

**GREEK HELSINKI MONITOR (GHM)
MINORITY RIGHTS GROUP - GREECE (MRG-G)
COORDINATED ORGANIZATIONS AND COMMUNITIES
FOR ROMA HUMAN RIGHTS IN GREECE (SOKADRE)**

Address: P.O. Box 60820, GR-15304 Glyka Nera **Tel.:** (+30) 2103472259 **Fax:** (+30) 2106018760
e-mail: office@greekhelsinki.gr **website:** <http://cm.greekhelsinki.gr>

**Parallel Report on Greece's compliance
with the UN Convention on the Elimination of All Forms of Discrimination against Women**

26 June 2012

This report was prepared for the **United Nations' Committee on the Elimination of All Forms of Discrimination against Women (CEDAW)** for submission to the **Pre-session working group** of the 54th Committee session considering Greece's compliance with its obligations under the **UN Convention on the Elimination of All Forms of Discrimination against Women** (30 July – 3 August 2012), on the basis of Greece's **Seventh periodic report** (CEDAW/C/GRC/7) submitted on 30 December 2010.¹

Greek Helsinki Monitor (GHM), founded in 1993, monitors, publishes, lobbies, and litigates on human and minority rights and anti-discrimination issues in Greece and, from time to time, in other European countries. **Minority Rights Group - Greece (MRG-G)**, founded in 1992, focuses on studies of minorities, in Greece and in the Balkans. The **Coordinated Organizations and Communities for Roma Human Rights in Greece (SOKADRE)** is a network founded in 2001; its members include 50 Roma communities and 5 Greek NGOs that have been working on Roma rights.

GHM and MRG-G previously submitted reports to CEDAW in July 2002² and in July 2006³ ahead of Greece's previews reviews by CEDAW in August 2002 and January 2007 respectively.

As is obvious from the list of NGOs which contributed to the State report, mentioned therein, **GHM, MRG-G and SOKADRE**, as well as minority NGOs, were not invited to contribute.

A. Introductory note on the status of Greece's reporting to UN human rights bodies

Greece stands out among EU countries for its systematic failure to submit reports to UN human rights bodies on time or with only short delays. Currently, Greece has not submitted its periodic reports to the **HRC (CCPR)** due on 01/04/2009 and to **CESCR** due on 30/06/2009. Only thanks to the visit of the **UN Special Rapporteur of Torture (UNSRT)** on 10-20 October 2010, Greece rushed to submit on 20 September 2010 its report to **CAT** originally due 04/03/2005 and rescheduled for 04/11/2009. Greece submitted on 30 December 2010 its report to **CEDAW** due on 07/07/2008. Greece also submitted on 6 July 2009 its report on **CRC** due 9 June 2000; on 29 January 2010 its report on **CRC-OP-AC** due 22 November 2005; and on 5 December 2011 its report on **CRC-OP-SC** due 22 March 2010.⁴ **GHM, MRG-G and SOKADRE** would like to reiterate that, despite the UN bodies' recommendations, these state reports and the ensuing recommendations remain unknown in Greece as they are not disseminated.

¹ <http://daccess-ods.un.org/TMP/6011927.12783813.html>

² http://www.greekhelsinki.gr/bhr/english/organizations/ghm_mrgg_cedaw.rtf

³ http://cm.greekhelsinki.gr/uploads/2006_files/ghm-mrgg_cedaw_july_2006.doc

⁴ <http://www.unhcr.ch/tbs/doc.nsf/NewhvVAIISPRByCountry?OpenView&Start=1&Count=250&Expand=68#68>

B. Detailed presentation on the implementation of CEDAW's 2007 recommendations

GHM, MRG-G and SOKADRE will present below information on the implementation, or lack thereof, of CEDAW's 2007 recommendations, reprinted below in boxes, also commenting on Greece's 2010 state report.

12. While recalling the State party's obligation to systematically and continuously implement all the provisions of the Convention, the Committee views the concerns and recommendations identified in the present concluding comments as requiring the State party's priority attention between now and the submission of the next periodic report. Consequently, the Committee calls upon the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. It calls on the State party to submit the present concluding comments to all relevant ministries and to Parliament in order to ensure their full implementation.

Greece has provided no information as to the submission of the 2007 concluding comments to all relevant ministries and to Parliament, let alone of how it monitored their implementation. GHM, MRG-G, and SOKADRE are not aware of any such action and monitoring.

14. The Committee recommends that the State party take measures to bring about changes in traditional patriarchal attitudes and in gender-role stereotyping. Such measures should include awareness-raising and public educational campaigns addressed at women and girls, as well as, in particular, men and boys, with a view to eliminating stereotypes associated with traditional gender roles in the family and in society, in accordance with articles 2 (f) and 5 (a) of the Convention. It also recommends that the State party further clarify the causes of persistent inequality between women and men, including through studies on the institutional rules that reinforce gender-role stereotyping, the specific manifestations of stereotypical ideology in the State party, the costs of placing the burden of homemaking solely on women and the monetary value of women's unpaid labour, and use the insights gained as basis for taking enhanced measures to address these stereotypes.

Despite some programs and projects listed by Greece, traditional patriarchal attitudes and gender-role stereotyping continue to prevail. Perhaps there is no better evidence than the make-up of the new government sworn in on 21 June 2012, which has the lowest number of women members (one minister and one deputy minister out of 39 members) in decades. The Committee is requested to note that this is a coalition of the two government parties alternating in power since 1974, conservative **New Democracy** and socialist **PASOK**, along with post-communist leftist **Democratic Left**.

16. The Committee requests that the State party remove impediments women may face in gaining access to justice. The Committee urges the State party to provide legal aid services and sensitization about how to utilize available legal recourses against discrimination, as well as to monitor the results of such efforts.

In reply to that recommendation, Greece provided a future commitment by the **General Secretariat for Gender Equality (GSGE)** that it will implement the recommendation, which is an implicit admission that no such work had been carried out through the end of 2010; not much has happened in the 18 months since then either.

18. The Committee calls on the State party to implement effective measures to eliminate discrimination against ethnic minority women, in particular Roma and Muslim women, and to enhance their enjoyment of human rights. The Committee requests the State party to provide, in its next report, information on the situation of women from ethnic minority groups, including with regard to access to education, employment and health care, and on the impact of measures taken to enhance such access and results achieved, as well as trends over time.

As usual, Greece lists a long series of projects with no impact assessment to show that discrimination against ethnic minority women has in effect decreased. Also, the State did not provide any information on the situation of ethnic minority women. GHM-MRG-G-SOKADRE have repeatedly documented that such discrimination continues to exist as most Roma children continue to be effectively excluded from education, sharia remains in effect among Muslims (Turks, Pomak, and Roma) in Thrace, while marriages of Roma and Muslims at an age (often well) below the legal age (18 years) without even their validation by the courts continue to be the norm. CEDAW is requested to consider the related excerpts from CRC's concluding observations of June 2012,⁵ which were based on extensive information GHM, MRG-G, and SOKADRE had provided to CRC:

“Non-discrimination

26. While noting some measures taken to address the discrimination against Roma children, such as the adoption of the New National Roma Integration Strategy in 2010 which focuses on education, health, employment and housing, the Committee expresses concern at the persistent discrimination against Roma children, children of Turkish origin, children belonging to the Muslim community of Thrace, and children from groups identifying themselves as belonging to the Macedonian minority, particularly in their access to education and essential services. It is also concerned at the existence of discrimination towards children with disabilities, children in street situations and children of undocumented migrant parents. The Committee is further concerned at the local disparities in different regions of the State party.

27. In light of article 2 of the Convention, the Committee urges the State party to ensure that all children in the State party enjoy equal rights without discrimination on any ground, and to this end:

- (a) Review domestic laws and expeditiously take all measures necessary to ensure that all children in the State party's territory be treated equally and as individuals;*
- (b) Ensure that children of Roma origin, children belonging to the Muslim community of Thrace, children of Turkish origin, children from groups identifying themselves as belonging to Macedonian minority, as well as children with disabilities, children with disabilities and children of undocumented migrant parents, have equal access to health and social services and to quality education and that relevant services used by these children are allocated sufficient financial and human resources; and*
- (c) Enhance monitoring of programmes and services implemented by local authorities with a view to identifying and eliminating disparities.”*

⁵ http://www2.ohchr.org/english/bodies/crc/docs/co/CRC_C_GRC_CO_2-3.pdf

20. The Committee recommends that the State party carry out studies and monitor closely the Law on Combating Domestic Violence, particularly its mediation procedure, in order to ensure that the legislation is implemented in a way that respects and promotes women's human rights and does not lead to perpetrators escaping punishment. The Committee calls on the State party to put in place training measures for judges who conduct mediation in criminal proceedings for domestic violence cases so as to enhance their capacity to deal with violence against women in a gender-sensitive manner.

GHM, MRG-G, and SOKADRE would like to bring to the attention of CEDAW two recent incidents related to domestic violence that are indicative of the lack of an effective implementation of the legislation and the ensuing impunity of perpetrators and often the re-victimization of victims.

First, on 13 April 2012, Thessaloniki-based state television ET-3 journalist Theodora Avgeri reported in her Facebook page⁶ that on 11 April 2012 she had witnessed a scene of violence against a woman by her partner in public and an unacceptable behavior of the police woman who dealt with the case:

“On Holy Wednesday, a man was beating mercilessly his female partner before the eyes of their two-year old daughter in front of the Cosmos shopping center [in Pylaia, Thessaloniki]. The woman was desperately calling for help. No man offered to help her, although scores of eyes were watching the scene... I happened to be there too. When I ran to offer my help, I had to face the violence of the aggressor and the indifference of the [adjacent] gas station owner to whose store I sought refuge for the defenseless woman. He did not want to get in trouble... The icing on the cake was the attitude of the police woman who told the woman-victim: ‘Why were you beaten? You should know that if you file a complaint against your husband, he will file a complaint against you too. In fact, are you married?’... During the trip to the police station, the police woman added: ‘It is not possible, you must have done something for him to beat you.’”

This case is indicative of how Hellenic Police reacts to cases of domestic violence, despite the existence of comprehensive legislation. Police officers are not trained to provide proper assistance or take the necessary action that would assure the safety of the victims and will help them seek legal action and redress. This is why Greece does not provide statistics on cases of domestic violence whereas it does provide statistics for cases of trafficking in human beings.

Secondly, Greek media widely reported that, on 15 May 2012, in Kalamaria (Thessaloniki) a first instance court judge beat his seven-year old son and threw him out as a form of punishment before the eyes of his wife and the child's mother, also a first instance court judge. The boy was found by police officers hours later wandering in downtown Thessaloniki probably trying to find his grandmother's home: he had obvious injuries and described to the officers the violence he had been a victim of. Police officers arrested the father who admitted his acts, but as judges enjoy special jurisdiction, the **First Instance Prosecutor of Thessaloniki** did not press charges in the framework of the *in flagrante* procedure but opened a usual case file to be investigated in the distant future by the **Appeals Prosecutor of Thessaloniki**. Then, the **Prosecutor of Thessaloniki for Minors** ordered that the boy be returned to his home and to his parents!⁷ A public outcry by several media did not move the authorities, even after it was claimed that the same parents were involved in a similar incident of public beating of the child (by the mother that time) two years ago, but nothing happened then either.⁸

⁶ https://www.facebook.com/permalink.php?story_fbid=3499701486646&id=1094936753

⁷ http://www.newsit.gr/default.php?pname=Article&art_id=140599&catid=3

⁸ <http://www.tanea.gr/gnomes/?aid=4732008>

This case is indicative of how children victims of violence effectively do not enjoy the protection of the law, especially if their parents do not appear as “marginal” to the judicial authorities.

22. The Committee requests the State party to effectively implement the integrated National Plan of Action against Trafficking in Human Beings. It also calls upon the State party to ensure that legislation on trafficking is fully enforced, in particular by effectively prosecuting and punishing offenders. It also recommends that the State party increase its efforts to prevent human trafficking and provide assistance and support to women victims.

Greece lists several legal and policy initiatives but provides no concrete information as to their impact on the effective implementation in practice of the adopted legislation. For example, there is no information of the concrete actions of the two Public Prosecutors appointed in Athens in order to deal with the phenomenon of trafficking in human beings. GHM, MRG-G and SOKADRE are aware of the existence of these Prosecutors. On the other hand they are also aware that these prosecutors do not have even a comprehensive overview of the related criminal briefs which are assigned to other prosecutors in whose work these two special prosecutors have no competence to intervene. Their competence is effectively limited to issuing decisions recognizing victims of trafficking with which the latter become entitled to receive the benefits provided by law. CEDAW may also consider that GHM, although representing many trafficking victims and having worked extensively on this issue, has not been included in the Memorandum of Cooperation with the NGOs. As to the law on legal aid the State does not provide any data on its implementation. Greek NGOs are aware that it has rarely been implemented: in most cases free legal aid effectively available comes from NGOs who operate similar programs and/or have lawyers available to offer their services free of charge. At the same time, on 7 April 2011, the Athens Bar Association has complained to the Minister of Justice that the lawyers who availed themselves in the framework of the free legal aid program had remained unpaid for over one year, which undermined the program.⁹

Greece provides statistics on court judgments in trafficking cases only to the **US Department of State** (DOS) for their related annual reports.¹⁰ In them, it is reported that there were some 80 convictions in 2008-2010 to sentences up to 17 years imprisonment:

“Greek authorities reported 28 new convictions of trafficking offenders this year, 14 acquittals, and 46 ongoing prosecutions in 2010, compared to 32 convictions, 12 acquittals, and 42 ongoing prosecutions in 2009. Courts affirmed 27 convictions and reversed two convictions on appeal during the reporting period. The Ministry of Justice did not report any suspended sentences in 2010. Sentences for convicted trafficking offenders ranged from one to 15 years’ imprisonment... The government reported 21 convictions of trafficking offenders, 17 acquittals, and 41 ongoing prosecutions during 2008. Sentences for the 21 convicted offenders ranged from one year to almost 17 years’ imprisonment, and many sentences also included fines, though many convicted trafficking offenders continued to be released pending lengthy appeals processes.”

First, GHM, MRG-G and SOKADRE note that from this statistics it is obvious that the authorities do not follow the issue comprehensively. For example, with **Athens Mixed Jury Court** Judgment 230-231-277-302-303-304/2010, two traffickers were convicted to 34 years imprisonment, but the sentence was suspended until their appeal was heard! This trial is evidently missing from the State’s statistics where judgments leading to imprisonment up to only 15 years were included and none with a suspended sentence.

⁹<http://www.dsa.gr/print.phtml?/index.phtml?url=news&categ=%CD%DD%E1-%C1%ED%E1%EA%EF%E9%ED%FE%F3%E5%E9%F2&id=2542108&search=&searchkeywords=>

¹⁰ <http://www.state.gov/g/tip/rls/tiprpt/>

Moreover, in the data provided to DOS, authorities include all trials even for illegal prostitution, so as to inflate them, and make no disaggregation by type of sentences and whether they are served or not. Most importantly, police statistics report 2,096 perpetrators for the period 2003-2011 (see below), while state data to DOS account for the conviction of some 80 of them.

GHM, MRG-G and SOKADRE recommend that UN CEDAW asks Greek authorities to provide case by case statistics on convictions –with corresponding sentences and their possible suspension-only on the specific trafficking articles 323A and 351 that in theory carry felony prison sentences (above 5 years). Most importantly, CEDAW is requested to ask Greek authorities to account for the prosecution of the 2,096 persons reported in the police statistics as perpetrators of trafficking. Finally, CEDAW is urged to ask the State as to the fate of the hundreds of victims reported in the police statistics and how many of them and how were effectively integrated in Greek society and/or did show up at the respective trials for which special residence permits were granted to them and/or were proved effective legal aid that the authorities claim is available.

A trafficking trial without proper interpretation and with ignorance of what trafficking is

On 2 April 2012, a trial concerning trafficking charges started before the Athens Mixed Jury Court. Both defendant and civil claimant are Nigerians with Edo as their mother tongue. They asked to have an interpreter from and to that language. Such an interpreter could not be found and thus the court recessed until 9 April 2012, giving time to the parties (but not asking the prosecutor) to find an interpreter. As a backup, the court appointed an interpreter (incidentally a Hungarian) between English and Greek, as both women understand some English, whereas the list of official translators does not include any interpreter from and into any of the languages spoken by Nigerians. However, it is a fundamental right to be provided with interpretation in a language one fully understands in court cases especially when it concerns such sensitive issues. GHM, who provides legal aid to the trafficking victim, wrote on 3 April to the Embassy of Nigeria, with a copy sent to the Ministry of Justice's Secretary General for Human Rights, to request that they provide both litigants with an interpreter between Edo and Greek so that a fair trial could be conducted that would also set a positive precedent for Greece. When GHM called on 4th April, the Embassy hanged up.¹¹ The Ministry did not react. On 9 April, the trial resumed without an Edo language interpreter, but also without the English language interpreter. Another English language interpreter was found from a trial in an adjacent court who was available for two hours. Then the court recessed trying in vain to find an interpreter until two hours later it decided to continue the hearing on 20 April and asked the prosecutor to find an English language interpreter. During the hearing, the trafficking victim had no interpreter to explain to her what was said by witnesses on the stand as the only interpreter was interpreting for the defendant. The unavailability of interpreters from and to most languages is a chronic problem of the Greek court system; thus trials involving foreigners who are not fluent in Greek can rarely be effectively fair.

On 20 April, the court heard the defendant describe how, for two years, the civil claimant's and other Nigerian girls' prostitution were exploited by her and her Nigerian boyfriend who had trafficked the victims from Nigeria to Greece, kept them in their apartment, and took them to bars or to street prostitution, taking all the money they received until they had paid off their debts of 40,000 euros. It also heard a May 2005 Associated Press article featuring an interview with the victim "Maria"; as well as two 2007 OMCT urgent interventions on behalf of the victim "E.L." detailing her exploitation, vulnerability and victim status.¹²

¹¹ <http://www.protagon.gr/?i=protagon.el.8emata&id=14076>

¹² <http://www.omct.org/violence-against-women/urgent-interventions/greece/2007/08/d18779/> and <http://www.omct.org/violence-against-women/urgent-interventions/greece/2007/05/d18650/>

Yet, without providing any reasoning, it pronounced the defendant not guilty because of reasonable doubt. A probable explanation was that the victim had made the allegations in November 2006 when she was arrested facing deportation. The victim claimed that she had previously felt terrorized that if she ran away from her life of prostitution, her parents will become sick and die, a threatened curse part of a voodoo rite performed in her homeland just weeks before she was brought to Greece, whose effects were supposed to last until she had paid off her debt to the traffickers and the voodoo priest, which she did in mid-2006. These claims were dismissed by the prosecutor and probably the court. The judges were also obviously ignorant of the Palermo Protocol (ratified by Greece in 2010) that trafficking in persons means inter alia the harbouring of persons, by means of the abuse of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person, for the purpose of exploitation of prostitution; and that the consent of a victim of trafficking in persons to the intended exploitation shall be irrelevant where any of the means set forth have been used.¹³

Updated trafficking statistics

Below is a table with statistics updated for 2011 available in the Hellenic Police website. The dramatic decline in the number of victims issued prosecutor decrees (which guarantee them with a special residence permit as trafficking victims in Greece until the time of the trial) is noteworthy:¹⁴

Year	Networks dismantled	Perpetrators of trafficking	Victims	Victims assisted	Prosecutors' decrees
2003	49	284	93	28	28
2004	65	352	181	46	25
2005	60	202	137	57	20
2006	70	206	83	39	34
2007	41	121	100	35	17
2008	40	162	78	36	16
2009	66	303	125	121	69
2010	62	246	92	64	30
2011	n.a.	220	97	51	9
Total	453 (2003-2010)	2096	986	477	248

CEDAW is requested to consider the related excerpts from CAT's concluding observations of May 2012,¹⁵ which were based on extensive information GHM, MRG-G, and SOKADRE had provided to CAT:

“Trafficking in persons

24. The Committee recognizes the efforts made by the State party to address trafficking in persons. However, it expresses its concern at persistent reports of trafficking in women and children for sexual and other exploitative purposes and it is concerned at the very few prosecutions and convictions of the offenders of such crimes. The Committee is also concerned that obstacles to the access to justice of the victims of such crimes include the insufficient knowledge by judges and prosecutors of the Palermo Protocol and that no interpretation services are reportedly available to the victims in trafficking trials. The Committee further regrets that the support services provided to victims of trafficking with respect to health as part of their possible rehabilitation are inadequate (arts. 2, 10, 12 and 16).

¹³ <http://www.bayswan.org/traffick/deftraffickUN.html>

¹⁴ http://www.astynomia.gr/index.php?option=ozo_content&perform=view&id=12106&Itemid=429&lang=

¹⁵ <http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.GRC.CO.5-6.doc>

The State party should ensure that all allegations concerning trafficking of persons are investigated promptly, impartially and effectively and that the offenders are prosecuted and punished for such crimes. The State party should also ensure that the victims are provided effective legal and social assistance as well as access to interpretation in the context of trials. The State party should continue to conduct nationwide awareness-raising campaigns and provide adequate programmes of assistance, recovery and reintegration for victims of trafficking. Furthermore, the State party should offer training to law enforcement officers, judges, prosecutors, migration officials and border police on the causes, consequences and repercussions of trafficking and other forms of exploitation, as well as on the Palermo Protocol.”

24. The Committee calls upon the State party to effectively enforce the existing quota law in order to increase women’s participation in local elected bodies and in the collective bodies of all Government agencies. It recommends that the State party implement temporary special measures in accordance with article 4, paragraph 1, of the Convention and its general recommendation 25 as a means to accelerate compliance with the provisions of articles 7 and 8 of the Convention and to increase women’s political participation in all areas, including in Parliament and the foreign service. It also recommends the implementation of awareness-raising activities about the importance of women’s participation in decision-making for society as a whole. The Committee further suggests that, in compliance with articles 2 (e) and 7 (c) of the Convention, the State party take appropriate measures to ensure women’s equal participation in trade unions and employers’ associations. It encourages the State party to monitor the impact of measures taken and of trends over time.

Despite all the initiatives listed by Greece, only 20% of the newly elected members of parliament are women (yet the highest percentage ever), while the current cabinet has the lowest number of ministers (1) and deputy ministers (1) in decades. Otherwise, Greece’s report details the low representation of women in most areas of public life.

26. The Committee recommends that the State party implement programmes and policies aimed at providing effective access for women, including minority women and adolescent girls, to health-care information and contraceptives, and to family planning services, thus avoiding the need for women to resort to abortion as a method of birth control. The Committee urges the State party to implement programmes of sexual and reproductive health education for men, women and adolescents in order to foster responsible sexual behaviour. The Committee further calls on the State party to implement initiatives, in close consultation with the medical profession, aimed at reducing the number of caesarean sections performed.

The problem of widespread abortions and caesarian sections persists despite all the initiative listed by Greece, for which there is anyway lack of impact assessment. CEDAW is request to ask Greece to provide data on births, abortions and caesarian sections both in state and in private hospitals, for at least the last five years, disaggregated by the age and the ethnic identity of the mother, that will confirm the extent of the problem. GHM, MRG-G and SOKADRE list here recently published data that indicate that there are annually some 100,000 births and 200,000 abortions, of which 40,000 concern women under 18; contraceptive pills are used by only 3% of women (as opposed to 22% in European countries).¹⁶

¹⁶ <http://topontiki.gr/article/34175>

28. The Committee urges the State party to implement measures to raise awareness of the importance of education as a human right and as a basis for empowerment of women. It recommends that the State party adopt temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, on temporary special measures, in order to increase the representation of women, including minority women, in tertiary education. It requests the State party to report on the measures taken and their impact in its next periodic report.

Although majority women are indeed well- if not over-represented in the student body, Greece provides no data for minority women, who are under-represented if not totally absent (for Roma) from tertiary education.

30. The Committee urges the State party to ensure equal opportunities for women and men in the labour market through, inter alia, temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, on temporary special measures. The Committee recommends that efforts be strengthened to lower female unemployment, eliminate occupational segregation, both horizontal and vertical, and to narrow and close the wage gap between women and men. The Committee recommends that the State party conduct regular reviews of its legislation in accordance with article 11, paragraph 3, of the Convention, with a view to reducing the number of barriers women face in the labour market. The Committee also urges the State party to monitor the use of the parental leave provisions by women and men as an indicator of shared family responsibilities and to develop incentives to encourage more men to avail themselves of parental leave. It calls upon the State party to monitor the impact of measures taken and results achieved and to report thereon in its next periodic report.

According to official statistics, in March 2012, unemployment had risen to 21.9%, 18% among men (+13.2% since the second quarter of 2008 reported by Greece) and 25.8% among women (+14.7%). So women continue to suffer from higher unemployment while the increase in unemployment due to the current economic crisis is higher among women than among men.¹⁷

32. The Committee calls upon the State party to take measures in order to ensure that children of immigrant women are provided with birth certificates.

CEDAW is requested to consider a partly related excerpt from CRC's concluding observations of June 2012,¹⁸ which were based on extensive information GHM, MRG-G, and SOKADRE had provided to CRC:

“Name and nationality

32. While noting measures taken by the State party to facilitate the registration of Roma children at birth, the Committee expresses concern that a persistent number of Roma children are still unregistered. The Committee is also concerned that some children are registered only with his/her parents last name, and the line for the first name remains blank with an abbreviation “AKO” (awaiting baptism), exposing them to stigmatisation and discrimination. The Committee is further concerned at the arbitrary transliteration of Turkish names in the identity cards, which creates problems for persons with such cards while travelling or studying abroad.

¹⁷

<http://www.statistics.gr/portal/page/portal/ESYE/PAGE->

[themes?p_param=A0101&r_param=SJO02&y_param=2012_03&mytabs=0](http://www.statistics.gr/portal/page/portal/ESYE/PAGE-themes?p_param=A0101&r_param=SJO02&y_param=2012_03&mytabs=0)

¹⁸ http://www2.ohchr.org/english/bodies/crc/docs/co/CRC_C_GRC_CO_2-3.pdf

33. In light of articles 7 and 8, the Committee reiterates its previous recommendation (CRC/C/15/Add.170), and calls upon the State party to strengthen all necessary measures to ensure that:

(a) All children are duly registered at birth, including through improvement of the provision of information on, and easier access to, birth registration facilities; and

(b) All children, especially those from disadvantaged groups, are able to be registered under, and make use of, their full original name as chosen by their parents or other legal guardian.”

Moreover, in the **Greek Ombudsman’s April 2012 Parallel Report to the UN Committee on the Rights of the Child**, the persistent problem of refusal to issue birth certificates to children of immigrant women is reported:¹⁹

“While children of immigrants born in the national territory are issued with a registry act of birth, they are not issued a proper ‘birth certificate’ issued by local authorities, which is often sought as documentation by public services. They are thus asked to present the relevant documentation from the country of origin of the child, which is not always possible to produce and thus creates problems regarding the identification of the child, for access to benefits.”

34. The Committee urges the State party to increase efforts to raise the awareness of Muslim women of their rights and of remedies against violations, and to ensure that they benefit from the provisions of Greek law on marriage and inheritance. The Committee call upon the State party to enforce its laws prohibiting early marriages and polygamy and to take comprehensive measures aimed at eliminating these practices, in line with the Greek constitutional order, article 16 of the Convention and the Committee’s general recommendation 21 on equality in marriage and family relations.

Greece’s answer to the above recommendation is an outright admission of the problem: “25. *The confrontation of the issues that come up from “Sharia law” is one of the objects that are examined by the Specialised Legislative Committee, established (July2010) aimed to modernize and improve Family Law provisions”* GHM, MRG-G and SOKADRE can indeed confirm that that committee did make adequate recommendations to abolish sharia law, but the committee’s whole work to modernize family law was ignored and its proposals were never published by the authorities.

CEDAW is requested to consider a related excerpt from CRC’s concluding observations of June 2012,²⁰ which were based on extensive information GHM, MRG-G, and SOKADRE had provided to CRC:

“Legislation

9. The Committee notes with regret that some aspects of domestic legislation are still not consistent with the principles and provisions of the Convention and that implementation of existing legislation needs to be improved. The Committee is concerned that the application of Sharia law in some matters of family law within the Muslim community of Thrace is not always compatible with the principles and provisions of the Convention, in particular with reference to the practice of early marriages, despite the efforts taken by the State party to control it, and in matters of inheritance, which discriminates against girls.

¹⁹ <http://www.synigoros.gr/resources/parallel-report-un.pdf>

²⁰ http://www2.ohchr.org/english/bodies/crc/docs/co/CRC_C_GRC_CO_2-3.pdf

10. The Committee recommends that the State party take steps to ensure that domestic legislation is fully compatible with the principles and provisions of the Convention and has precedence over customary practices, including the application of Sharia law in the Muslim community of Thrace.”

Although Thrace Muslims have the option of civil courts or civil marriages, most do not do that (or are not even aware of that option); when asked by UN bodies Greece has failed to provide data, just as it has not contested that the provisions of sharia contravene the Constitution and the UN treaties. Greece has recently claimed that it is committed to strengthen the control of sharia-based decisions by civil courts but has not provided any concrete evidence of such intention (for example in the form of draft legislation, as the one drafted –see above- was shelved). On the contrary, as is evident in the related part of the interviews by minority candidates before the recent elections (see below), most minority leaders defend the sharia and oppose any state interference with its implementation: in fact, when a government intention to abolish the judicial authority of the muftis was publicized in January 2012, there was strong reaction by most minority secular and religious leaders.²¹

Thrace: Minority candidates express their opinions

tvxs.gr/node/92609 [translated in English by the author Katrin Alamanou]

tvxs.gr - 28 April 2012

Five minority candidates for deputies, from Xanthi and Rodopi, express their opinions about minority issues of Thrace at **tvxs.gr**. They talk about the self-determination of the minority, Sharia law, minority schools, the case of removal of greek citizenship from minority members until 1998 and the amendment which reduced the fine on arbitrary building constructions for Muslims at Thrace. Questions answered from **Burhan Baran** - PASOK, **Sami Karampougioukoglou** - DIM.AR, **Turkes Hadzi Memis** - DISY (Xanthi) and **Memet Eminoglou**- N.D and **Aihan Kara-Yusuf** SY.RIZ.A. (Rodopi). (...)

Sharia law

Mr. Baran believes that the Sharia law needs regulations but that these should be decided by the minority itself. He considers that the minority should have an elected mufti rather than an appointed mufti from the state and the one who is already elected should be recognized officially. Mr. Eminoglou thinks that the Sharia law should not be repealed, as long as it is not mandatory and it is respected from whoever chooses so. On the issue of marriage between minors Mr. Eminoglou stressed that it is committed after the consent of the parents. On the other hand, Mr. Kara Yusuf states: “We (SYRIZA) have a clear position for many years. The mufti can be a religious leader but he shouldn’t have judicial powers”. He suggests that “there should exist a Mufti, elected by the minority and recognized by the Greek state”.

According to Mr. Karabougioukoglou, “the Sharia law should not be applied. We are against (DIM.AR) the application, not the institution. Let me remind you that the mufti issue in Greece began when a marriage between two young children, 13 and 15 years old, took place. This marriage was ratified by local courts here but when they moved to Germany, the German court ruled that the marriage is invalid because they are minors”. He pointed out that “we must stop this madness to have two muftis, one elected and one appointed”. Mr. Hatzi Memis believes that the problem of two muftis must be solved first and afterwards “we can solve the issue of the jurisdiction of the Mufti. He considers that in cases of marriages in which the one person is a minor, that is a problem. (...)

²¹ <http://www.faros24.gr/politiki-news/apantisi-se-ksinidi-tou-ilhan.html>, <http://www.defence-point.gr/news/?p=35473> and <http://www.neolaia.gr/2012/03/23/ipertis-sarias-tassete-o-tsetin-mantatzi/>