

<sup>23</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamap.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

<sup>24</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamap.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

<sup>25</sup> Greece, Hellenic League for Human Rights (2014), 'Code of Immigration and Social Integration: Just a small step forward: ΣPartly too little, partly too late' (Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης: Απλά ένα μικρό βήμα μπροστά: Εν μέρει πολύ λίγα, εν μέρει πολύ αργά), Athens, (available at: [http://www.hlhr.gr/images/site/1014/1025\\_large/keimeno\\_tekmhrihvshs\\_kvdkas\\_metanasteys2.pdf](http://www.hlhr.gr/images/site/1014/1025_large/keimeno_tekmhrihvshs_kvdkas_metanasteys2.pdf))

<sup>26</sup> Greece, Greek Ombudsman (2013), 'Comments on the Draft Law on the Ratification of the Migration Code and Social Integration' (Παρατηρήσεις επί του Σχεδίου Νόμου για την Κύρωση του Κώδικα Μετανάστευσης και Κοινωνικής Ένταξης), Athens, Greek Ombudsman

<sup>27</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamap.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

<sup>28</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamap.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

		<p>progressive policy, such as 3838/2010, regarding citizenship for the second generation seems to have stopped.<sup>29</sup> Neither the strategy nor the code makes any reference to the immigrants' right to preserve their distinct cultural-ethnic or religious identity<sup>30</sup>.</p> <p>In general, the policy framework for immigrant integration in Greece remains under-developed and legislation fails to provide a coherent response to the challenges facing immigrants who reside in Greece<sup>31</sup>. Moreover, the Greek policy on the integration of migrants is limited to the accommodation of their legal status without substantive efforts for social integration, while it is characterised by contradictions<sup>32</sup>.</p>
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### 1.2.1.Drivers

	<p>The key drivers for successful integration policies, therefore factors that are considered to contribute positively in the design, development, implementation, assessment and accomplishment of policy goals and in strengthening social inclusion and participation of migrants and their descendants. For example, are these policies mainstreamed in other public policies, for</p>	<p>The National Strategy "presents a coherent framework for promoting integration that is not limited to economic integration or knowledge of the Greek language. It acknowledges the importance of the participation of the legally resident population groups in social and economic life on an equal basis to national citizens in a non-discriminatory way. Education and the enrolment of foreign migrants in the Greek school system is regarded as the most successful component of the integration policy. Aside from education, integration in the labour market, the acquisition of a long-term residence status and the participation of immigrants in policy-making at a local level, all feature amongst the strategy's main priorities"<sup>33</sup>.</p> <p>The strategy, "places emphasis on training and developing the skills of those already in Greece; it sets out the categories of professions for which there have been increased needs in the last five years that concern temporary employment (tourism), transfer of fishery workers, highly qualified workers, transfer of seasonal workers to the agricultural economy"<sup>34</sup>.</p> <p>The strategy also records the need for an integration policy that will facilitate and improve access for first and second-generation third country nationals to better jobs, higher wages or highly qualified jobs, improving the recognition of education and vocational training that they have acquired</p>
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<sup>29</sup> Council of Europe, European Commission against Racism and Intolerance (ECRI), ECRI Report on Greece (fifth monitoring cycle), Strasbourg, Council of Europe, 24 February 2015

<sup>30</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

<sup>31</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

<sup>32</sup> Greece, Hellenic League for Human Rights (2014), 'Code of Immigration and Social Integration: Just a small step forward: Partly too little, partly too late' (Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης: Απλά ένα μικρό βήμα μπροστά: Εν μέρει πολύ λίγα, εν μέρει πολύ αργά), Athens (available at: [http://www.hlhr.gr/images/site/1014/1025\\_large/keimeno\\_tekmhriivshs\\_kvdkas\\_metanasteyshs2.pdf](http://www.hlhr.gr/images/site/1014/1025_large/keimeno_tekmhriivshs_kvdkas_metanasteyshs2.pdf))

<sup>33</sup> Greece, Greek Ombudsman (2013), Comments on the Draft Law on the Ratification of the Migration Code and Social Integration (Παρατηρήσεις επί του σχεδίου

Νόμου για την Κύρωση του Κώδικα Μετανάστευσης και Κοινωνικής Ένταξης), Athens, Greek Ombudsman

<sup>34</sup>Greece, European Migration Network (EMN) (2013), *Annual Report 2013 on Migration and Asylum Policy in Greece*, Athens

	<p>example in employment, education, housing, etc. and how is this achieved?</p>	<p>abroad<sup>35</sup>.</p> <p>The Social Integration Division of the Greek Ministry of Interior as the responsible authority for the European Integration Fund (EIF) 2007-2013, has implemented, in collaboration with public and private stakeholders in the integration process as well as in collaboration with civil society organizations, a series of actions promoting the smooth integration of third country nationals into Greek society<sup>36</sup>. Specifically, from the annual EIF Programmes that have been implemented so far, overall both locals and migrants have benefited through actions in the following fields: Information Services for TCNs and raising awareness of local society; Education and training; Health; Culture – Sports; Research; Networking and cooperation at local and European level<sup>37</sup>.</p> <p>The Code for Immigration and Social Inclusion was introduced in 2014. In a single document of 140 articles, the code brings together all arrangements on migration previously contained in 20 laws, 6 presidential decrees and 42 regulatory acts. The law simplifies the procedures and gives migrants: the right to ten-year or indefinite duration residence permits to convert them into permits for long-term residents. The Code also foresees favourable treatment for second-generation immigrants who are given the right of a residence permit. According to EMN, this operates as a protective framework that facilitates their social inclusion perspectives as they do not have to renew their permits, risking losing their legal status<sup>38</sup>.</p> <p>Although the Code is a legislative management tool, the Greek Ombudsman characterized the Code of Immigration and Social Inclusion as a “particularly positive step” and highlighted certain changes as “important and targeted”, due to their operation “in the direction of establishing a status of rights and of safe residence status for the TCN’s”. The Ombudsman highlighted several points in the above direction, as it codifies almost all legislation on regular migration : and extension of the duration of residence permits from two to three years (Art. 7, para. 5). Obtaining a long-term residence permit becomes easier as uninterrupted residence in the country for 12 years becomes a criterion for social integration (Art. 91, para. 2); Family reunification is detached from the income level of the family members (Art. 74, para. 2); Family reunification is included as a right for those migrants that have lived in the country (Art. 71, para.1); An employment contract is not a precondition for the renewal of a residence permit (Art.15, para. 2); The costs entailed in the renewal of permits have been reduced (Art. 24, para.1); Finally, a special long-term permit for the</p>
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<sup>35</sup> Greece, European Migration Network (EMN) (2013), *Annual Report 2013 on Migration and Asylum Policy in Greece*, Athens

<sup>36</sup> Council of Europe, European Commission against Racism and Intolerance (ECRI), ECRI Report on Greece (fifth monitoring cycle), Strasbourg, Council of Europe, 24 February 2015

<sup>37</sup> Council of Europe, European Commission against Racism and Intolerance (ECRI), ECRI Report on Greece (fifth monitoring cycle), Strasbourg, Council of Europe, 24 February 2015

<sup>38</sup> Greece, European Migration Network (EMN) (2013), *Annual Report 2013 on Migration and Asylum Policy in Greece*, Athens

		<p>second generation of immigrants is introduced<sup>39</sup>. The code also introduces the “indefinite” permit that replaced the permit for long-term residents, without the rights offered by the relevant permit. The fact that legal residence for twelve consecutive years is considered as “presumption of inclusion after the entry into force of the code” (Article 91, Paragraph 2), promotes social integration through family unification<sup>40</sup>.</p> <p>The code also foresees favourable treatment for second-generation immigrants, i.e. immigrants’ children born or raised in Greece that have attended Greek schools. Such children are given the right to second generation residence permits, which “act as a protective framework that facilitates their social inclusion perspectives, so that they do not remain under the general provisions for the renewal of their permits, risking losing their legal status and being exposed to forced removal from Greece”<sup>41</sup>.</p> <p>Regularisation laws – such as the 2014 Immigration Code – through the legislation of residence (even if temporary) that they have provided are “essential for the TCNs to have an elemental sense of security as a precondition for their social integration”.<sup>42</sup> Finally, Article 108 of the code “puts the second generation on an equal position and endows them with all the rights of those holding long term residence status”.<sup>43</sup></p> <p>The code established the ‘Immigration and Social Integration Coordinating Committee’, an inter-ministerial group for dealing with issues concerning (legal and irregular) immigration and integration. The committee’s main role, as defined in the code, is to examine and maintain overview of immigration policies, including those related to integration. It includes the development of recommendations and guidelines to the various ministries working in the areas of immigration, and the coordination of their respective actions. The Coordinating Committee has come to replace the ‘Inter-ministerial Committee on Immigration’, and the ‘National Committee for the Integration of Immigrants’, both of which had remained inactive<sup>44</sup>.</p> <p>The code proclaims that the aim of the integration policy is to enable the smooth adaptation of TCNs to Greek society and their participation in the economic, social and cultural</p>
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<sup>39</sup> Greece, Greek Ombudsman (2013), Comments on the Draft Law on the Ratification of the Migration Code and Social Integration (*Παρατηρήσεις επί του Σχεδίου Νόμου για την Κύρωση του Κώδικα Μετανάστευσης και Κοινωνικής Ένταξης*), Athens, Greek Ombudsman

<sup>40</sup> Greece, European Migration Network (EMN) (2013), *Annual Report 2013 on Migration and Asylum Policy in Greece*, Athens

<sup>41</sup> Greece, European Migration Network (EMN) (2013), *Annual Report 2013 on Migration and Asylum Policy in Greece*, Athens

<sup>42</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), ‘*National Report Greece. Integration of Vulnerable Migrant Groups*’, Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

<sup>43</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), ‘*National Report Greece. Integration of Vulnerable Migrant Groups*’, Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

<sup>44</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), ‘*National Report Greece. Integration of Vulnerable Migrant Groups*’, Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

		spheres with equal opportunities <sup>45</sup> .
<b>1.2.2.Barriers</b>		
	Barriers, limitations, constraints or resistance faced in designing, developing and implementing such policies and measures, therefore factors that may hinder their effectiveness and influence negatively their outcomes. For example, budgetary limitations, or problems of coordination of governance levels, priority of interventions, lack of training or lack of mainstreaming of relevant policies, lack of action by competent actors or limited data about the interested population, could be factors that may function as obstacles or affect negatively the implementation of selected migrant integration measures.	The Greek policy regarding the integration of migrants is considered to be fragmented and superficial and limited to the establishment of the legal status that the residence permits ensure, without connecting the residence permits with the appropriate initiative for immigrants' social integration. <sup>46</sup> A barrier is reported to be the fact that the National Strategy for the integration of third country nationals is a roadmap – and not legislation – that does not contain any commitment or action plan for the implementation of the integration policies described. Critics also argue that the National Strategy is not sufficiently interconnected with the programs of the European Integration Fund (EIF). According to the same officials, no monitoring or evaluation exists regarding the integration actions implemented through the EIF. <sup>47</sup> The objectives in the National Strategy for Integration of TCNs “fail not only to specify whether and how these shall be subject to monitoring and evaluation but also to prescribe the evaluation of the Strategy as a whole”, according to the Access report <sup>48</sup> . Out of a wide range of policy objectives that the strategy puts forward for the promotion of immigrant integration, “monitoring is only foreseen for the introductory programmes in the Greek language, history and culture for newly arrived immigrants and their family members, and the Greek language courses offered at school for children who are TCNs [...]. No details are provided in the text as to the mechanisms and the methodologies to be employed for the purposes of monitoring. [...] No indicators are spelled out for measuring the success or the effectiveness of these activities” <sup>49</sup> . Furthermore, according to the Assess report, it is only relatively recently that the need for regular data collection on immigration has been recognized at the political and administrative level in Greece, largely as a result of EU requirements. Researchers and experts have repeatedly sought in their publications and reports to highlight deficiencies in data collection and have proposed areas of improvement. Despite the fact that the availability and quality of data on immigration has improved considerably in recent years, according to Assess, “there is still an urgent need for further improvement in data collection so as to

<sup>45</sup>Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), ‘*National Report Greece. Integration of Vulnerable Migrant Groups*’, Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

<sup>46</sup>Information in this paragraph was provided in a focus group with Ministry Officials (Ministry of Interior and sub-ministry of Migration), held in the offices of the Center for European Constitutional Law, on March, the 16<sup>th</sup>, 2015.

<sup>47</sup> Information in this paragraph was provided in a focus group with Ministry Officials (Ministry of Interior and sub-ministry of Migration), held in the offices of the Center for European Constitutional Law, on March, the 16<sup>th</sup>, 2015.

<sup>48</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), ‘*National Report Greece. Integration of Vulnerable Migrant Groups*’, Athens, Hellenic Foundation for European and Foreign Policy, (available at: <http://www.eliamep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>)

<sup>49</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), ‘*National Report Greece. Integration of Vulnerable Migrant Groups*’, Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliamep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

		<p>implement effective monitoring of integration processes and policies.”<sup>50</sup>.</p> <p>The Hellenic League for Human Rights has pointed out that “tens of thousands of migrants that have lived in the country for a long period with a long-term permit [...] have now lost their residence permits, as they cannot meet the requirements because of unemployment and unregistered employment”. For the Hellenic League, this is a significant barrier to social integration, as existing legal framework – including the Immigration Code of 2014 - does not accommodate this problem. For the Hellenic League, the fact that big numbers of migrants that have lived in Greece are not able to renew their residence permits, is the biggest barrier to social integration<sup>51</sup>. The same barrier was identified by ministerial officials appointed after the 25<sup>th</sup> of January 2015, who argued that efforts to support migrants who after many years living in Greece could not renew their residence permits and as a result lost their legal status, were not successful, due to the fact that the legal framework (especially law 4251/2014) does not give them this chance.<sup>52</sup></p> <p>The Greek Ombudsman identified the following barriers, in relation to the Immigration Code (2014):</p> <ol style="list-style-type: none"> <li>1. Family members of a Greek citizen need to have a visa or a residence permit before they are entitled for reunification (Art. 83),</li> <li>2. The requirement for a certain income level for a residence permit is a barrier for renewing the residence status,</li> <li>3. The Ombudsman argues that ‘One-stop-services’ for the migrants dealing with the public administration need more staff in order to operate more efficiently<sup>53</sup>.</li> </ol> <p>According to the Hellenic League of Human Rights, the Greek policy on the integration of migrants is limited to the accommodation of their legal status without substantive efforts for social integration, while it is characterised by contradictions”, “ without identifying which <sup>54</sup>.</p> <p>According to the Assess report, neither the code nor the strategy make any “mention of access to nationality as a vehicle of integration”. The code also abolishes the right to vote and be elected at local level, which was introduced with Law 3838/2010<sup>55</sup>. Moreover, “the policy framework for</p>
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<sup>50</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), ‘National Report Greece. Integration of Vulnerable Migrant Groups’, Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliampep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

<sup>51</sup> Greece, Hellenic League for Human Rights (2014), ‘Code of Immigration and Social Integration: Just a small step forward: Partly too little, partly too late’ (*Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης: Απλά ένα μικρό βήμα μπροστά: Εν μέρει πολύ λίγα, εν μέρει πολύ αργά*), Athens, available at:

[http://www.hlhr.gr/images/site/1014/1025\\_large/keimeno\\_tekmhhrivshs\\_kvdkikas\\_metanasteys2.pdf](http://www.hlhr.gr/images/site/1014/1025_large/keimeno_tekmhhrivshs_kvdkikas_metanasteys2.pdf)

<sup>52</sup> Information in this paragraph was provided in a focus group with Ministry Officials (Ministry of Interior and sub-ministry of Migration), held in the offices of the Center for European Constitutional Law, on March the 16<sup>th</sup>.

<sup>53</sup> Greece, Greek Ombudsman (2013), ‘Comments on the Draft Law on the Ratification of the Migration Code and Social Integration’ (*Παρατηρήσεις επί του Σχεδίου Νόμου για την Κύρωση του Κώδικα Μετανάστευσης και Κοινωνικής Ένταξης*), Athens, Greek Ombudsman

<sup>54</sup> Greece, Hellenic League for Human Rights (2014), ‘Code of Immigration and Social Integration: Just a small step forward: Partly too little, partly too late’ (*Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης: Απλά ένα μικρό βήμα μπροστά: Εν μέρει πολύ λίγα, εν μέρει πολύ αργά*), Athens, available at:

[http://www.hlhr.gr/images/site/1014/1025\\_large/keimeno\\_tekmhhrivshs\\_kvdkikas\\_metanasteys2.pdf](http://www.hlhr.gr/images/site/1014/1025_large/keimeno_tekmhhrivshs_kvdkikas_metanasteys2.pdf)

<sup>55</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), ‘National Report Greece. Integration of Vulnerable Migrant Groups’, Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliampep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

		<p>immigrant integration in Greece remains under-developed. Legislation fails to provide a coherent response to the challenges facing immigrants who reside in the country". Assess further argues that "Greece continues to follow the policy model of 'differential exclusion', where TCNs can become incorporated into certain sub-systems, such as the labour market, and enjoy certain individual rights, while being excluded from others, such as the political system"<sup>56</sup>. Provisions for the second generation (Article 108 of the code) "do not address the exclusion of the second generation from various professions where Greek nationality is a prerequisite".<sup>57</sup> ECRI also stresses that citizenship "can be a useful tool for the integration of migrants", however, "it is sad that a progressive policy seems to have stopped"<sup>58</sup>. Neither the strategy, nor the new Immigration and Immigrant Integration Code which came into force in March 2014, make any reference to the immigrants' right to preserve their distinct cultural-ethnic or religious identity<sup>59</sup>. The strategy rejects multiculturalism and instead focuses on what it calls "structural integration" as the preferred model of inclusion. While integration is a common European standard in regard to the immigrants' relationship with the host societies, "the prerequisites for achieving it, as outlined in the strategy, are so thorough and substantive, that they make one wonder how different it is from assimilation"<sup>60</sup>. In fact, "'assimilation' is the English term that is used in the text to describe the notion of 'structural' (as opposed to 'formal', or legal) integration"<sup>61</sup>. A substantive kind of integration that approximates assimilation is advanced as the main goal in the strategy, despite the fact that the term 'assimilation' is elsewhere in the same document referred to as a notion abandoned in European public discourse and as a vestige of the colonial times<sup>62</sup>.</p> <p>According to the 2014 Assess report, regularisation laws – such as the 2014 Immigration Code – "cannot be seen as</p>
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<sup>56</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), '*National Report Greece. Integration of Vulnerable Migrant Groups*', Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliamap.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

<sup>57</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), '*National Report Greece. Integration of Vulnerable Migrant Groups*', Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliamap.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

<sup>58</sup> Council of Europe, European Commission against Racism and Intolerance (ECRI), ECRI Report on Greece (fifth monitoring cycle), Strasbourg, Council of Europe, 24 February 2015

<sup>59</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), '*National Report Greece. Integration of Vulnerable Migrant Groups*', Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliamap.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

<sup>60</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), '*National Report Greece. Integration of Vulnerable Migrant Groups*', Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliamap.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

<sup>61</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), '*National Report Greece. Integration of Vulnerable Migrant Groups*', Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliamap.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

<sup>62</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), '*National Report Greece. Integration of Vulnerable Migrant Groups*', Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliamap.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

		<p>tantamount to integration policy<sup>63</sup>. Neither in the strategy nor in the code is there any mention of access to nationality as a vehicle of integration. The code also abolishes the right to vote and be elected at the local level, which was introduced with Law 3838/2010.<sup>64</sup>The code also does not provide for the monitoring of the goals of integration policy, nor does it set any indicators for assessing the implementation of the activities to be pursued<sup>65</sup>.</p> <p>The Annual EIF programmes implemented to date for the integration of TCNs have included pre-departure measures<sup>66</sup>. Moreover, recognition of the rights of migrants to employment, labour and social protection, as well as consistent application of the relevant legal framework which necessitates the incorporation of the European directive on the status of third country nationals who are long-term residents (2003/109/EC) and on family reunification (2003/86/EK), remain the main challenge of the Hellenic strategy for the integration of foreigners in Greek territory, despite the obstacles that have mainly emerged in administrative practice<sup>67</sup>.</p>
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### 1.2.3. Language learning and integration tests

	Please provide information about:	
	<p>Main language learning support programmes and courses. Provide details about organisation of such programmes and actors implementing them, funding support, location, duration, frequency, numbers of beneficiaries, entitlements and limitations for</p>	<p>In the field of language learning support programmes and courses, according to the Ministry of Education there are two programs implemented. The program "priority zones of education" [<i>Ζώνες Εκπαιδευτικής Προτεραιότητας</i>] and the "training program for foreigner and returning nationals students" [<i>Πρόγραμμα εκπαίδευσης αλλοδαπών και παλιννοστούντων μαθητών</i>]</p> <p>Priority Zones of Education [ZEP] were established in 2010 [Law 3879/2010] with the aim to «equally integrate all students in the school system through the operation of supporting actions that improve student performance, especially through the establishment of reception classes, learning support classes or summer courses».<sup>68</sup> According to the ministry of education, supporting classes that are established, "allow all school units to offer support training to Primary school students who do not have the necessary knowledge of Greek, given that the school unit evaluates the real educational needs of the students"<sup>69</sup></p>

<sup>63</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliampep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

<sup>64</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliampep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

<sup>65</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliampep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

<sup>66</sup> Council of Europe, European Commission against Racism and Intolerance (ECRI), ECRI Report on Greece (fifth monitoring cycle), Strasbourg, Council of Europe, 24 February 2015

<sup>67</sup> Greece, European Migration Network (EMN) (2013), *Annual Report 2013 on Migration and Asylum Policy in Greece*, Athens

<sup>68</sup> Greece, Ministry of Education (Υπουργείο Παιδείας), Law 3879/2010, Introduction of Life-long training and other provisions (*Ανάπτυξη δια βίου μάθησης και άλλες διατάξεις*), 21 September 2010.

<sup>69</sup> Greece, Ministry of Education, Reply to the request of Data, Athens, 4 June 2015 (Φ.25/608/88435/Δ1)

	<p>accessing courses.</p>	<p>The “training program for foreigner and returning nationals students”, is implemented by the Aristotle University of Thessaloniki in schools of both elementary and secondary education that have foreigner or returning Greek students above 10% of the total. The program targets both the teachers and the students with the aim “to prepare them to deal with the challenges of multicultural societies”.<sup>70</sup> One of the program actions is the “support of Greek learning” through the support to the teachers, support to the school to organize and operate support classes of the Greek language, operation of summer classes and evaluation of programs directed to improve language learning.<sup>71</sup></p> <p>No further information was provided by the competed ministry regarding the number of support classes established, the total funding, their location, duration, frequency, numbers of beneficiaries, entitlements and limitations for accessing courses.</p> <p>The main objective of the language learning support is to improve the school performance of foreign students in Greek schools, as well as their social integration in the host country. The actions of the programme include: a) support for reception classes, b) enhancing the knowledge of the Greek language, c) intercultural communication in schools, d) teacher training, d) support for the native language of students, e) psychological support, f) school-community connections<sup>72</sup>. Language learning support programmes and courses are organized by both the General Secretary for Life-long learning (Ministry of Education) and the General Secretariat for Migration Policy (Ministry of Interior). Training and actions for the learning of Greek language are funded by the European Integration Fund and European Refugee Fund. The European Integration Fund has funded the following actions: a) Programmes and actions to teach the Greek language, Greek history and civilization to adult immigrants, b) A five-language e-dictionary was created and distributed to migrants’ associations, c) Training in the Greek language through the use of new technologies<sup>73</sup>. AMIF is still in the process of completing the bureaucratic procedures. Final plans have not yet been publicised. There have been actions in primary and secondary education that target social inclusion for third country nationals. Some of these actions were reception classes, Greek language teaching, cultural activities<sup>74</sup>. Greek language courses have also been provided at the Training Centre of the University of Athens and at the School of Modern Greek language of the University of</p>
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<sup>70 70</sup> Greece, Ministry of Education, Reply to the request of Data, Athens, 4 June 2015 (Φ.25/608/88435/Δ1)

<sup>71</sup> Greece, Aristotle University of Thessaloniki (*Αριστοτέλειο Πανεπιστήμιο Θεσσαλονίκης*) Education of migrants and repatriated students’ (*Εκπαίδευση Αλλοδαπών και Παλιννοστώντων Μαθητών*) available at: <http://www.diapolis.auth.gr/index.php/tautotita-praksis>.

<sup>72</sup> Greece, Aristotle University of Thessaloniki (*Αριστοτέλειο Πανεπιστήμιο Θεσσαλονίκης*) Education of migrants and repatriated students’ (*Εκπαίδευση Αλλοδαπών και Παλιννοστώντων Μαθητών*) available at: <http://www.diapolis.auth.gr/index.php/tautotita-praksis>.

<sup>73</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*) European Integration Fund 2007-2013 (*Ευρωπαϊκό Ταμείο Ένταξης Υπηκόων τρίτων 2007-2013*)

<sup>74</sup> Greece, Aristoteleion University of Thessaloniki (*Αριστοτέλειο Πανεπιστήμιο Θεσσαλονίκης*), Education of foreigners (*Εκπαίδευση Αλλοδαπών & Παλιννοστώντων*)

		Thessaloniki. The AMIF is still in the process of completing the bureaucratic procedures. Final plans have not been published.
	Knowledge level of the language achieved through such programmes (please use the <u>Common European Framework Reference levels - CEFR</u> )	The request for information about the language learning and integration test was not answered by the competent ministry, following the relevant submitted request and follow ups. As a result, there is no official data on the knowledge level of the language achieved through such programmes. However, according to the Migration Code of 2014 (Art. 107, para. 1), sufficient knowledge of Greek language, history and civilization is certified – amongst other ways – by a language certificate of minimum level B1, provided according to the law 60/2010 <sup>75</sup> . In exceptional cases, sufficient knowledge of the Greek language may be certified by language level A or A2. Specifically, the Immigration Code (Art. 107, para. 2) states the following: “Holders of certificates of Greek language proficiency at A (issued according to the 363/1998 presidential decree) or A2 (issued according to the 60/2010 presidential decree) are considered to have sufficient knowledge of the Greek language, history and culture, in order for them to fall under the provisions of the 150/2006 presidential decree, provided they also acquire certification for the sufficient knowledge of Greek history and culture, in accordance with the procedure defined by the common ministerial decision of the paragraph 3 of the present article” <sup>76</sup> . Regarding the para. 3 the Immigration Code states the following: “The acquisition process of the special certification of Greek language and Greek history and culture by the General Secretariat for Lifelong Learning, as well as the certification of Greek history and culture for holders of Greek language certification at levels A or A2, or any other relevant detail, are regulated by a decision reached by the Ministers of Interior, Finance, and Education, as this is published in the official Government Gazette <sup>77</sup> ”. . Moreover, beside the language test, certification of the Greek language can be certified in one of the following ways: a) by certification of a Greek primary or secondary school, b) by certification by foreign Greek schools, c) by certification issued by Greek language departments of foreign universities, d) by certification attesting to the knowledge of Greek language <sup>78</sup> . Besides the requirements for knowledge level of Greek as described above, there is no information about the knowledge level of the language achieved through various language programmes.
	Language tests required for migrants to access residence or other legal	No language tests are required for the certification of the language knowledge. Sufficient knowledge of the Greek language however is one of the requirements for obtaining

<sup>75</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Law 4251/2014 Code of Immigration and Social Integration (Κώδικας Μετανάστευσης κι Κοινωνικής Ένταξης και λοιπές διατάξεις), 1 April 2014

<sup>76</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Law 4251/2014 Code of Immigration and Social Integration (Κώδικας Μετανάστευσης κι Κοινωνικής Ένταξης και λοιπές διατάξεις), 1 April 2014

<sup>77</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Law 4251/2014 Code of Immigration and Social Integration (Κώδικας Μετανάστευσης κι Κοινωνικής Ένταξης και λοιπές διατάξεις), 1 April 2014

<sup>78</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Law 4251/2014 Code of Immigration and Social Integration (Κώδικας Μετανάστευσης κι Κοινωνικής Ένταξης και λοιπές διατάξεις), 1 April 2014

	<p>status affecting equal treatment and access to rights. Please provide information about their content and character, level of knowledge required, numbers of participants, and rates of success/failure</p>	<p>long-term residence status (Art. 89, 90)<sup>79</sup> as well as for the naturalization process<sup>80</sup>. According to the Migration Code of 2014 (Art. 107, para. 1), sufficient knowledge of Greek language, history and civilization is certified – among other ways – by a language certificate of minimum level B1, provided according to law 60/2010<sup>81</sup>. In exceptional cases, sufficient knowledge of Greek may be certified by language level A or A2, if the ministers of the interior and education submit a specific ministerial act (Art. 107, para. 3). Moreover, beside the language test, Greek language attainment can be certified in one of the following ways: a) by certification of a Greek primary or secondary school, b) by certification by foreign Greek schools, c) by certification issued by Greek language departments of foreign universities, d) by certification attesting to the knowledge of the Greek language<sup>82</sup>. In relation to the Modification of the Greek Citizenship Code, the competent committees of the Ministry of Interior examine the level of knowledge of language based on specific criteria.</p> <p>According to Circular No 8 on the "Modification of the Greek Citizenship Code" (<i>Η υπ' αριθμ. 8 εγκύκλιος περί «Τροποποίησης του Κώδικα Ελληνικής Ιθαγένειας»: Συνδρομή ουσιαστικών προϋποθέσεων στη διαδικασία πολιτογράφησης</i>) the candidate must be able to comprehend a conversation between two native speakers about simple everyday issues and understand simple public announcements. He / She must also be able to comprehend simple advertising, notes, instructions. In writing he /she must be able to write simple short texts related to everyday situations and give basic information. He / She, also, must be able to fulfill simple everyday language functions in simple communication situations, such as greeting, introducing, apologizing, talking on the phone, writing simple letters, exchanging information on simple topics, understanding and making simple announcements, expressing positive or negative feelings, desire or obligation to do something, offering something, inviting and making suggestions.</p> <p>It is noted that weakness in writing is basically an indication of reduced integration. However, in the case of persons that otherwise communicate in writing in another language (eg their mother tongue), illiteracy cannot be regarded as a negative factor, especially when it is offset by appropriate oral communication in the Greek language and appropriate integration in social and economic life. It is noted that the applicant has the option to submit documents certifying their level of knowledge of Greek. However, the Committee is not</p>
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<sup>79</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Law 4251/2014 Code

of Immigration and Social Integration (Κώδικας Μετανάστευσης κι Κοινωνικής Ένταξης και λοιπές διατάξεις), 1 April 2014

<sup>80</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών)(2010), Law 3838/2010 Modern provisions on Greek Citizenship and political participation of co-ethnics and legal residing immigrants and other provisions (Σύγχρονες διατάξεις για την Ελληνική Ιθαγένεια και την πολιτική συμμετοχή ομογενών και νομίμως διαμενόντων μεταναστών και άλλες ρυθμίσεις), 24 March 2010

<sup>81</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Law 4251/2014 Code

of Immigration and Social Integration (Κώδικας Μετανάστευσης κι Κοινωνικής Ένταξης και λοιπές διατάξεις), 1 April 2014

<sup>82</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Law 4251/2014 Code

of Immigration and Social Integration (Κώδικας Μετανάστευσης κι Κοινωνικής Ένταξης και λοιπές διατάξεις), 1 April 2014

		obliged to take them into account <sup>83</sup> . No official data was provided about the numbers of participants in language tests, and the rates of success/failure.
	Integration tests for access to residence or other status affecting equal treatment and access to rights. Please provide information about their content and character, range of knowledge required, numbers of participants, and rates of success/failure.	<p>No integration tests are required by law. However, for certain categories of residence permits, like the residence permit for exceptional reasons, the relevant committee evaluates the overall integration of the applicant as this derives from the submission papers, in order to provide or to extend his/her residence permit (Art. 134)<sup>84</sup> or in order to be naturalized. According the no. 8 Circular on "Modification of the Greek Citizenship Code" (<i>Η υπ' αριθμ. 8 εγκύκλιος περί «Τροποποίησης του Κώδικα Ελληνικής Ιθαγένειας»: Συνδρομή ουσιαστικών προϋποθέσεων στη διαδικασία πολιτογράφησης</i>) indicative criteria mentioned that define the degree of integration relate to:</p> <ul style="list-style-type: none"> <li>▪ appropriate integration in economic life (professional and economic activity, constant fulfillment of tax and insurance obligations, acquisition of property, assets).</li> <li>▪ appropriate integration in social life (to be acquainted with Greek history and culture, studying at Greek educational institutions, participation in social organizations, affiliated through a 'marriage bond' relationship with a Greek citizen, public activities)</li> <li>▪ active and substantial participation in political life (sufficient acquaintance with the institutions of government, basic knowledge of political history (especially contemporary history), participation in bodies, political associations, unions)<sup>85</sup>.</li> </ul> <p>The law does not define the above procedure as an oral test.No official data about the numbers of participants and the rates of success/failure regarding the procedure through the relevant committees for the exceptional reasons or naturalization was provided.</p>
	Mother tongue learning programmes for children of migrants	Mother tongue learning programmes for children of migrants exist only in exceptional cases and only under the scheme of european-funded training programs <sup>86</sup> . No further information has been provided by the competent Ministry.
	Please provide insights about key issues, debates, challenges or problems related to the implementation of the above measures and	According to research by the National Center for Social Research (EKKE, 2012), 82% of the second generation migrants (Greek citizens born by migrant parents) that participated in Greek language learning programs declared "very good" knowledge of Greek. On the contrary, knowledge of the country of origin's language was declared as "good" or

<sup>83</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*), Circular no. 8 on 'Modification of the Greek Citizenship Code: Provision of substantive requirements to naturalization process' (*Υπ' αριθμ. 8 εγκύκλιος περί «Τροποποίησης του Κώδικα Ελληνικής Ιθαγένειας»: Συνδρομή ουσιαστικών προϋποθέσεων στη διαδικασία πολιτογράφησης*), 2/08/2010

<sup>84</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*), Law 4251/2014 Code of Immigration and Social Integration (*Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης και λοιπές διατάξεις*), 1 April 2014

<sup>85</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*), Circular no. 8 on 'Modification of the Greek Citizenship Code: Provision of substantive requirements to naturalization process' (*Υπ' αριθμ. 8 εγκύκλιος περί «Τροποποίησης του Κώδικα Ελληνικής Ιθαγένειας»: Συνδρομή ουσιαστικών προϋποθέσεων στη διαδικασία πολιτογράφησης*), 2/08/2010

<sup>86</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

	policies. The findings should be substantiated through existing assessments, research or studies and case law <b>(use template in Annex 9)</b> .	"very good" by the 46.7 and 69% of participants respectively, according to their age group <sup>87</sup> . The Hellenic Migration Policy Institute does not provide any relevant study. <sup>88</sup>
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#### 1.2.4. Monitoring and assessment – Use of indicators

	In this section please outline monitoring and evaluation procedures applied by public authorities at national and regional level, as applicable, for migrant integration. In particular, please present any indicators used for the monitoring, assessment and review of integration policies in the areas of political and social participation, social cohesion, and intolerance, inclusive and welcoming society. Please make sure to report here the link of such indicators with fundamental rights and the way their use reflects to the	<p>According to the reply by the Ministry of Interior, the office of the National Integration Fund (Department of Social Integration, Ministry of Interior), based on the European rules and experience from projects that have been funded by the National Integration Fund on integration of Third Country Nationals (TCN's), uses both qualitative and quantitative indicators to evaluate the results only of actions applied, within the context of the European Integration Fund (EIF) on social integration of TCN's and to strengthen social cohesion. According to the Ministry of Interior, "some of these indicators are:</p> <ul style="list-style-type: none"> <li>▪ The number of the Third Country Nationals that participate in the projects applied and are beneficiaries,</li> <li>▪ The number of the Third Country Nationals that declare they are satisfied</li> <li>▪ The number of the employees that are trained on issues of multiculturalism</li> <li>▪ The number of Greek citizens that are becoming aware on issues of migration and integration"<sup>89</sup>.</li> </ul> <p>In Original Language: "Στο πλαίσιο των ευρωπαϊκών κανονισμών για την λειτουργία του ΕΤΕ και με βάση την εμπειρία της από την υλοποίηση δράσεων για την κοινωνική ένταξη των π.τ.χ., η Υπεύθυνη αρχή του ΕΤΕ της χώρας μας χρησιμοποιεί ποσοτικούς και ποιοτικούς δείκτες για την αποτίμηση των αποτελεσμάτων των υλοποιούμενων δράσεων για την κοινωνική ένταξη των π.τ.χ. και την ενίσχυση της κοινωνικής συνοχής. Τέτοιοι δείκτες είναι για παράδειγμα:</p> <ul style="list-style-type: none"> <li>▪ ο αριθμός των π.τ.χ. που συμμετέχουν στις δράσεις και ωφελούνται από αυτές</li> <li>▪ ο αριθμός των π.τ.χ. που δηλώνουν ικανοποιημένοι από τις δράσεις</li> <li>▪ ο αριθμός των υπαλλήλων που επιμορφώνονται σε θέματα διαπολιτισμικότητας</li> <li>▪ ο αριθμός των γηγενών που ευαισθητοποιείται σε θέματα μετανάστευσης και ένταξης».</li> </ul> <p>For the Ministry of Interior, on the question of whether there are indicators for monitoring and accessing integration</p>
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<sup>87</sup> Greece, EKKE, (2012), The Social Portrait of Greece 2012. The Participation of second generation migrants in the educational system and integration in the labour market (Το Κοινωνικό πορτραίτο της Ελλάδας 2012. Συμμετοχή των μεταναστών δεύτερης γενιάς στο εκπαιδευτικό σύστημα και ένταξη στην αγορά εργασίας), Athens, EKKE

<sup>88</sup> Greece, Hellenic migration policy institute-IMEPO (Ινστιτούτο Μεταναστευτικής Πολιτικής-ΙΜΕΠΟ), available at: <http://www.imepo.org/index.php>

<sup>89</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Response to the request for data Prot.-Nr 7100/27/18-ιβ', 11 March 2015

	<p>review of such policies.</p>	<p>policies, "various indicators are used according to the policy area, like for example: the number of TCNs that successfully complete school education, the number of TCNs that have social security, etc"<sup>90</sup>. However no other specific information was provided by the competent ministry about indicators used for the monitoring, assessment and reviewing of integration policies in the areas of political and social participation, social cohesion, and intolerance, inclusive and welcoming society. Additionally, no other information was provided by the competent ministry about the link of such indicators with fundamental rights and the way their use reflects to the review of such policies.</p> <p>According to the Assess report "indicators specifically for the monitoring of immigrant integration have not been developed at a national level, while existing indicators (from the EU or developed by researchers) are not applied by policy-makers for integration monitoring. It comes, therefore, as no surprise that no indicators are used for monitoring the integration experiences of the three vulnerable migrant groups which are of interest to the Assess project- women, children and victims of trafficking. Moreover, the available data is more a by-product of the data collected in surveys and administrative registers on the population as a whole or on the immigrant population in general, and it is hardly adequate for specifically monitoring the integration of these vulnerable groups"<sup>91</sup>.</p>
<p>Provide full wording and translation in English of each indicator used per area and dimension covered as well as its full definition, legal basis, rationale, and link with fundamental rights or EU law <b>(use table in the Annex 4)</b>.</p>		
	<p>Please provide data and evidence about the adoption of related Zaragoza indicators, especially in the dimensions of active citizenship and welcoming society. Please consult the publication <u>Using EU Indicators of Immigrant Integration</u> (ESN, MPG) and report more detailed and updated specific</p>	<p>According to the Assess report<sup>92</sup>, the Zaragoza indicators are acknowledged by officials, "but they are not used for monitoring integration". This finding is based on an interview with the Secretary General for Population and Social Cohesion and the General Manager for Social Integration at the General Secretariat for Population and Social Integration, Ministry of Interior, April 9, 2014. The National Integration Strategy acknowledges the Zaragoza declaration, but makes no reference to the adoption of indicators<sup>93</sup>. No additional information was provided by the competent ministry.</p>

<sup>90</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Response to the request for data Prot.-Nr 7100/27/18-τβ', 11 March 2015

<sup>91</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliampep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

<sup>92</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliampep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

<sup>93</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), National Strategy for the Integration of third-country nationals (Εθνική Στρατηγική για την Ένταξη Πολιτών Τρίτων Χωρών), 23 April 2013

	descriptions and mapping of indicators used in the Member States.	
<b>1.2.5.Funding integration policies (EIF, ERF, EMIF)</b>		
	Please provide information about the distribution of funds for integration of migrants, as well as their social inclusion and participation. In particular, provide specific breakdown of funding per general area of integration policies – with particular focus on active citizenship, participation, welcoming society, social cohesion - in the last year and for the period 2010-2014 if available. (Use the table in the Annex 5).	<p>According to the reply of the Ministry of Interior, the distribution of funds takes place according to the needs and in accordance with the priorities set by the EU. Emphasis is given to Greek language courses, improving access of TCNs to social services and in combating racism and xenophobia<sup>94</sup>.</p> <p>The European Integration Fund supports non-profit projects on third country nationals' integration directed in four areas:</p> <ol style="list-style-type: none"> <li>1. Development of support services with the aim to support the integration process,</li> <li>2. The support of the integration process, especially for the newcomers to the country,</li> <li>3. The increase of the capabilities of the state to implement and monitor integration policies for Third Country Nationals,</li> <li>4. The development of best practices for integration.</li> </ol> <p>The European Integration Fund also includes actions that address the 'host society' which are: Capacity building for Migrants Integration Council, the enhancement of migrants' organisations and cooperation with the host society and state actors, training of public servants, etc.<sup>95</sup></p> <p>However no other specific information was provided by the competent ministry. Therefore, no specific breakdown of funding per general area of integration policies in the last year and for the period 2010-2014 is available.</p> <p>However, specific breakdown of funding per general area of integration policies in the last year was identified in the Multiannual Program of the European Integration Fund for the period 2007-2013 and the Strategic Plan for the Implementation of the Program and for Fund Distribution for the period 2007-2013. Specifically, for the European Integration Fund (EIF), the distribution is the following<sup>96</sup>:</p> <ul style="list-style-type: none"> <li>→ Social Cohesion / social inclusion <ul style="list-style-type: none"> <li>2010: 2,168,086.13 €</li> <li>2011: 1,786,032.00 €</li> <li>2012: 2,186,352.00 €</li> <li>2013: 2,444,400.00 €</li> </ul> </li> <li>→ Welcoming society <ul style="list-style-type: none"> <li>2010: 722,695.38 €</li> </ul> </li> </ul>

<sup>94</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Response to the request for data Prot.-Nr 7100/27/18-ιβ', 11 March 2015

<sup>95</sup> Greece, Ministry of Justice (Υπουργείο Δικαιοσύνης) (2014), National plan for Human Rights (Εθνικό Σχέδιο Δράσης για τα Ανθρώπινα Δικαιώματα), The national printing house (Εθνικό Τυπογραφείο),

Greece, Ministry of Interiors (Υπουργείο Εσωτερικών), Multiannual Programme of the European Integration Fund for the period 2007-2013 (Πολυετές πρόγραμμα του Ευρωπαϊκού Ταμείου Ένταξης Υπηκόων τρίτων χωρών για την περίοδο 2007-2013)

Greece, Ministry of Interior (Υπουργείο Εσωτερικών), National Strategy for the Integration of third-country nationals (Εθνική Στρατηγική για την Ένταξη Πολιτών Τρίτων Χωρών), 23 April 2013

<sup>96</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Multiannual Program of the European Integration Fund for the period 2007-2013 (Πολυετές πρόγραμμα του Ευρωπαϊκού Ταμείου Ένταξης Υπηκόων τρίτων χωρών για την περίοδο 2007-2013) and Greece, Ministry of Interior (Υπουργείο Εσωτερικών) Strategic Plan for the Implementation of the Program and for Fund Distribution for the period 2007-2013 (Στρατηγικό Σχέδιο για την εφαρμογή του προγράμματος και για τη διανομή κεφαλαίων για την περίοδο 2007-2013), available at: [http://ete.yypes.gr/?page\\_id=20](http://ete.yypes.gr/?page_id=20)

		<p>2011: 297,672.00 €  2012: 364,392.00 €  2013: 407,400.00 €</p> <p>→ Other  2010: 722,695.17 €  2011: 893,016 €  2012: 1,093,176.00 €  2013: 1,222,200 €</p> <p>No provision for participation, active citizenship, employment, education and healthcare appears to have been made in this Strategic Plan and Multiannual Program's report.</p> <p>For the European Refugee Fund (ERF) the distribution is the following<sup>97</sup>:</p> <p>→ Social Cohesion / social inclusion  2010: 1,350,000.00 €  2011: 1,524,500.00 €  2012: 1,485,000.00 €  2013: 1,880,000.000 €</p> <p>→ Other  2010: 75,000.00 €  2011: 95,000.00 €  2012: 135,000.00 €  2013: 75,000.00 €</p> <p>No provision for participation, active citizenship, welcoming society, employment, education and healthcare appears to have been made in this Strategic Plan and Multiannual Program's report.</p>
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## 2.Promoting equal treatment and non-discrimination

### 2.1.The implementation of anti-discrimination legislation and equal treatment

	Briefly provide information on the following:	
	Outreach and awareness raising campaigns, training schemes, etc. undertaken by national or regional public authorities (including national equality bodies) targeting migrants and their descendants on the national anti-	There is no mechanism or database to record campaigns undertaken by national or regional authorities targeting migrants or their descendants in the national anti-discrimination legal framework. However, a number of fragmented initiatives were identified. In 2012, the General Secretariat for Youth organized in cooperation with the Ministry of Employment and other institutions: a) two intensive training seminars of two weeks duration on discrimination, focusing in particular on young delinquents, addressed to judges and correctional officers, b) seven daily seminars against discrimination due to ethnic or racial origin, religious or other beliefs, sexual orientation in employment addressed to employers, employers unions, chambers of commerce, professional associations and others (NGOs, journalists, and local authorities) <sup>98</sup> .

<sup>97</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Multiannual Program of the European Integration Fund for the period 2007-2013 (Πολυετές πρόγραμμα του Ευρωπαϊκού Ταμείου Ένταξης Υπηκόων τρίτων χωρών για την περίοδο 2007-2013) and Greece, Ministry of Interior (Υπουργείο Εσωτερικών) Strategic Plan for the Implementation of the Program and for Fund Distribution for the period 2007-2013 (Στρατηγικό Σχέδιο για την εφαρμογή του προγράμματος και για τη διανομή κεφαλαίων για την περίοδο 2007-2013), available at: [http://ete.ypes.gr/?page\\_id=20](http://ete.ypes.gr/?page_id=20)

<sup>98</sup> Greece, General Secretariat for Youth (Γενική Γραμματεία Νέας Γενιάς), *Activities Report 2010-2012*, pp. 17-21.

	discrimination legal framework.	<p>During 2012-2013, the Ministry of Labour, Social Security and Welfare implemented the annual action plan against discrimination. After open discussion with all the competent state authorities involved in the issue, the action plan for 2012-2013 had the following main priorities: a) further strengthening of efforts for the information and awareness raising of public opinion on anti-discrimination protection b) further efforts to challenge existing stereotypes and prejudices with specific measures mainly in the field of education, c) contribution to the promotion of good relations between different groups, defusing racial tensions and hostility, promoting the benefits of equal rights and opportunities for all and d) specific measures to combat multiple discrimination<sup>99</sup>. However, these initiatives had a broader focus and did not address only migrants and their descendants.</p> <p>On information and awareness raising activities for the promotion of equality and non-discrimination, a project was implemented by the Greek Ombudsman, the Organisation of Employment and the National Centre of Social Research, with the support of the Ministry of Labour, Social Security and Welfare. The project started in March 2013 and ended in March 2014<sup>100</sup>. The aim of the project was to provide information on the competencies of the Greek Ombudsman as a specialised Equality Body in the public sector to administration staff in various regions of Greece, interactive discussions on issues of equality and discrimination with NGO representatives and public officials and the publication of a guide on the obligations of civil servants for the promotion of equality but also for the rights of civil servants as possible victims of discrimination<sup>101</sup>. On efforts to combat multiple forms of discrimination, the project "Combating discrimination in practice and promoting the employment of women, elderly Roma and Muslim immigrants" was implemented to record the current situation on the position of women, elderly Roma and Muslim immigrants in the labour market and to propose specific measures for the facilitation of their access and their professional career from the results of the research<sup>102</sup>. On regional programs, the regional authority of Attica, the largest in the country, has no awareness raising campaign, training schemes, etc. targeting migrants and their descendants (regional authority of Attica, 5.3.2015).</p>
	Evidence through polls, surveys, academic research, etc. on the awareness of	<p>The Greek Ombudsman has noted the difficulties faced by vulnerable groups with regard to access to services for promoting their rights and the information and knowledge gap of civil society organisations with regard to evolutions in legislation and jurisprudence<sup>103</sup>. Empirical research has</p>

<sup>99</sup> Greece, Ministry of Labour (*Υπουργείο Εργασίας*), Response to the request for data Prot. No 36319/1341, 11 November 2013

<sup>100</sup> ) Greece, Ministry of Labour (*Υπουργείο Εργασίας*), Response to the request for data Prot. No 36319/1341, 11 November 2013 and Greece, Greek Ombudsman (*Συνήγορος του Πολίτη*) (2013), *Fighting Discrimination- Annual Report 2013*, Athens, Greek Ombudsman, available at: <http://www.synigoros.gr/resources/docs/ee2014-12-diakriseis.pdf>

<sup>101</sup> Greece, Ministry of Labour (*Υπουργείο Εργασίας*), Response to the request for data Prot. No 36319/1341, 11 November 2013

<sup>102</sup> Greece, Open Government (*Ανοικτή Διακυβέρνηση*) Ministry of Justice, (*Υπουργείο Δικαιοσύνης*), 2013 National Action Plan for Human Rights, page 78, available at: <http://www.opengov.gr/ministryofjustice/wp-content/uploads/downloads/2013/12/Dikaiomata.pdf>

<sup>103</sup> Greece, Greek Ombudsman (*Συνήγορος του Πολίτη*) (2013), Special report, The phenomenon of racist violence in Greece and how it is combated (*Καταπολέμηση κατά των διακρίσεων*), Athens, Greek Ombudsman, available at: [www.synigoros.gr/resources/docs/10-diakriseis--2.pdf](http://www.synigoros.gr/resources/docs/10-diakriseis--2.pdf)

	<p>migrants and/or their descendants concerning the right to equal treatment. Please indicate differences between ethnic/ migrant groups, living in different geographic areas, gender and age, as well as trends in time.</p>	<p>specifically demonstrated the practical difficulties immigrants face in order to fulfill the necessary requirements for obtaining or renewing their residence permits. Such difficulties include their inability to collect the necessary stamps of employment because of the high rates of unregistered employment or unemployment. These difficulties contribute to a continuing or lapsed state of illegality, negatively affecting the right to equal treatment. This is also due to the largely informal and seasonal character of migrant employment in Greece. During the period 2010-2014, initiatives to improve access to information for the migrant population regarding their right to equal treatment can be traced in the programs implemented through the European Integration Fund and European Social Fund.<sup>104</sup> These actions are pertinent to the creation of information material for the general legal population of third-country nationals (immigrants, refugees and asylum seekers) informing them of their rights to equal treatment in terms of access to the labour market and the health system. However, it is worth noting that these actions are limited, as the Greek state emphasized intercultural training programs directed at public servants. Furthermore, the MdM (Medicines du Monde) and GCR (Greek Council of Refugees) carried out research regarding possible experience of racist behavior and an awareness campaign concerning the right to equal treatment of migrants and/or their descendants. The awareness campaign included student information in general population schools and in intercultural schools on the respective rights of migrants, such as the right to equal treatment and the phenomenon of racism<sup>105</sup>.</p>
	<p>Evidence of complaints lodged by migrants and/or their descendants - % of total complaints to equality bodies, % of admissible complaints, statistics about outcomes of investigation, % of cases establishing discrimination. Please indicate differences between ethnic/ migrant groups,</p>	<p>According to official information by the Ministry of Justice, Transparency and Human Rights (Ministry of Justice thereafter), "there is no complete data" about admissible complaints, statistics about outcomes of investigation or % of cases establishing discrimination. Also, there is no data regarding the differences between ethnic/ migrant groups, geographic areas, gender and age, or trends in time. The competent ministry does not maintain records on ethnicity, age and gender of complainants or the victims of discrimination. Moreover, "the Ministry of Justice does not follow the outcome of investigations", while no state authority has an established system for monitoring and following up on the outcome of investigations concerning equal treatment or racist violence<sup>106</sup>. With regard to crime, the Ministry of Justice receives data from the police about cases with a possible racist motive, and collects data about the cases that reach the public Prosecutor's office. However, according to the ministry, data collected "is not complete"<sup>107</sup>. Based on this data, for the years 2010-2014, the Ministry of Justice provided the following information:</p>

<sup>104</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*), Multiannual Program of the European Integration Fund for the period 2007-2013 (*Πολυετές πρόγραμμα του Ευρωπαϊκού Ταμείου Ένταξης Υπηκόων τρίτων χωρών για την περίοδο 2007-2013*) and Greece, Ministry of Labour and Social Security (*Υπουργείο Εργασίας και Κοινωνικής Ασφάλισης*) 'Operational Program "Human Resources Development, 2007-2013' (*Επιχειρησιακό Πρόγραμμα «Ανάπτυξη Ανθρώπινου Δυναμικού, 2007-2013*)

<sup>105</sup> Greece, Medicines du Monde (MdM) (2014) *Enough*, Athens, Medicines du Monde, available at: <http://mdmgreece.gr/en/missions/in-greece/implemented-programs/enough/>

<sup>106</sup> Greece, Ministry of Justice (*Υπουργείο Δικαιοσύνης*), Response to the request for data Prot.-Nr 8803 οικ, 5 March 2015

<sup>107</sup> Greece, Ministry of Justice (*Υπουργείο Δικαιοσύνης*), Response to the request for data Prot.-Nr 8803 οικ, 5 March 2015

	<p>geographic areas, gender and age, as well as trends in time.</p>	<p>2011: one case was recorded; the authorities considered it a cold case and it was archived.  2012: one case was recorded. Offenders were found innocent.  2013: 44 cases were recorded. 9 of them were considered cold cases and were archived. In 1 the offender was found guilty, in 2 the offender(s) were found guilty but made an appeal, in 1 the offender was found guilty but was released with a suspension, and in 1 the offender was found innocent<sup>108</sup>.  As there is no other official evidence of complaints, data from other reports on the topic is available below.  Based on information provided by the Greek police in 2013, from 1.1.2012 to 31.11.2012, there were 79 incidents with probable racist motives filed and registered by the police. These incidents involved attacks against foreigners by other foreigners, attacks against foreigners by nationals or groups of nationals, whereas a small number of disciplinary proceedings were initiated against policemen for improper conduct. All cases with probable racist motives have been referred to the competent judicial authorities<sup>109</sup>.  2014: 80 cases were recorded. The majority of the victims have as country of origin, Pakistan, Albania, Bangladesh, Egypt, Iran, Syria, Somalia, Russia, Bulgaria and Afghanistan. In one case the victim was a minor. In 57 cases the victims were men and in 9 cases the victims were women and in 5 cases the victims were transgender. Most cases took place in Attica (61) and nine (9) took place in Thessaloniki. Then comes the two (2) cases in Evros, one (1) in Corinth, one (1) in Rethymno, one (1) in Laconia, one (1) in Pella, one (1) in Kefalonia, one (1) in Lesbos and one (1) in Larissa<sup>110</sup>.  For 2012, the Greek Ombudsman reported 102 cases of discrimination. According to the statistical data provided, 62.50% of the complaints investigated concerned ethnic or racist origin, 16.96% related to disability discrimination, 15.18% to age discrimination, 3.57% to sexual orientation and 1.79% to religious or other beliefs<sup>111</sup>. In 2014, the Greek Ombudsman received 139 complaints for 2014 about unequal treatment, out of which 18 concerned ethnic/racial origin and 28 religious or other beliefs. There is no recorded outcome for these complaints<sup>112</sup>.  The Equal Treatment Committee of the Ministry of Justice reported the submission of two complaints in 2013. The first one was transmitted to the Specific Secretary of the Labour Inspectorate Body due to their relevant competence. The second one concerned age discrimination, and the Commission found that the age limit (45 years) for the participation in the exams for access to the National School of Judges was</p>
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<sup>108</sup> Greece, Ministry of Justice (*Υπουργείο Δικαιοσύνης*), Response to the request for data Prot.-Nr 8803 οικ, 5 March 2015

<sup>109</sup> Information provided by the Headquarters of the Greek Police in 2013

<sup>110</sup> Greece, Hellenic Police, Department of social affairs and of fighting Racism (Τμήμα Κοινωνικών Ζητημάτων και Καταπολέμησης του Ρατσισμού), Response to the request for data, 18 March 2015.

<sup>111</sup> Greece, Greek Ombudsman (*Συνήγορος του Πολίτη*) (2012), *Fighting Discrimination- Annual Report 2012*, Athens, Greek Ombudsman

<sup>112</sup> Greece, Greek Ombudsman (*Συνήγορος του Πολίτη*), Response to the request for data, 12 March 2015 and Greek Ombudsman (*Συνήγορος του Πολίτη*) (2014), *Fighting Discrimination- Annual Report 2014*, Athens, Greek Ombudsman, available at: <http://www.synigoros.gr/resources/docs/ee2014-12-diakriseis.pdf>

		<p>justified and in compliance with article 6 of Directive 2000/78/EC<sup>113</sup>.</p> <p>No data was made available with regard to the percentage of complaints lodged by migrants and/or their descendants to equality bodies, the % of admissible complaints, the outcomes of investigation and the % of cases establishing discrimination. No data exists on the differences between ethnic/ migrant groups, geographic areas, gender and age.</p>
	<p>Tools, measures and positive initiatives aiming at facilitating reporting incidents of discrimination – e.g. translation facilities to report and submit complaints in multiple languages – and tackling under-reporting and low rights-awareness.</p>	<p>The Ministry of Justice did not report any specific initiatives aimed at facilitating the reporting of incidents of discrimination<sup>114</sup>. The Greek Ombudsman did not report specific initiatives aimed at facilitating the reporting of incidents of discrimination<sup>115</sup>. However, knowing the difficulties faced by vulnerable groups, the GO tried to develop a network of mutual information and awareness with civil society organisations active in the field of discrimination. The aim of the network was to improve contact with groups facing discrimination, the mutual exchange of information on developments and the enhanced access to competent authorities. The first working session was organized in December 2013.<sup>116</sup></p> <p>Law 4236/2014<sup>117</sup> transposes Directive 2010/64/EU and introduces amendments to the criminal procedure code with regard to the access to information and the rights to information.</p> <p>Several initiatives were identified with regard to the reporting of racist violence. On 25 September 2013, the Greek Ombudsman called for “immediate and drastic” measures against racist violence, publicising a special and documented report on the issue.<sup>118</sup> The ombudsman stressed the “pronounced surge” in racist violence, the impunity perpetrators enjoy, and the overall negligence of the state authorities that finally undermines social cohesion and the foundations of rule of law. In its report the ombudsman recommended: a) the establishment of a systematic, comprehensive system for recording incidents of racist violence, b) effective transparent and credible investigation of racist complaints by police authorities c) adequate police training for the investigation of relevant complaints with a specific focus on the racist motive of the perpetrator d) provision of effective protection to victims of discrimination and specific protection for witnesses, e) review of the police</p>

<sup>113</sup> Information provided by the Equal Treatment Committee of the Ministry of Justice in 2013.

<sup>114</sup> Greece, Ministry of Justice (*Υπουργείο Δικαιοσύνης*), Response to the request for data Prot.-Nr 8803 οικ, 5 March 2015

<sup>115</sup> Greece, Greek Ombudsman (*Συνήγορος του Πολίτη*), *Letter requesting data*, 18 February 2015

<sup>116</sup> Greece, Greek Ombudsman (*Συνήγορος του Πολίτη*) (2013), Special report, The phenomenon of racist violence in Greece and how it is combated (*Καταπολέμηση κατά των διακρίσεων*), Athens, Greek Ombudsman, (available at: [www.synigoros.gr/resources/docs/10-diakriseis--2.pdf](http://www.synigoros.gr/resources/docs/10-diakriseis--2.pdf).)

<sup>117</sup> Greece, Law 4236/2014 Incorporation of Directives 2010/64 / EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal procedure and 2012/13 / EU of the European Parliament and the Council of 22 May 2012 on the right to information in criminal proceedings (L 142) (*Νόμος 4236/2014 Ενσωμάτωση των Οδηγιών 2010/64/ΕΕ του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 20ής Οκτωβρίου 2010 σχετικά με το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία (L 280) και 2012/13/ΕΕ του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 22ας Μαΐου 2012 σχετικά με το δικαίωμα ενημέρωσης στο πλαίσιο ποινικών διαδικασιών (L 142)*, 11.02.2014

<sup>118</sup> Greece, Greek Ombudsman (*Συνήγορος του Πολίτη*) (2013), Special report, the phenomenon of racist violence in Greece and how it is combated, Athens, Greek Ombudsman

		<p>operation “Xenios Zeus” from the point of view of proportionality and abusiveness of police transfers, checks and controls; f) measures in schools to systematically educate students on issues pertinent to human rights and human values; and g) the introduction of an effective, functional and well implemented legislation.<sup>119</sup></p> <p>Presidential Decree 132/2012<sup>120</sup> established Police Services for Racist Violence across Greece. Specifically, two (2) departments and sixty eight (68) Agencies for Racist Violence were established across Greece in order to facilitate, inter alia, the reporting of incidents of racist attacks<sup>121</sup>.</p> <p>Regarding the tools, measures and positive initiatives aimed at facilitating the reporting of incidents of discrimination, the Greek police replied that “for the protection of the victims and the enhancement of their trace to the police, there is the telephone number 11414 and a special registration form on the website of the police (www.astynomia.gr), so that possible victims can anonymously be facilitated for their complaint or the notification of committing any wrongful act with racist characteristics or motives within 24 hours. Additionally, four and a half thousand (4,500) police officers attended training seminars aimed at increasing their expertise in handling issues of racial violence incidents and awareness for special treatment of racist violence victims in order to facilitate them to report racist incidents against them. Finally, the executives of the competent services of the Greek police are constantly participating in conferences, lectures, meetings, tasks that take place in Europe on issues of Response Racist Violence and Human Rights, aimed at further specialization, exchange of views and adoption of initiatives and measures of other European countries for the protection of victims of racist violence and the enhancement of their trust in the police”<sup>122</sup>.</p> <p>However, the Greek office of UNHCR reported a complaint by refugee communities that the Police Department for Racist Violence (set up to receive complaints on racist attacks) has no interpreter to communicate with the victims<sup>123</sup>.</p> <p>Through monitoring the escalation of racist attacks against refugees and migrants in the last few years, and recognizing that only a minimal number of racist violence incidents ever come to light, the UN Refugee Agency and the National Commission for Human Rights took the initiative and created the Racist Violence Recording Network composed of non-governmental organizations and other bodies which provide legal, medical, social or other support services (such as interpretation services) and come into contact with racist violence victims (Greek Ombudsman and Immigrants’</p>
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<sup>119</sup> Greece, Greek Ombudsman (*Συνήγορος του Πολίτη*) (2013), Special report, the phenomenon of racist violence in Greece and how it is combated, Athens, Greek Ombudsman

<sup>120</sup> Greece, Presidential Degree 131/2012 Establishment of (Police) Departments and Offices on Racist Violence (*Σύσταση Τμημάτων και Γραφείων Αντιμετώπισης Ρατσιστικής Βίας*), 11.12.2012

<sup>121</sup> Greece, Hellenic Police, Department of social affairs and of fighting Racism (Τμήμα Κοινωνικών Ζητημάτων και Καταπολέμησης του Ρατσισμού), Response to the request for data, 18 March 2015.

<sup>122</sup> Greece, Hellenic Police, Department of social affairs and of fighting Racism (Τμήμα Κοινωνικών Ζητημάτων και Καταπολέμησης του Ρατσισμού), Response to the request for data, 18 March 2015.

<sup>123</sup> United Nations (UN), High Commissioner For Refugees (2014), ‘There is no interpreter at the Police Department on Racist Violence’ (*Χωρίς διερμηνέα το Τμήμα Αντιμετώπισης Ρατσιστικής Βίας της ΓΑΔΑ*), Press release 30 June 2014, <http://www.unhcr.gr/1againstracism/choris-dierminea-to-tmima-antimetopisis-ratsistikis-vias-tis-gada/>

		<p>Integration Council of Athens participate as observers) in the summer of 2011.</p> <p>The primary goal of this initiative was to create an unofficial yet trustworthy network for documenting racist incidents to counteract the absence of an official and effective system for the recording of racist violence incidents and to highlight the actual dimensions of this phenomenon. The participating organizations record racist incidents according to the victim's testimony on a specially designed Racist Incident Record Form. For the victim's protection, there is no mention on the form of personal details and confidentiality is strictly kept. The network presents the evidence collected about the nature, context and trends of racist attacks, formulates recommendations to the state advocating the effective institutional combat of racist violence and undertakes activities to increase public awareness on the matter<sup>124</sup>. In its 2013 annual report, the Racist Violence Recording Network (established in 2011) pointed out the lack of a formal and reliable official mechanism for recording racist incidents. The network unofficially covers this gap, constituted by 33 non-governmental organizations and other bodies that provide legal, medical, social or other support services (like interpretation services) as well as establishing direct contact with racist violence victims<sup>125</sup>.</p>
	<p>In particular, provide information about any legal protection on grounds of nationality, which is not covered by the EU anti-discrimination Directives,<sup>126</sup> but is a prohibited ground in several Member States. Please explain how unequal treatment on the basis of</p>	<p>No legal protection is offered on grounds of nationality besides discrimination on the grounds of racial or ethnic origin (Law 3304/2005). Art. 4 para.2 of Law 3305/2005 provides that the prohibition of discrimination does not apply in cases where differentiated treatment is foreseen on the ground of nationality do not affect the provisions regulating the entry and residence of TNCs or individuals without nationality in Greek territory or the treatment connected to their legal status as TCNs or individuals without nationality. The National Commission on Human Rights, in its observations related to this law, has repeatedly noted the need to amend several provisions of this law in order to avoid covering up discrimination due to different nationality and the equal treatment of third country nationals who already enjoy protection from secondary EU legislation<sup>127</sup>. Furthermore, the Greek Ombudsman notes that this general exception clause makes the investigation of complaints against TCNs difficult and has consistently noted the need for amendment especially</p>

<sup>124</sup> Greece, Racist Violence Recording Network (*Δίκτυο Καταγραφής Περιστατικών Ρατσιστικής Βίας*), available at <http://www.unhcr.gr/1againstracism/en/category/headlines/>

<sup>125</sup> United Nations (UN), High Commissioner For Refugees, Leaflet of the Racist Violence Recording Network

<sup>126</sup> Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin., OJ 200 L 180

<sup>127</sup> Greece, Greek National Commission for Human Rights, (*Εθνική Επιτροπή για τα Δικαιώματα του Ανθρώπου*), Comments on the draft of 20<sup>th</sup> and 21<sup>st</sup> seasonal report of the Greek Democracy about the application of the International Convention for the elimination of all forms of racial discrimination (ICERD), [*Παρατηρήσεις επί του σχεδίου της Εικοστής και Εικοστής πρώτης Περιοδικής Έκθεσης της Ελληνικής Δημοκρατίας για την εφαρμογή της Διεθνούς Σύμβασης για την Εξάλειψη κάθε Μορφής Φυλετικών Διακρίσεων*], available at: [http://www.nchr.gr/images/pdf/apofaseis/diakriseis/EEDA\\_CERD\\_2015.pdf](http://www.nchr.gr/images/pdf/apofaseis/diakriseis/EEDA_CERD_2015.pdf); Greek National Commission for Human Rights, (*Εθνική Επιτροπή για τα Δικαιώματα του Ανθρώπου*), Comments on the Law 3304/2005, «Application of equal treatment regardless of racial or ethnic origin, religious or other beliefs, disability, age or sexual orientation», [*Παρατηρήσεις σχετικά με το Ν. 3304/2005 «Εφαρμογή της αρχής της ίσης μεταχείρισης ανεξαρτήτως φυλετικής ή εθνικής καταγωγής, θρησκευτικών ή άλλων πεποιθήσεων, αναπηρίας, ηλικίας ή γενετήσιου προσανατολισμού» και προτάσεις σχετικά με την ανάγκη τροποποίησής του*], available at: [http://www.nchr.gr/images/pdf/apofaseis/protaseis\\_epi\\_nomoth\\_keimenwn/n\\_3304.pdf](http://www.nchr.gr/images/pdf/apofaseis/protaseis_epi_nomoth_keimenwn/n_3304.pdf)

	<p>nationality is treated and provide exemplary cases, if any. Please provide information on the relevant practice and case law <b>(use template in Annex 9)</b></p>	<p>with regard to TNCs who have resided for a long time in Greece and complaints from TNCs whose investigation raises serious concerns of hidden discrimination on the grounds of ethnic or racial origin<sup>128</sup>. As the Greek Ombudsman mentioned "The general clause of discrimination due to citizenship - as this stems from 3304/2005 - in relation to the limitations applied to the field of implementation of the legislation, contributes to a vagueness regarding the exact status of protection" <sup>129</sup>. Specifically, as the Ombudsman mentioned in its annual report (2013) on combating discrimination: "This year, for the second consecutive year, the report includes cases for investigation where the institutional tools provided by Law. 3304/2005 were not used as they do not fall within strict sense of the law (stricto sensu) in the scope of law. These cases were examined in the light of the general competence of the ombudsman to protect the rights and more specifically as an institution that promotes the principle of equal treatment (Article 19, para. 1 N. 3304/2005)</p>
	<p>Please provide information about the application of the legislation concerning discrimination against migrants – on any ground – in accessing law enforcement and judiciary services. In particular please clarify whether and when the latter are considered and treated, or not, as services available to the public, therefore falling within the scope of the directives and the jurisdiction of Equality Bodies.<sup>130</sup></p>	<p>Greek legislation does not provide a straightforward answer to the question. Law 3304/2005 (art. 4) provides that it applies 'to all people, in both the public and private sectors, in relation to: a) the conditions of access to work and employment, including selection criteria and terms of employment, regardless of the field of occupation and in all levels of professional hierarchy, as well as in all conditions of professional progress; b) access to all kinds and levels of vocational guidance, professional, or any other type of vocational training, including the acquisition of practical professional experience; c) the terms and conditions of work and employment, including those pertaining to dismissal and remuneration; d) membership and participation in employee or employer organisations, including the advantages associated with these; e) social security, including social insurance and healthcare; f) social benefits; g) education; h) <i>access to the provision of goods and services available to the public, including housing</i>'. The term 'services available to the public' is not further defined in greek legislation or case law and its content is therefore not clear. In principle, both police and judicial authorities would seem to fall within the scope of anti-discrimination legislation and thus within the jurisdiction of Equality bodies. However, Laws 2477/1997 as amended by law 3094/2003 on the Greek Ombudsman (art. 3, p. 2) provide that the GO is competent to intervene in issues related to 'public services' (art. 1a). Its competence excludes judicial authorities, state security (art. 3 par 2) and cases pending before a court or other judicial authority (art. 3 par 4). In practice, the Greek Ombudsman has handled cases related to discriminatory practices by the police against immigrants. In its special report on combating discrimination (2013), the</p>

<sup>128</sup> Greece, Greek Ombudsman (*Συνήγορος του Πολίτη*), *Letter requesting data*, 18 February 2015 and Greece, Greek Ombudsman (*Συνήγορος του Πολίτη*) (2013), *Fighting Discrimination- Annual Report 2013*, Athens, Greek Ombudsman, available at: <http://www.synigoros.gr/resources/docs/10-diakriseis.pdf>

<sup>129</sup> Greece, Greek Ombudsman (*Συνήγορος του Πολίτη*) (2014), *Fighting Discrimination- Annual Report 2014*, Athens, Greek Ombudsman, available at: <http://www.synigoros.gr/resources/docs/ee2014-12-diakriseis.pdf>

<sup>130</sup> Please note that these are considered non-economic services by the EU Commission (Services of general interest, including social services of general interest: a new European commitment, COMM 725 (2007) of 20 November 2007, yet not always they are considered by Equality Bodies to fall in the areas of application of the anti-discrimination directives.

		<p>Greek Ombudsman mentioned that despite the general exception clause of art. 4 para.2 of Law 3304/2005, it examined complaints from immigrants for discriminatory treatment by police in the light of its general competence, and specifically its competence to promote the principle of equal treatment (Article 19.1, N. 3304/2005). The need to re-examine the legal framework on this issue and particularly on the cases of complaints lodged by migrants concerning serious discrimination on ethnic/racial grounds has been pointed out by the ombudsman in its annual reports<sup>131</sup>.</p> <p>In response to our request, the Greek Ombudsman replied that the general exception clause of art. 4 para.2 of Law 3304/2005) is a matter of concern in combination with the specification of the notion of "provision of services", especially in cases where the act or omission, from the part of a public agency, is related to its authoritative (κυριαρχική) rather than its public (συναλλακτική-παροχική) service jurisdiction and is therefore beyond the regulatory scope of L.3304/2005. This is very often the case in discrimination against people of Roma origin, but also in cases of discrimination against immigrants from the part of police authorities. The aforementioned weakness of the regulatory scope of L.3304/2005, often lead the GO to investigate discrimination complaints under its general mandate as a human rights institution and its specific mandate to promote the principle of equal treatment. The general competence of the GO, as laid out in L.3094/2003, often permits the Authority to intervene in discrimination areas in which L.3304/2005 is not applicable. The application of the GO's specific competence as a body promoting the principle of equal treatment together with its general competence as a body protecting individual rights, allows the extension of the protection finally provided to persons discriminated against. Thus the linked competence provides for wider protection as regards access to services and in this regard, actions or omissions of police authorities or other services that do not fall within the scope of "services" under the directive can be examined. However the same does not apply for judicial services. The Ombudsman as already mentioned, cannot intervene to the judicial system (in respect to the principle of distinction between the powers of the state), so as regards judicial services, a TCN, a regular migrant, or even a citizen of EU or a Greek citizen cannot submit an admissible complaint of discrimination against judiciary services under the anti-discrimination legislation to an EB (RED Directive, Law 3304/2005). However, there are internal procedures within the judiciary, as regards the submission of complaints<sup>132</sup>.</p> <p>The Ministry of Justice on the other hand, in its response to the request for data (Prot.-Nr 8803 οικ, 5 March 2015) about the implementation of the legislation concerning discrimination against migrants, mentioned the following: The recent law 4285/2014 [«Τροποποίηση του Ν. 927/1979 και προσαρμογή</p>
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<sup>131</sup> Greece, Greek Ombudsman (Συνήγορος του Πολίτη), Response to the request for data, 12 March 2015

<sup>132</sup> Greece, Greek Ombudsman (Συνήγορος του Πολίτη), Response to the request for data, 12 March 2015 and Clarifications that were provided at a discussion with representative of Greek Ombudsman on May the 26<sup>th</sup>.

		<p>του στην Απόφαση-πλαίσιο 2008/913/ΔΕΥ της 28/9/2008 για την καταπολέμηση ορισμένων μορφών και εκδηλώσεων ρατσισμού και ξενοφοβίας μέσω του ποινικού δικαίου, και άλλες διατάξεις»] amended law 927/1979 and introduced more stringent provisions on racist violence or hatred. According to art. 1, the offence of public incitement to violence or hatred is committed when someone deliberately incites or provokes actions that can lead to discrimination or violence against a person or groups of people defined on the grounds of race, colour, religion, ethnic origin, sexual orientation, gender identity etc. The prosecution of such acts takes place ex officio, without the need by the victim to address the police or other authorities (art. 5 Law 4285/2014). Moreover, collective bodies and unions are also accountable for racist behavior, while the law sets increased penalties against the offenders of all kinds of hate crime. Further, the penal code is amended and a new provision is introduced (art. 81A of the Penal Code) that sets increased lower limits of penalties for acts committed on the motivation of hate due to race, colour, religions, ethnic or national origin etc. The Ministry of Justice did not provide further information about the <i>implementation</i> of the legislation concerning discrimination against migrants<sup>133</sup>.</p> <p>The Greek police replied that it “implements Law 3304/2005 ‘Application of equal treatment regardless of racial or ethnic origin, religious or other beliefs, disability, age or sexual orientation” according to which any form of discrimination in the commercial exchanges of goods or any provision of services to the public is criminalized. The Greek police also implements the Law 927/1979 “Penalties against racial - religious discrimination” as amended by Law 4285/2014 and Common Ministerial Decision 30651/5.6.2014 according to which the criteria for the provision of the residence permit for humanitarian reasons are determined”<sup>134</sup>.</p>
		<p>Please provide statistical data about numbers of discrimination cases/complaints submitted to competent bodies (Equality Bodies, Administrative Courts), as well as about their outcomes <b>(use the tables in the Annex 8)</b></p>
<h2 style="text-align: center;">2.2.Implementation of equal treatment of various permit holders</h2>		
		<p>Please summarize <u>briefly</u> in this section any key issues affecting the implementation of equal treatment of permit holders, as defined by the following EU legislation; these could be, for example, practical issues and bottlenecks, administrative delays, coordination and cooperation of public authorities, etc. Please substantiate findings, as far as possible, through formal evaluations, as well as research or studies and case law <b>(use template in Annex 9)</b>. Please bear in mind that no assessment of the <b>legal transposition</b> process is required. In regard to the five categories below, please provide <u>statistical data</u> issued in 2014 or valid on 31.12.14. <b>(use annex 3)</b></p>

<sup>133</sup> Greece, Ministry of Justice (Υπουργείο Δικαιοσύνης), Response to the request for data Prot.-Nr 8803 οικ, 5 March 2015

<sup>134</sup> Greece, Hellenic Police, Department of social affairs and of fighting Racism (Τμήμα Κοινωνικών Ζητημάτων και Καταπολέμησης του Ρατσισμού), Response to the request for data, 18 March 2015.

2.2.1. <u>Long Term Residence</u> (LTR) status holders (Art.11 of the Directive <u>2003/109/EC</u> )	The legislation on the Long Term Residence (LTR) status <sup>135</sup> has been harmonized with the EU directive. Through contacts with experts, equal treatment problems emerge only because of the delay in issuing the residence permit by the component authorities. Further information was requested by the Ministry of Interior and clarification is expected.
2.2.2. <u>Single-permit procedure</u> permit holders (Art.12 and 13 of the Directive <u>2011/98/EU</u> )	The EU Directive has not yet been transposed into Greek legislation.
2.2.3. <u>Blue card</u> holders (Art.14 and 12 of the Directive <u>2009/50/EC</u> )	The legislation on blue cardholders is transposed with Law 4071/2012 <sup>136</sup> .
2.2.4. <u>Family reunification permit holders</u> (specifically in terms of access to labour market - Art. 14 of Directive <u>2003/86/EC</u> )	The legislation on Long Term Residence (LTR) status <sup>137</sup> is harmonized with the EU directive. Through contacts with experts, equal treatment problems emerge only because of the delay in issuing the residence permit by the component authorities.
2.2.5. Beneficiaries of international protection long term residence status holders <sup>138</sup>	No equal treatment problems for long term residence permit holders who are beneficiaries of international protection <sup>139</sup> , were identified in existing reports and literature.
<b>2.3.Key developments and trends</b>	
Please include in this section key developments in the area of equal treatment and anti-discrimination that concern only migrants and/or their descendants. Key developments may be new	According to the Greek Ombudsman, the general exception clause of art. 4 para.2 of Law 3304/2005, (which describes that the prohibition of discrimination does not apply in cases where differentiated treatment is foreseen on the ground of nationality) does not affect the provisions regulating the entry and residence of TNCs or individuals without nationality in Greek territory or the treatment connected to their legal status as it results in making the investigation of complaints against TCNs difficult. The need to re-examine the legal framework on this issue and particularly on the cases of complaints lodged by migrants concerning serious discrimination on ethnic/racial

<sup>135</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Law 4251/2014 “Code

of Immigration and Social Integration” (Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης και λοιπές διατάξεις), 1 April 2014

<sup>136</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Law 4071 (2012), Arrangements for local development, governance and decentralized administration- Incorporation of the Directive 2009/50 / EC (Ρυθμίσεις για την τοπική ανάπτυξη, την αυτοδιοίκηση και την αποκεντρωμένη διοίκηση Ενσωμάτωση οδηγίας 2009/50/EK), 11 April 2012

<sup>137</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Law 4251/2014 Code

of Immigration and Social Integration (Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης και λοιπές διατάξεις), 1 April 2014

<sup>138</sup> Council Directive 2011/51/EU of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection Text with EEA relevance OJ 2011 L 132/1

<sup>139</sup> Greece, Ministry of Public Order and Citizen Protection (Υπουργείο Δημόσιας Τάξης και Προστασίας του

Πολίτη), Presidential Decree 141 (2013), Adjustment of Greek legislation to the provisions of Directive 2011/96 / EU of the European Parliament and of the Council of 13 December 2011 (L337) on the requirements for the qualification and status of foreigners or stateless persons as beneficiaries of international protection for a single status for refugees or for persons eligible for subsidiary protection and the content of the protection

granted (Προσαρμογή της ελληνικής νομοθεσίας προς τις διατάξεις της Οδηγίας 2011/96/ΕΕ του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 13<sup>ης</sup> Δεκεμβρίου 2011 (L337) σχετικά με τις απαιτήσεις για την αναγνώριση και το καθεστώς των αλλοδαπών ή των ανιθαγενών ως δικαιούχων διεθνούς προστασίας, για ένα ενιαίο καθεστώς για τους πρόσφυγες ή για τα άτομα που δικαιούνται επικουρική προστασία και για το περιεχόμενο της παρεχόμενης προστασίας), 21 October 2013

	<p>legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of the anti-discrimination legislation and equal treatment policies that related to the rights of migrants and/or their descendants <b>(for presentation of case law, use template in Annex 9)</b>. Such developments may also affect the actual situation on the ground, including public debates and perceptions among the native population and migrants.</p>	<p>grounds has been pointed out by the Ombudsman in its annual reports<sup>140</sup>.</p> <p>The 2007-2013 (extended to 2015) Multi-Annual Program of the European Integration Fund for TCNs has been applied. An important number of relevant actions aimed at training public servants that come into contact with third country nationals in order to respect and promote equal treatment during the exercising of their duties was introduced. However, the Greek Ombudsman also notes that the Greek administration is reluctant to attribute rights to third country nationals even when they acquire Greek nationality<sup>141</sup>.</p> <p>The citizenship code (3838/2010)<sup>142</sup> was adopted in 2010. The law stipulated that those who were born in Greece or who had attended Greek schools for six years and whose parents had – in both cases – legally resided in the country for the previous five years were entitled to obtain citizenship without further procedures. The law, furthermore, outlined the state’s obligation to explain the grounds for rejecting a citizenship application. Finally, it gave legal migrants the right to vote and run in local elections<sup>143</sup>. However Decision 460/2013 of the Council of State was published. With the decision, two provisions of the citizenship code (Law 3838/2010) were ruled as unconstitutional: that children who were born in Greece or who had attended Greek schools for six years, and whose parents had lived legally in the country for the previous five years in both cases, and that third country nationals had a right to vote and run in local elections<sup>144</sup>.</p> <p>Regarding the implementation of equal treatment of various permit holders, the relevant legislation (Immigration Code of 2014) about the Long Term Residence (LTR) status is harmonized with the EU directive. Through contacts with experts, equal treatment problems only emerge because of the delay in issuing the residence permit by the component authorities. Further information was requested by the Ministry of Interior and clarification is expected. The legislation on blue cardholders is transposed with Law 4071/2012. The legislation on the Long Term Residence (LTR) status is harmonized with the EU directive. Through contacts with experts, equal treatment problems only arise because of the delay in issuing the residence permit by the component authorities. Equal treatment problems were not identified in existing reports and literature for long term residence status holders beneficiaries of protection,.</p> <p>According to the Greek Ombudsman “It is obvious that both racist behavior and tolerance to it has implications for the fight against discrimination. Racism is the ideological background of</p>
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<sup>140</sup> Greece, Greek Ombudsman (*Συνήγορος του Πολίτη*), Response to the request for data, 12 March 2015

<sup>141</sup> Greece, Greek Ombudsman (*Συνήγορος του Πολίτη*) (2014), *Fighting Discrimination- Annual Report 2014*, Athens, Greek Ombudsman,

<sup>142</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*)(2010), Law 3838/2010 Modern provisions on Greek Citizenship and political participation of co-ethnics and legal residing immigrants and other provisions (*Σύγχρονες διατάξεις για την Ελληνική Ιθαγένεια και την πολιτική συμμετοχή ομογενών και νομίμως διαμενόντων μεταναστών και άλλες ρυθμίσεις*), 24 March 2010

*Ελληνική Ιθαγένεια και την πολιτική συμμετοχή ομογενών και νομίμως διαμενόντων μεταναστών και άλλες ρυθμίσεις*), 24 March 2010

		<p>discrimination, and tolerance to racism undermines all efforts to efficiently fight discrimination". From this perspective the adoption of Law 4285/2014<sup>145</sup> was a positive step. The law specifies that: "Anyone who publicly incites, provokes, or stirs, either orally or through the press, the Internet, or any other means, acts of violence or hatred, or acts of destruction against the assets of a person or group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin, sexual orientation, gender identity, or disability, in a manner that endangers the public order and exposes the life, physical integrity, and freedom of persons defined above to danger, will be punished by imprisonment of three months to three years and a fine of €5,000 to €20,000". The law also describes that the penalties for hate motivated crimes are increased compared to the penalties provided for by the previous law. Article 10 describes what is considered as a 'Racist Crime'. This is an "act [which] is committed out of hatred on the grounds of race, colour, religion, descent, national or ethnic origin, sexual orientation, gender identity or disability". The law also specifies that in cases of a "Racist Crime", the minimum limit of the sentence is higher.</p>
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### 3. Participation of migrants and their descendants in society

#### 3.1. Political rights at national level

##### 3.1.1. Citizenship acquisition

	<p>In this section please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. -Path to citizenship for foreign born third country nationals (the so-called '1st generation')</p>	
	<p>Please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. - Path to citizenship for country-born (so-called '2nd generation') and</p>	<p>The criteria for the acquisition of Greek citizenship are defined in the Greek Citizenship Code [Law 3284/2004, "Ratification of the Code of Greek Citizenship"] as amended in 2010 by Law 3838/2010, "Current provisions for Greek Citizenship and political participation and expatriates legally resident immigrants and</p>

<sup>145</sup> Greece, Ministry of justice (Υπουργείο Δικαιοσύνης) Modification of n. 927/1979 (A 139) and adaptation to the Framework Decision 2008/913 of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law (L 328) and other provisions (Τροποποίηση του ν. 927/1979 (Α' 139) και προσαρμογή του στην απόφαση – πλαίσιο 2008/913/ΔΕΥ της 28ης Νοεμβρίου 2008, για την καταπολέμηση ορισμένων μορφών και εκδηλώσεων ρατσισμού και ξενοφοβίας μέσω του ποινικού δικαίου (L 328) και άλλες διατάξεις), 10 September 2014

	<p>country-grown migrant children (so-called '1,5 generation')</p>	<p>other settings"<sup>146</sup>. The basic principle of citizenship law in Greece is the principle of blood ("jus sanguinis"); the principle of territory is supplementary. Thus, the requirement for citizenship acquisition from birth for the children of third country nationals (so-called '2nd generation') is the birth of at least one parent in Greece. Regarding the acquisition of Greek citizenship by adults, third country nationals - regardless of whether they are born in Greece (so-called '2nd generation') or they have been raised in Greece (so-called '1.5 generation') - the law specifies the following conditions: 1. Seven-year residence in the country, 2. Previous possession of permanent residence permit, 3. Lack of criminal record. The criteria and requirements for the evaluation of the citizenship acquisition are: 1. Adequate knowledge of the Greek language, 2. Integration into the economic and social life of the country, 3. Active participation in political life. Satisfactory possession of the above criteria is examined during an interview of the applicant with the Naturalisation Committee, which is under the authority of the regional services.<sup>147</sup></p> <p>In February 2015, the Minister of Interior announced that a new citizenship law would be submitted in subsequent months.<sup>148</sup></p> <p>A draft law became available for public consultation on May the 14<sup>th</sup>, 2015.<sup>149</sup> Public consultation ended on the 25<sup>th</sup> of May. With the new draft law, the right to citizenship derives because of both "birth and study or of study in a Greek school" (art 1A)</p> <p>Moreover, the draft law introduces the following changes in citizenship legislation (art 1A):</p> <ul style="list-style-type: none"> <li>- Children that were born in Greece have a right to citizenship after: <ul style="list-style-type: none"> <li>a. They are registered in the 1<sup>st</sup> class of elementary school and they continue attending the first class</li> </ul> </li> </ul>
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<sup>146</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*)(2010), Law 3838/2010 Modern provisions on Greek Citizenship and political participation of co-ethnics and legal residing immigrants and other provisions (*Σύγχρονες διατάξεις για την Ελληνική Ιθαγένεια και την πολιτική συμμετοχή ομογενών και νομίμως διαμενόντων μεταναστών και άλλες ρυθμίσεις*), 24 March 2010

<sup>147</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*) Response to the request for data Prot.-Nr 7100/27/18-ιβ', 11 March 2015

<sup>148</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*)(2015), 'Ομιλία του Υπουργού Εσωτερικών και Διοικητικής Ανασυγκρότησης κ. Ν. Βούτση κατά την ανάπτυξη των προγραμματικών δηλώσεων της Κυβέρνησης', Press release, 10 February 2015, available at: <http://www.ypes.gr/el/MediaCenter/Minister/PressReleases/?id=3c5e75eb-49e5-42d8-a462-ef7cab8cfb93>

<sup>149</sup> Ministry of Interior, "Draft law: Changes in the Greek citizenship Law and other articles" (*Σχέδιο Νόμου: Τροποποίηση του Κώδικα Ελληνικής Ιθαγένειας και άλλες διατάξεις*) <http://www.opengov.gr/ypes/?p=2634>

		<p>during the year they have submitted their citizenship application,</p> <ul style="list-style-type: none"> <li>b. One of their parents was living in Greece legally (with a residence permit) for at least five successive years before the child was born and if not, 10 successive years.</li> <li>c. One of the child’s parents holds a long-term residence permit during the time of the child’s application.</li> </ul> <p>- Children that were not born in Greece have the right to citizenship in the following cases:</p> <ul style="list-style-type: none"> <li>a. If they successfully attended at least nine years at the Greek school</li> <li>b. If they successfully attended six (out of six) years of secondary education</li> <li>c. If they have a degree from a Greek lyceum and they graduate from a Greek institution of higher education.</li> </ul>
	<p>Debates, issues and challenges concerning the implementation of citizenship policies</p>	<p>The 2010 Citizenship Code (Law 3838/2010) was followed by a wide political debate on who should be a Greek citizen. Politicians, academics, journalists, students, human rights activists, the church, second-generation migrants, and everyday people expressed their opinion on the bill. The debate was partly repeated after the Council of State criticized Article 1A of 3838 for not providing for a procedure to demonstrate the relationship of the person who would have become a Greek citizen with the Greek nation. Furthermore, the Council of State upheld the provision that gave voting rights to immigrants by holding that “the exercise of voting rights in the local administration elections constitutes a function necessary for the materialization of people’s sovereignty, meaning by that the sovereignty exercised by the people as an electorate body consisted solely of Greek citizens with voting rights”. Hence, it held that the relevant provisions of Law 3838/2010 violate the Greek Constitution<sup>150</sup>. On March 2014, the law 4251/2014</p>

<sup>150</sup>Greece, Council of State (Συμβούλιο Επικρατείας), Decision 460/2013, Citizenship acquisition by third-country nationals’ children due to their being born in Greece or having completed six years of study at a Greek school - Elective rights for third-country nationals in local elections (Απόδοση ιθαγένειας σε τέκνα αλλοδαπών λόγω γέννησής τους στην Ελλάδα ή φοίτησής τους σε ελληνικό σχολείο επί εξαιτία – Εκλογικά δικαιώματα αλλοδαπών στις εκλογές των πρωτοβάθμιων οργάνων της Τοπικής Αυτοδιοίκησης), 4 February 2013

		<p>"Migration and Social Integration Code and other provisions" («Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης και λοιπές διατάξεις») was adopted, in which the residence permit for the second generation (Article 109) replaced the provision for the citizenship acquisition by the children of the second generation that was provided by Law 3838/2010<sup>151</sup>. The residence permit is issued by the regional offices for five years and renewed for the same period. However, the law does not cover migrants' children who have left school, have not been born in Greece or have not successfully completed at least six classes of Greek school before the age of 21. Civil society accepted the new arrangement reluctantly. It is worth mentioning the report of the Hellenic League for Human Rights where the new legislation was considered a simple substitute for the relevant provisions of Law 3838/2010, without leading to the acquisition of the Greek citizenship by the children of the 2nd and 1.5 generations<sup>152</sup>. The organization Generation 2.0 - RED runs a campaign entitled "Equal citizens: Campaign for the right to citizenship". The online petition demanding access to citizenship for those born or raised in Greece has almost eleven thousand signatures. A TV spot was also produced and broadcast in several media<sup>153</sup>. In 2012, the Hellenic League for Human Rights launched a campaign in order to raise awareness regarding the right to citizenship for the second generation. The campaign consisted of several spots broadcasted on TV and electronic media, as well as public events.<sup>154</sup></p>
	<p>Key developments and trends – case law (<b>please use the template in the Annex 9</b> to provide information about the cases – here only a simple reference to the case name is required) or new provisions and reforms.</p>	<p>The basic trend for the period 2010-2014 was the cancellation of the reform on citizenship acquisition for the 'second generation' introduced by 3838/2010 and the reinstatement of the 'principle of blood' as the only criterion in citizenship legislation. A backwards trend was also expressed through the cancellation of the</p>

<sup>151</sup> Ministry of Interior (Υπουργείο Εσωτερικών), Law 4251/2014 Code of Immigration and Social Integration (Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης και λοιπές διατάξεις), 1 April 2014

<sup>152</sup> Greece, Hellenic League for Human Rights (2014), 'Code of Immigration and Social Integration: Just a small step forward: Partly too little, partly too late' (Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης: Απλά ένα μικρό βήμα μπροστά: Εν μέρει πολύ λίγα, εν μέρει πολύ αργά), Athens, available at:

[http://www.hlhr.gr/images/site/1014/1025\\_large/keimeno\\_tekmhhrivshs\\_kvdkikas\\_metanasteysshs2.pdf](http://www.hlhr.gr/images/site/1014/1025_large/keimeno_tekmhhrivshs_kvdkikas_metanasteysshs2.pdf)

<sup>153</sup> Greece, Equal Citizens: Campaign for the Right to Citizenship, available at: <http://www.ithageneia.org/el>

<sup>154</sup> Hellenic League for Human Rights, "Campaign on Citizenship" (Καμπάνια για την Ιθαγένεια), available at [http://www.hlhr.gr/index.php?MDL=pages&NodeType=KODIKAS\\_ITHAGENEIAS](http://www.hlhr.gr/index.php?MDL=pages&NodeType=KODIKAS_ITHAGENEIAS)

		<p>right of TCN's to elect and be elected in local elections.  With the 2010 citizenship code (3838/2010) it was the first time since the establishment of the Greek state that the principle of territory was not a supplementary criterion, but a main reason for the acquisition of Greek citizenship. However, after an appeal to the Supreme Court, two key provisions of the citizenship law were deemed unconstitutional and were annulled in April 2013 (1.birth to parents legally resident in the country and 2. studying for at least six years in a Greek school were for the court "formal criteria" that are not able to manifest this original bond (art.6) <sup>155</sup>. It was determined that Greek citizenship cannot be automatically granted to second- generation migrants. One of the basic claims of the court was that citizenship should be linked to Greek national identity</p>
	<p>Please indicate key and/or milestone dates – e.g. of major reforms - regarding citizenship acquisition for migrants and/or their descendants.</p>	<p><b>On 26.02.2010</b> the draft law 'Modern Provisions Regarding Greek Citizenship and Political Participation of Aliens of Greek Origin and Migrants Residing Legally in Greece' (<i>Σύγχρονες Διατάξεις για την Ελληνική Ιθαγένεια και την πολιτική συμμετοχή ομογενών και νομίμως διαμενόντων μεταναστών</i>) was deposited in Greek parliament. On <b>16.03.2010</b> the Greek Parliament approved the draft law 'Modern Provisions on Greek Citizenship and Political Participation of Aliens of Greek Origin and Migrants Residing Legally in Greece' (<i>Σύγχρονες Διατάξεις για την Ελληνική Ιθαγένεια και την πολιτική συμμετοχή ομογενών και νομίμως διαμενόντων μεταναστών</i>). On <b>4.2.2011</b> the Judgment 460/2013 of the Council of State was published. It characterized as "unconstitutional" the provision of Article 10 of Law 3838/2010 'Modern Provisions Regarding Greek Citizenship and Political Participation of Aliens of Greek Origin and Migrants Residing Legally in Greece' (<i>Σύγχρονες Διατάξεις για την Ελληνική Ιθαγένεια και την πολιτική συμμετοχή ομογενών και νομίμως διαμενόντων μεταναστών</i>) that gave third country nationals with a minimum of two years residence the right to vote in local</p>

<sup>155</sup> Greece, Council of State (*Συμβούλιο Επικρατείας*), Decision 460/2013, Citizenship acquisition by third-country nationals' children due to their being born in Greece or having completed six years of study at a Greek school - Elective rights for third-country nationals in local elections (*Απόδοση ιθαγένειας σε τέκνα αλλοδαπών λόγω γέννησής τους στην Ελλάδα ή φοίτησής τους σε ελληνικό σχολείο επί εξαιτία – Εκλογικά δικαιώματα αλλοδαπών στις εκλογές των πρωτοβάθμιων οργάνων της Τοπικής Αυτοδιοίκησης*), 4 February 2013

		<p>elections. By virtue of document no 863/20.5.2013 of the Office of the Deputy Minister of Interior and document no F.130181/14394/4.6.2013 of the Naturalization Directorate, the Ministry of Interior allowed the registration in the population registry of those that had publication in the Government Gazette until 15.11.2012, a time limit that coincides with the order of suspension<sup>156</sup>. On <b>February 2014</b> the Greek Parliament voted in Law 4251/2014 "Code of Immigration and Social Integration" that provided residence permits for the second generation. On May 2015 a new draft law was published for public consultation process. 157</p>
	<p>Naturalisation rate - % of migrants that have been naturalized compared to migrant stock and to general population – listing the most numerous groups on the basis of their previous nationality, by gender and age-group if available. <b>Please provide the latest available data.</b> The most recent data provided by Eurostat concern the year 2012.</p>	<p>No official data, statistics or other information was provided by the Ministry of Interior and the Hellenic Statistical Authority. The Ministry of Interior provided us with the naturalization figures in total for the period 2013-2014, but naturalization rate is not available.</p>
	<p>Numbers of naturalisations and citizenship acquisitions in the last 2 years (in 2013 and in 2014) by mode of acquisition, by gender and age-group if available, and for the 10 most numerous groups on the basis of their previous nationality <b>Please provide the latest available statistics - (please use the relevant table in the Annex 6)</b></p>	
<p>3.1.2.National elections voting rights – turnout</p>		
	<p>Third county nationals are allowed in exceptional cases to vote in national elections. In this section please provide the specific requirements and criteria for participation of citizens of migrant background (and third country nationals in the very few cases where this is foreseen) in national elections, as well as any available data on their voting turnout. Please specify any differences in different geographic areas or by type of national level voting circumstances (e.g. parliament, referendum,</p>	<p>According to the Greek Electoral Code, only Greek citizens have the right to vote in national elections<sup>158</sup>. Article 4 provides that the right to elect belongs to Greek citizens who have completed 18 years of age.</p>

<sup>156</sup> Greece, European Migration Network (EMN) (2013), *Annual Report 2013 on Migration and Asylum Policy in Greece*, Athens

<sup>157</sup> Ministry of Interior, "Draft law: Changes in the Greek citizenship Law and other articles" (Σχέδιο Νόμου: Τροποποίηση του Κώδικα Ελληνικής Ιθαγένειας και άλλες διατάξεις) <http://www.opengov.gr/types/?p=2634>, <http://www.opengov.gr/types/?p=2634>

<sup>158</sup> Greece, Presidential Decree 26/2012 Codification in a single text of the legislation on the election of Members of Parliament (Κωδικοποίηση σ' ενιαίο κείμενο των διατάξεων της νομοθεσίας για την εκλογή βουλευτών), 12 March 2012

	<p>president of the republic etc.). In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.</p>	
	<p>Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.</p>	<p>There are no official data, statistics or information from the competent Ministry of Interior on campaigns aimed at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote. Formal requests were addressed to the Ministry of Interior, to the Hellenic Statistical Authority, to the most representative political parties during the period 2010 – 2014 (New Democracy, SYRIZA, PASOK). Follow-up requests took place but no formal answer was received.</p>
<h3>3.1.3.National level election – representation</h3>		
	<p>The number of <b><u>candidates</u></b> with migrant background (where available, specify own or parent’s country of birth) at the latest national level elections (specify date)</p>	<p>No official data, statistics or other information were provided by the competent Ministry of Interior. Formal requests were sent to the Ministry of Interior, to the Hellenic Statistical Authority, to the most representative political parties during the period 2010 – 2014 (New Democracy, SYRIZA, PASOK). According to information obtained through informal contacts with party officials, no such data exists.</p>
	<p>The number of <b><u>elected representatives</u></b> with migrant background at national level (e.g. parliament, senate)</p>	<p>No official data, statistics or other information was provided by the competent Ministry of Interior, the Hellenic Statistical Authority or the most representative political parties of the period 2010 – 2014 (New Democracy, SYRIZA, PASOK). According to information obtained through informal contacts and desk research, no elected representative at national level has a migrant background (except one Member of the European Parliament).</p>
	<p>Those <b><u>appointed</u></b> to public office (e.g. ministers, secretaries of state, etc.) by end of 2014.</p>	<p>No official data, statistics or other information was provided by the competent Ministry of Interior, the Hellenic Statistical Authority or the most representative political parties of the period 2010 – 2014 (New Democracy, SYRIZA, PASOK). According to informal contacts and desk research, there has been no appointee to public office with migrant background in the period from 2010-2014.</p>

## 3.2. Political rights at regional/local level

### 3.2.1. Regional/Local elections voting rights – turnout

	<p>Specify what regional/local voting rights are given to third country nationals and any different entitlements according to residence status, permit type or length of stay etc</p>	<p>From 2010 to 2013, law 3838/2010 (art. 10) gave TCNs the right to vote in regional and local elections. This right belonged to citizens registered on electoral registers, citizens of EU member states, co-ethnics and legally resident foreign nationals (article 9 par. 2) and it was exercised in 2010 local elections.</p> <p>The right to vote could only be exercised by those on electoral registers (Article 11). For nationals, registration was automatically based on residence (as for national elections). Special registers were maintained for EU citizens, co-ethnics and legally resident foreign nationals (article 12). Third country nationals legally residing in Greece needed to provide, in accordance with art. 15 and 16 of law N.3838/2010 a certified copy of their valid residence permit, a certified copy of their passport, proof of two years of residence in the municipality and a penal record extract.<sup>159</sup> Judgment 460/2013 of the Council of State (published on 4.2.2013) characterized Article 10 of Law 3838/2010 that gave third country nationals with a minimum of two years of residence the right to vote in local elections as unconstitutional<sup>160</sup>. Therefore, after Judgment 460/2013 there is no provision in the relevant legislation for third country nationals regional / local voting rights. On February 2015, the Minister of Interior announced a new citizenship law to be submitted in subsequent months, regarding “the issue of citizenship for the second generation”.<sup>161</sup> The new draft law on Citizenship (May</p>
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<sup>159</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*)(2010), Law 3838/2010 Modern provisions on Greek Citizenship and political participation of co-ethnics and legal residing immigrants and other provisions (*Σύγχρονες διατάξεις για την Ελληνική Ιθαγένεια και την πολιτική συμμετοχή ομογενών και νομίμως διαμενόντων μεταναστών και άλλες ρυθμίσεις*), 24 March 2010

<sup>160</sup> Greece, Council of State (*Συμβούλιο Επικρατείας*), Decision 460/2013, Citizenship acquisition by third-country nationals’ children due to their being born in Greece or having completed six years of study at a Greek school - Elective rights for third-country nationals in local elections (*Απόδοση ιθαγένειας σε τέκνα αλλοδαπών λόγω γέννησής τους στην Ελλάδα ή φοίτησής τους σε ελληνικό σχολείο επί εξαιτία – Εκλογικά δικαιώματα αλλοδαπών στις εκλογές των πρωτοβάθμιων οργάνων της Τοπικής Αυτοδιοίκησης*), 4 February 2013

<sup>161</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*)(2015), ‘Ομιλία του Υπουργού Εσωτερικών και Διοικητικής Ανασυγκρότησης κ. Ν. Βούτση κατά την ανάπτυξη των προγραμματικών δηλώσεων της Κυβέρνησης’, Press release, 10 February 2015, available at: <http://www.ypes.gr/el/MediaCenter/Minister/PressReleases/?id=3c5e75eb-49e5-42d8-a462-ef7cab8cfb93>.

		2015) does not include any provision regarding the right to vote. <sup>162</sup>
	Key and/or milestone dates regarding the voting and/or election rights for migrants and/or their descendants at regional/local level	<p><b>26.02.2010:</b> The draft law 'Modern Provisions Regarding Greek Citizenship and Political Participation of Aliens of Greek Origin and Migrants Residing Legally in Greece' (<i>Σύγχρονες Διατάξεις για την Ελληνική Ιθαγένεια και την πολιτική συμμετοχή ομογενών και νομίμως διαμενόντων μεταναστών</i>) was proposed to Greek parliament.</p> <p><b>16.03.2010:</b> Greek Parliament approved the draft law 'Modern Provisions Regarding Greek Citizenship and Political Participation of Aliens of Greek Origin and Migrants Residing Legally in Greece' (<i>Σύγχρονες Διατάξεις για την Ελληνική Ιθαγένεια και την πολιτική συμμετοχή ομογενών και νομίμως διαμενόντων μεταναστών</i>).</p> <p><b>4.2.2013:</b> Publication of Judgment 460/2013 of the Council of State that characterized as "unconstitutional" the provision of Article 10 of Law 3838/2010 'Modern Provisions Regarding Greek Citizenship and Political Participation of Aliens of Greek Origin and Migrants Residing Legally in Greece' (<i>Σύγχρονες Διατάξεις για την Ελληνική Ιθαγένεια και την πολιτική συμμετοχή ομογενών και νομίμως διαμενόντων μεταναστών</i>)] that gave third country nationals with a minimum of two years residence the right to vote in local elections.</p> <p><b>February 2014:</b> Greek Parliament amended law 3838/2010 to exclude third-country nationals from the right to vote.</p>
	Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.	The regional authority of Attica, the largest region in Greece, which contains the city of Athens, operated no information campaign targeting Greek citizens with migrant backgrounds about their political rights or to strengthen their political participation. <sup>163</sup> However, during the pre – election period of 2010, the Ministry of the Interior carried out a short campaign about the voting right of immigrants and citizens of migrant background. The campaign consisted of two posters that informed the immigrants and Greek citizens of migrant background (Greek expats) about their right to vote in regional and local elections, according to Law 3838/2010 "Modern provisions on Greek Citizenship and political participation

<sup>162</sup> Ministry of Interior, "Draft law: Changes in the Greek citizenship Law and other articles" (*Σχέδιο Νόμου: Τροποποίηση του Κώδικα Ελληνικής Ιθαγένειας και άλλες διατάξεις*) <http://www.opengov.gr/ypes/?p=2634>, <http://www.opengov.gr/ypes/?p=2631>

<sup>163</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*), Response to the request for data Prot.-Nr 47232, 5 March 2015

		of co-ethnics and legal residing immigrants and other provisions". <sup>164</sup>
	In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.	In a poll issued by Metron Analysis on 14 February 2014, 47% of the responders replied 'yes' in the question whether migrants should have the right to vote or not. 48% replied 'no' in the same question. In the same poll, 52% agreed that after the decision by the Council of State there has to be another way for migrants to vote. 41% responded that migrants should not have the right to vote <sup>165</sup> . However, the survey does not include other relevant questions or give more details regarding the justification of the respondents' answers. Information about turnout in local elections was not provided by the Ministry of Interior and the National Statistical Service.

### 3.2.2.Regional/local level election – representation

	The number of <b>candidates</b> that were third country nationals and/or with migrant background at the latest regional/local level elections (specify date)	No official data, statistics or other information was provided by the competent Ministry of Interior, the Hellenic Statistical Authority and the most representative municipalities and regions (Athens, Thessaloniki/Attica, Central Macedonia) on the number of candidates who were TCN or had a migrant background. Desk research shows that some candidates who were TCN or had a migrant background participated in the regional elections of 2010 and 2014. <sup>166</sup> According to unofficial information, no such information is recorded by official authorities.
	The number and % of <b>elected representatives</b> with migrant background at regional/local level (e.g. municipalities, regions, prefectures etc.)	No official data, statistics or other information was provided by the Ministry of Interior, or the Hellenic Statistical Authority. The Region of Attica replied that no third country national or Greek citizen with migrant background had been elected in the local elections 2010/2014 in the region of Attica (with almost 4 million citizens) <sup>167</sup> . Other regions addressed (Thessaloniki, Central Macedonia) did not provide any information or data.
	Those who were <b>elected</b> or <b>appointed</b> to a high public office	No official data, statistics or other information was provided by the Ministry of Interior and the Hellenic Statistical

<sup>164</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Leaflet, Ministry of Interior available at: <http://www.ypes.gr/UserFiles/f0ff9297-f516-40ff-a70e-eca84e2ec9b9/Metanastes3.pdf>

<sup>165</sup> Greece, Metron Analysis (2014) 'Opinion on the Decision of the State Council' (Γνώμη για την Απόφαση Του Συμβουλίου της Επικρατείας), available at: <http://www.aftodioikisi.gr/perifereies/metron-analysis-nai-se-psifo-metanaston-stavro-stis-evroekloges-lene-oi-polites>

<sup>166</sup> Greece, Multi Kulti, available at: [multikulti.gr/multicultural-elections/](http://multikulti.gr/multicultural-elections/)

<sup>167</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Response to the request for data Prot.-Nr 47232, 5 March 2015

	(e.g. mayor, vice mayor etc.) by end of 2014.	Authority. The Region of Athens replied that no third country national or Greek citizen with migrant background had been elected in the local elections 2010/2014, in the region of Attica (with almost 4 million citizens) <sup>168</sup> . Other municipalities and regions (Thessaloniki, Central Macedonia) did not provide any information or data.
	Please identify related limitations and challenges or public debates, as well as relevant research, studies and assessments.	It is not possible to know whether a candidate or an elected representative has a migrant background, except if (s)he declares it or it can be assumed by his/her name. No wide debate or any major study can be identified on candidates from migrant backgrounds or elected representatives.

### 3.3.Consultation

#### 3.3.1.Consultative bodies at national/regional/local level

	Are there any migrants' consultative bodies in place at national / regional/ local level foreseen and/or operational in practice? Since when and on which legal basis (please provide reference). Please specify whether migrants' consultative/advisory/representative bodies are established by law or other type of normative regulation, policy or practice.	Regarding the integration of third-country nationals, Law 3852/2010 on the "New Structure of Local and Decentralized Administration – Kallikratis" ( <i>Νέα Αρχιτεκτονική της Αυτοδιοίκησης και της Αποκεντρωμένης Διοίκησης – Πρόγραμμα Καλλικράτης</i> ) provided only one article (Art.78) on the establishment and the operation of Immigrant Integration Councils (IIC) in every municipality. According to article 78, IICs are to be established and operate at all municipalities following a decision of municipal councils. IICs will act as consulting bodies in order to strengthen the integration of immigrants into local societies. Each IIC consists of five to eleven members, appointed by the local municipal council. Participation is honorary and pro bono <sup>169</sup> . Besides the IICs no other immigrant consultative body in place at national/regional/local level has been foreseen <sup>170</sup> .
	What is the mandate of the body – duration and procedures? In particular specify if and by which modalities these bodies are competent to participate in consultations only on migration or	IICs are renewed every four years. Their primary duty is to record and study problems faced exclusively by immigrants who reside in the municipality, in relation to their integration in the local society, to their contact with public or municipal

<sup>168</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*), Response to the request for data Prot.-Nr 47232, 5 March 2015

<sup>169</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*), National Strategy for the Integration of third-country nationals (*Εθνική Στρατηγική για την Ενταξη Πολιτών Τρίτων Χωρών*), 23April 2013

<sup>170</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*), Response to the request for data Prot.-Nr 47232, 5 March 2015

	<p>integration issues or if they participate also in consultations on other issues? How do these bodies work in practice?</p>	<p>authorities. Also, it is the duty of IICs to submit proposals to the municipal councils for the establishment of local activities for the smooth social integration of immigrants and, where appropriate, with regard to the problems they are facing. The implementation of the above takes place according to the legal framework, through consultative services by the municipal authorities, as well as through the organisation of events in collaboration with the local municipality with the aim to educate the local population and to strengthen the social cohesion of the local population<sup>171</sup>. In essence, these councils, members of which are also immigrant associations, function as advisory bodies for the enhancement of the integration of immigrants into local communities. Moreover, although this is the first time that immigrants are given the opportunity – by law – to actively participate in local institutions, the framework of operation and duties of the IIC is extremely vague. This consists of general guidelines setting a very broad outline that leaves much discretion to the municipality. According to literature on social inclusion policies, municipal authorities have, very often, failed to treat the institution with the necessary confidence and, as a result, did not proceed to actually establish it.<sup>172</sup> More specifically, since 2010 when the IIC institution was first introduced with the aim of developing in every municipality in Greece, in 2011 the situation was as follows: in 26 municipalities IICs were established; in eight, a decision for their establishment has been taken, and calls for candidates have been published; in ten municipalities, candidates have been appointed and an election date has been set. During 2013, 215 councils were established in municipalities. In 2014, the number was raised to 219, however it was reported that only 100 of them were operating. It should be noted that there are a total of 325 municipalities. Moreover, integration councils only have an advisory role in local government, without the authority to take decisions. Finally, significant representation</p>
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<sup>171</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Law 3852/2010 New Architecture of Local Government and Decentralized Administration – The Kallikratis Plan (Νέα Αρχιτεκτονική της Αυτοδιοίκησης και της Αποκεντρωμένης Διοίκησης – Πρόγραμμα Καλλικράτης), 7 June 2010

<sup>172</sup> Papakonstantis M. (2013), ‘Migrant Integration Councils and social inclusion policy of third country nationals’, *Social cohesion and Development*, Vol. 8, No 2, pp 107-126

	problems have been identified at a number of municipalities operating IICs, as the majority of immigrants do not participate. Furthermore, a number of municipalities deny the existence of any integration or cohesion problems in their areas, and argue that the introduction of an IIC would generate distinctions where there are currently none <sup>173</sup> .
Frequency of convening of the body/-ies/ meetings with competent public authorities. What is foreseen and how is it implemented in practice?	There is no binding provision on the frequency of meetings between the IICs and the municipal authorities or other representatives of the public sector. The Ministry of Interior has no record of such meetings. <sup>174</sup>
Role in relation to other public or private bodies. Is there a statutory role of coordination and cooperation with other public or private stakeholders foreseen? How is this implemented in practice?	There is no provision in legislation allocating Immigrant Integration Councils a role in coordination and cooperation with other public or private stakeholders <sup>175</sup> . However, the law gives the right to NGOs for the integration of immigrants to participate as members in the Immigrant Integration Councils, thus contributing their know-how <sup>176</sup> . The Ministry of Interior disclosed no information on this topic.
Participation in decision-making (consultative, observer status, voting right etc.). Are such bodies competent to participate in decision-making at national/regional/local level in regard to the design, implementation, assessment and/or review of integration-specific, migration or other policies of general interest? Are such bodies and/or their representatives participating in any way to allocation, distribution, monitoring, evaluation or management of funding social inclusion and integration policies, measures and programmes at national level?	As mentioned earlier, according to the National Strategy for the Integration of Third Country Nationals, the role of the IICs is to provide advice in relation to the recording and investigation of local problems faced by immigrants and the subsequent formulation of proposals and solutions. In this way, IICs can participate in decision-making at a local level in regard to the design, implementation, assessment and review of integration-specific, migration or other policies of general interest within their mandate. However, as admitted in the National Strategy, IIC operation so far has been characterized by a lack of resources and difficulties posed by the administrative support and scientific documentation of IIC interventions. This, according to the strategy, "has resulted in

<sup>173</sup> Greece, EKKE, (2011) 'Integration Councils: a new institution of integrating immigrants in local societies' (*Συμβούλια Ένταξης Μεταναστών: ένας νέος θεσμός ένταξης των μεταναστών στις τοπικές κοινωνίες*), June 201; Papakonstantis M. (2013), 'Migrant Integration Councils and social inclusion policy of third country nationals', *Social cohesion and Development*, Vol. 8, No 2, pp 107-126

<sup>174</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*), Law 3852/2010 New Architecture of Local Government and Decentralized Administration – The Kallikratis Plan (*Νέα Αρχιτεκτονική της Αυτοδιοίκησης και της Αποκεντρωμένης Διοίκησης – Πρόγραμμα Καλλικράτης*), 7 June 2010

<sup>175</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*), Law 3852/2010 New Architecture of Local Government and Decentralized Administration – The Kallikratis Plan (*Νέα Αρχιτεκτονική της Αυτοδιοίκησης και της Αποκεντρωμένης Διοίκησης – Πρόγραμμα Καλλικράτης*), 7 June 2010

<sup>176</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*), National Strategy for the Integration of third-country nationals (*Εθνική Στρατηγική για την Ένταξη Πολιτών Τρίτων Χωρών*), 23 April 2013

		their being unable to perform any of the aforementioned". <sup>177</sup>
	What are the modalities for representation and participation of migrants, e.g. elections, designation etc.? What is foreseen and how is it implemented in practice?	According to law, in relation to the eligibility criteria for the participation of third-country nationals in the IICs, the following individuals can be appointed as members if they fulfil one of the following criteria: municipal councillors; representatives of immigrant bodies as long as their activity can be traced within the boundaries of the municipality; representatives elected by the community of immigrants permanently residing within the municipality, as this is defined by the provisions of the relevant regulation issued by the local municipal council; representatives of social institutions who are active within the municipality and their interests include the problems faced by immigrants. The same decision mandates that one of the municipal councillors will preside at the IIC. Further, any immigrants elected as municipal councillors are mandatorily members of the IIC. The relevant provisions are vague and leave the details of its application up to the individual IIC regulations (Art. 78) <sup>178</sup> .
	On which criterion are migrant groups represented (migrant status, foreign-born, foreign nationality etc.)? What is foreseen and how is it implemented in practice?	According to Law 3852/2010 (Art. 78) the primary criterion of a third-country national is participation in comprehensive forms of representation, i.e. in immigrant bodies, the purview of which lies within the administrative boundaries of the municipality, or alternatively being a representative elected by the community of immigrants permanently residing in the municipality <sup>179</sup> .
	Is there any evidence through formal evaluations or academic research on awareness about such national level consultative bodies among migrants and their descendants, and among the general public?	Two research findings were identified: <ul style="list-style-type: none"> <li>▪ Greece, EKKE, (2011) 'Integration Councils: a new institution for integrating immigrants into local societies' (Συμβούλια Ένταξης Μεταναστών: ένας νέος θεσμός ένταξης των μεταναστών στις τοπικές κοινωνίες), June 2011<sup>180</sup>.</li> </ul>

<sup>177</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), National Strategy for the Integration of third-country nationals (Εθνική Στρατηγική για την Ένταξη Πολιτών Τρίτων Χωρών), 23 April 2013, pp. 50-51.

<sup>178</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Law 3852/2010 New Architecture of Local Government and Decentralized Administration – The Kallikratis Plan (Νέα Αρχιτεκτονική της Αυτοδιοίκησης και της Αποκεντρωμένης Διοίκησης – Πρόγραμμα Καλλικράτης), 7 June 2010

<sup>179</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Law 3852/2010 New Architecture of Local Government and Decentralized Administration – The Kallikratis Plan (Νέα Αρχιτεκτονική της Αυτοδιοίκησης και της Αποκεντρωμένης Διοίκησης – Πρόγραμμα Καλλικράτης), 7 June 2010

<sup>180</sup> Greece, EKKE, (2011) 'Integration Councils: a new institution for integrating immigrants into local societies' (Συμβούλια Ένταξης Μεταναστών: ένας νέος θεσμός ένταξης των μεταναστών στις τοπικές κοινωνίες), June 2011 (available at: [http://www.ekke.gr/projects/sem/resources/parousiaseis/SEM\\_Linardis.pdf](http://www.ekke.gr/projects/sem/resources/parousiaseis/SEM_Linardis.pdf))

		<ul style="list-style-type: none"> <li>▪ Papakonstantis M. (2013), 'Migrant Integration Councils and social inclusion policy of third country nationals', <i>Social cohesion and Development</i>, Vol. 8, No 2, pp 107-126<sup>181</sup>.</li> </ul> <p>According to both researches, although this is the first time that immigrants are given the opportunity – by law – to actively participate in local institutions, the framework of operation and duties of the IIC are extremely vague. This consists of general guidelines that set a very broad outline that leaves much discretion to the municipality. The municipal authorities have very often failed to treat the institution with the necessary confidence and, as a result, did not proceed to actually establish it. Moreover, integration councils only play an advisory role in local government, without having the authority to take decisions. Finally, significant representation problems have been identified at a number of municipalities operating IICs, as the majority of immigrants do not participate. Furthermore, a number of municipalities deny the existence of any integration or cohesion problems in their areas, and argue that the introduction of an IIC would generate distinctions where there are currently none.</p> <p>No official data, statistics or other information was provided by the competent Ministry of Interior with regard to formal evaluations of ICCs.</p>
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### 3.4. Participation in trade-unions and professional association

In this section based on available data, research, surveys, studies, etc. please provide information about:	
<u>Membership and participation of migrant workers in workers' unions and craft associations:</u>	
Are there any legal or practical limitations or barriers for the membership of migrant workers in trade unions and craft associations?	There are no legal restrictions for membership of trade unions and associations. According to art. 7 para. 1 of Law 1264/1982, "both underage persons and aliens can become members of trade unions" <sup>182</sup> . Third country nationals can

<sup>181</sup>Papakonstantis M. (2013), 'Migrant Integration Councils and social inclusion policy of third country nationals', *Social cohesion and Development*, Vol. 8, No 2, pp 107-126 (available at: <http://www.sem-ete.gr/wp-content/uploads/2014/07/issue16.pdf>)

<sup>182</sup> Greece, Greek General Confederation of Labour (*Γενική Ομοσπονδία Εργατών Ελλάδος*), Response to the request for data Prot.-Nr 248, 24 March 2015

		<p>become members of all three levels of representation in trade unions (1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup>). All workers that have worked for at least two months during the previous year in a company have the right to become members of an organization or the company and its professional sector as long as their statutory conditions are fulfilled. Minor workers and alien workers can legally be members of workers unions. There are no legal barriers for participation in trade unions<sup>183</sup>.</p>
	<p>Do workers' associations encourage and support membership and participation of migrant workers? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>The General Workers' Association (GSEE) operates the Centre for information of Workers and Unemployed of GSEE (<a href="http://www.kepea.gr">www.kepea.gr</a>) that provides reliable information on work-related and insurance issues and advice to workers and economic immigrants and the Labour Institute that conducts research and has placed specific focus on migration issues (eg undeclared labour). Several initiatives were reported in the period 2010-2014: a programme between workers and employers to combat discrimination, the establishment of a network offering information, consulting and empowerment services to workers, interventions in favour of vulnerable groups, support to migrant communities for their organization at 1<sup>st</sup> and 2<sup>nd</sup> level through help desks in Attica and Central Macedonia; the establishment of a cooperation network of representatives of migrant unions at European level, among others. No information was provided by the Hellenic Confederation of Professionals, Craftsmen &amp; Merchants (GSEVEE) and the Greek Forum of Migrants<sup>184</sup>.</p>
	<p>What is the rate of participation (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant workers in the most representative workers' unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of</p>	<p>The General Workers' Association (GSEE) informed that its members are legal entities and specifically 81 Labor Centers and 70 Federations (2<sup>nd</sup> level trade unions). In the period from 2010-2014 no complaints were brought before GSEE regarding a decline in enrolments as a member of a trade unions on the grounds of nationality. Official statistics on the participation of TCNs in trade unions are not available as there is no distinction between national and alien workers<sup>185</sup>. No additional information was provided by the</p>

<sup>183</sup> Greece, Greek General Confederation of Labour (*Γενική Ομοσπονδία Εργατών Ελλάδος*), Response to the request for data Prot.-Nr 248, 24 March 2015

<sup>184</sup> Greece, Greek General Confederation of Labour (*Γενική Ομοσπονδία Εργατών Ελλάδος*), Response to the request for data Prot.-Nr 248, 24 March 2015

<sup>185</sup> Greece, Greek General Confederation of Labour (*Γενική Ομοσπονδία Εργατών Ελλάδος*), Response to the request for data Prot.-Nr 248, 24 March 2015

	workers represented and degree of association).	Labor Institute of GSEE (INE-GSEE), the Hellenic Confederation of Professionals, Craftsmen & Merchants (GSEVEE) and the Greek Forum of Migrants.
	Are migrant workers elected as representatives of trade unions and workers' or craft associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced by migrant workers.	According to Law 1264/1982, there is no barrier for migrant workers to being elected as representatives of trade unions or associations. The GSEE noted that no official statistics on the participation of TCN in trade unions are available as there is no distinction between national and alien workers. No additional information was provided by the Hellenic Confederation of Professionals, Craftsmen & Merchants (GSEVEE) and the Greek Forum of Migrants.
	Are there differences between associations for high and low skill workers, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender?	No data was made available by the General Workers' Association (GSEE) and Labor Institute of the GSEE (INE-GSEE), the Hellenic Confederation of Professionals, Craftsmen & Merchants (GSEVEE) and the Greek Forum of Migrants.
	<b>Membership and participation of migrant entrepreneurs and expert professionals to professional and scientific associations:</b>	
	Are there any legal or practical limitations or barriers for the membership of migrant workers in professional, employer and scientific associations (such as medical, engineer, bar associations)?	Professional and scientific associations determine the conditions for membership in their statutes. No general rule applies with regard to membership in associations and investigation should take place on a case-by-case basis. Written requests were addressed to the Athens and Thessaloniki Bar Associations, Greek Medical Association, Technical Chambers of Greece, Union of Physicists and the Greek Forum of Migrants. The Bar Association of Athens noted that legal limitations exist with regard to the possibility of third Country Nationals becoming members of Bar Associations if they are not holders of Greek citizenship. According to art. 1 of the Code on Lawyers, 4194/2013, a lawyer is a public functionary. According to art. 6 a lawyer needs to be a Greek citizen or of an EU or EEA member state. An individual of Greek origin can become a lawyer following written permission signed by the Minister of Justice and following an opinion from the competent Bar Association <sup>186</sup> . In the Bar Association of Thessaloniki (BAT) "there are thirty third-country nationals (sic) registered in the files" of the association. <sup>187</sup> After request for

<sup>186</sup> Greece, Athens Bar Association (*Δικηγορικός Σύλλογος Αθηνών*), Response to the request for data, 6 March 2015

<sup>187</sup> Greece, Thessaloniki Bar Association (*Δικηγορικός Σύλλογος Θεσσαλονίκης*), Response to the request for data, 31 March 2015

		<p>clarification, BAT clarified that these 30 people have a degree in law, but they are not legal professionals yet, they are not registered as full members but their membership is 'pending' until they receive the Citizenship. Moreover, BAT clarified that does not record whether these are European citizens or nationals of third countries. No written information was given.</p> <p>With regard to the medical profession, Law 1565/1939 (OG A/16) provides that the exercise of the medical profession is possible on the issuance of a permit (art. 1). The candidate needs, among others, to be a Greek citizen (art. 3b). Exceptionally a permit can be issued to doctors of Greek origin who do not have the Greek nationality and who wish to establish themselves in Greek territory, provided they have legal residence and work permit. No permit is required for doctors of foreign nationality who exercise the medical profession abroad in order to visit patients. Alien doctors in Greece can visit a patient only in council with a Greek doctor and following permission of the competent association. The same conditions apply to any foreign doctor in Greece. Exceptionally, the issuance of a permit for the exercising of the medical profession in Greece is possible for those with the nationality of a foreign state whose legislation allows the exercising of the medical profession to Greek citizens established in its territory. Professional and scientific medical associations determine the conditions for membership in their statutes. No general rule applies to membership of associations and investigation should take place on a case-by-case basis. In the doctors' association of Athens, third country nationals are eligible to become members after submitting a residence permit and a translation of their degree<sup>188</sup>. No other data is available. A request for data was sent to the Hellenic Doctors' Association and follow-ups were made, but no information was provided..</p>
	<p>Do professional associations encourage and support membership and participation of migrant professionals? E.g. through</p>	<p>In the legal profession, there is no way to encourage and support membership and participation, as there is no right to membership and participation<sup>189</sup>. As for the</p>

<sup>188</sup> Greece, Doctors' Association of Athens (*Ιατρικός Σύλλογος Αθηνών*), Necessary Documentation for Acquiring member status, available at: <http://www.isathens.gr/images/entypa/dikaiologo-1h-eggrafi.pdf>, par. 7-8.

<sup>189</sup> Greece, Athens Bar Association (*Δικηγορικός Σύλλογος Αθηνών*), Response to the request for data, 6 March 2015

	<p>information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>Thessaloniki Bar Association, no data was provided in answer to our written request and follow ups. The website of the Athens Bar Association provides information in English but not to encourage and promote membership and participation in the Bar Association as this is not allowed by legislation in force<sup>190</sup>. The Thessaloniki Bar Association provides very little information in English.<sup>191</sup> In addition, the Athens Bar Association has no translation service, as the legal profession is linked with the official language - Greek<sup>192</sup>. No information was provided by the Greek Medical Association, Technical Chambers of Greece, Union of Physicists and the Greek Forum of Migrants.</p>
	<p>What is the rate of participation and membership (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant professionals in the most representative professional, employers' and scientific unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of professional represented and degree of association)</p>	<p>The Athens Bar Association has no migrant legal professionals on the board<sup>193</sup>. No additional information was made available by the Thessaloniki Bar Association, the Greek Medical Association, the Technical Chambers of Greece, the Union of Physicists or the Greek Forum of Migrants.</p>
	<p>Are migrants elected as representatives of professional, employers' and/or scientific associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p>	<p>Legal limitations exist to the extent that provisions in force do not always allow membership of professional or scientific associations. No information was made available by the Greek Medical Association, Technical Chambers of Greece, Union of Physicists and the Greek Forum of Migrants.</p>
	<p>Are there differences between associations for different professions, different skill levels and/or types of enterprise, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender?</p>	<p>No information is available. No information was provided by the Athens or Thessaloniki Bar Associations, Greek Medical Association, Technical Chambers of Greece, Union of Physicists or the Greek Forum of Migrants.</p>

<sup>190</sup> Greece, Athens Bar Association (*Δικηγορικός Σύλλογος Αθηνών*), Response to the request for data, 6 March 2015

<sup>191</sup> Greece, Athens Bar Association (*Δικηγορικός Σύλλογος Αθηνών*), available at: <https://www.dsth.gr/en/home>

<sup>192</sup> Greece, Athens Bar Association (*Δικηγορικός Σύλλογος Αθηνών*), Response to the request for data, 6 March 2015

<sup>193</sup> Greece, Athens Bar Association (*Δικηγορικός Σύλλογος Αθηνών*), Response to the request for data, 6 March 2015

### 3.5. Participation in social, cultural and public life

	<p>In this section based on available data, research, studies, etc. provide information about the membership and participation of migrants and their descendants in media, cultural organisations and public life:</p>
<p>Are there any legal or practical limitations or barriers for the membership of migrants in professional associations related to the media, sports and culture?</p>	<p>There is no general rule for the membership of associations and each sets its own conditions for membership. Indicatively, requirement for membership in the Journalists' Union of Athens Daily Newspapers (ESHEA) is to be "a Greek citizen" or to have Greek origin (A.6)<sup>194</sup>. Similar conditions apply to membership eligibility for other journalist associations and unions where members have to either be Greek citizens or of Greek origin<sup>195</sup>. In sports, the Greek Association of Professional Football players accepts members regardless of their citizenship. However, a contradiction seems to exist, as the scope of the association is described as to "unite all Greek professional football players"<sup>196</sup>. The Greek association of Professional Basketball players accepts only Greeks or citizens of EU-member states<sup>197</sup>. The Direction for Professional Sports in the relevant ministry could not provide us with any data, as it is a new office established in 2014.<sup>198</sup> No information was made available by the Ministry of Culture, the Greek National Council for Radio and Television (NCRTV), the Secretariat General of Information and Communication, the Secretariat General of Mass Media, the Council for Monitoring Communication or the Hellenic Amateur Athletic Association. A 2009 country report for Greece on preventing racism, xenophobia and related intolerance in sport, concluded that there is "lack of awareness or downplaying of racism in sport", low level of awareness and minimisation and downplaying or pure</p>

<sup>194</sup> Greece, Journalists' Union of Athens Daily Newspapers (ESHEA) (*Ένωση Συντακτών Ημερησίων Εφημερίδων Αθήνας*), Statue 1979, available at: <http://www.esiea.gr/katastatiko/>

<sup>195</sup> Greece, Journalists' Union of Macedonia-Thrace newspapers (*Ένωση Συντακτών Ημερησίων Εφημερίδων Μακεδονίας-Θράκης*), available at: <http://www.esiemth.gr/katastatiko/> and Journalists' Union of printed and electronic press (*Ένωση Συντακτών περιοδικού και ηλεκτρονικού Τύπου*), available at: [http://www.espit.gr/?page\\_id=3783](http://www.espit.gr/?page_id=3783)

<sup>196</sup> Greece, Association of Professional Football players (*Πανελλήνιος Σύνδεσμος Αμοιβομένων Ποδοσφαιριστών*), Articles 6 and 4(a), available at: <http://psap.gr/katastatiko/>

<sup>197</sup> Greece, Association of Professional Basketball Players (*Πανελλήνιος Σύνδεσμος Αμοιβομένων Καλαθοσφαιριστών-ΠΣΑΚ*), available at: <http://www.psak.gr/>

<sup>198</sup> Greece, Ministry of Culture and Sports (*Υπουργείο Πολιτισμού και Αθλητισμού*), Response to the request for data Prot.-Nr 2719 οικ, 1 April 2015

		ignorance of the problem <sup>199</sup> . From replies and desk research it was not possible to conclude whether the relevant findings are still valid or not.
	Do media, sports, culture professional associations encourage and support membership and participation of third country nationals as members? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.	There is no general rule on membership of associations and each sets its own conditions for membership. There is no data available. In order to identify data, research was carried out in February and March 2015 through written requests and follow-up contacts in the following ministries, institutions and associations: Minister of Culture, Journalists' Union (ESHEA), Greek National Council for Radio and Television (NCRTV), Secretariat General of Information and Communication, Secretariat General of Mass Media, Council for Monitoring Communication and the Hellenic Amateur Athletic Association. According to the Hellenic Athletics Federation (SEGAS), they do not have individual members, only sports associations <sup>200</sup> .
	What is the rate of participation in the most representative professional associations? (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available)	There is no data available. In order to identify data, research was carried out in February and March 2015 through written requests and follow-ups in the following ministries, institutions and associations: Minister of Culture, Journalists' Union (ESHEA), Greek National Council for Radio and Television (NCRTV), Secretariat General of Information and Communication, Secretariat General of Mass Media, Council for Monitoring Communication and the Hellenic Amateur Athletic Association.
	Are migrants elected as representatives of professional associations related to the media, sports and culture? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.	There is no data available. In order to identify data, research was carried out in February and March 2015 through written requests and follow-ups in the following ministries, institutions and associations: Ministries of Sports and Culture, Journalists' Union (ESHEA), Greek National Council for Radio and Television (NCRTV), Secretariat General of Information and Communication, Secretariat General of Mass Media, Council for Monitoring Communication and the Hellenic Amateur Athletic Association. Replies by the Ministry of Sports and Culture, as by the NCRTV and the Secretariats General did not include any information. The Sports Law (art. 2-3) does not include

<sup>199</sup> Raxen/Greece, "Preventing racism, xenophobia and related intolerance in sport across the European Union", HLHR-KEMO, i-red, available at: <http://www.i-red.eu/?i=institute.en.publications.206>

<sup>200</sup> Greece, Hellenic Athletics Federation (ΣΕΓΑΣ), Response to the Request for data., 20 March 2015.

		<p>any citizenship restrictions on the eligibility for membership in sports associations<sup>201</sup> and each association determines the conditions for membership in its statutes. There is no information about migrants or their descendants as members of sports associations' board. Desk research did not identify any case in that direction. Desk research has shown that among the big football clubs (Olympiakos, Panathinaikos, AEK, PAOK), PAOK has one woman of Russian Citizenship on its board<sup>202</sup>.</p>
	<p>Is there a visible or notable presence (or absence) of migrants and their descendants as media professionals?</p>	<p>There is no data available. In order to identify data, research was carried out in February and March 2015 through written requests and follow-ups in the following institutions and associations: Journalists' Union (ESHEA), Greek National Council for Radio and Television (NCRTV), Secretariat General of Information and Communication, Secretariat General of Mass Media, Council for Monitoring Communication and the Greek Migrants' Forum. Replies did not include any information.</p>
	<p>Are migrants and/or their descendants present, visible and actively participating in public? (E.g. in public events, TV and electronic media, cultural events). Please substantiate on the basis of existing data or contacts with relevant authorities, actors and stakeholders, making sure to cover a wide spectrum and obtain as much as possible objective information.</p>	<p>There is some presence, but this cannot be quantitatively measured or qualitatively evaluated. Migrant representatives occasionally appear in media and some associations have a presence in the electronic media<sup>203</sup>. However, no more data is available and no data was made available.</p> <p>According to NERIT TV, they "give special focus on the needs of vulnerable groups, such as migrants"<sup>204</sup>. As NERIT specified, this is due to their legal obligation to "secure the exchange of ideas, giving space to all political and other views" and to "target social cohesion, cultural diversity and to fight any form of discrimination" (Art. 3, para. 1, Law 4173/2014). However, no specific measures in this direction were identified<sup>205</sup>.</p> <p>In order to identify data, research was carried out in February and March 2015</p>

<sup>201</sup> Greece, Ministry of Culture and Sports (*Υπουργείο Πολιτισμού και Αθλητισμού*) (1999), Law 2725/1999 Amateur and professional sport and other provisions "Ερασιτεχνικός και Επαγγελματικός αθλητισμός και άλλες διατάξεις", 17 June 1999, available at: [http://www.sedy.gr/files/pdfs/N2725\\_1999.pdf](http://www.sedy.gr/files/pdfs/N2725_1999.pdf)

<sup>202</sup> Greece, PAOK FC (*ΠΑΟΚ*), *Management Board*, available at: <http://www.paokfc.gr/sullogos/dioikitiko-sumvoulio/>

<sup>203</sup> Greece, Greek Forum for Migrants (Ελληνικό Φόρουμ Μεταναστών), available at: <http://www.migrant.gr/cgi-bin/pages/indexv2.pl?arlang=Greek&type=MME&argenkat=%CC%CC%C5%20%CC%E5%F4%E1%ED%E1%F3%F4%FE%ED>

<sup>204</sup> Greece, NERIT (*Νέα Ελληνική Ραδιοφωνία, Ίντερνετ και Τηλεόραση Α.Ε*) Response to the request for data, Prot.Nr 156, 1 April 2015.

<sup>205</sup> Greece, NERIT (*Νέα Ελληνική Ραδιοφωνία, Ίντερνετ και Τηλεόραση Α.Ε*) Response to the request for data, Prot.Nr 156, 1 April 2015.

	<p>through written requests and follow-ups in the following secretariats, institutions and associations: Journalists' Union (ESHEA), Greek National Council for Radio and Television (NCRTV), Secretariat General of Information and Communication, Council for Monitoring Communication and the Secretariat General of Mass Media.</p> <p>An independent research entitled, "The lost thoughtfulness. Migration and racist discourse in the Greek Media" concluded that two main trends existed in the media discourse regarding migrants during the period of study: a) a sharp distinction between "us" and the "other", focusing on the identity of "us" and delimiting the presence of the "other", and b) they focus on migrants as a "problem" and a "threat", giving specific reference to migrant actions against the law<sup>206</sup>.</p>
<p>Are there legal or practical limitations for the media, culture or other type of public events by migrants and/or their descendants? (E.g. are there national language requirements for TV or radio stations, bureaucratic and representation requirements, etc.)</p>	<p>There are no legal limitations on the participation of migrants or their descendants in the media<sup>207</sup>. Regarding the national language requirements for TV or radio stations, Greek should be their "main" language in their 24-hour program<sup>208</sup>. In practice, there have been penalties in the past regarding the (extensive) use of a foreign language [Turkish] by the members of the indigenous Muslim Minority of Greece, but not by migrants or their descendants<sup>209</sup>. No data or information is available regarding practical limitations. No information was provided by the Journalists' Union (ESHEA), Greek National Council for Radio and Television (NCRTV), Secretariat General of Information and Communication, Secretariat General of Mass Media, Council for Monitoring Communication and the Greek Migrants' Forum.</p> <p>Regarding other public events, such as sport events and championships, the Greek Ombudsman report <i>Combating Discrimination- Annual Report 2014</i></p>

<sup>206</sup> Pantzoy C. (2013), "The lost thoughtfulness. Migration and racist discourse in the Greek Media", Iagainstracism.gr, available at: [http://www.unhcr.gr/1againstracism/η-χαμένη-νηφαλιότητα-μετανάστευση-κα/?doing\\_wp\\_cron=1387876656.9291019439697265625000](http://www.unhcr.gr/1againstracism/η-χαμένη-νηφαλιότητα-μετανάστευση-κα/?doing_wp_cron=1387876656.9291019439697265625000)

<sup>207</sup> Greece, National Council for Radio and Television (*Ελληνικό Συμβούλιο Ραδιοτηλεόρασης*) Response to the request for data, Prot.-Nr 2137, 12 March 2015

<sup>208</sup> Greece, National Council for Radio and Television (*Ελληνικό Συμβούλιο Ραδιοτηλεόρασης*) Response to the request for data, Prot.-Nr 2137, 12 March 2015

<sup>209</sup> Greece, National Council for Radio and Television (*Ελληνικό Συμβούλιο Ραδιοτηλεόρασης*) Response to the request for data, Prot.-Nr 2137, 12 March 2015

		<p>reported a complaint for discrimination of homogeneous and Third Country Nationals in collective sports events. The Ombudsman reported that there is a gap in the legal framework regarding participation of TCNs in sports events – except for the championships and the cup games where the law is clear - while certain ministerial decisions introduce without obvious legal justification certain criteria based on the ethnic origin of the athlete. The legal framework, as the Greek Ombudsman reports, has been interpreted as excluding TCNs from certain public sports events, especially from events where the athlete received a bonus based on performance for his/her access to University Education, due to the fact that TCNs and homogeneous could not use that bonus. The Greek Ombudsman requested that the legal framework regarding participation of TCNs and homogeneous in sports events becomes clear in order to guarantee equal treatment<sup>210</sup>.</p>
	<p>Are there positive measures for promoting or restrictions/barriers to the operation of migrant and ethnic minority (owned, directed or audience specific) media?</p>	<p>There is no data available. In order to identify data, research was carried out in February and March 2015 through written requests and follow-ups in the following institutions and associations: Journalists' Union (ESHEA), Greek National Council for Radio and Television (NCRTV), Secretariat General of Information and Communication, and the Secretariat General of Mass Media.</p>
	<p>Are there practical measures encouraging and promoting the visibility, voice and public presence of migrants and/or their descendants in the media, culture or other type of public events? (E.g. are there programmes and information provided by the media in other than the country official language, and migrants' languages, quotas for journalists and public programmes reflecting the diversity in society etc.?)</p>	<p>According to NERIT, their strategic plan for both TV and the radio includes short newscasts in English and programs for learning the Greek language.<sup>211</sup> In order to identify data, research was carried out in February and March 2015 through written requests and follow-ups in the following institutions and associations: Journalists' Union (ESHEA), Greek National Council for Radio and Television (NCRTV), Secretariat General of Information and Communication, Secretariat General of Mass Media and the Council for Monitoring Communication. According to the Council for Monitoring Communication, issues regarding the operation of the media and the extent to which they encourage the visibility, voice and public presence of</p>

<sup>210</sup> Greek Ombudsman (Συνήγορος του Πολίτη) (2012), *Fighting Discrimination- Annual Report 2014*, Athens, Greek Ombudsman, available at: <http://www.synigoros.gr/resources/docs/ee2014-12-diakriseis.pdf>

<sup>211</sup> Greece, NERIT (Νέα Ελληνική Ραδιοφωνία, Τηλεόραση και Τηλεόραση Α.Ε) Response to the request for data, Prot.Nr 156, 1 April 2015.

		migrants and/or their descendants are out of the scope of the mandate of the Council for Monitoring Communication <sup>212</sup> . No other information was provided on the specific question despite the fact that information was requested. Desk research did not identify any practical measure, except of the English website that these associations have. A new internet radio aired in 2015 ("Portokali") gives voice and visibility to migrants and their associations; organization "Generation 2.0" airs a program in this radio station. <sup>213</sup>
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### 3.5.1. Diversity in the public sector

	In this section based on available data, research, studies, etc. please provide information about recruitment of migrants and their descendants in the public sector:	
	Please describe how legal provisions allow or prevent the recruitment of third country nationals in the public sector. Please indicate specific areas, requirements, quotas if any, upward mobility and promotion limitations if any, as well as if and how these provisions are applied in practice.	According to Article 4 ("Nationality") of the Code of Public Employees (3528/2007) only Greek citizens can be employed in the public sector. Third Country Nationals can be employed in exceptional cases as para. 3 defines, referred to other specific laws. In all the calls for employment in the public sector by the Supreme Council for Staff Selection (ASEP), it is clearly stipulated that candidates have to be Greek citizens in order to participate in the recruitment process <sup>214</sup> . In order to identify more data, information was requested from the Ministry of Education and the Teacher's Association. According to the Research Institute of the Teachers' Association, Greeks of migrant origin (second generation) have equal access to employment in the public sector provided they have acquired Greek citizenship. However, as the institute adds, "given the fact that the vast majority of the second generation is not entitled to Greek citizenship, in practice there are extremely few Greeks of migrant origin working in the public sector" <sup>215</sup> .
	Please indicate if citizens of migrant descent can also be affected by limitation – e.g on the basis of their ethnic origin or migrant background or naturalisation - in public sector recruitment, for example in	The code for public employees defines the status of citizens of migrant descent with regard to employment in the public sector. According to the code (art. 4), "those who become Greek citizens through naturalization cannot be appointed until

<sup>212</sup> Greece, Council for Monitoring Communication (*Συμβούλιο Ελέγχου Επικοινωνίας*) Response to the request for data, 4 March 2015

<sup>213</sup> Greece, Portokali Radio available at: <http://portokaliradio.gr/programm.php?ct=4>

<sup>214</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*), Response to the request for data Prot.-Nr 47232, 5 March 2015

<sup>215</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

	education, law enforcement, judiciary, etc.	one year after the acquisition of citizenship <sup>216</sup> . For certain cases there has been recently political debate and case-law. In October 2014, the Council of State issued decision 3317/2014 which ruled that citizens of migrant background have an equal right to be recruited in the professional army. Army veterans appealed to the Council of State to cancel the decision by the Ministry of Defense (decision 15.4.2011) allowing citizens of migrant background access to professional army academies. Additional information was requested from the Ministry of Interior and the Civil Servants' confederation (ADEDY), but no information was provided.
	Please indicate proportion of recruitment (% on the total of posts for this category or service) for the interested categories of third country nationals, if any.	Request for data was sent to the Ministry of Interior and the Civil Servants' confederation (ADEDY), but no information was provided.
	Please indicate any affirmative action and positive action <b>either</b> for third country nationals <b>or</b> citizens with a migrant background, if any, e.g. quotas, reserved posts for people of migrant background etc. as well as promising practices in this area. Please provide information specifically for law enforcement, judiciary, and education.	No affirmative action or positive action related to TCNs or citizens with migrant background was reported.

### 3.6. Political activity – active citizenship

	Membership and participation of migrants in migrant and/or diaspora organisations and associations:	
	Are there any legal or practical limitations or barriers for the self-organisation membership of migrants in migrant and or diaspora associations and organisations?	There are no legal or practical limitations or barriers to the establishment of associations by migrants. According to the law (article 78 of the Civil Code) "at least twenty individuals" can establish an association, without other requirements related to nationality <sup>217</sup> . More than eighty migrant organizations have been recorded in unofficial reports. <sup>218</sup> However, a study in 2009 showed that migrant organizations have to operate "within an environment of institutional, legal and political exclusion"

<sup>216</sup>Greece, Code of public employees, (*Κώδικας κατάστασης δημοσίων πολιτικών διοικητικών υπαλλήλων και υπαλλήλων Ν.Π.Δ.Δ.*), updated 29.4.2014, (available at: <http://www.ydmed.gov.gr/?p=8473> [accessed, 15 March 2015])

<sup>217</sup> Greece, Citizens Guide (*Οδηγός του Πολίτη*) available at: <http://www.odigostoupoliti.eu/idrisi-sillogou/>

<sup>218</sup> Greece, Nostos NGO [http://6dim-diap-elfeth.thess.sch.gr/Greek/Diapolitismiki\\_Ekpaidefsi/Enwseis\\_SyllogoiMetanastwnStinEllada.htm](http://6dim-diap-elfeth.thess.sch.gr/Greek/Diapolitismiki_Ekpaidefsi/Enwseis_SyllogoiMetanastwnStinEllada.htm).

		<p>which operates as the main barrier for the strengthening of migrant associations<sup>219</sup>. According to the authors, migrant associations do operate, but they are excluded from public, political and cultural life, while associations are not always recognized as equal partners by official institutions. Moreover, authorities often do not recognize the representative character of many migrant associations and they are excluded from the decision-making process. The authors refer to a characteristic example, which is the fact that the National Committee for the Social Integration of Migrants did not include any representative of migrant associations<sup>220</sup>.</p>
	<p>Are there notable cases of active migrant and/or diaspora associations and organisations? Please indicate the most known, active or representative ones on the basis of existing data about membership – please include size/numbers of members - and through contacts with competent actors and stakeholders. Please specify their character and eventual differences, including aspects concerning their religious, culture or geographic scope.</p>	<p>The Greek Forum of Migrants is a Network of Migrant associations and organisations. It was established in 2012 and today exceeds 40 member associations.<sup>221</sup> Generation 2.0 for Rights, Equality &amp; Diversity (Generation 2.0 RED) is an organisation for the second generation of migrants whose members come from different ethnic backgrounds, and were born and/or raised in Greece. Generation 2.0 runs the campaign 'Equal Citizens' which has collected more than 10,000 signatures, while in October 2014, its TV spot on citizenship was aired on various national media.<sup>222</sup> The "Pakistani Community of Greece" is an active migrant organization, which in cooperation with radical leftist groups intervenes publicly in various cases and reaches publicity on national media.<sup>223</sup> In general, we can argue that during the last years there has been a transformation in the scope and character of certain migrant organisations in Greece from associations based on ethnic origin (e.g. Associations of Albanians in Greece), to NGO's in certain thematic areas that promote active citizenship and participation (e.g. Generation 2.0). Furthermore, a request for data was sent to the relevant organisations but no information was provided.</p>

<sup>219</sup> Harokopeio University-Geography Department, *Guide for NGO's and migrant associations* (Οδηγός ΜΚΟ και Συλλόγων Μεταναστών), Athens, December 2009, available at: [http://www.geo.hua.gr/~metanastes/MKO\\_Metanaston.pdf](http://www.geo.hua.gr/~metanastes/MKO_Metanaston.pdf)

<sup>220</sup> Harokopeio University-Geography Department, *Guide for NGO's and migrant associations* (Οδηγός ΜΚΟ και Συλλόγων Μεταναστών), Athens, December 2009, available at: [http://www.geo.hua.gr/~metanastes/MKO\\_Metanaston.pdf](http://www.geo.hua.gr/~metanastes/MKO_Metanaston.pdf)

<sup>221</sup> Greece, Greek Forum for Migrants (*Ελληνικό Φορουμ Μεταναστών*), available at <http://www.migrant.gr/cgi-bin/pages/index.pl?arlang=greek>

<sup>222</sup> Greece, Generation 2.0 for Rights and for Rights Equality & Diversity, available at <http://secondgenerationgreece.blogspot.gr/http://www.ithageneia.org/el>

<sup>223</sup> Greece, The Pakistani Community of Greece, 'Commemorative event for the dead at the Pakistani school', Press release, 19 December 2014

	<p>Please provide any data on the participation of migrants and their descendants in the most representative migrant and/or diaspora organisations and associations? (figures and % of migrants and/or persons with the specific ethnic or other background as members, or descriptive data if statistical data is not available).</p>	<p>A request for data was sent to the relevant organisations but no information was provided. A study in 2009 about associations and NGOs operating in Greece on issues of migration recorded several dozens of migrant organisations or organisations dealing with migrants. The majority were associations dealing with issues of Albanian migrants in Greece. However, no data regarding their membership was recorded.<sup>224</sup> Data was requested from the Greek Forum of Migrants and follow-ups were made, but no data was received.</p>
	<p>Are such associations and organisations encouraged and/or supported financially or in other means (e.g. offices) by the national, regional or local authorities? Is there in place a mechanism linking such associations at national level? (e.g. network of migrant associations).</p>	<p>Many organisations participate in projects co-funded by the 2007-2013 National Strategic Reference Framework (NSRF), the European Integration Fund and the Greek authorities, distributed by the Ministry of Interior or other national and regional authorities<sup>225</sup>. Municipalities like that of Athens support certain activities by migrant organisations, either by co-organizing activities, or by providing space and other means.<sup>226</sup></p>
<p>Membership and participation of migrants in civil society organisations and voluntary work:</p>		
	<p>Are there any legal or practical limitations or barriers for the membership of migrants in civil society organisations?</p>	<p>No official data was provided. The Civil Code does not include any limitation on membership of civil society associations (art. 78 and 741)<sup>227</sup>. A draft law for the requirements for the establishment of NGOs introduces no legal barriers.<sup>228</sup> There may be limitations based on the memorandum of each organisation, however, there are practical limitations related to the temporality of the legal status of many TCNs and the language barrier.</p>
	<p>Do civil society organisations encourage and support membership and participation of migrants and/or their descendants? E.g. through information and raising awareness initiatives in more languages,</p>	<p>There are many civil society organisations that print information leaflets and have websites in more than one language (usually English). In organisations dealing with migrant issues there are interpreters as volunteers or employees<sup>229</sup>. The Greek</p>

<sup>224</sup> Harokopio University-Geography Department, *Guide for NGO's and migrant associations* (Οδηγός ΜΚΟ και Συλλόγων Μεταναστών), Athens, December 2009, available at: [http://www.geo.hua.gr/~metanastes/MKO\\_Metanaston.pdf](http://www.geo.hua.gr/~metanastes/MKO_Metanaston.pdf)

<sup>225</sup> Greece, Greek Forum for Migrants, available at: <http://www.migrant.gr/cgi-bin/pages/indexv2.pl?arlang=Greek&arcode=150217193441&argenkat=%C4%F1%DC%F3%E5%E9%F2&type=article>, <http://www.espa.gr/EL/Pages/ProclamationsFS.aspx?item=2279>

<sup>226</sup> Greece, Migrants in Greece, available at: <http://www.migrants.gr/?cat=3>, <http://www.cityofathens.gr/node/25568>

<sup>227</sup> Greece, Ministry of Justice (Υπουργείο Δικαιοσύνης) (1946) Civil Code (Αστικός Κώδικας), 23 February 1946, available at: <http://www.taxlaw.gr/el/practice-areas/civil-law/101-civil-associations-civil-companies-npos>

<sup>228</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών)(2014) "Draft law for Citizens' organization", available at: <http://www.opengov.gr/types/?p=2465>

<sup>229</sup> Greece, Praxis, available at <http://www.praxis.gr/en/our-programs/integrated-interventions>, <http://arsis.gr/en/category/completed/>

	translation and language support services etc.	office of Amnesty international encourages participation of migrants and refugees by reducing their membership fee to 1 euro/year, in comparison to 48/year for the rest of its members. No other measure is applied, however its volunteers unofficially operate as interpreters from English or French to Greek <sup>230</sup> .
	Please provide any data on the participation and membership of migrants and their descendants in the most representative civil society organisations? (figures or % of organisation members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available).	No official data was provided by the Hellenic Forum of Migrants. The Hellenic League of Human Rights does not record the citizenship status or the origin of its members <sup>231</sup> . The Greek office of Amnesty International keeps no data on the participation of migrants and their descendants <sup>232</sup> . According to the information provided by the organization Generation 2.0 RED, the organization has no third country nationals as members. Generation 2.0 RED has 87 members of migrant origin, or 63% of its total members. <sup>233</sup>
<b>Membership and participation of migrants in political parties:</b>		
	Are there any legal or practical limitations or barriers for the membership of migrants in political parties, initiatives (e.g. petitions, signature collections) and movements?	Research has shown the following for the seven parliamentary political parties: For <i>Syriza</i> there are no legal limitations to membership as "every man and woman who lives in Greece and is over 16 years of age" is can become member of the party. <sup>234</sup> For <i>New Democracy</i> (ND) there are legal limitations concerning TCNs that are not of Greek origin, while there are no limitations for TCNs that are of Greek origin (homogeneous). According to the party's statute, any Greek citizen or of Greek origin can become member of the party. <sup>235</sup> For <i>Potami</i> , there are no legal limitations, and "every Greek citizen, citizen of EU member-state or of any other country who lives permanently in Greece" <sup>236</sup> can become a volunteer [as there are no members]. For <i>Golden Dawn</i> , there are legal limitations only concerning TCNs that are not of Greek origin. Greek citizens or citizens of Greek origin can become members. <sup>237</sup> For the <i>Greek Communist Party</i> , "everyone that accepts the Program and the Memorandum" can

<sup>230</sup> Greece, Amnesty International (Greek Office), Reply to the Request of data, 5 May 2015.

<sup>231</sup> Greece, Hellenic League for Human Rights, Reply to the Request of data, Athens, 21 April 2015

<sup>232</sup> Greece, Amnesty International (Greek Office), Reply to the Request of data, 5 May 2015.

<sup>233</sup> Greece, Generation 2.0 RED, Reply to the Request for data, Athens, 24 April 2015.

<sup>234</sup> Greece, SYRIZA (2013), *Statue*, Athens

<sup>235</sup> Greece, New Democracy (2013), *Statue*, Athens

<sup>236</sup> Greece, To Potami (2014), *Statue*, Athens

<sup>237</sup> Greece, Xrusi Augi (2012) *Statue*, Athens

		<p>become a member, therefore there are no legal limitations for TCNs.<sup>238</sup> For <i>Anexartitoi Hellenes</i>, only Greek Citizens can become members, therefore there are legal limitations for TCNs.<sup>239</sup> Finally, for PASOK, there are no legal limitations, as “citizens of EU member states, as other foreigners who legally reside in Greece” can become members.<sup>240</sup></p> <p>Additional information was requested from the political parties of SYRIZA, New Democracy and PASOK, but no data was provided. Informal information from PASOK referred to the absence of such data as no origin is recorded.</p>
	<p>Do political parties encourage and support membership and participation of migrants and/or their descendants in their activities? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>Data was requested from Syriza, New Democracy and Pasok as the largest political parties during 2010-2014. No data was provided. No relevant research exists.</p>
	<p>Please provide any data on the participation and membership of migrants and their descendants in the political parties, initiatives and movements? (figures or % of party members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available)</p>	<p>Data was requested from Syriza, New Democracy and Pasok as the largest political parties during 2010-2014. No data was provided. No relevant research exists.</p>
	<p>Are migrants elected as representatives of political parties, initiatives and movements? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p>	<p>Data was requested from Syriza, New Democracy and Pasok as the largest political parties during 2010-2014. No data was provided. No relevant research exists.</p>

### 3.7.Civic and citizenship education

	<p>The participation of migrants and their descendants (with a distinct linguistic, cultural background) in education:</p>	
	<p>Have teachers of migrant background equal access to <b>employment</b> in education, as teachers? If yes, what is the rate of participation (% of teachers with migrant background at national level)? Are they represented in professional teacher associations?</p>	<p>Teachers of migrant background holding the Greek citizenship have equal access to employment in education. However, according to the Centre for Research and Documentation of OLME, “few teachers of migrant background have access to Greek citizenship”, which is a requirement for employment in (public) education.</p>

<sup>238</sup> Greece, Communist Party of Greece (2013), *Statue*, Athens

<sup>239</sup> Greece, Anexartitoi Hellenes (2012), *Statue*, Athens

<sup>240</sup> Greece, PASOK, *Statue*, Athens

	Please identify limitations, challenges and promising practice.	Therefore, in practice, there are very few teachers of migrant background employed as teachers. This is related to the requirement for all public sector employees to hold Greek, or other EU member-state, citizenship <sup>241</sup> . As a result, teachers with migrant backgrounds are not represented in professional teacher associations. In order to identify more data, research was carried out in February and March 2015 through written requests and follow-ups in the Ministry of Education, but no data was provided.
	Are there any particular gender issues?	No research findings or official data were identified on the issue. Requests for data were addressed to the Ministry of Education and the Greek Federation of Secondary School teachers (OLME), but no information or data was provided.
	Are parents of migrant background actively participating in the school life? Please provide evidence concerning their participation in parents associations, school and community events and extracurricular activities, consultations etc. <sup>242</sup>	There is no legal limitation on the participation of parents of migrant background in school life. However, according to the Centre for Research and Documentation of the Greek Federation of Secondary School teachers (OLME) in practice they face barriers because of negative responses by other parents and stereotypes against them <sup>243</sup> . In most of the cases there is no effort to encourage their support or to remove barriers of communication, for example by information in other language or interpretation <sup>244</sup> . In order to identify more data, research was carried out through written requests and follow-up contacts in the Ministry of Education, but no data was provided.
	Are there extracurricular activities involving and engaging with children and parents of migrant background and/or focussing on civic and citizenship education? Please identify limitations, challenges and promising practice.	According to the OLME Centre for Research and Documentation, some activities are organised, mainly by anti-racist organisations, migrant school associations or other NGOs and associations. The centre noted that there are very few initiatives organised by the state, without providing us with more information <sup>245</sup> . Desk research has shown that there are certain initiatives, mostly independent or organised by third-party initiatives. For example, the Cinefil

<sup>241</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

<sup>242</sup> For more information about involving the community in the school life and vice versa please refer also to the findings of the SIRIUS Network <http://www.sirius-migrationeducation.org>

<sup>243</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

<sup>244</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

<sup>245</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

		<p>Team in the schools of Neos Kosmos, a neighbourhood of Athens, where the Parents Association participates, has organised discussions on issues of migration and asylum<sup>246</sup>. Also, the Open School of Migrants, operated by volunteer teachers, has organised events in one school in Piraeus<sup>247</sup>. However, not enough data is available to present a more detailed picture for 2010-2014. A study in 2011 identified that 3.45% of all initiatives regarding diversity and discrimination were organised by the Ministry of Education, while the majority of initiatives were organised by schoolteachers or the school advisor<sup>248</sup>. Most actions in schools were to increase awareness of diversity and promote the understanding of otherness, while fewer initiatives were to combat discrimination and racism<sup>249</sup>. In order to identify more data, research was carried out through written requests and follow-up contacts in the Ministry of Education, but no data was provided.</p>
	<p>Are there provisions for bilingual education? If yes, is it supported by trained teachers and training programmes, curriculum provisions and dedicated school manuals and books?</p>	<p>According to the OLME Centre for Research and Documentation, bilingual education takes place “in exceptionally few cases” and moreover “without a plan, as part of specific – mostly European funded – programs”<sup>250</sup>. In order to identify more data, research was carried out in February and March 2015 through written requests and follow-ups in the Ministry of Education, but no information was given.</p>
	<p>Is there evidence of school segregation and/or policies of separate/distinct schooling of migrants?</p>	<p>For the OLME Centre for Research and Documentation, this phenomenon is “extremely rare”. The centre provided an example of such an incident some years ago in a certain school in the area of Athens, without providing more information<sup>251</sup>. In order to identify more data, requests were addressed to the Ministry of</p>

<sup>246</sup>United Nations (UN), High Commission for Refugees (2014) ‘Μετανάστες και Πρόσφυγες στην Ελλάδα του σήμερα’, Press Release, 10 December 2014, available at: <http://www.unhcr.gr/1againstracism/metanastes-ke-prosfiges-stin-ellada-tou-simera/>

<sup>247</sup>Greece, Open School for Migrants, available at: <http://asmpeiraia.blogspot.gr/p/blog-page.html>

<sup>248</sup>Greece, Institute for Rights Equality and Diversity (2011), Recording of organized activities and material in Greek schools to eliminate discrimination, Athens, Institute for Rights Equality and Diversity, available at: [http://www.i-red.eu/resources/projects-files/katagrafi\\_druseon\\_ylikou\\_sta\\_ellinika\\_sxoleia.pdf](http://www.i-red.eu/resources/projects-files/katagrafi_druseon_ylikou_sta_ellinika_sxoleia.pdf),

<sup>249</sup> Greece, Institute for Rights Equality and Diversity (2011), Action plan for the prevention or/and the fight against racism and all forms of discrimination, for highlighting the importance of diversity and fighting violence in schools, Athens, Institute for Rights Equality and Diversity, available at: <http://www.i-red.eu/?i=institute.el.projects.78>

<sup>250</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

<sup>251</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

		Education, but no information was provided.
	<p>Is there evidence of modifying school curricula and teaching materials can be modified to reflect the diversity of the school population? Is the teacher regular curricula/training dealing with specific reference to immigrants or ethnic minorities and respect/promotion of diversity?</p>	<p>The program "priority zones of Education" that was established in 2010 [Law 3879/2010] allows Primary schools to establish reception classes, learning support classes or summer courses. Reception and support classes are established in schools in areas with "low educational and socio-economic indicators" as defined after a decree by the Minister of Education.<sup>252</sup></p> <p>The "training program for foreigner and returning nationals students" [TPFRNS], is implemented by the Aristotle University of Thessaloniki in schools of both elementary and secondary education that have foreigner or returning Greek students above 10% of the total. The program is divided in nine actions in the fields of support classes, Greek language improvement, intercultural communication, training of the teachers, support the mother-tongue of the students, psychological support, developing links between the school and the migrant communities, school networking and other actions. The program targets both the teachers and the students with the aim "to prepare them to deal with the challenges of multicultural societies".<sup>253</sup></p> <p>No further data regarding the implementation of the above programs was provided by the competent ministry of Education.<sup>254</sup></p> <p>For the OLME Centre for Research and Documentation, there are only a few cases where school curricula are modified. These cases take place within certain experimental applications, outside of the official school curricula. Moreover, in certain modules and schoolbooks – like in Literature and in Civic Education classes – there are certain references to migrants and to promotion of diversity<sup>255</sup>. Supporting teaching material in the fields of promoting diversity and combating racism and discrimination was produced through a number of projects, however information</p>

<sup>252</sup> <http://eye.minedu.gov.gr/index.php/29-uncategorised/dhmosiothta-ergwn/167-zwnes-ekpaideutikh-s-proteraiothtas>

<sup>253</sup> Greece, Aristotle University of Thessaloniki (*Αριστοτέλειο Πανεπιστήμιο Θεσσαλονίκης*) Education of migrants and repatriated students' (*Έκπαίδευση Αλλοδαπών και Παλιννοστούντων Μαθητών*) available at: <http://www.diapolis.auth.gr/index.php/tautotita-praksis>.

<sup>254</sup> Greece, Ministry of Education, Reply to the request of Data, Athens, 4 June 2015 (Φ.25/608/88435/Δ1)

<sup>255</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

		<p>about the extent this material was used in the classroom is not available<sup>256</sup>. The Program "Education of the Muslim Minority children in Thrace has been implemented since 1997, modifying the school curricula of the minority schools in Greek Thrace<sup>257</sup>.</p>
	<p>Are all students – not only of migrant background – targeted and/involved by civic education and activities related to migrant integration at schools?</p>	<p>There are few occasions when students are targeted and involved in civic education activities<sup>258</sup>. These activities are usually in the area of Health and Environment Education. Participation in these activities is not obligatory for students. Activities related to migrant integration at school take place under the occasion of certain 'days', like "the day against racial discrimination" when schools have the right to organise activities of one to three hours on these issues <sup>259</sup>. Such activities were organised in 21 March 2015 during the International Day for the Elimination of Racial Discrimination when the Ministry of Education "called all schools of primary and secondary education to spend one or two hours in activities, debates and other initiatives against racism, xenophobia and racial discrimination".<sup>260</sup> In order to identify more data, written requests were addressed to the Ministry of Education, but no data was provided. In this direction, several informal activities exist, organized by the teaching staff or external bodies (such as NGO's). One such initiative is the program "Encouraging interactive information campaigns at school" with the target group all students and their parents, implemented in twenty schools and organized by a collaboration between associations and private teaching institutions funded by the European Integration Fund.<sup>261</sup> However, desk research shows that the majority of these activities do not represent an officially endorsed policy but isolated</p>

<sup>256</sup> Greece, Institute for Rights Equality and Diversity (2011), Action plan for the prevention or/and the fight against racism and all forms of discrimination, for highlighting the importance of diversity and fighting violence in schools, Athens, Institute for Rights Equality and Diversity, available at: <http://www.i-red.eu/?i=institute.el.projects.78>

<sup>257</sup> Greece, Support Centre of the Project Education of the Muslim Minority Children in Thrace, available at: <http://www.museduc.gr/en/to-proγραμμα>

<sup>258</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

<sup>259</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

<sup>260</sup> Greece, Ministry of Culture, Education and Religion (*Υπουργείο Παιδείας και Θρησκευμάτων*), 'Circular Letter "21th March international day against discrimination and racism" (*Εγκύκλιος με θέμα «21η Μαρτίου διεθνής ημέρα για την εξάλειψη των φυλετικών διακρίσεων και του ρατσισμού*)', Press Release, 13 March 2015

<sup>261</sup> Greece, Greek School Network available at: <http://www.sch.gr/96-announces/2773-2013-06-05-09-39-32>

		<p>activities implemented either individually in a specific school by volunteers or in a group of schools by various projects.</p> <p>132<sup>nd</sup> primary school (school of Grava), as a school with almost 70% of its students TCN's, involves both students (all students) and parents in civic education activities and activities related to migrant integration. However, no activity is an official activity directed by the Ministry. All activities over the past five years have been organized either by the teaching staff or by external bodies, such as NGO's. The Ministry of Education at times has sent written directions for the organization of civic education activities, but these are not obligatory or have explicit content.<sup>262</sup></p> <p>According to the program of the Ministry of Education with the name "New School" [<i>Neo sholeio</i>], today the management of the educational system is characterized by "lack of flexibility and diversity of the teaching content based on the socio-economic and cultural characteristics of each area". According to the description of the program, "the lack of support provided to the teaching staff, the lack of the necessary teaching material and the insufficient application of the necessary policies to strengthen disadvantaged groups, have led to the failure to provide real support".<sup>263</sup></p>
<p>The implementation of specific measures and initiatives aimed at (the following possible practices on the left is an indicative and non-exhaustive list):</p>		
	<p><b><i>Please use the following as indicative list of possible practices to report on:</i></b></p> <p>Improving the way civic and citizenship education reflect diversity in society through curricular and extracurricular activities. Are there specific programmes helping young people to learn how to live in a society with people from different cultures and religions?</p>	<p>In order to identify data, written requests were addressed to the following ministries, organisations and associations: Ministry of Education, Greek Federation of Secondary Education State School Teachers (OLME), Greek Forum of Migrants. The Ministry of Education provided us data about the implementation of two projects. No other data was received.</p> <p>The "Sunday School for Migrants" (Kyriakatiko Sxoleio Metanastwn) is an initiative organized by both Greeks and migrants which provides Greek language courses for migrants, targeting migrant integration<sup>264</sup>.</p>
	<p>Improving the way formal curriculum subjects, e.g. literature, history, etc. promote mutual understanding, respect for ethnic and religious diversity and the</p>	

<sup>262</sup> Greece, According to the information provided at a discussion with the Head Master of the School, 27 May 2015.

<sup>263</sup> Greece, Ministry of Education., 'New School ' available at: <http://www.minedu.gov.gr/neo-sxoleio-main.html?showall=&start=3>

<sup>264</sup> Greece, Sunday School for Migrants, available at: <http://www.ksm.gr>

<p>common democratic and pluralist values?</p> <p>Facilitating equal opportunities in education for children with migrant background?</p> <p>Facilitating the involvement, participation and support of parents with migrant background in the educational system and in the school activities?</p> <p>Providing language learning support to students of migrant background?</p> <p>Improving attendance and reducing drop-out of students with migrant background?</p> <p>Improving school and teachers' capacity to embrace, build on and/or manage diversity?</p>		<p>The Open School for Migrants is an association that operates in the 14<sup>th</sup> highschool of Pireus and was established in 2005 by teachers. The aim of the Open School is to "promote the cultural and social development of migrants and refugees", by offering Greek language courses, providing legal support, assistance in cases of racist violence and bringing migrants and Greeks<sup>265</sup> into contact with each other.</p> <p>A Cinefil Team constituted by parents and students was established in the school of the 3<sup>rd</sup> division of schools in Athens, Neos Kosmos. The team has organized open discussions at schools on the issues of migration and refugees<sup>266</sup>.</p>
<p>In particular, please specify if there are promising practices, including affirmative action / positive action practices designed to tackle structural inequalities.</p> <p>Other...</p>		<p>A report published in 2011 by i-RED collects initiatives for the period until 2012. Among them, a "guide to antiracist education" was re-published in 2012 (1<sup>st</sup> year of publication, 2010) by an independent publisher, addressed to teachers<sup>267</sup>.</p> <p>Primary schools in areas with low educational and socio-economic indicators (defined after a decree by the Minister of Education) can establish reception and support classes [Law 3879/2010] in order to assist migrant students to integrate in the school system. Priority Zones of Education aim to improve the education provided to the student population, based on the positive discrimination, assisting students that face difficulties due to financial, social or cultural reasons.<sup>268</sup></p> <p>The "training program for foreigner and returning nationals students" [TPFRNS], is implemented by the Aristotle University of Thessaloniki in schools of both elementary and secondary education that have foreigner or returning Greek students above 10% of the total. The program targets both the teachers and the students with the aim to prepare them to deal with</p>

<sup>265</sup> Greece, Open School for Migrants, available at: <http://asmpeiraia.blogspot.gr/p/blog-page.html>

<sup>266</sup> United Nations (UN), High Commission for Refugees (2014) 'Μετανάστες και Πρόσφυγες στην Ελλάδα του σήμερα', Press Release, 10 December 2014, available at: <http://www.unhcr.gr/1againstracism/metanastes-ke-prosfiges-stin-ellada-tou-simera/>

<sup>267</sup> Greece, Institute for Rights Equality and Diversity (2011), Action plan for the prevention or/and the fight against racism and all forms of discrimination, for highlighting the importance of diversity and fighting violence in schools, Athens, Institute for Rights Equality and Diversity, available at: [http://www.i-red.eu/resources/projects-files/sxedio\\_drasis-protypo\\_yliko.pdf](http://www.i-red.eu/resources/projects-files/sxedio_drasis-protypo_yliko.pdf)

<sup>268</sup> Greece, Ministry of Education (Υπουργείο Παιδείας), Law 3879/2010, Introduction of Life-long training and other provisions (Ανάπτυξη δια βίου μάθησης και άλλες διατάξεις), 21 September 2010.

		<p>the challenges of multicultural societies. The program is divided in nine actions covering the fields of Greek language improvement, intercultural communication, teacher training, students' mother-tongue and psychological support, developing links between the school and the migrant communities, school networking and other actions.<sup>269</sup></p>
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### 3.8. Drivers, barriers for the implementation, monitoring and assessment of legislation & policy measures

	<p>Previous paragraphs indicated in detail aspects about the actual implementation of participation policies, normative framework and measures. In this section briefly summarize the most important drivers, positive factors and the barriers, resistance or negative factors that have been identified regarding the design, implementation, monitoring and assessment of policy measures and normative framework for the political and social participation of migrants and their descendants. Please base the analysis on governmental and non-governmental reports, as well as research and studies.</p>	<p><b>Drivers:</b></p> <p>According to the Ministry of Interior, the National Strategy includes several policy objectives for TCN's social inclusion and participation, as also for strengthening social cohesion. The Ministry describes the following guidelines/targets of the Strategy as driving factors for social inclusion and participation<sup>270</sup>:</p> <ul style="list-style-type: none"> <li>→ It provides the strengthening of the participation of TCNs in advisory bodies.</li> <li>→ It promotes a balanced representation of both sexes in clubs and organisations.</li> <li>→ It aims at the facilitation of the participation of TCNs in mainstream organisations (not just migration) with the support of volunteer programs and seminars.</li> <li>→ It encourages the establishment of TCN associations in order to be able to give advice to newcomers; it also encourages the participation of their representatives in relevant programs as trainers and role models.</li> <li>→ It aims at the creation of a platform for TCN organisations,</li> </ul> <p>- The Code for Immigration and Social Inclusion<sup>271</sup>. The Code has provisions assisting those who have lost their legal status to renew it, and therefore promotes legal security. It extends the duration of residence permits from two to</p>
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<sup>269</sup> Greece, Aristotle University of Thessaloniki (*Αριστοτέλειο Πανεπιστήμιο Θεσσαλονίκης*) Education of migrants and repatriated students' (*Έκπαίδευση Αλλοδαπών και Παλιννοστούντων Μαθητών*) available at: <http://www.diapolis.auth.gr/index.php/tautotita-praksis>.

<sup>270</sup> Ministry of Interior (Υπουργείο Εσωτερικών), Response of Ministry of Interior Prot.-Nr 7100/27/18-ιβ', 11 March 2015

<sup>271</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Law 4251/2014 Code of Immigration and Social Integration (*Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης και λοιπές διατάξεις*), 1 April 2014

		<p>three years, makes the family reunification process much simpler and introduces long-term residence permits for the second generation of migrants. Finally, it introduces (art. 19) the residence permit for exceptional reasons. The Greek Ombudsman characterized the code as a “particularly positive step” and highlighted certain changes as “important and targeted”, due to their operation “in the direction of establishing a status of rights and of safe residence status for the TCNs”<sup>272</sup>.</p> <ul style="list-style-type: none"> <li>- Several social inclusion programs – supported through the European Integration Fund<sup>273</sup> – that have been implemented during the last years and assist language knowledge and help migrants to integrate and participate.</li> <li>- Consultative bodies – mainly the Municipality Integration Councils that introduce TCNs to political participation at the local level and increase the visibility of migrant organizations and access to local administration<sup>274</sup>.</li> <li>- The foundation of One Stop Shops<sup>275</sup> that strengthen social participation and protect the legal status of TCNs. They simplify all interactions regarding residence permits, access to health, education, integration programs, etc.</li> <li>- The General Workers’ Association (GSEE) operates the Information Centre for Workers and the Unemployed (<a href="http://www.kepea.gr">www.kepea.gr</a>) which provides reliable information on work-related and insurance issues and advice to workers and economic immigrants and the Labour Institute that conducts research and has placed specific focus on migration issues (eg. undeclared labour).<sup>276</sup></li> <li>- Certain media “give special focus on the needs of vulnerable groups, such as migrants”<sup>277</sup>.</li> </ul>
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<sup>272</sup> Greece, Greek Ombudsman (2013), Comments on the Draft Law on the Ratification of the Migration Code and Social Integration (*Παρατηρήσεις επί του Σχεδίου Νόμου για την Κύρωση του Κώδικα Μετανάστευσης και Κοινωνικής Ένταξης*), Athens, Greek Ombudsman

<sup>273</sup> Greece, Ministry of Interiors (*Υπουργείο Εσωτερικών*), Multiannual Program of the European Integration Fund for the period 2007-2013 (*Πολυετές πρόγραμμα του Ευρωπαϊκού Ταμείου Ένταξης Υπηκόων τρίτων χωρών για την περίοδο 2007-2013*)

<sup>274</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*), Law 3852/2010 New Architecture of Local Government and Decentralized Administration – The Kallikratis Plan (*Νέα Αρχιτεκτονική της Αυτοδιοίκησης και της Αποκεντρωμένης Διοίκησης – Πρόγραμμα Καλλικράτης*), 7 June 2010

<sup>275</sup> Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*), Law 4251/2014 Code of Immigration and Social Integration (*Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης και λοιπές διατάξεις*), 1 April 2014

<sup>276</sup> Greece, Greek General Confederation of Labour (*Γενική Ομοσπονδία Εργατών Ελλάδος*), Response to the request for data Prot.-Nr 248, 24 March 2015

<sup>277</sup> Greece, NERIT (*Νέα Ελληνική Ραδιοφωνία, Ίντερνετ και Τηλεόραση Α.Ε*) Response to the request for data, Prot.Nr 156, 1 April 2015.

		<ul style="list-style-type: none"> <li>- There is no legal limitation on the participation of parents of migrant background in school life.<sup>278</sup>.</li> <li>- Two separate programs are implemented by the Ministry of Education in order to introduce migrant students in the Greek school system. The program "priority areas of Education" that allows Primary schools to establish reception classes, learning support classes or summer courses and the "training program for foreigner and returning nationals students" [TPFRNS], implemented by the Aristotle University of Thessaloniki in schools of both elementary and secondary education that have foreigner or returning Greek students above 10% of the total.<sup>279</sup></li> </ul> <p><b>Barriers:</b></p> <ul style="list-style-type: none"> <li>- The National Strategy "remains a little known text which has not even been read by decision-makers or civil society organizations". Specifically, "Interviews in the Ministry of Interior revealed that the strategy was drafted by a few individuals without any prior consultation with the relevant ministries, whose involvement is necessary in order to implement it"<sup>280</sup>. There was also no consultation with other stakeholders among civil society or immigrants' associations." Due to these observations, according to the European Commission against Racism and Intolerance (ECRI), the prospects of the implementation of the National Strategy are not considered promising so far<sup>281</sup>.</li> <li>- No specific indicators for inclusion are used by the authorities.<sup>282</sup></li> <li>- Obtaining a residence permit for exceptional reasons is a lengthy process. Very few of the individuals who lost their residence permit could renew it through that process. Renewal due to exceptional reasons is only for one year. Therefore,</li> </ul>
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<sup>278</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

<sup>279</sup> Greece, Ministry of Education, Reply to the request of Data, Athens, 4 June 2015 (Φ.25/608/88435/Δ1)

<sup>280</sup> Council of Europe, European Commission against Racism and Intolerance (ECRI), ECRI Report on Greece (fifth monitoring cycle), Strasbourg, Council of Europe, 24 February 2015

<sup>281</sup> Council of Europe, European Commission against Racism and Intolerance (ECRI), ECRI Report on Greece (fifth monitoring cycle), Strasbourg, Council of Europe, 24 February 2015

<sup>282</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, <http://www.eliampep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

		<p>the Migration Code does not have provisions for the majority of those with residence permit who were not able to renew it due to the economic crisis<sup>283</sup>.</p> <ul style="list-style-type: none"> <li>- The migration code is too general in certain articles (e.g. 129-130), and refers to the National Integration Plan for specification. However, the latter is considered unrealistic and not linked with the programs of the European Fund<sup>284</sup></li> <li>- Key provisions regarding citizenship for the second generation and local election rights (of law 3838/2010) were suspended in 2012. Since then, there has been no replacement for citizenship acquisition and the political rights of the 2<sup>nd</sup> generation. Moreover, for the Hellenic League for Human Rights, long-term residence for the second generation – as described by the Immigration Code – is not enough for the political and social participation and integration of the 2<sup>nd</sup> generation<sup>285</sup>.</li> <li>- With regard to citizenship and naturalization, the EMN reported that the process of naturalization after the personal interview of foreigners and recommendation of the Naturalization Committees of Law 3838/2010 at the Decentralized Administrations continued in 2013 is “tedious, time-consuming and costly for the applicant”<sup>286</sup>. For EMN, the process from submission of the application until the interview lasts an average of two years, mainly because of inadequate staff at the naturalization services, but also due to the large number of applications that have matured and are awaiting call. The EMN also highlights that even after an interview is made, the transcript of the minutes has finished and the opinion to the Ministry of Interior has been received, the</li> </ul>
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<sup>283</sup> Greece, Hellenic League for Human Rights (2014), ‘Code of Immigration and Social Integration: Just a small step forward: Partly too little, partly too late’ (*Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης: Απλά ένα μικρό βήμα μπροστά: Εν μέρει πολύ λίγα, εν μέρει πολύ αργά*), Athens (available at: [http://www.hlhr.gr/images/site/1014/1025\\_large/keimeno\\_tekmhriovshs\\_kvdiakas\\_metanasteys2.pdf](http://www.hlhr.gr/images/site/1014/1025_large/keimeno_tekmhriovshs_kvdiakas_metanasteys2.pdf))

<sup>284</sup> Greece, Hellenic League for Human Rights (2011), Code of Immigration and Social Integration: Just a small step forward: Partly too little, partly too late (*Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης: Απλά ένα μικρό βήμα μπροστά: Εν μέρει πολύ λίγα, εν μέρει πολύ αργά*), Athens, (available at: [http://www.hlhr.gr/images/site/1014/1025\\_large/keimeno\\_tekmhriovshs\\_kvdiakas\\_metanasteys2.pdf](http://www.hlhr.gr/images/site/1014/1025_large/keimeno_tekmhriovshs_kvdiakas_metanasteys2.pdf))

<sup>285</sup> Greece, Hellenic League for Human Rights (2014), ‘Code of Immigration and Social Integration: Just a small step forward: Partly too little, partly too late’ (*Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης: Απλά ένα μικρό βήμα μπροστά: Εν μέρει πολύ λίγα, εν μέρει πολύ αργά*), Athens, (available at: [http://www.hlhr.gr/images/site/1014/1025\\_large/keimeno\\_tekmhriovshs\\_kvdiakas\\_metanasteys2.pdf](http://www.hlhr.gr/images/site/1014/1025_large/keimeno_tekmhriovshs_kvdiakas_metanasteys2.pdf))

<sup>286</sup> Greece, European Migration Network (EMN) (2013), *Annual Report 2013 on Migration and Asylum Policy in Greece*, Athens

		<p>process still takes another year to be completed.<sup>287</sup>.</p> <p>The media discourse often presents migrants using a sharp distinction between “us” (Greeks) and the “others” (migrants), while media often focus on migrants as a “problem” and a “threat”, giving specific reference to migrant actions against the law<sup>288</sup></p> <p>Migrant associations do operate, but they are excluded from public, political and cultural life, and associations are not always recognized as equal partners by official institutions. Authorities often do not recognize the representative character of many migrant associations and they are excluded from the decision-making process. The authors refer to a characteristic example, the fact that the National Committee for the Social Integration of Migrants did not include any representative of migrant associations<sup>289</sup>. Many local Integration councils do not operate.<sup>290</sup></p> <p>Teachers with migrant backgrounds are not represented in professional teacher associations, due to the requirement for all public sector employees to hold Greek, or other EU member-state, citizenship<sup>291</sup>. Parents of migrant background face barriers to participation in school life, due to negative responses by other parents and stereotypes<sup>292</sup>. In most of the cases there is no effort to encourage their support or to remove barriers to communication, for example by information in other languages or interpretation<sup>293</sup></p> <p>Bilingual education takes place “in exceptionally few cases” and moreover</p>
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<sup>287</sup> Greece, European Migration Network (EMN) (2013), *Annual Report 2013 on Migration and Asylum Policy in Greece*, Athens

<sup>288</sup> Pantzoy C. (2013), “The lost thoughtfulness. Migration and racist discourse in the Greek Media”, *Igainstracism.gr*, available at: [http://www.unhcr.gr/Iagainstracism/η-χαμένη-νηφαλιότητα-μετανάστευση-κα/?doing\\_wp\\_cron=1387876656.9291019439697265625000](http://www.unhcr.gr/Iagainstracism/η-χαμένη-νηφαλιότητα-μετανάστευση-κα/?doing_wp_cron=1387876656.9291019439697265625000)

<sup>289</sup> Harokopeio University-Geography Department, *Guide for NGO’s and migrant associations* (Οδηγός ΜΚΟ και Συλλόγων Μεταναστών), Athens, December 2009, [http://www.geo.hua.gr/~metanastes/MKO\\_Metanaston.pdf](http://www.geo.hua.gr/~metanastes/MKO_Metanaston.pdf)

<sup>290</sup> Papakonstantis M. (2013), ‘Migrant Integration Councils and social inclusion policy of third country nationals’, *Social cohesion and Development*, Vol. 8, No 2, pp 107-126

<sup>291</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

<sup>292</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

<sup>293</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

		"without a plan, as part of specific – mostly European funded – programs" <sup>294</sup> .
<b>3.9. Use of funding instruments (EIF, ERF, EMIF)</b>		
	<p>Please provide briefly information and documented insights about the allocation and distribution of funds aimed at supporting political and social participation, and active citizenship measures for migrants and/or their descendants.</p>	<p>According to the information provided by the Ministry of Interior, the distribution of funds takes place according to needs and in accordance with the priorities set by the EU. Emphasis is given to Greek language courses, improving access for TCNs to social services and combating racism and xenophobia"<sup>295</sup>.</p> <p>The European Integration Fund supports non-profit projects on third country nationals' integration directed in four areas: 1. Development of support services with the aim to support the integration process, 2. The support of the integration process, especially for the newcomers in the country, 3. The increase of the capabilities of the state to implement and monitor integration policies for the Third Country Nationals, 4. The development of best practices in the direction of integration.</p> <p>The European Integration Fund also includes actions that address the 'host society' which are: capacity building for the Migrants Integration Council, the enhancement of migrants' organisations and cooperation with the host society and state actors, training of public servants, etc.<sup>296</sup></p> <p>However, specific breakdowns of funding per general area of integration policies in the last year were identified in the Multiannual Program of the European Integration Fund for the period 2007-2013 and the Strategic Plan for the Implementation of the Program and for Fund Distribution for the period 2007-2013. Specifically, for the European Integration Fund (EIF), the distribution was the following:</p> <p style="text-align: center;">1. Social Cohesion / social inclusion</p>

<sup>294</sup> Greece, Greek Federation of Secondary Education State School Teachers (*Ομοσπονδία Λειτουργών Μέσης Εκπαίδευσης*), Response to the request for data

<sup>295</sup> Ministry of Interior (*Υπουργείο Εσωτερικών*), Response of Ministry of Interior Prot.-Nr 7100/27/18-ιβ', 11 March 2015

<sup>296</sup> Greece, Ministry of Justice (*Υπουργείο Δικαιοσύνης*) (2014), National plan for Human Rights (*Εθνικό Σχέδιο Δράσης για τα Ανθρώπινα Δικαιώματα*), The national printing house (*Εθνικό Τυπογραφείο*),

Greece, Ministry of Interiors (*Υπουργείο Εσωτερικών*), Multiannual Programme of the European Integration Fund for the period 2007-2013 (*Πολυετές πρόγραμμα του Ευρωπαϊκού Ταμείου Ένταξης Υπηκόων τρίτων χωρών για την περίοδο 2007-2013*), Greece, Ministry of Interior (*Υπουργείο Εσωτερικών*) (2013), National Strategy for the Integration of third country nationals, (*Εθνική Στρατηγική για την Ένταξη των πολιτών τρίτων χωρών*), 23 April 2013

		<p>2010: 2,168,086.13 €  2011: 1,786,032.00 €  2012: 2,186,352.00 €  2013: 2,444,400.00 €</p> <p>2. Welcoming society</p> <p>2010: 722,695.38 €  2011: 297,672.00 €  2012: 364,392.00 €  2013: 407,400.00 €</p> <p>3. Other</p> <p>2010: 722,695.17 €  2011: 893,016 €  2012: 1,093,176.00 €  2013: 1,222,200 €</p> <p>No provision for participation, active citizenship, employment, education and healthcare appears to have been made in this Strategic Plan and Multiannual Program's report.</p> <p>For the European Refugee Fund (ERF) the distribution is the following :</p> <p>→ Social Cohesion / social inclusion  2010: 1,350,000.00 €  2011: 1,524,500.00 €  2012: 1,485,000.00 €  2013: 1,880,000.000 €</p> <p>→ Other  2010: 75,000.00 €  2011: 95,000.00 €  2012: 135,000.00 €  2013: 75,000.00 €</p> <p>No provision for participation, active citizenship, welcoming society, employment, education and healthcare appears to have been made in this Strategic Plan and Multiannual Program's report.</p> <p>However, no other specific information was provided by the relevant ministry. Therefore, no specific breakdown of funding per general area of integration policies in the last year and for the period 2010-2014 is available.</p>
<p>In particular provide a breakdown of funding for the relevant actions and measures by area (political participation, social participation and membership, indicating the source of funding (EIF, ERF, national, regional, other funding source) by <b>using the Annex 5</b></p>		

### 3.10.Key legal and policy developments, and relevant case law

	<p>In this section, please provide information about developments regarding the above legal and policy instruments concerning participation (political, consultation, membership and association, active citizenship and civic education), including any new legislative or policy initiatives in the framework of migrant integration in the country. Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of legal and policy instruments and on the actual situation on the ground, including public debates and perceptions among the native population and migrants. (Use template in Annex 9).</p>	<ul style="list-style-type: none"> <li>- After the general elections in January, the directorate for migration policy was transformed into a Ministry of Migration on February 2015. The new minister declared that a new Citizenship Code that will include positive provisions for the Second and 'one half' Generations is due to be presented before parliament in the next months.<sup>297</sup> A draft law was published on May 2015.</li> <li>- The European Integration Fund is due to expire at the end of 2015. The status of the funds for the next period is not yet known. The end of the fund will mark the end of any fund for integration policies.<sup>298</sup></li> <li>- February 2014: the Greek parliament amended law 3838/2010 to exclude third-country nationals from the right to vote.</li> <li>- 4.2.2013: Publication of the Judgment 460/2013 of the Council of State that characterized as "unconstitutional" the provision of Article 10 of Law 3852/2010 ["New architecture for local administration and decentralized administration - Programme Kallikrates" (Νέα Αρχιτεκτονική της Αυτοδιοίκησης και της Αποκεντρωμένης Διοίκησης – Πρόγραμμα Καλλικράτης] that gave third country nationals with minimum of two years of residence the right to vote in local elections.</li> <li>- 16.03.2010: Greek Parliament approved the draft law 'Modern Provisions Regarding Greek Citizenship and Political Participation of Aliens of Greek Origin and Migrants Residing Legally in Greece' (<i>Σύγχρονες Διατάξεις για την Ελληνική Ιθαγένεια και την πολιτική συμμετοχή ομογενών και νομίμως διαμενόντων μεταναστών</i>).</li> <li>- 26.02.2010: The draft law 'Modern Provisions Regarding Greek Citizenship and Political Participation of Aliens of Greek Origin and Migrants Residing Legally in Greece' (<i>Σύγχρονες Διατάξεις για την Ελληνική Ιθαγένεια και την πολιτική συμμετοχή ομογενών και νομίμως</i></li> </ul>
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<sup>297</sup> Greece, To Vima (2015). 'Migration Minister to grant citizenship to all children born or raised in Greece', 24 March 2015

<sup>298</sup> Greece, Ministry of Interiors (Υπουργείο Εσωτερικών) European Integration Fund 2007-2013 (*Ευρωπαϊκό Ταμείο Ένταξης Υπηκόων τρίτων 2007-2013*)

		<p>διαμενόντων μεταναστών) was deposited in Greek parliament.</p> <p>Finally, the Assess report argues that the policy framework for immigrant integration in Greece is overall under-developed. Greece was a latecomer to putting integration on the policy agenda and has done so mostly under the influence of EU norms and Directives. According to the report, although legislation has gradually granted more rights to TCNs, the measures and policies adopted to actively facilitate immigrant integration have mostly remained on paper. The integration measures that have been implemented are generally fragmented and ad hoc.<sup>299</sup></p>
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## 4.Social cohesion and community relations

### 4.1.Social cohesion policies

	<p>Does the national integration legal and policy framework refer to social/community cohesion? Is there a clear definition of social/community cohesion? Please report it here – in original language and in full English translation.</p>	<p>According to the National Integration Strategy, “as well as increasing economic benefits from the management of legal and controlled migration, integration policies also promote social cohesion. The notion of social integration is a central political idea of both the European Union and our country. Social Integration emphasizes the participation of all social groups in the social welfare, while harmonic social relations are considered a fundamental element of economic and social life (Council of Europe, 2008: Report of High-level taskforce on Social Cohesion: Towards an Active, Fair and Socially Cohesive Europe)<sup>300</sup>.</p> <p><b>Original Language:</b> Οι πολιτικές ένταξης, πέραν της μεγιστοποίησης των οικονομικών ωφελειών από τη νόμιμη και ελεγχόμενη μετανάστευση, ουσιαστικά στοχεύουν στην προώθηση της κοινωνικής συνοχής. Η έννοια της κοινωνικής συνοχής αποτελεί κεντρική πολιτική ιδέα της Ευρωπαϊκής Ένωσης και της χώρας μας. Η κοινωνική συνοχή δίνει ιδιαίτερη έμφαση στη συμμετοχή στην κοινωνική ευημερία όλων των ομάδων του πληθυσμού, ενώ θεωρεί την επίτευξη αρμονικών κοινωνικών σχέσεων ως θεμελιώδη λίθο της οικονομικής και κοινωνικής ζωής (Council of Europe (2008), Report of High-level taskforce on Social Cohesion: Towards an Active, Fair and Socially Cohesive Europe)<sup>301</sup>.</p>
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<sup>299</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), ‘National Report Greece. Integration of Vulnerable Migrant Groups’, Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliamep.gr/wp-content/uploads/2015/03/ASSESSNatI.Report.Phase2.FINAL.pdf>

<sup>300</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών) (2013), National Strategy for the Integration of third country nationals, (Εθνική Στρατηγική για την Ένταξη των πολιτών τρίτων χωρών), 23April 2013

<sup>301</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών) (2013), National Strategy for the Integration of third country nationals, (Εθνική Στρατηγική για την Ένταξη των πολιτών τρίτων χωρών), 23April 2013

<p>Are there any specific measures in place to strengthen social cohesion? Please refer to promising practices and examples of challenges. Use the template for promising practices in Annex 7 highlighting the most important and/or successful.</p>		<p>The National Strategy includes measures for migrant integration and to strengthen social cohesion. A total number of 78 actions have been implemented since 2007, with another 15 to be implemented by the end of 2015. Those which have been implemented are in the following areas: 1. Measures to increase access to social services (information for access, programs for intercultural mediation, development of multicultural skills of public servants, etc), 2. Measures to improve the knowledge of Greek and to better integrate migrant children into the education system, 3. Programs to improve migrant access to employment, 4. Measures to increase the participation of migrants in the public sphere (Migrant Integration Councils, encouragement of migrants to participate in associations), 5. Measures to increase awareness of the majority society and to fight social exclusion and xenophobia [reply by the Ministry of Interior] (information campaigns, etc), 6. Promotion of intercultural dialogue and multiculturalism (cultural and sports events, training of intercultural mediators, etc), 7. Support for vulnerable migrant groups (psychological and social support to the elderly migrants, etc) <sup>302</sup></p> <p>Actions to be implemented by the end of 2015 are in the areas of: 1. Providing services and information to TCNs, 2. Increasing awareness among the majority society on issues regarding migration, 3. Training of TCN, 4. Encouraging multiculturalism among the majority society, 5. Research on issues of migration and migrant integration, 6. Multicultural training to public employees, 7. Networks of cooperation on issues of migration and migrant integration<sup>303</sup>.</p>
		<p>Are there indicators used by authorities to assess, monitor and support social cohesion policies? E.g. social distance, social interaction, intergroup relations, etc. Please provide available relevant data, figures and findings, if any, and present them briefly in the relevant table of the Annex (4).</p>
<p>Please outline available research, studies, and surveys about the sense of belonging and identification of migrants and/or their descendants with diverse types of local, regional and national identities. Please summarise briefly key findings and any differentiations by nationality or ethnic origin,</p>		<p>Not many studies or extensive research have been identified. Papageorgiou (2011) presented an "anthropological approach to migration experience", showing how Albanian migrants made a significant effort to develop strong links with Greece as their new country.<sup>304</sup> Moesedes and Papadopoulou focus on the social integration of migrants in Greece, especially in the fields of employment, education and migrant identities. The authors analyze the processes of social integration and highlight some of the "dark and contradictory" areas of the term "integration", arguing that "migration presence is an issue of contestation because of the economic crisis"<sup>305</sup>. Afouxenidis, Sarris and Tsakiridi (2012) in their edited volume about "Migrant integration: perceptions, policies, practices", approach issues related to the legal framework, social inclusion, education and the</p>

<sup>302</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών) Response to the request for data Prot.-Nr 14568, 6 March 2015

<sup>303</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών) (2013), National Strategy for the Integration of third country nationals, (Εθνική Στρατηγική για την Ένταξη των πολιτών τρίτων χωρών), 23April 2013

<sup>304</sup> Papageorgiou B. (2011) *Από την Αλβανία στην Ελλάδα, τόπος και ταυτότητα, διαπολιτισμικότητα και ενσωμάτωση: μια ανθρωπολογική προσέγγιση της μεταναστευτικής εμπειρίας*, Athens, Nisos

<sup>305</sup> Moesedes A., Papadopoulou D. (eds) (2011) *Η κοινωνική ενσωμάτωση των μεταναστών στην Ελλάδα: εργασία, εκπαίδευση, ταυτότητες*, Athens, Kritiki

	gender, age and geographic area.	cultural integration of migrants in Greece. <sup>306</sup> Some of the arguments are that integration policies are “unable to manage the issues of migrants with equality and human dignity”, while a policy framework that will guarantee integration through fundamental rights and equal access to basic needs “is non-existent” (p. 32). Finally, Kaloforidis studies the new multicultural environment at school and argues that the presence of TCNs at Greek schools requires a new approach in teaching methodology that takes into account the “new multicultural environment” at school. <sup>307</sup>
	Please indicate legal measures and case law affecting social cohesion and community relations, for example the banning of specific religious or ethnic dress, such as the ‘burqa’ <sup>308</sup> .	In Greece there are no measures that ban certain religious or ethnic activities (such as the ‘burqa’) <sup>309</sup> .
	Does the action plan or strategy on integration and inclusion of migrants and their descendants address combating racism, xenophobia and intolerance? Are there specific integration/inclusion actions related to racism and intolerance for education and/or for young people? If yes, how are such actions linked to general integration and/or social inclusion and/or cohesion policy? Please provide information on implementation and impact of such plans and refer to	The National Strategy on Migrant Integration addresses combating racism, xenophobia and intolerance in the following areas: 1. In the section, “Assisting equal access to health services for TCNs and refugees” one of the (eight) measures is: “improving the living quality of TCNs (regarding health) in the urban environment”. 2. Section 3.2.7.2 of the National Strategy is entitled: “Increasing awareness to public opinion: Confronting racist phenomena” and describes nine measures combatable with the Common Framework for Integration: Common Basic Principles for Immigrant Integration Policy in the European Union by the Council of the European Union. 3. Section 3.2.7 of the National Strategy addresses equal treatment and contains sub sections on fighting discrimination and confronting racism. Subsections contain indicative actions, like media campaigns, information campaigns for the rights and the obligations of TCN’s, and others. One of these indicative actions is a campaign to increase awareness among specific social groups, like students, by using individuals with high social recognition. There is no other information about the implementation and impact of such campaign, or any link between this action and the general inclusion policy <sup>310</sup> . The national strategy is not a legislative text but instead a roadmap that describes its proposals for integration and

<sup>306</sup> Afouxenidis A., Sarris N. and Tsakiridi O. (eds) National Centre for Social Research (2012), *Ένταξη των Μεταναστών: Αντιλήψεις, πολιτικές, πρακτικές*, National Centre for Social Research, available at: [http://www.ekke.gr/open\\_books/EntaxiMetanaston.pdf](http://www.ekke.gr/open_books/EntaxiMetanaston.pdf)

<sup>307</sup> Kaloforidis V. (2014), Identity, immigration and intercultural education in contemporary Greece, «*εκπ@ιδευτικός κύκλος*», 2 January 2014

<sup>308</sup> European Court of Human Rights (ECtHR), S.A.S. v. France, No. 43835/11, 1 July 2014

<sup>310</sup> Greece, Ministry of Interior (Υπουργείο Εσωτερικών) (2013), National Strategy for the Integration of third country nationals, (*Εθνική Στρατηγική για την Ένταξη των πολιτών τρίτων χωρών*), 23 April 2013

	any assessment of their impact?	social cohesion. There is no explicit commitment of the state to implement the suggested integration policies. Moreover, objectives and measures in the National Strategy do not specify whether and how these shall be subject to monitoring and evaluation but also to prescribe the evaluation of the Strategy as a whole <sup>311</sup> .
	Please provide information about state and non-state responses via positive measures, campaigns, partnerships involving migrants and communities. Please provide information only about those actions that focus on migrants and on <u>prevention</u> and promotion of peaceful living together and integration as mutual accommodation combatting racism and intolerance. Please outline any assessment about their impact and identify any relevant promising practice. (Use the template for promising practices in Annex 7).	In order to identify data, research was carried out in February and March 2015 through written requests and follow-ups in the following ministries, organisations and associations: Ministry of Education, Ministry of Interior, Greek Forum of Migrants. No data was received.

## 4.2. Combatting racism and intolerance

	Are there any policy measures, initiatives and practices to accommodate for ethnic or religious differences, for example in regard to sharing public space, such as	No measures, initiatives or practices are known to exist on this topic. Data was also requested from the Ministry of Interior, the Central Union of Municipalities and Communities of Greece, and the Central Union of Regions.
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<sup>311</sup> Greece, Hellenic Foundation for European and Foreign Policy (ELIAMEP) (2014), 'National Report Greece. Integration of Vulnerable Migrant Groups', Athens, Hellenic Foundation for European and Foreign Policy, available at: <http://www.eliamep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2.FINAL.pdf>

<p>swimming pools at local level? Identify any promising practices encouraging social interaction and contacts of people of different backgrounds at local level (<b>use the template for promising practices in annex 7</b>).</p>	
<p>Please indicate concrete measures, initiatives or programmes targeting migrants and/or descendants aiming at building trust in public institutions, especially at local level. E.g. campaigns, opening doors and reaching out to citizens, social centres, informal collective bodies, cultural events etc.</p> <p>Please provide notable examples of promising practice (<b>use the template for promising practices in annex 7</b>).</p>	<p>Integration Councils have been the basic institutions promoting and organising trust building activities. Various councils have printed and distributed leaflets in many languages, providing general information on the operation of the municipality. Moreover, many Integration councils in cooperation with the municipality have co-organised activities at local levels, for example during 'immigration day'. For example, integration councils organised various campaigns in support of the Citizenship Code of 2010. There is no central mechanism that collects data or archives information on these activities and data is empirical. Data was also requested from the Ministry of Interior, the Central Union of Municipalities and Communities of Greece, the Central Union of Regions and the Municipalities of Athens and Thessaloniki.</p> <p>In 2013, the Greek Ombudsman printed (in both hard copy and electronic versions) the booklet "Who do I have in front of me" [<i>Poion exw apenanti mou</i>], as a "diversity guide for public employees, in order to fight discrimination". The booklet was distributed to all municipalities across Greece.<sup>312</sup></p>
<p>Are there any specific ethical or other guidelines or rules concerning the language used by media or journalists, when writing about migrants and/or their descendants? In this case please</p>	<p>According to the NCRTV, this intervenes "every time there is a complaint for racist discourse against migrants or ethnic minority groups through the media". For example, NCRTV intervened with its decision 38/2014, issuing a recommendation to the TV station 'Art'<sup>313</sup>.</p> <p>According to the council for monitoring communications, this only monitors issues affecting the content and methods of advertisement broadcast in relation to the guidelines for marketing. Therefore, it has no responsibility for issues affecting ethical or rules concerning the language used in relation to migrants and/or their descendants<sup>314</sup>.</p>

<sup>312</sup> Greece, Greek Ombudsman (*Συνήγορος του Πολίτη*) (2013) 'Who do I have in front of me' (*Ποιόν έχω απέναντί μου*) Athens, Greek Ombudsman

<sup>313</sup> Greece, National Council for Radio and Television (*Ελληνικό Συμβούλιο Ραδιοτηλεόρασης*) Response to the request for data, Prot.-Nr 2137, 12 March 2015

<sup>314</sup> Greece, Council for Monitoring Communication (*Συμβούλιο Ελέγχου Επικοινωνίας*) Response to the request for data, 4 March 2015

	provide briefly information about actual application of such rules and challenges.	<p>According to the principles of deontology for journalism adopted by the General Assembly of the Union of Journalists on May 1998 with a majority of 80.4% and more precisely according to article 2 para. 1 of the principles "Journalist is entitled and obliged: A. To address citizens equally, without distinction of national origin, sex, race, religion, political views, economic status and social position". The disciplinary control instruments of the union may also monitor the implementation of the principles<sup>315</sup>.</p> <p>Circular No 21979/13.2003 of the Ministry of the Press and Media aims to increase the awareness of professionals working in the media of racism and xenophobia, and has been widely accepted by them. As an example, the Association of Publicity and Communication Companies of Greece has informed all its members about the content of the circular and asked them to respect the national legislation on racism and xenophobia <sup>316</sup>.</p> <p>ECRI noted, "some media express certain prejudices and negative stereotypes towards members of minority groups such as Roma, Jews, immigrants – especially Albanians – refugees and asylum seekers, as well as members of other minority groups. The statements in question are sometimes tolerated by the judicial authorities on the name of freedom of expression". ECRI stresses that in light of the case law of the European Court of Human Rights and Greek criminal law (see section 1-3 of law no. 927/1979), the principle of freedom of expression does not extend so far as to authorise the publication of racist statements<sup>317</sup>. ECRI recommends that the Greek authorities alerting media professionals to the dangers of racism and intolerance. In cases where racist articles have been published, it strongly encourages the Greek authorities to take every step to prosecute and punish the culprits<sup>318</sup>.</p>
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### 4.3. Mixed marriages

	Mixed marriages is often used as an index for social distance and integration or, even, assimilation. Mixed (citizenship) marriages are	There is no official data or other official information from the competent Ministry of Interior. Formal requests were sent to the Ministry of Interior. According to desk research and informal sources there are no legal limitations and thousands of mixed marriages take place each year. <sup>319</sup> There are however practical limitations, such as stereotypes <sup>320</sup> and the unwillingness of the church to perform mixed marriages
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<sup>315</sup>Greece, Journalists' Union of Athens Daily Newspapers (ESHEA) (*Ένωση Συντακτών Ημερησίων Εφημερίδων Αθήνας*), Statue 1979, available at: <http://www.esiea.gr/arxes-deontologias/>

<sup>316</sup> Council of Europe, European Commission against Racism and Intolerance (ECRI), ECRI Report on Greece (fifth monitoring cycle), Strasbourg, Council of Europe, 24 February 2015

<sup>317</sup> Council of Europe, European Commission against Racism and Intolerance (ECRI), ECRI Report on Greece (fifth monitoring cycle), Strasbourg, Council of Europe, 24 February 2015

<sup>318</sup> Council of Europe, European Commission against Racism and Intolerance (ECRI), ECRI Report on Greece (fifth monitoring cycle), Strasbourg, Council of Europe, 24 February 2015

<sup>319</sup> Greece, Kathimerini (2008), Mixed marriages and boundless hearts (*Μεικτοί γάμοι για καρδιές δίχως σύνορα*), available at: [www.kathimerini.gr/335575/article/epikairothta/ellada/meiktoi-gamoi-gia-kardies-dixws-synora](http://www.kathimerini.gr/335575/article/epikairothta/ellada/meiktoi-gamoi-gia-kardies-dixws-synora)

<sup>320</sup> UNHCR, Against racism, Mixed marriages and racism stereotypes (*Μεικτοί γάμοι και ρατσιστικά στερεότυπα*), available at: [www.unhcr.gr/lagainstracism/mikti-gami-ke-ratsistika-stereotipa/](http://www.unhcr.gr/lagainstracism/mikti-gami-ke-ratsistika-stereotipa/)

<p>defined as those where one of the spouses has foreign citizenship and the other has national citizenship (including registered partnerships, common-law marriages). Please indicate legal limitations, if any, for marriages between nationals and foreigners, e.g. for asylum seekers, third country nationals, etc. Do these limitations result in practical barriers?</p>	<p>between different religious doctrines<sup>321</sup>. Data sent by the Statistical authority does not contain % of mixed marriage on the total marriages per year. Statistical authority informed us that no such data is available. From data sent no relevant information can be deduced.</p>
<p>Are there any official or non-official data and information on mixed marriages (between nationals and people with another citizenship)? Please provide % proportions on the total number of marriages in a given period, as well as data – where available - about ages, country of origin/birth of migrant spouses.</p>	<p>There is no official data, statistics or other official information from the competent Ministry of Interior. Formal requests were sent to the Ministry of Interior and the Hellenic Statistical Authority (ELSTAT). Data was made available by ELSTAT on March the 23<sup>rd</sup> and is being processed.</p>

<sup>321</sup> Greece, Orthodox Group for Dogmatic Enquiries (*Ορθόδοξη Ομάδα Δογματικής Έρευνας*), Mixed Marriages in the Orthodox church (*Οι Μικτοί γάμοι στην Ορθόδοξη Εκκλησία*), available at: [http://oodegr.co/oode/orthod/praktikes/gamos\\_miktos\\_1.htm](http://oodegr.co/oode/orthod/praktikes/gamos_miktos_1.htm)

## Annex 2: National and regional level action plans on integration

<b>National / regional level</b> (specify region)	<b>Year of the first edition and Year of latest update</b> (e.g. First edition: 2004, Most recent update: 2011)	<b>Responsible ministry – public authority – reference details</b> (URL – links)	<b>Target groups</b> Identify migrant and refugee groups as beneficiaries (e.g. on the basis of their residence status)	<b>Main aims, actions and activities foreseen in the focus areas – link to fundamental rights</b> [provide both key dimensions and specific actions and aims of the policy instruments in each focus area (use a different row for each focus area if needed)]	<b>Targeting general population?</b> Yes/No – explanatory comments where needed	<b>Insert here definition of integration (in EN) if any. Alternative: Indicate the core aim/objective of the NAP related to social inclusion and/or integration of migrants</b>
National Level ("Strategy", not "action plan")	First edition: 2013	Ministry of Interior	'Third-country nationals residing legally in Greece' (migrants, refugees and asylum seekers). Certain measures are included for specific TCN groups, like women, elderly, children and people with disabilities.	<p>National Integration Strategy contains only "indicative actions".</p> <p><b>Focus areas:</b></p> <p>1. Actions foreseen in the field of "Common basic principles of political inclusion of migrants in the European Union":</p> <p>1.1: Information-services:</p> <p>A. Establishment of offices offering legal and administrative support and production of printed and electronical information material about legal issues.</p> <p>B. Establishment of an electronic registry database of trained multicultural mediators and networking of the mediators</p>	Yes. Three types of measures included: 1. Public employee training, 2. Increase awareness of the 'wider public', 3. Common cultural and sports events.	The National Strategy borrows the term integration from the 1 <sup>st</sup> Common Basic Principle of European Union [Council of the European Union (2005), Common Framework for Integration: Common Basic Principles for Immigrant Integration Policy in the European Union, COM (2005) 389]: "Integration is a dynamic, interactive process of mutual adjustment both of migrants and of the citizens of member-states"

				<p>through an online platform.</p> <p>C. Establishment of mixed youth centers.</p> <p>1.2. Increasing awareness of majority society in issues regarding migrant integration and empowerment of TCNs, legally residing in the country.</p> <p>A. Technical assistance for the members of Integration Councils (SEM), training regarding their operation for all those involved in the councils, networking, exchange of best practices between the members of SEM.</p> <p>2. Development of indicators for evaluation.</p> <p>2.1. Studies and research in the field of migration and integration of TCNs legally residing in the country.</p> <p>3. Skill development on policies for integration, coordination and development of multicultural skills of the member-states at all levels of governance (national, regional, local).</p> <p>3.1. Multicultural training for public employees who deal with</p>		
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				<p>TCNs or issues of their interest.</p> <p>4. Exchanges of experience, best practices and information between member-states on integration.</p> <p>4.1. Development of networks of cooperation on issues of migration and integration.</p> <p>The National Integration Strategy contains two specific references. Reference 1: "The aim of the national migration policy is the rational management of the legal migration flows, in the framework of the fundamental rights of the foreigners with a specific reference to the rights of children and other vulnerable groups" (p. 7). Reference 2: "Fundamental Rights of children despite their nationality should be respected as described in the Convention of the Rights of the Child of UNICEF.</p>		
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## Annex 4: Indicators monitoring migrant integration - social inclusion/cohesion

N.	Indicator	Definition	Legal frame / policy target	Data source	Periodicity	Reference / Comments
1.  2.  3.  4.	<p>Number of the Third Country Nationals that participate in the projects applied and are beneficiaries,</p> <p>Number of the Third Country Nationals that declare they are satisfied</p> <p>Number of the employees that are trained on issues of multiculturalism</p> <p>Number of Greek citizens that are becoming aware on issues of migration and integration</p>	<i>No available data</i>	<i>No available data</i>	<i>No available data</i>	<i>No available data</i>	<p>Reference: Greece, Ministry of Interior (Υπουργείο Εσωτερικών), Response to the request for data Prot.-Nr 7100/27/18-ιβ', 11 March 2015</p> <p>Comment: According to the reply by the Ministry of Interior, the office of the National Integration Fund (Department of Social Integration, Ministry of Interior) uses both qualitative and quantitative indicators to evaluate the results only of actions applied within the context of the European Integration Fund (EIF). The component Ministry does not use specific indicators for the general monitoring, assessment and review of integration policies</p>



## Annex 5: Use of funding instruments

Table 1 - European Integration Fund (EIF)

	European Integration Fund (EIF) - TOTAL	Own funds	Funds distribution / Thematic areas							
			Participation	Social Cohesion / social inclusion	Active citizenship	Welcoming society	Employment	Education	Healthcare	Other
<b>2010</b>	3,613,476,88	831,099.48 (25%)		2,168,086.13		722,695.38				722,695.17
<b>2011</b>	4,124,240.00 <sup>322</sup>	992,240.00 (25%)		1,786,032.00		297,672.00				893,016
<b>2012</b>	5,041,640.00	1,214,640.00 (25%)		2,186,352.00		364,392.00				1,093,176.00
<b>2013</b>	5,633,000.00	1,358,000.00 (25%)		2,444,400.00		407,400.00				1,222,200
<b>2014</b>	No data available	No data available								

\* Please indicate if Asylum, Migration and Integration Fund is used for 2014

<sup>322</sup> All data for the years 2011-2014 is based on the strategic plan for the implementation of the program and for fund distribution for the period 2007-2013, [http://ete.ypes.gr/?page\\_id=20](http://ete.ypes.gr/?page_id=20)

Table 2 - European Refugee Fund (ERF) aiming at integration of beneficiaries of international protection

	European Refugee Fund (ERF) - TOTAL	Own funds (national/regional)	Funds distribution / Thematic areas							
			Participation	Social Cohesion / social inclusion	Active citizenship	Welcoming society (host society targeted)	Employment	Education	Healthcare	Other
<b>2010</b>	1,498,000.00	458,500.00		1,350,000.00						75,000.00
<b>2011</b>	1,709,000.00	539,833.33		1,524,500.00						95,000.00
<b>2012</b>	1,709,000.00	540,000.00		1,485,000.00						135,000.00
<b>2013</b>	2,067,000.00	651,666.67		1,880,000.00						75,000.00
<b>2014</b>	No data available	No data available								

\* Please indicate if Asylum, Migration and Integration Fund is used for 2014

## Annex 7: Promising practices

<b>Thematic area</b>	
Title (original language)	Προγράμματα διαπολιτισμικής επιμόρφωσης του προσωπικού της τοπικής αυτοδιοίκησης και της Δημοτικής Αστυνομίας που συναλλάσσονται με υπηκόους τρίτων χωρών νομίμως διαμενόντων στην Ελλάδα
Title (EN)	Intercultural training programs for staff of local authorities and municipal police that deal with third country nationals legally resident in Greece
Organisation (original language)	Κέντρο Ανάπτυξης Εκπαιδευτικής Πολιτικής της ΓΣΕΕ (ΚΑΝΕΠ) & Πάντειο Πανεπιστήμιο
Organisation (EN)	Development Centre for Educational Policy of the Greek General Labour Confederation (KANEP) & Panteion University
Government / Civil society	Civil Society
Funding body	European Integration Fund (EIF)
Reference (incl. url, where available)	<a href="http://www.kanep-gsee.gr/brief-profil">http://www.kanep-gsee.gr/brief-profil</a>
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	February 2012 – June 2012
Type of initiative	Personnel Training for local authorities and the municipal police in matters related to contact with third-country nationals legally resident in Greece.
Main target group	Public servants
Indicate level of implementation: Local/Regional/National	Local and Regional Level
Brief description (max. 1000 chars)	<p>The program consisted of training seminars for a total duration of 40 hours which offered the provision of accurate knowledge and information related to migratory phenomena, provided cultural awareness data on third-country nationals and aimed to strengthen the professional identity of trainees and their animation in the performance of their duties.</p> <p>The total budget for the program was 361,347.69 Euros.</p> <p>The duration of the program was 6 months.</p> <p>The program covered the whole territory of the country. The program involved more than 500 municipal employees and more than 700 municipal police officers from the seven (7) decentralized administrative areas of the country. Its geographical distribution was finalized after investigation of educational needs by the project team.</p>
Highlight any element of the actions that is transferable (max. 500 chars)	Through the programme in question, Panteion University and KANEP aimed to diffuse best practices and modify professional practices through the acquisition of specific intercultural skills and, more specifically, through the improvement of the knowledge, skills and behaviours of local administration personnel and of the municipal police who come in direct contact with third-country nationals. At the same time, the programme was also aimed at introducing the concept of integration as a priority on the local municipality agenda, so as to

	enhance, in the long term, the protection of the rights of the immigrant population as well as strengthen social cohesion through the eradication of stereotypical perceptions.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The implementation of this program created an appreciable quantity of high quality educational and training material, submitted to continuous evaluations before taking its final form. This educational and training material is available for the training of other public servants dealing with third country nationals
Give reasons why you consider the practice as having concrete measurable impact	After the completion of the training programme, the research team may readdress the team of participants and administer a questionnaire in order to assess the extent to which the provision of services and the behaviour of the civil servants in question has improved.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	Such a practice may be considered transferable as the programme was administered to a group of civil servants, who were initially reluctant to accept a multicultural framework of action. The fact that the programme was successfully completed demonstrates the applicability of both the educational material and the teaching methods to other groups of civil servants.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Not applicable.
Explain, if applicable, how the practice provides for review and assessment.	Not applicable.

## Annex 8: Discrimination complaints submitted to Equality Bodies

(no data)

Table 3 – Numbers of discrimination cases on any ground submitted by third country nationals (TCNs) in 2014\*

Number of cases (report the 10 Largest nationality group that submitted a complaint by the end of 2014)	Grounds								
	Racial or ethnic origin	Nationality (where applicable)	Race / skin colour	Religion / faith/ belief	disability	gender	Sexual orientation / gender identity	age	Other <b>Roma</b>
Cases investigated in 2014: <b>216</b>	<b>25</b>			<b>29</b>	<b>50</b>		<b>4</b>	<b>33</b>	<b>75</b>
Cases submitted in 2014: <b>139</b> *	<b>18</b>			<b>28</b>	<b>39</b>		<b>3</b>	<b>16</b>	<b>35</b>
* <b>The GO “unfortunately has no data for all the information you have requested”.</b>  <b>Therefore, all numbers are on cases submitted, without distinction if submitted by TCN’s or not<sup>323</sup>.</b>									

\* Provide data for 2013 if 2014 not available by March 2015

<sup>323</sup> Greece, Greek Ombudsman (Συνήγορος του Πολίτη), Response to the request for data, 12 March 2015 and Greek Ombudsman (Συνήγορος του Πολίτη) (2014), Fighting Discrimination- Annual Report 2014, Athens, Greek Ombudsman, available at: <http://www.synigoros.gr/resources/docs/ee2014-12-diakriseis.pdf>

Table 4 - Outcome of discrimination cases on grounds of ethnic origin submitted by third country nationals\*

Competent Body (e.g. Equality Body, Administrative court etc.)	Outcome						
	Pending from previous years	Pending – submitted in 2014	Established discrimination	Shift of the burden of proof applied	Successful mediation – restoring rights/fairness – sanctions applied	Unsuccessful mediation	Not admissible (formal admissibility / withdrawal reasons)
Greek Ombudsman (No other information was provided on the requested data) <sup>324</sup>	122	69					

\* Provide data for 2013 if 2014 not available by March 2015

<sup>324</sup> Greece, Greek Ombudsman (Συνήγορος του Πολίτη), Response to the request for data, 12 March 2015

## Annex 9: Case law – max 5 leading cases

<b>Thematic area</b>	<b>Citizenship acquisition</b>
<b>Decision date</b>	2013
<b>Reference details</b>	460/2013 STE (Council of State)
<b>Key facts of the case</b> (max. 500 chars)	Aliens and Citizenship. Request to cancel Ministerial Decision YA.F. 130181/23198/2010 determining the necessary documents to be included in the application file for a registration request to the Registration Offices on the basis of birth or study in Greece.
<b>Main reasoning/argumentation</b> (max. 500 chars)	When defining the criteria for the acquisition of Greek citizenship by foreigners, the law can take into account ways to acquire citizenship based on jus soli establishing both formal and essential criteria which prove integration into Greek society. The legislator cannot give aliens the right to vote in local elections and the rights 14,15 and 21 of law 3838/2010 are against articles 4 para. 4, 51, 52, 102 of the Greek Constitution that allocate voting rights exclusively to Greek citizens. Minority opinion acknowledges that the right to limited participation of certain categories of TCNs in local elections serves the general interest and is thus not contrary to the constitution.
<b>Key issues (concepts, interpretations) clarified by the case</b> (max. 500 chars)	Criteria for citizenship acquisition as described in 3838/2010 are against articles 1, 4, 16, 25 and 29 of the Greek Constitution. Voting rights attributed to TCNs on the conditions defined by law 3838/2010 are against articles 4 para. 4, 51, 52, 102 of the constitution.
<b>Results (sanctions) and key consequences or implications of the case</b> (max. 500 chars)	Citizenship acquisition cannot take place as described in articles 1, 13 and 24 of the law 3838/2010. Aliens cannot have the right to elect and be elected according to art. 14, 15 para. 1, 17, 20 and 21 of law 3838/2010.
<b>Key quotation in original language and translated into English with reference details</b> (max. 500 chars)	Τα άρθρα 1, 13 και 25 του ν. 3838-2010 περί απόκτησης της ελληνικής Ιθαγένειας από ανήλικα τέκνα αλλοδαπών υπηκόων που γεννιούνται στην Ελλάδα και των οποίων οι γονείς διαμένουν στη χώρα επί πέντε έτη ή από τέκνα αλλοδαπών που φοίτησαν επί έξη έτη σε ελληνικά σχολεία ή από ενήλικους αλλοδαπούς που ζούσαν στην Ελλάδα μεταξύ 18 <sup>ου</sup> και 21 <sup>ου</sup> έτους και φοίτησαν επί έξη έτη σε ελληνικό σχολείο, αντίκεινται στα άρθρα 1, 4 παρ. 3, 16, 25 παρ. 1 και 29 παρ. 1 του Συντάγματος, αφού τα θεσπιζόμενα κριτήρια δεν συνδυάζονται και με στοιχεία που θα προσέδιδαν στη διαμονή ουσιαστικά χαρακτηριστικά εντάξεως στην ελληνική κοινωνία.  ... οι ως άνω διατάξεις του Ν. 3838/2010 δεν είναι σύμφωνες προς το Σύνταγμα, καθ' όσον αναγνωρίζουν σε αλλοδαπούς υπηκόους τρίτων χωρών, μη έχοντες καν την ιδιότητα του ομογενούς, δικαίωμα του εκλέγειν και εκλέγεσθαι κατά τις εκλογές των οργανισμών τοπικής αυτοδιοικήσεως α' βαθμού, παραβιάζοντας έτσι την αρχή ότι τα πολιτικά αυτά δικαιώματα ανήκουν αποκλειστικά σε έλληνες πολίτες, χωρίς να έχει επιρροή στην κρίση περί αντισυνταγματικότητας το γεγονός ότι ο εξεταζόμενος νόμος προέβλεψε με τις ίδιες διατάξεις και ορισμένες θετικές και αρνητικές προϋποθέσεις που πρέπει να συντρέχουν για την άσκηση των δικαιωμάτων αυτών από τους αλλοδαπούς

	<p>Articles 1, 13 and 25 of law 3838/2010 on the acquisition of Greek citizenship for minor children of aliens who were born in Greece and whose parents have lived in Greece for five years, or for minor children of aliens who studied in a Greek school for six years, or for adult aliens living in Greece between their 18<sup>th</sup> and 21<sup>st</sup> year who have studied in a Greek school for six years, are against articles 1, 4 para. 3, 16, 26 para. 1 and 29 para. 1 of the Greek Constitution, as the established criteria are not combined with evidence that would add to residence substantive features of integration into Greek society.</p> <p>The above provisions of law 3838/2010 are not in accordance with the constitution to the extent that they acknowledge that alien third country nationals, who do not even have Greek origin, have the right to elect and be elected in local government elections, thus abusing the principle that these political rights belong exclusively to Greek citizens. The fact that the law examined sets through its provisions specific positive and negative conditions that need to be in place for the exercise of these rights by aliens does not have an impact on the decision on unconstitutionality.</p>
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<b>Thematic area</b>	<b>Citizenship acquisition</b>
<b>Decision date</b>	2014
<b>Reference details</b>	3353/2013, STE (Council of State)
<b>Key facts of the case</b> (max. 500 chars)	Request to cancel individual administrative acts issued by the general secretariats of regional authorities regarding the acquisition of Greek citizenship by children of aliens, third country nationals, based on their birth in Greek territory according to law 383/2010.
<b>Main reasoning/argumentation</b> (max. 500 chars)	
<b>Key issues (concepts, interpretations) clarified by the case</b> (max. 500 chars)	The application before the court is not considered justified in terms of legitimate interest when exercised by organisations acting upon their interest on issues of national interest.
<b>Results (sanctions) and key consequences or implications of the case</b> (max. 500 chars)	Application was rejected.
<b>Key quotation in original language and translated into English with reference details</b> (max. 500 chars)	<p>Αίτηση ακύρωσης ατομικών διοικητικών πράξεων Γενικών Γραμματέων Αποκεντρωμένων διοικήσεων που αφορούν στη χορήγηση ελληνικής Ιθαγένειας σε τέκνα αλλοδαπών υπηκόων τρίτων χωρών λόγω γέννησης, βάσει του 3838/2010. Πότε η αίτηση ακύρωσης ασκείται παραδεκτά από άποψη έννομου συμφέροντος από φυσικά ή νομικά πρόσωπα. Δεν ασκείται παραδεκτά η αίτηση από τα αιτούντα σωματεία, που επικαλούνται τη μέριμνα τους για τα εθνικά ζητήματα.</p> <p>Request to cancel individual administrative acts by the general secretariats of regional authorities regarding acquisition of Greek citizenship for the children of aliens, third country nationals based on birth, based on 3838/2010. When the cancellation application</p>

	is filed by individuals it is accepted by legal interest. The application is not accepted when this comes from institutions that claim issues of national interest.
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<b>Thematic area</b>	<b>Citizenship acquisition</b>
<b>Decision date</b>	2012
<b>Reference details</b>	3770/2012, STE (Council of State)
<b>Key facts of the case</b> (max. 500 chars)	If during the time of the birth of a child, his/her mother has lost the Greek citizenship which she had during her marriage, the child has the right to Greek citizenship only if the mother has lost her Greek citizenship after she was married to a foreigner and for no other reason.
<b>Main reasoning/argumentation</b> (max. 500 chars)	The decision of the ministry of Interior that gives solution to all disputes on citizenship is obligatory for all the administrative departments. Responsible for all issues of citizenship acquisition, based on law 2910/2001, is the General Secretary of the Regional authority.
<b>Key issues (concepts, interpretations) clarified by the case</b> (max. 500 chars)	The decision by the Ministry of Interior that solves disputes regarding citizenship is obligatory for all administrative departments.
<b>Results (sanctions) and key consequences or implications of the case</b> (max. 500 chars)	The case was sent to the plenary session of the Council of State.
<b>Key quotation in original language and translated into English with reference details</b> (max. 500 chars)	Αν, κατά τον χρόνο της γεννήσεως του τέκνου, η μητέρα είχε απωλέσει την ελληνική ιθαγένεια, την οποία είχε κατά την τέλεση του γάμου από τον οποίο γεννήθηκε το τέκνο, η δυνατότητα αποκτήσεως της ελληνικής ιθαγένειας παρέχεται στο τέκνο, μόνον εφόσον η απώλεια είχε επέλθει συνέπεια του γάμου της με αλλοδαπό, και όχι άλλου γεγονότος. - If during the time of the birth of a child, his/her mother has lost the Greek citizenship which she had during her marriage, the child has the right to Greek citizenship only if the mother has lost her Greek citizenship after she was married to a foreigner; not because of any other fact

<b>Thematic area</b>	<b>Citizenship acquisition</b>
<b>Decision date</b>	2011
<b>Reference details</b>	350/2011, STE (Council of State)
<b>Key facts of the case</b> (max. 500 chars)	The ministerial decision that defines the documents required for the acquisition of Greek citizenship for all individuals described in articles 1 and 24 of the law is compatible with the ministerial decision that describes the way third country nationals can perform their right to vote.
<b>Main reasoning/argumentation</b> (max. 500 chars)	It is acceptable to present reasons to cancel the decision, not directly against the provisions of the ministerial decision, but against the provisions of law 3838/2010, because in the event the provisions are proved weak, then the decision has to be cancelled. Provisions of articles 1A, para. 1-3 and 24 of law 3838/2010 are against the constitution, as they do not define a procedure in order the administration to be able to establish an

	original bond of the foreigners with the Greek nation. The decision is compatible with article 22, para. 1 of the Constitution.
<b>Key issues (concepts, interpretations) clarified by the case</b> (max. 500 chars)	<p>The case is referred to the plenary session of the Council of State on order to examine compatibility with the constitution of articles 1, para. 1-2 and 6, 14-21 and 24 of law 3838/2010.</p> <p>The decision is compatible with article 22, para. 1 of the Constitution. The European Convention on Migration and Asylum does not bind the member-states. Massive citizenship acquisition does not change the electoral body of European voters during the election of the Members of European Parliament.</p>
<b>Results (sanctions) and key consequences or implications of the case</b> (max. 500 chars)	Provisions of articles 1A, para. 1-3 and 24 of law 3838/2010 were held unconstitutional
<b>Key quotation in original language and translated into English with reference details</b> (max. 500 chars)	<p>Παραδεκτά προβάλλονται λόγοι ακυρώσεως όχι ευθέως κατά των ρυθμίσεων της ΥΑ, αλλά κατά των διατάξεων του ν. 3838/2010, διότι τυχόν ανίσχυρο της θεσπίσεως των ρυθμίσεων του νόμου συνεπάγεται την ακύρωση της αποφάσεως. Οι διατάξεις των άρθρων 1Α παρ. 1-3 και 24 του ν. 3838/2010 αντίκεινται στο Σύνταγμα, εφόσον δεν προβλέπεται διαδικασία για τη διαπίστωση από διοικητικά όργανα, της ύπαρξης γνήσιου δεσμού των αλλοδαπών προς το Ελληνικό έθνος.</p> <p>It is acceptable to present reasons for annulment not against the provisions of the ministerial decision, but against the provisions of law 3838/2010, because if the provisions are proved void, they lead to the annulment of the decision. The provisions of articles 1A, para. 1-3 and 24 of law 3838/2010 are against the Constitution, as they do not define a procedure for the verification by the administrative organs of the existence of an original bond of the foreigners with the Greek nation.</p>