



## Greek Ombudsman as a Specialized Body for Equal Treatment

**Warsaw, Poland**

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The Greek Ombudsman is an Independent Authority which has been enshrined in the Constitution. In addition to combating maladministration and ensuring compliance to the letter and the spirit of the law from the part of the public services, the Greek Ombudsman has been assigned the responsibility for protecting and promoting children's rights, for protecting patients' rights and making proposals for the improvement of the health system. Furthermore, last year and this year, just this past month, the Ombudsman was provided with new competences.

## New Competences

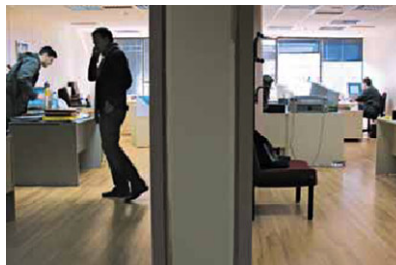
- ✚ Under Law 3304/2005 the GO was designated as the institution responsible for the implementation and promotion of equal treatment in the public sphere
- ✚ This Law incorporates into the national legislation the Directives 2000/43EC and 2000/78EC
- ✚ Under the new Law 3488/2006 the GO is designated as the Body for the **monitoring** of equal treatment without discrimination on the grounds of **sex**, in both the private and public sphere (Directive 2002/73EC)

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## GO/HUMAN RIGHTS DEPARTMENT

Goal: To promote and protect fundamental rights and freedoms

- ✚ Investigates cases concerning violations of human rights
- ✚ Promotes equal treatment of all
- ✚ Proposes legislative and/or administrative and organizational changes.
- ✚ Publishes special reports
- ✚ Proposes penalties for violation of equal treatment



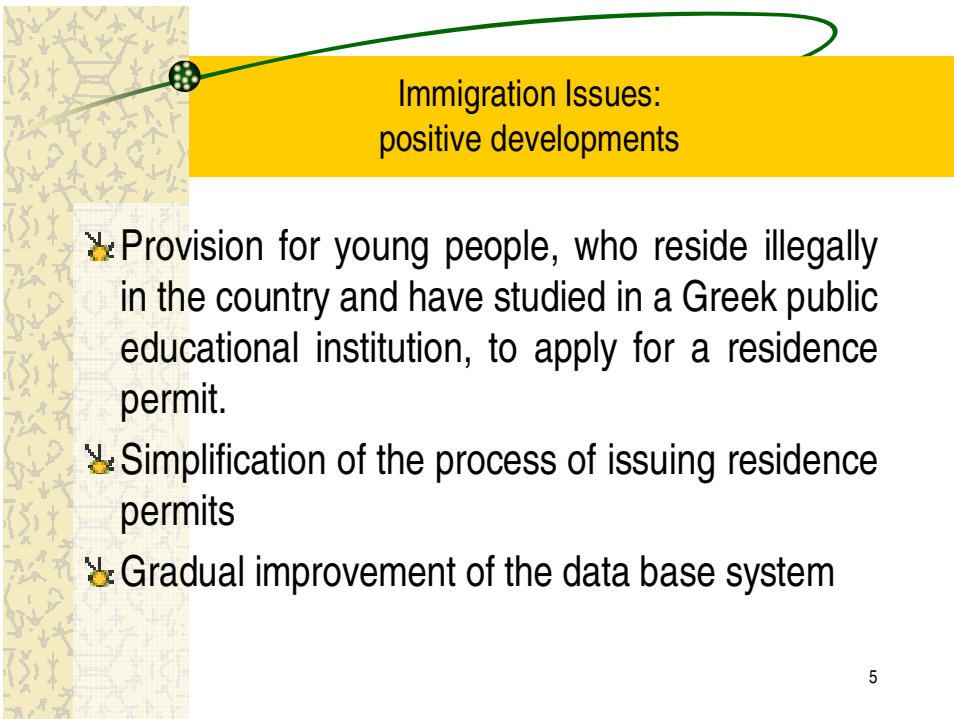
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## HR Department: Recent Interventions

- ✎ Proposals for modification of immigration legislation
- ✎ Proposals for organizational changes of immigration offices
- ✎ Protection of refugees and asylum seekers
- ✎ Collecting data concerning the state of Roma in the country for the purpose of making comprehensive proposals for their integration
- ✎ Over viewing the implementation of police disciplinary procedure regarding accusations for misconduct or violence

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## Immigration Issues: positive developments

- ✎ Provision for young people, who reside illegally in the country and have studied in a Greek public educational institution, to apply for a residence permit.
- ✎ Simplification of the process of issuing residence permits
- ✎ Gradual improvement of the data base system

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## Immigration Issues still standing

- ✦ **Law 3386/2005**, about the legalization of residence of foreigners, does not include **an effective mechanism** which would allow foreigners, who, for various reasons, fall out of the legalization process, (e.g. lack of a few insurance stamps) to **return to that process**
- ✦ The long delays in the issuing of residence permits continue. This creates a host of other problems for the applicants who can not make long term plans for their life
- ✦ No provisions for resolving the problem of legalizing the residence of third country of persons who evidently lack passport
- ✦ No provisions for resolving the problem of legalizing the residence of third country of persons who have developed long term, strong bonds, with the country

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## Refugees and Asylum Seekers

- ✦ There is provision for asylum seekers to request residence permit under law 3386/2005
- ✦ Long delays in the handling of asylum requests
- ✦ Representation of asylum seekers

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## Major groups referring to the Greek Ombudsman

- ✎ “Muslim minority” in Thrace
- ✎ Religious minorities (Jehovah witnesses, Catholics, Pagans etc)
- ✎ Roma
- ✎ Conscientious Objectors

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## Present GO Initiatives for Roma

- ✎ Through on-site investigations ascertain the general condition of Roma in Greece
- ✎ Prepare a special report containing specific recommendations for policy changes and initiatives to be taken at local level
- ✎ Foster public understanding-Engage in awareness raising activities at the local level
- ✎ Participate in several fora whose aim is to combat discrimination and to promote equal treatment

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## Conclusive remarks

### ***The GO strives for:***

- ✦ Successful completion of a case utilizing all available means
- ✦ Implementation of law
- ✦ Articulate proposals for legislative and organizational change when necessary