



International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
8 August 2016

Original: English

Committee on the Elimination of Racial Discrimination Ninetieth session

Summary record of the 2452nd meeting*

Held at the Palais Wilson, Geneva, on Wednesday, 3 August 2016, at 3 p.m.

Chair: Ms. Crickley

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* No summary records were issued for the 2450th to 2451st meetings.

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The meeting was called to order at 3.05 p.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

*Combined twentieth to twenty-second periodic reports of Greece
(CERD/C/GRC/20-22; CERD/C/GRC/Q/20-22)*

1. *At the invitation of the Chair, the delegation of Greece took places at the Committee table.*
2. **Mr. Papaioannou** (Greece), introducing the State party report (CERD/C/GRC/20-22) and outlining the economic and social turmoil that had characterized the reporting period, said that the extreme austerity measures necessitated by the economic crisis had left over a third of the Greek population exposed to poverty and social exclusion and almost half of the younger generation out of work. While the Government had endeavoured to protect the rights of the most vulnerable, introducing new laws to ensure basic goods and services for those at risk, the situation had been exacerbated by the migration and refugee crisis unfolding in Europe, which had brought more than 1 million refugees and irregular migrants to Greece since the beginning of 2015. Following subsequent border closures in the Western Balkan region, around 55,000 people were currently stranded in Greece. The Government was doing all it could to cater for their immediate needs but its work was complicated by limited resources and deep contradictions in European policies on migration and asylum.
3. The general mood of public discontent engendered by the above situation had been exploited by extremist organizations and had fed a sharp increase in xenophobia and intolerance that few had had the political will or foresight to recognize at the beginning of the reporting period. The most prominent of those organizations, the neo-Nazi Golden Dawn party, had grown rapidly since 2009 and, despite its violent activities and attacks on migrants, human rights defenders, artists and members of the lesbian, gay and transgender community, had managed to secure eight seats in the Hellenic Parliament.
4. Although for historical reasons and to protect political freedom, the Greek Constitution did not permit the outlawing of political parties, the Government had taken prompt and decisive action to combat the activities of Golden Dawn and other such groups. The Racist Violence Reporting Network established in 2012 by the Office of the United Nations High Commissioner for Refugees and the Greek National Commission for Human Rights was now providing the statistics needed to formulate appropriate policies and, following a dramatic escalation in violence in 2013 that had culminated in the murder of a young musician and anti-racist activist, State funding for Golden Dawn had been suspended. In addition, a number of the party's members, including all eight parliamentarians, were currently facing charges in one of the biggest trials of modern Greek history.
5. Those high-profile counter-racism measures had been supported by legislative reforms including an update of the anti-racism law to facilitate its application and amendments to the Criminal Code to introduce the notion of "bias-motivated crimes" and increase minimum penalties, inter alia. Although convictions for racist offences had increased significantly as a result, implementation of the new provisions was still not satisfactory and the authorities were working to address that deficiency. Special prosecutors had been appointed in five cities to deal with racist and hate crime; prosecutors and judges were receiving specialist training; two new police units and 68 new offices had been established to assume specific responsibility for the investigation of acts of racist violence; and the National Council against Racism and Intolerance, established in 2015 on the recommendation of the European Commission against Racism and Intolerance, had been tasked with developing a comprehensive national strategy and action plan.

6. Work was also under way to combat police tolerance of violent racist acts, prevent arbitrary and possibly racially motivated conduct on the part of police officers, and guarantee the accountability of all law enforcement officials, principally through the establishment of an independent investigation mechanism. A draft law that would cover police officers, coastguards and prison staff had already undergone public consultation and would be submitted to Parliament shortly. The authorities recognized that they had been slow to react and had failed to identify the pattern of organized violence that lay beneath seemingly isolated incidents but, since 2013, there had been a dramatic improvement in law enforcement, criminal justice, crime reporting and public awareness.

7. Big challenges remained. Low-intensity hate speech against refugees still featured in the media; prominent public figures still disseminated racist and homophobic views; and, while the Government continued to fight those phenomena, a new threat had emerged in the form of organized racist violence and criminal activity related to refugee camps. That threat was closely linked to the wider political environment in Europe, the weak and contradictory aspects of European asylum and migration policy, radicalization and related acts of terrorism. However, although time had been lost in the fight against those ills and the social costs had been high, the Government was now moving rapidly in a clear counter-racism direction.

8. **Mr. Marugán** (Country Rapporteur), commending the delegation for its frank acknowledgement of the country's problems and commending the Government's efforts to address them, said that the Committee understood the complexity of the situation. It was aware that, while the economic tide appeared to be turning at the domestic level, with positive developments forecast for the next 18 months, the rise in prejudice and racism was a Europe-wide problem. The European Union (EU) had a duty to help Greece, as the custodian of its southernmost border, and he shared the delegation's concerns regarding the contradictions in EU migration policy.

9. Referring to the concluding observations issued to Greece in 2009 (CERD/C/GRC/CO/16-19), he noted that the State party had provided neither the updated version of the common core document nor the information requested on cases brought, convictions obtained and sentences imposed for racist offences. He urged the delegation to provide the requested information about action being taken to penalize organizations and media outlets guilty of propagating racist stereotypes and hate speech and to ban neo-Nazi groups such as Golden Dawn. Drawing attention to article 4 of the Convention, under which States parties were required to declare illegal all organizations that promoted and incited racial discrimination, he invited the State party to clarify the obstacles that had thus far impeded such a ban, so continuing to prevent its full compliance with article 4.

10. With regard to recent improvements in the anti-racism apparatus, he wondered whether the work of the five special prosecutors appointed to investigate racist crime had had any measurable impact; what assistance and support services were available to victims; what human and financial resources had been assigned to the special prosecution units; and whether any extension of their activities was planned. Parallel information about the work of the two new police units and 68 new offices would be appreciated, as well as details of the operation and impact of the new 11414 helpline for reporting racist incidents run by the National Commission for Human Rights.

11. He would like an update on progress in implementing the various recommendations made by the National Commission and the Greek Ombudsman, such as those calling for legal provisions to address multiple discrimination, and also on progress in formulating the comprehensive national strategy and action plan for combating racism and intolerance. More information about the Observatory for the Prevention of School Violence and Bullying mentioned in the report would likewise be useful. He would also appreciate details of the training in how to deal with hate crime and violent acts that was provided to

members of the judiciary, the police force, the prosecution service, the Labour Inspectorate, teachers and other education-related personnel; any plans to expand and improve that training; the new programme under which third-country nationals who were victims or witnesses of hate crime might be granted residence permits on humanitarian grounds; the number of such permits issued to date; and the redress available to victims in general.

12. Data on the ethnic and religious composition of the Greek population was needed, as were details of the political leadership's efforts to calm ethnic tensions and promote mutual tolerance and understanding. Since the periodic report referred to a number of programmes to counter discrimination against the Roma community but made no mention of other ethnic groups, he wondered whether programmes benefiting other groups also existed. He would like to know whether the recent budget cuts had impacted on such programmes and on the work of the National Commission for Human Rights and other institutions in general, and what was being done to combat exploitation of the Roma and other ethnic minorities in the informal economy, and the agricultural sector in particular. Lastly, he asked what was being done to improve conditions in migrant detention centres, including, in particular, the situation of unaccompanied minors who, according to reports, had only limited access to counselling, legal aid and other essential services.

13. **Mr. Kut**, noting that the Committee had asked the State party to provide information on the follow-up given to the recommendations contained in paragraphs 12 and 13 of the previous concluding observations concerning, respectively, the treatment of asylum seekers and the excessive use of force by the Greek police, said that, while the State party had responded in a reasonably timely manner, the answers provided had not been entirely satisfactory. The two issues remained problematic and required further examination during the interactive dialogue. With regard to the preparation of the current report, he wished to know more about the NGO consultation process and the extent to which NGO input was taken into account.

14. **Mr. Avtonomov** said it was unfortunate that the periodic report had been submitted two years late and that the answers provided with regard to the follow-up to the Committee's previous concluding observations were unsatisfactory. Moreover, it was unclear which information constituted a response to the Committee's concerns and recommendations and which information was new. Noting that periodic reports should be kept as short as possible, he said that the general information on gender equality and violence against women contained in paragraphs 55 to 62 of the State party's report could have been transferred to the common core document.

15. Referring to the State party's recognition of the Muslim minority in Thrace as consisting of persons of Turkish, Pomak and Roma origin, he asked whether Christian Roma were also recognized. He also wished to know why the Government did not recognize the Slavic-speaking minority in the north of Greece, and requested information on Jewish communities, of which no mention was made in the report. Additional information on the dynamics of the employment and housing issues faced by Roma groups, including the percentage of Roma people who had requested mortgages, would be welcome. Further information on the operation of the Racist Violence Recording Network would also be appreciated.

16. **The Chair** said that it would be useful if the State party could provide disaggregated data on violence against women from minority groups and women who were vulnerable to racism.

17. **Ms. Shepherd** asked whether it was accurate to say that the group most affected by the economic crisis in Greece was the Roma community. While she welcomed the adoption of the new legislation to combat racism, the establishment of the Racist Violence Recording Network and the appointment of specially trained prosecutors, further measures were

necessary to give effect to the new laws and policies and to raise awareness of them among law enforcement officials.

18. She asked what measures were envisaged to address the rise in anti-Muslim sentiment and the unfavourable views of Roma groups observed in recent surveys, and what impact legislation and diversity training had had on curbing the increasing incidence of hate crimes against the Roma. She wished to know what legal guarantees were in place to ensure the application of the action plan for the social integration of Greek Roma, and how integration affected Roma cultural rights. The Committee would welcome a response to claims that the State party did not recognize any minority other than the Muslim minority in Thrace, and that, despite its policy of self-identification, it did not grant ethnic Turks and ethnic Macedonians the right to identify as such or to name their associations accordingly.

19. **Mr. Murillo Martínez** said that the recent reversal of the burden of proof for acts of racism and racial discrimination was a welcome development. He asked whether the State party had considered invoking the Convention in order to overcome the constitutional limitations that prevented it from declaring racist and xenophobic political parties illegal, and what legal status the Convention had in Greece. The current situation of migrants, refugees, asylum seekers and unaccompanied minors in Greece was concerning. It would be useful to have further information on the general situation of unaccompanied minors, many of whom were living in non-official accommodation or detention centres, which was contrary to international and Greek law.

20. With regard to the European Union-Turkey Agreement and the principle of non-refoulement, it could be considered that, given the current situation in Turkey, the conditions were not appropriate for migrants and refugees to be returned there from Greece. He would like to know how the concept of a safe third country was applied in the Greek asylum system and whether the State party was considering using collective refoulement only as a last resort following a detailed assessment of individual cases. He also asked whether the State party had envisaged granting legal assistance to asylum seekers; what action was being taken to ensure that unaccompanied minors were released quickly; and what percentage of the migrant and refugee population were unaccompanied minors.

21. **Mr. Cali Tzay** requested further details on cases involving acts of racism and racial discrimination that had been brought before the courts, including the sentences handed down and the reasons for acquittal. He said that, while the Committee was aware of the economic and humanitarian crisis that Greece was experiencing and the social changes that it had brought about, the situation should not be used as an excuse to backtrack on the progress made in the fight against racism and xenophobia. He would like to know how the legislative measures taken to overcome the crisis had affected the new refugee and migrant sector of the population, how many members of extremist groups, such as Golden Dawn, had been brought to trial and whether any sentences had been imposed.

22. **Mr. Lindgren Alves** said that, if the Greek Constitution allowed a self-proclaimed Nazi party to exist, the State party might consider reforming the Constitution to enable it to correctly apply article 4 of the Convention. Noting that the periodic report only briefly mentioned Greek Macedonians, he asked why the State party was hesitant to recognize the group as a minority. How did the State party identify the Roma community and did it have a special strategy for that group?

23. **Ms. Hohoueto** said that, as the core document was out of date, the Committee did not have up-to-date information on how Greek institutions operated with regard to the Convention. She would like to know what criteria had been used to identify the six non-governmental organizations identified in the first paragraph of the periodic report as “major NGOs”, and why only six had been allowed to participate in the drafting of the report. She

also wished to know how many human rights non-governmental organizations had a licence to operate in Greece.

24. With regard to article 6 of the Convention, it was regrettable that the periodic report provided no information on the operation of the judicial system. She wished to know why an office attached to the Ministry of Public Order and Citizens' Protection, and therefore to the executive branch, was responsible for dealing with complaints about torture and violations of human dignity, rather than the judiciary.

25. Additional information would be welcome on the follow-up to the implementation of the orders on the protection of human rights and the conduct of police personnel, and on whether investigations had been carried out and disciplinary or criminal penalties imposed when police officers violated the recommendations in those orders.

26. Despite the delegation's assurances that access to legal aid was universal, the Committee had received information from alternative sources to the effect that legal aid was not automatically granted to all impoverished justiciable persons and that access to such aid was contingent upon the fulfilment of certain requirements. She asked whether the justiciable persons concerned were duly informed of the need to fulfil those requirements before they could access legal aid.

27. The Committee would be interested to hear the delegation's comments on reports that it was often Médecins du Monde, and not the State party, that dealt with medical emergencies arising in camps housing migrants, asylum seekers and refugees.

28. Lastly, she asked whether the impact of the policies, programmes and measures adopted by the State party to promote and protect human rights in the national territory was routinely assessed.

29. **Mr. Bossuyt** said that, while the Committee understood that Greece was still reeling from the effects of the global financial crisis and continued to bear the brunt of the migration crisis on account of its geographical location, it remained deeply concerned by the situation of asylum seekers in the country. That concern had been echoed by the European Court of Human Rights, which had frequently condemned Greece for the unacceptable conditions in which asylum seekers were received, its failure to introduce efficient asylum procedures and the deplorable living conditions in the centres housing asylum seekers who had been detained and deprived of their freedom of movement, which the Court had found to run counter to article 3 of the European Convention on Human Rights, which prohibited torture and inhuman or degrading treatment or punishment.

30. Regrettably, the situation of asylum seekers in Greece appeared not to have improved. Greece was undoubtedly under immense pressure and should have benefited from direct assistance from the European Union over an extended period of time. The assistance that it had received to date had been insufficient and largely ineffective, which had exacerbated the migration crisis and entailed negative consequences for the European Union as a whole, owing to the existence of freedom of movement in the Schengen area. As Greece had failed to regulate the migration flow, many of the countries making up the Schengen area had applied for derogations from the Schengen *acquis*, which served to undermine not only the *acquis* but also Regulation (EU) No. 604/2013 of the European Parliament and of the Council. Moreover, the criteria and mechanisms for determining the member State responsible for examining an application for international protection lodged in one of the member States by a third-country national or a stateless person (the Dublin Regulation) could not be applied in Greece in view of the judgment handed down by the European Court of Human Rights in the case of *M.S.S. v. Belgium and Greece* in 2011. The gravity of the asylum situation in Greece effectively prevented the other European Union member States applying the Dublin Regulation from returning asylum seekers to the country. Noting that only 13,000 of the 856,000 clandestine migrants who had entered

Greece illegally in 2015 had sought asylum, he recalled that other European countries were confronted with a much higher number of asylum applications and yet were managing to process them more efficiently.

31. The main causes of the European migration crisis included the failure to register all persons entering the European Union, especially those who were not authorized to enter, and to take fingerprints of those persons. Although the agreement concluded between the European Union and Turkey had drawn considerable criticism, it had succeeded in bringing about a change in the European migration situation. It would be useful to hear more about the content and implementation of that agreement. He asked how many persons had been returned to Turkey from Greece to date and what criteria were used to determine who should be returned.

32. **Mr. Khalaf** said that, despite the fact that the provisions of Law 4285/2014 amending Law 927/1979 and the new article introduced in the Criminal Code provided ostensibly adequate protection against racial discrimination, the Committee remained concerned that the abolition of article 2 of Law 927/1979, which had previously been cited by the State party as a specific legislative measure to support the implementation of the Convention, appeared to restrict the direct application of article 4 of the Convention. The abolition of article 2 had removed the possibility for prosecutors to bring charges *ex officio* for those offences covered by article 4 of the Convention by introducing the requirement for an individual complaint to be filed. He asked whether the abolition of article 2 of Law 927/1979 restricted the application of article 4 of the Convention in practice and, if so, whether the State party planned to incorporate the relevant provision of article 4 into Law 4285/2014 or into another piece of legislation to overcome that problem.

33. Greece was to be commended on having taken in such a large number of refugees fleeing armed conflict and persecution. Recalling the significance of the signing of the European Union-Turkey Agreement, he asked how many refugees had been forcibly returned to Turkey before entering Greece; how many refugees who had entered Greece had been escorted back to the Turkish border; how many refugees who were awaiting resettlement within the European Union had been returned to Turkey; and whether the Government had taken steps to ensure that those refugees would be granted international protection in Turkey prior to their departure.

34. In view of the marked increase in the number of asylum applications submitted by refugees currently residing in Greece following the signing of the European Union-Turkey Agreement, he would be interested to know whether the State party had taken steps to increase the efficiency of its system for processing asylum applications; how it ensured that asylum applications were considered fairly and impartially; and whether there was an established time frame for processing asylum applications. He asked whether the State party had taken steps to improve the conditions in which refugees were received and the system for managing persons who had obtained refugee status. Given that Greece was likely to experience further waves of migration in the future, he would like to hear more about the steps taken by the Government to improve the currently unacceptable living conditions in the country's migrant detention centres.

35. In addition, he would appreciate an explanation as to why the State party continued to treat the Muslim minority living in Thrace as a religious minority within the meaning of the Treaty of Lausanne, despite the fact that they proclaimed themselves to be members of several ethnic minorities that adhered to Islam, including Turks and Macedonians. The Committee had also received reports that Muslims living on Greek islands such as Rhodes and Kos were not given the same recognition as those living in Thrace, which, if accurate, pointed to discrimination. He would appreciate an explanation of that distinction by the delegation.

36. **Ms. Mohamed** asked whether the State party had taken measures to tackle racist hate speech in schools and whether it had adopted a policy to promote equal opportunity in employment and to reduce unemployment among groups that were vulnerable to racial discrimination. It would be useful to receive statistical data on the unemployment rate of those groups and to know when the law on gender equality referred to by the delegation was due to be adopted. She would also be interested to know whether there were any policies or programmes in place to protect the rights of children belonging to groups that were vulnerable to racial discrimination.

37. **Mr. Kemal** said that the Committee had received information to the effect that some 55,000 of the 1 million people who had entered Greece in 2015 were currently stranded and unable to leave the country. He asked whether those 55,000 people represented the total number of refugees, asylum seekers and migrants currently residing in Greece. While he welcomed the action taken by the State party to deal with some members of Golden Dawn, he failed to understand why it did not ban the party outright, as, if the party was to take power, it could derogate from constitutional guarantees and deny basic human rights. To his mind, the argument that the existence of such a party was protected by the Constitution was paradoxical. He enquired as to the reasons behind the State party's decision not to ban the party.

38. There was a pressing need to strengthen the police units tasked with combating racist violence, to provide police officers and other law enforcement personnel with training on dealing with racially motivated crimes and to set up an independent and effective police complaints mechanism to facilitate the expeditious investigation and prosecution of racially motivated crimes committed by police officers. Likewise, the State party should step up its efforts to combat xenophobic and racist attitudes towards refugees and asylum seekers and to counter the resurgence of Islamophobia in public discourse. He asked whether hate speech directed at ethnic and religious minority groups, as well as at refugees and asylum seekers, had been denounced at the highest levels of government.

39. Recalling that the State party bore primary responsibility for protecting all migrants, refugees and asylum seekers who entered its national territory, he asked for more information on the measures taken to improve the situation in migration hotspots, to protect vulnerable groups such as women and children from violence and other forms of abuse and to maintain law and order in migrant camps.

40. **Mr. Yeung Sik Yuen** said that the State party was to be commended for the self-critical approach that it had displayed in highlighting the shortcomings in the measures that it had taken to combat racial discrimination in its national territory. However, the Committee drew a clear distinction between shortcomings in measures taken by a State party in good faith and the deliberate failure of that State party to fulfil its obligations under the Convention. The Committee had received reports that the Greek authorities had failed to give effect to five judgments handed down by the European Court of Human Rights which had vindicated the rights of minority associations, and that the Greek authorities had still not registered the Turkish and Macedonian minority associations in question. He enquired as to the obstacles preventing the Greek authorities from giving effect to those judgments.

41. **Mr. Avtonomov** asked whether the State party intended to ratify the amendments to article 8 of the Convention concerning the financing of the Committee's activities and whether it planned to make a declaration recognizing the competence of the Committee to receive and consider communications from individuals or groups of individuals under article 14 of the Convention. He also wished to know whether the State party intended to participate in the International Decade for People of African Descent and to what extent the rights of Turks living outside Thrace were recognized.

42. **Mr. Marugán** said that he would be interested to know whether the delegation thought the Greek media had contributed to the rise in popularity of Golden Dawn. He would also appreciate additional information on the modus operandi and resources of the National Radio and Television Council, as well as on the nature of the administrative sanctions that the Council imposed.

43. He asked whether the police, prosecutors and public bodies were aware of the underreporting of hate crimes, and how they were working with non-governmental organizations to gain the trust of victims and encourage them to report such crimes, particularly when the victims were undocumented migrants, who had to overcome their fear of arrest. He wished to know how the investigation of bias-motivated crimes had been improved by the training of the police and prosecutors and whether they were working together to collect data and obtain proof of such crimes.

44. He wished to know if the national programme for the integration of third-country nationals had been evaluated and, if so, whether the data collected from the evaluation could be shared with the Committee. It would be helpful to hear about the results and effectiveness of the migrant integration councils established in 2010 and how they worked. He requested up-to-date statistics related to unemployment, access to education and the integration of third-country nationals; as a member State of the European Union, Greece should have access to such statistics in the Eurostat database.

45. He asked whether the State party was planning to ratify the Labour Inspection (Agriculture) Convention, 1969 (No. 129) of the International Labour Organization and whether it intended to amend its legislation so as to establish an effective guardianship system for unaccompanied and separated minors and ensure that legal representatives were appointed promptly for such minors. He also asked whether representatives of non-governmental organizations and all minority groups were represented in the Racist Violence Recording Network.

46. He would like to have detailed information on the training of judges on hate crimes and bias-motivated crimes, including on how to determine what constituted such crimes. The Committee had requested information in 2009 on prosecutions and sentences handed down for offences relating to racism; it was again requesting that information.

47. **The Chair** clarified that the Committee was requesting statistics disaggregated only with regard to third-country nationals and groups and individuals that were vulnerable to racial discrimination. With regard to the State party's new anti-racist legislation, she asked whether the reversal of the burden of proof went beyond what the country was obliged to do as a member State of the European Union. She wished to know which minority groups were covered under the anti-racist legislation and what justification could be given for excluding certain groups.

The meeting was suspended at 5.15 p.m. and resumed at 5.25 p.m.

48. **Mr. Papaioannou** (Greece) said that he had no wish to use factors such as the financial crisis, austerity measures or the migrant and refugee crisis as excuses; he had mentioned them simply as an aid to understanding the complexity of the phenomenon of racial discrimination, not only in Greece but elsewhere in world.

49. **Mr. Kastanas** (Greece) said that the drafting of the periodic report had been coordinated by the Ministry of Foreign Affairs, in close cooperation with the relevant ministries. The first draft had been sent to the National Commission for Human Rights, whose membership included six major non-governmental organizations; it therefore reflected their views. Greece had followed its standard procedure for preparing reports to the human rights treaty bodies; that procedure produced good results, not least because its reports contained a self-critical assessment. However, there was always room for

improvement, such as better coordination with civil society and the involvement of the National Council against Racism and Intolerance. It was true that the common core document of Greece was outdated: it would be updated as a matter of priority.

50. Greece had not made a declaration under article 14 of the Convention on communications from individuals because it was focusing on strengthening its national anti-discrimination mechanisms. It had noted that the number of communications received by the Committee was small, and that 30 per cent of them concerned only one State party. Before taking any action, moreover, it would need to have a clearer and more comprehensive picture of any repercussions that making the declaration would have on its national legislation.

51. **Mr. Papadopoulos** (Greece) said that racial discrimination was high on the political agenda in Greece. Since the State party's last periodic report in 2009, the economic crisis had deepened and the migration flow had increased massively. However, his Government took the view that the refugee crisis should not prevent it from fulfilling its obligations under the Convention. Migration in 2015, triggered by the Syrian crisis, had reached an unprecedented level in Europe, and his Government's position was that it should welcome the refugees. The problem was that the economic crisis had left Greece without sufficient resources to provide reception facilities for so many people. As a result, many refugees had been forced to move on to other countries in Europe, which had resulted in a spontaneous and disorganized flow of people. What was needed was a common European policy on migration.

52. The Greek asylum system had faced significant challenges in 2015. The population of Greece had reached 11 million, of which one million were migrants and refugees, and the Government's aim in 2016 was to continue making progress in its efforts to address migration issues. The Government had accepted responsibility for implementing the European Union-Turkey Agreement in full compliance with European law and United Nations standards. As a result, no asylum seeker would be turned back; therefore, the delegation would not be able to provide the Committee with data on refoulement.

53. There were currently 55,000 asylum seekers on the Greek mainland and 9,000 in island hotspots awaiting decisions on their asylum applications. Under the European Union-Turkey Agreement, asylum claims were dealt with on an individual basis and must be considered at the first point of entry to Greece. In the event an application was found inadmissible, the asylum seeker would be returned to Turkey. To date, only a few Syrian refugees had been returned there, and then only with their consent. In at least two cases the courts had overturned decisions to return Syrian asylum seekers.

54. The crisis of 2015 had highlighted the need to establish new public bodies to deal with migrant and refugee issues. New authorities had been created to handle asylum claims and to deal with asylum seekers, and existing authorities, such as those responsible for the integration of legally resident migrants, persons benefiting from international protection and asylum seekers whose applications were pending, had been expanded. A migration code adopted in 2014 had simplified the procedure for residence permit applications. As a result, around 100,000 migrants had been granted residence permits in the past two years. Access to health services had been provided for all migrants legally residing in Greece. One of the remaining challenges was to provide access to education and assure the integration of newly arrived migrants.

55. **Ms. Rossidi** (Greece) said that the Convention was a well-established part of the national legal order. Nevertheless, a number of legislative, institutional and operational measures had been adopted over the past few years to address the ongoing challenges posed by racist crimes. As for legislation on racist violence, she wished to stress that the Criminal Code had been amended to provide for higher minimum penalties if a crime was committed

out of hatred based on race, colour, religion, descent, national or ethnic origin, sexual orientation, disability, gender identity or gender characteristics. Importantly, it also allowed for the investigation of bias-motivated crimes from the very beginning of criminal proceedings.

56. Hate-speech crimes were prosecuted ex officio under law 927/1979, as amended by law 4285/2014. The 1979 law had been adopted following the ratification of the Convention, but had only been applied by the courts six times in 37 years. The 2014 amendment was considered to be in full conformity with article 4 of the Convention. Hate speech was also a crime under the Criminal Code.

The meeting rose at 6 p.m.