

Amnesty International (AI)
Centre on Housing Rights and Evictions (COHRE)
Coordinated Organisations and Communities for Roma Human Rights in Greece
(SOKADRE)
European Roma Information Centre (ERIO)
European Roma Rights Centre (ERRC)
Greek Helsinki Monitor (GHM)
International Helsinki Federation for Human Rights (IHF)
Minority Rights Group International (MRGI)
World Organisation Against Torture (OMCT)

29 July 2005

Ms. Dora Bakoyannis
Mayor of Athens
63 Athinas St. - Kotzias Square
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Re: Forced evictions of Roma communities in Athens

Dear Ms. Bakoyannis,

Amnesty International (AI), the Centre on Housing Rights and Evictions (COHRE), the Coordinated Organisations and Communities for Roma Human Rights in Greece (SOKADRE), European Roma Information Centre (ERIO), European Roma Rights Centre (ERRC), Greek Helsinki Monitor (GHM), International Helsinki Federation for Human Rights (IHF), Minority Rights Group International (MRGI) and World Organisation Against Torture (OMCT) are gravely concerned by the announced eviction -without any relocation plans- of some 70 Albanian Roma families, with legal resident permits, currently living in squalid conditions in three communities in the area of Votanikos, where the City of Athens has announced the construction of a football stadium. The stadium will become the home of Athens' main team, Panathinaikos, and is one of the facilities included in Greece's official bid to get the 2012 European Football Championship.

After such plans for Votanikos first became public, GHM and SOKADRE briefed your office on the presence of these families in April 2005. They requested to be informed about any relocation plans and sought a meeting with the competent municipal authorities. The request was repeated several times, including when the Roma started reporting that (alleged) municipal employees were visiting them asking them to move out because of the imminent construction of a stadium. The most recent of such visits was reported to GHM, SOKADRE and an international consultant on 9 June 2005. The absence of any reply to the repeated requests has given the impression that the municipality does not wish to discuss the issue or help secure the rights of the Roma. Then, on 16 July 2005, a few days after your meeting with Prime Minister Kostas Karamanlis confirming the project, the plans for the development of the Votanikos area with the accompanying sketches were published in the daily "Ta Nea." Therein, on page 20 (<http://ta-nea.dolnet.gr/data/D2005/D0716/1el20a.gif>), it was clearly stated that "Gypsies are to be removed," without any provision for relocation.

The precedent set by the discriminatory treatment of the Marousi (Greater Athens) Roma communities evicted to make way for some 2004 Olympic Games facilities makes our concerns about the fate of the Votanikos Roma urgent. In mid-2002, scores of Albanian Roma families living in the vicinity of the Olympic Stadium were ordered to leave without any relocation plans offered to them. The contract signed by the Mayor of Marousi with the association representing

the 40 Greek Roma families also living in that area was in principle a good plan for provision of alternative housing. However, the initially inadequate and later on altogether non-implementation of this contract made it to be not worth the paper it was written on. As you know, the monthly subsidies to these families for the rent of the homes they had rented temporarily while waiting for their permanent relocation were paid with many months' delays and only after public outcry. Once the Olympic Games were over, such subsidies were never paid again, while no place for their permanent relocation was found, hence leaving these Roma effectively homeless. International protests to the Greek authorities have been ignored, two ex officio penal investigations launched by the courts are stalled, and formal complaints filed with the Greek Ombudsman, who has recently been vested also with powers under the anti-discrimination law (enacted in response to the EU's 2000/43 and 2000/78 directives), have effectively been ignored.

As a State Party to the International Covenant on Economic, Social and Cultural Rights, the Government of Greece is legally obligated to respect the right to adequate housing, including the prohibition on forced evictions, as guaranteed under Article 11(1). Evictions can only occur in exceptional circumstances and must conform to a strict set of criteria set out by the UN Committee on Economic, Social and Cultural Rights in General Comment No. 7. There must be special justification for an eviction, which may only take place after examination of alternatives to eviction with the affected community. There must be adequate notice and information and an opportunity to contest the grounds for eviction. No one may be left homeless as a result of an eviction and alternative accommodation must be provided as far as possible in a location near a person's place of work or education together with reasonable access to essential services. Any eviction must be carried out humanely. The planned forced evictions and actual threatened evictions of the Roma in Votanikos fall short of all these criteria.

The Committee on Economic, Social and Cultural Rights in its review of Greece's report in 2004 stated that it was "gravely concerned about numerous reports on the extrajudicial demolition of dwellings and forced evictions of Roma from their settlements by municipal authorities ... frequently without payment of adequate compensation or provision of alternative housing". The Committee recommended that Greece "take measures towards providing for all the Roma, including itinerant and non-Greek Roma, adequate and affordable housing with legal security of tenure, access to safe drinking water, adequate sanitation, electricity and other essential services, and meeting their specific cultural needs. The Committee recommends that the State party ensure the participation of Roma representatives in the assessment of the Integrated Action Plan for the Social Integration of Greek Roma and that it include information on the practical effects of the implementation of the Plan, as well as its applicability to non-Greek Roma legally residing within the State party's territory, in its second periodic report."

The European Committee of Social Rights has also found, in a landmark decision on a collective complaint (ERRC v. Greece) published a mere few weeks ago, that the Greek policies with respect to housing and accommodation of Roma infringe Article 16 of the European Social Charter due to:

- The insufficient number of dwellings of an acceptable quality to meet the needs of settled Roma;
- The insufficient number of stopping places for Roma who choose to follow an itinerant lifestyle or who are forced to do so;
- The systematic eviction of Roma from sites or dwellings unlawfully occupied by them.

Additionally, the European Commission against Racism and Intolerance (ECRI) stated in its December 2003 report that "ECRI is concerned over allegations that forcible collective evictions of Roma families have taken place without any resettlement alternative being proposed. ECRI finds especially alarming reports to the effect that some of these evictions are unlawful and/or are followed by immediate destruction of the camps by bulldozer, despite the fact that all the personal possessions of the families remain there... ECRI strongly recommends that the Greek

authorities maintain and increase their efforts to end all the direct or indirect discrimination suffered by the Roma... ECRI urges the Greek authorities to raise the awareness of local authorities, such as municipalities or local administrative agencies, to the need to respect the rights and the culture of the Roma. It strongly recommends to the Greek authorities to impose sanctions on municipal councilors who make racist remarks or do not comply with the regulations and decisions that bind them.”

The fact that housing rights of the Roma in Greece continue to be systematically violated despite these rulings by these prestigious human rights monitoring bodies raises serious doubts about Greece’s compliance with its international and regional human rights obligations.

In this respect, the undersigning organisations would like to bring your attention to the fact that in its November 2004 concluding observations on Greece, the UN Committee against Torture highlighted concerns regarding the occurrence of ill-treatment of the Roma by public officials in situations of forced evictions or relocation. The Committee urged the Greek authorities to ensure that all actions of public officials, in particular where the actions affect the Roma (such as evictions and relocations), are conducted in a non-discriminatory fashion and that all officials are reminded that any racist or discriminatory attitudes will not be permitted or tolerated.

We therefore urge you to promptly take all necessary measures to respect, protect and fulfil the rights of the Roma of Votanikos Athens to adequate housing, including:

1. Meet with the Roma concerned and the NGOs that work to secure their fundamental rights, and present them with concrete plans for relocation; seek their consent and reach agreement with them about their implementation.
2. Inform all municipal and other state officials and police officers of steps taken, as well as future measures, to guarantee the fundamental rights of these individuals to adequate housing, i.e. via relocation to adequate non-segregated housing.
3. Immediately instruct all relevant officials to cease forthwith harassing the Roma concerned and to desist in demanding that they leave the area where they currently live, until such a time as provisions are made to relocate them; punish officials who repeat such actions.

We respectfully request to be apprised of any and all actions undertaken by your office in this regard.

Yours sincerely,

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