

WRITTEN COMMENTS

OF THE EUROPEAN ROMA RIGHTS CENTRE CONCERNING GREECE

For Consideration by the United Nations Committee on the Elimination of Racial Discrimination (CERD) at its 114th session
(25 November – 13 December 2024)

CHALLENGING DISCRIMINATION PROMOTING EQUALITY

TABLE OF CONTENTS

Introduction	3
Social Exclusion, Segregation and Antigypsyism	4
National Roma Strategic Framework 2021-2030 (NRSF)	6
Police Violence Against Roma	7
Recommendations	10

INTRODUCTION

In its 2016 Concluding Observations UNCERD expressed concerns that the situation of Roma in Greece had not improved, and among its ‘particular concerns’ were that Roma especially those living in informal settlements, still encountered serious obstacles in gaining access to basic social services, such as housing, employment, education and health care. The Committee highlighted the persistence of educational segregation, forced evictions and poor living conditions, with many lacking access to water and sanitation. The observations noted that Roma continue to face social exclusion and societal prejudice; are disproportionately subjected to frequent identity checks, arbitrary arrests and harassment by the police and other law enforcement officials, combined with a lack of effective investigation prosecution and sanctioning of law enforcement personnel for such misconduct (arts. 2, 3 and 5).¹

This submission by the European Roma Rights Centre (ERRC)² highlights a number of issues concerning discrimination faced by Roma, access to justice and police brutality. The concerns raised by CERD in 2016 have not been adequately addressed and remain very pertinent to this day.

1 UNCERD Convention on the Elimination of All Forms of Racial Discrimination, *Concluding Observations on the 20-22 Periodic Reports of Greece*, 3 October 2016. Available [here](#).

2 The ERRC is a Roma-led international public interest law organisation working to combat anti-Romani racism and human rights abuse of Roma through strategic litigation, research and policy development, advocacy and human rights education. The ERRC has consultative status with the Council of Europe, as well as with the Economic and Social Council of the United Nations. More information is available at: <https://www.errc.org/>.

SOCIAL EXCLUSION, SEGREGATION AND ANTIGYPSYISM

The 2022 ECRI report found that housing conditions of Greek Roma stagnated since 2011: some 80% of Roma makeshift (Type I) settlements and 20% of (Type II) settlements were not connected to the national power grid. Thirty-one makeshift settlements were not connected to the water supply system and 26 had no sewage facilities.³ Residential segregation also exacerbated the exclusion of Greek Roma from education, as residency determines which school children attend. According to the 2020 Roma Civil Monitor, justifications for maintaining segregated Roma-only schools included the long distance between Roma settlements and mixed school buildings; non-vaccinated Roma children; Roma students' low level of knowledge; and Roma children's unhygienic habits.⁴

Some idea of the extent of anti-Roma racism and discrimination in Greece is captured annually by the Eurobarometer surveys. According to the [2023 Eurobarometer survey](#), 86% of Greek respondents considered the phenomenon very widespread, against an EU average of 65%. The 2019 [survey by the Pew Research Center](#) on European public opinion, found that of the minority groups tested on the survey, Roma stood out for the negative sentiments expressed toward them. Highest among Europe's haters were the Greeks at 72%, outdone only by the Slovaks at 76%, and the Italians at 83%.⁵

According to political scientist, Dimitris Bourikos, findings from local-scale studies are even more disturbing – research about the attitudes of public service professionals found that almost one in three acts with *“hostility, contempt or even hatred towards the Roma.”* While Greek Roma are not a homogenous or compact social group, Bourikos stated that the most excluded and impoverished Roma, living in camps beyond the outskirts of towns and cities have been demonised to such an extent, that Roma has become a synonym for criminal marginality which *“makes the various and varied issues and problems that the Roma face invisible, facilitating verbal violence and hatred. Their living conditions are a disgrace to human dignity and human rights, with women and children in an extremely vulnerable position for all kinds of exploitation and abuse.”*⁶

According to the 2022 State Department report on human rights practices in Greece:

*“Roma continued to face widespread governmental and societal discrimination, social exclusion, and harassment, including ethnic profiling by police, alleged abuse while in police custody, discrimination in employment, limited access to education, and segregated schooling. The ombudsman reported a municipality purposefully obstructed Roma citizens from purchasing property by delaying issuance of documents. In February and July, the ECHR applied interim measures to prevent local authorities from evicting Roma families from makeshift homes in Thessaloniki and Lesbos. In Lesbos, authorities defied the measures and demolished the homes.”*⁷

According to the 2020 Roma Civil Monitor report, discrimination against Roma remains prevalent in Greece despite the full and formal incorporation of the EU anti-discrimination directives into Greek national law. While Greek legislation provides a satisfactory level of human rights protection and adequate protection against discrimination:

*“The laws currently in place are not implemented satisfactorily and police and judges frequently fail to take racist motivation into consideration when investigating hate crimes. Discrimination also manifests itself through the educational and residential segregation of Greek Roma, as well as through the increased rates of racist attacks against them ... Also, socially vulnerable groups such as Roma have been targeted and scapegoated in a climate of heightened public tension over unemployment and austerity.”*⁸

In its 2022 report, ECRI found that Roma, as well as refugees, asylum seekers and migrants, and LGBTI communities are frequent targets of hate speech, involving at times politicians and even state officials and representatives of the Greek Orthodox Church: *“It also emerged during the visit that new guidance provided to prosecutors has largely been ignored,*

3 Council of Europe, *ECRI Report on Greece (sixth monitoring cycle)* 22 September 2022. Available [here](#).

4 Roma Civil Monitor, *Civil society monitoring report on implementation of the national Roma integration strategy in Greece*. Center for Policy Studies of Central European University. EU Directorate-General for Justice and Consumers 2020. Available [here](#).

5 Pew Research Centre, *European Public Opinion Three Decades After the Fall of Communism*. 15 October 2019. Available [here](#).

6 Elvira Krithari, Roma in Greece: Another Story of Invisibility, *Athens Live/Medium*. 16 September 2018. Available [here](#).

7 US Department of State, *2022 Country Reports on Human Rights Practices: Greece*. Available [here](#).

8 Roma Civil Monitor, *Civil society monitoring report on implementation of the national Roma integration strategy in Greece*. Center for Policy Studies of Central European University. EU Directorate-General for Justice and Consumers 2020. Available [here](#).

resulting in only some ten prosecuted cases of hate speech of a criminal nature in the last ten years, with the majority not resulting in a sentence, or even, in the worst case, with the complainant ending up accused and and sentenced for libel instead.”⁹

Despite comprehensive legislation aimed at improving the housing conditions of Roma, and the fact that municipal authorities are under a legal obligation to plan and implement integration schemes for Roma, the Greek Ombudsman found that Roma continue to face administrative obstacles. When applying for residence certification, Roma often find their type of housing does not usually match the common concept of a residence, or they are refused because they have failed to obtain the necessary supporting documentation. Roma also face forced evictions and discrimination in the rental market: *“Landlords are reportedly reluctant to rent flats to Roma and because of negative attitudes towards Roma prevailing in large parts of Greece, local authorities allegedly have a favourable attitude towards evictions.”¹⁰*

⁹ Council of Europe, *ECRI Report on Greece (sixth monitoring cycle)* 22 September 2022. Available [here](#).

¹⁰ *Ibid.*

NATIONAL ROMA STRATEGIC FRAMEWORK 2021-2030 (NRSF)

The latest Roma Civil Monitor report published in 2023 described the government's new Roma inclusion strategy as a significant improvement over previous efforts, containing more detailed measures and more robust intent to establish synergies with line ministries and state agencies. Issues of concern include the failure of the NRSF to acknowledge the existence of antigypsyism as a particular form of racism; the absence of means to involve or compel local authorities to implement Roma inclusion policies; and the lack of any reference to the issue of forced evictions and informal settlements. According to the monitor, while one of its operational objectives of the NRSF is to “eradicate the school segregation of Roma”, there is no information as to whether this will entail the closing of Roma-only schools: *“Moreover, considering that local authorities are primarily responsible for establishing/ maintaining schools, it is very likely that in the absence of the unwillingness on the part of the central administration to oblige local authorities to take measures to that end, any desegregation attempt will fail ...”*¹¹

11 Roma Civil Monitor, *Civil society monitoring report on the quality of the national strategic framework for Roma equality, inclusion, and participation in Greece*. Center for Policy Studies of Central European University; EU Directorate-General for Justice and Consumers 2023. Available [here](#).

POLICE VIOLENCE AGAINST ROMA

Police violence and impunity featured prominently in the joint civil society submission to the European Commission on rule of law backsliding in Greece in 2023. The submission maintained that incidents of police violence and arbitrariness are not isolated cases but rather a frequent and increasingly common phenomenon in Greece. According to the Ombudsman, reports of arbitrariness on the part of law enforcement officers in 2021 increased by 41% on the previous year, and the lack of adequate investigation and the virtual impunity enjoyed by police officers “seems to be an accepted status quo in the country. Police officers’ unjustified use of state violence without effective systems of accountability appears to constitute a systemic problem which is not being properly addressed by the Greek government.”¹²

The ERRC, in its forthcoming report, has found that “Roma and other racialised minorities find themselves at the sharp end of systemic racism in the way they are policed, and brutal, sometimes lethal, police violence is a regular occurrence; the authorities fail to launch prompt and thorough investigations; and police impunity remains, for the most part, intact.”¹³ The fatal shooting by police of three Romani teens in as many years gives particular cause for concern.

11 November 2023: Police shoot another Romani teen: Around midnight, Greek police shot a 17-year-old Romani boy after a car chase in the town of Thebes, north of Attica. According to [media reports](#), the car, with four passengers, two boys and two girls aged 15-17, failed to stop when ordered. In the ensuing pursuit, the car was surrounded by police in a dead-end alley in the Liontari village. Witnesses said a gun shot was heard, fatally wounding the 17-year-old. The police claim that one of the underage passengers tried to snatch the policeman’s gun which ‘went off’ killing the boy. The victim’s brother claimed that it was the policeman who fired the gun.¹⁴

Romani protesters and human rights groups accused Greek police of using excessive, and sometimes fatal, violence against Roma, and Amnesty International called for “an immediate, thorough, transparent and effective investigation into the latest incident, including an investigation into a possible discriminatory motive.”¹⁵

14 December 2022: Romani teenager shot in the head by police: In Thessaloniki, a 16-year-old Romani boy died of his wounds after being shot in the head by a police officer during a chase over an unpaid €20 gas station bill. The 32-year-old police officer was suspended from duty, arrested and charged with attempted homicide with possible intent and illegal use of his service weapon. Police claimed the teenager tried to ram a police motorcycle involved in the chase, and the officer said he had fired his weapon because he believed his colleagues’ lives were in danger.¹⁶

A spokesman for Greece’s main opposition left-wing Syriza party accused the centre-right government of failing to keep excessive policing methods in check: “Society can no longer tolerate this climate of fear created by extreme police brutality which, for trivial reasons, has threatened the life of an underage 16-year-old child.”¹⁷

23 October 2022: Teenager killed in a hail of bullets: According to media reporting and monitoring provided by Greek human rights activists to the ERRC, three young Roma (two minors, aged 15 and 16, and the deceased, aged 18) from the region of Aspropyrgos in Attica were involved in a police chase while driving a stolen vehicle. In the course of the pursuit, seven police officers allegedly opened fire on the vehicle. Between 30 and 40 shots are clearly audible in video of the car chase taken from a distance by a bystander. The gunfire killed the 18-year-old and seriously injured one of the minors. All three of the young Roma were unarmed. A recording of the [radio conversation](#) between the police operational centre and the attending officers shows that the officers were aware of the ethnicity of the occupants of the vehicle. On the recording they identify the car as a white Hyundai and state “Center, does not stop, three people inside, Gypsies.”

The police press release after the incident claimed all seven police officers sustained injuries, that the deceased was 20 and had a criminal record, and that the minor who was shot and wounded only had light injuries. All of

12 Joint Civil Society Submission to the European Commission on the 2023 Rule of Law Report, *Rule of Law Backsliding Continues in Greece*, January 2023. Available [here](#).

13 ERRC, *Ruthless and Racist: Policing Roma in the Western Balkans: An overview of anti-Roma racism in law enforcement in Greece, North Macedonia, and Serbia*, 2024 (forthcoming).

14 ERRC News, *Another Romani Teen Shot Dead by Greek Police*, 13 November 2023. Available [here](#).

15 Eleni Stamatoukou, *Greek Roma Protest After Teenager Shot Dead by Police*, BIRN/Balkan Insight, 14 November 2023. Available [here](#).

16 ERRC News, *Just 16 and shot in the head: Romani boy the latest victim of racist policing*, 7 December 2022. Available [here](#).

17 Costas Kantouris, *Greece: Protests over teenager’s shooting in police chase*, Associated Press, 5 December 2022. Available [here](#).

these assertions were later proven to be false – no police officers were injured, the victim was 18 and had no criminal record, and the 16-year-old boy was seriously injured.

As reported in ZOiS, within hours of the shooting, the Greek minister of development and investment, Adonis Georgiadis, [tweeted to defend and congratulate the police](#) who had shot at the youths: *‘It is absolutely obvious that the police officers did their job well and protected both their lives and society by defending themselves. Well done.’* He was soon followed by the minister of civil protection, Takis Theodorikakos, who visited the police officers in a public gesture of moral support. In the weeks after the event, the hashtag #withthepolice was trending on Twitter and social media commentary was chocker with anti-Roma hate speech. When the prosecutor summoned the officers to testify about the incident in court, a chanting crowd including many police gathered outside, hailing them as heroes.¹⁸

On 27 October 2021, the European Parliament Anti-Racism and Diversity Intergroup (ARDI) and the ERRC sent an open letter to Greek Prime Minister Kyriakos Mitsotakis, concerning the incident. They urged the Greek authorities to investigate the possibility of racial motivation behind the disproportionate use of force; expressed concern at the national news coverage which triggered a wave of anti-Roma sentiment, with the prosecutor referring to Roma as a ‘social menace’; and called for a swift response from the competent authorities to declare that hate speech is unacceptable, and that there is no impunity for law enforcement concerning crimes against Roma or other ethnic minorities.¹⁹

Justice delayed is justice denied

On 24 October 2024, the [Greek Helsinki Monitor](#) (GHM) reported that on the third anniversary of the homicide of Nikos Sampanis by police officers of the DIAS group in Perama, a memorandum of protest to the Prosecutor’s Office of the Supreme Court for denial of justice on the part of the investigator Piraeus. The statement asserted that three years after the killing in October 2021, and two more killings by police of Romani youths, this investigation has ‘stagnated’.

The main investigation was completed in March 2022, with the competent prosecutor recommending to the Piraeus Misdemeanor Council the referral of all seven accused police officers to a trial for manslaughter with clear intent. The Piraeus Council of First Instance requested a supplementary investigation, citing shortcomings of the main investigation conducted by the Fourth Piraeus Investigating Judge. Since then, according to the GHM the case has been unofficially put “in the drawer”: 18 months have passed since the case file was returned to the Fourth Piraeus Investigating Judge, but the supplementary investigation has not even started.

In the [memorandum of protest](#), both defense attorneys for the victims’ families stated:

Three years after the police murder of 18-year-old Nikos Sampanis and the near-murder of two more 16-year-olds, the Prosecutor’s Office of the Supreme Court is called upon to carry out her duty and order the completion of the investigation as an absolute priority, so that the perpetrators, who continue to serve as uniform police officers and remain unpunished, finally sit in the defendant’s dock.

Panayotopoulos and others vs Greece: ‘the emblematic case of torture of Roma’

The case *Athanasios PANAYOTOPOULOS and Others vs Greece*, lodged on 30 September 2020, concerned three Greek nationals of Romani origin, who alleged that they were subjected to police brutality amounting to ill-treatment and torture during their arrest, transfer to and detention at the police station. They also complained that the competent authorities failed to carry out an adequate investigation into the incident and that the police violence against them was motivated by racial prejudice.²⁰

Despite repeated requests for the forensic examination of the victims, the state denied the victims such crucial evidence, because *“it wanted to secure the impunity of the alleged perpetrators of police violence.”* The criminal investigation was quickly concluded in early 2019. Both the investigating judge and the prosecutor refused the GSM lawyer representing the victims access to the case files, which made it impossible to submit an application to the ECtHR.²¹

18 Christos Varvantakis, *The Systemic Discrimination Facing Greece’s Roma*, ZOiS Spotlight 42/2021. 24 November 2021. Available [here](#).

19 ERRC Press Release, *Open Letter on Greek Police Killing from ERRC and 14 Meps of EU Parliament Anti-Racism & Diversity Intergroup*. 27 October 2021. Available [here](#).

20 Greek Helsinki Monitor, *Communication to the President of the Committee of Ministers Department for the Execution of Judgments of the European Court of Human Rights Council of Europe*, 20 July 2021. Available [here](#).

21 *Ibid.*

In July 2019, a new prosecutor tabled a motion to indict, making false and unsubstantiated claims against the plaintiffs, omitted any reference to the hospitalisation of the first applicant who sustained serious genital injuries and suffered a heart attack, and made the demonstratively false claim that the victim's injuries were sustained when he jumped off a bridge. Based on this fabricated account, the prosecutor concluded not only that the case be dismissed, but that the three Romani victims be each fined €360 for having intentionally made false claims. On 20 December 2019 the Indictment Chamber agreed.

The Greek Helsinki Monitor (GHM) called this case emblematic because before reaching the ECtHR, the UNHRC and UNCAT, as well as the Council of Europe Commissioner for Human Rights all raised this issue with the State authorities. Rather than prompt a thorough investigation, the Greek response was to besmirch the victims, accuse them of perjury and impose fines on them.

Police violence against Roma is just one manifestation of a wider crisis of the criminal justice system, including structural racism that is embedded in the routines and norms that pervade state institutions; a crisis that allows for recurring abuses of human rights, a lack of accountability and a culture of impunity.

RECOMMENDATIONS

Excerpted from the Roma Civil Monitor review of the *National Roma Strategic Framework 2021-2030 (NRSF)*

- The state should develop clear timelines and deadlines, preferably through Regional and Local Action Plans for Roma equality, inclusion and participation, with the contribution of Roma CSOs in their preparation, implementation, monitoring, and evaluation. Provide incentives and conditionalities to Municipalities and Prefectures with a high Roma population, similarly to the ESF+ (including targeted measures on Roma equality, participation and inclusion in mainstream policies as a necessary condition). Develop a rigorous set of indicators (and particularly secondary outcome indicators) based on the EU/FRA portfolio of indicators.
- Together with competent line ministries, develop a transversal strategy to counter antigypsyism. At a minimum, the strategy should contain both awareness raising measures for state officials, as well as outline disciplinary sanctions (on the basis of the existing disciplinary framework for public servants) for discriminatory treatment of Roma.
- Address with immediate effect the issue of forced evictions and the related issue of fines for illegal construction. At a minimum, the competent judicial and prosecutorial bodies should disseminate to judges and prosecutors respectively relevant domestic and international jurisprudence, impressing on them the need to not authorise the eviction or the imposition of fines on Roma living in settlements, whose eviction is sought without being accompanied by adequate alternative accommodation.
- Adopt a model of environmental justice towards combating social-spatial segregation of Roma and make use of the opportunities enshrined in the EU Green Deal.
- Ensure closer cooperation and coordination between competent line ministries. Expand the competences of the NRCP beyond mere coordination, to actively participating in the formulation of Roma-related policy measures, and including the participation of Roma in strategies developed by other ministries.²²

On the issues of discrimination and inhumane and degrading treatment related to policing of Roma and other visible and racialised minorities in Greece, the following recommendations are excerpted from ERRC's forthcoming research:

- **Excessive use of force:** Ensure that prompt, impartial and effective investigations are undertaken into all allegations relating to ill-treatment and the excessive use of force by law enforcement, that the perpetrators are prosecuted and the victims are adequately compensated.
- **Prompt and thorough investigations:** Take effective steps to ensure in practice that confessions obtained under torture or ill-treatment are ruled inadmissible and investigated; ensure that all complaints of torture and ill-treatment are promptly investigated in an impartial manner by an independent body, that there is no institutional or hierarchical relationship between that body's investigators and the suspected perpetrators of such acts, and that the suspected perpetrators are duly tried and, if found guilty, punished in a manner commensurate with the gravity of their acts.
- **Prevention of reprisals:** Ensure that, in cases of alleged torture or ill-treatment, suspected perpetrators are suspended from duty immediately for the duration of the investigation, particularly when there is a risk that they might otherwise be in a position to repeat the alleged act, commit reprisals against the alleged victim or obstruct the investigation.
- **Redress:** Ensure that all victims of torture and ill-treatment obtain redress, including an enforceable right to fair and adequate compensation and the means for as full a rehabilitation as possible. In addition, the authorities should compile and publish comprehensive disaggregated statistical information relevant to all complaints and reports received of torture or ill-treatment, whether such complaints led to investigations, and the outcomes of such investigations.
- **Strengthen the Ombudsman:** The authorities should strengthen the support and litigation function of the Greek Ombudsman, in particular by introducing legislation enabling the Ombudsman to intervene as *amicus curiae* before courts.

²² Roma Civil Monitor, *Civil society monitoring report on the quality of the national strategic framework for Roma equality, inclusion, and participation in Greece*. Center for Policy Studies of Central European University; EU Directorate-General for Justice and Consumers 2023. Available [here](#).