



## European network of legal experts in gender equality and non-discrimination

### FLASH REPORT

<b>Country:</b>	Greece
<b>Title:</b>	Ombudsman's Special Report 2018 on Equal Treatment
<b>Date:</b>	27 August 2019
<b>Expert:</b>	Athanasios Theodoridis
<b><u>Context</u></b>	
<b>Issue at stake:</b>	Monitoring of discrimination cases concerning public and private sector on behalf of the competent Equality Body
<b>Grounds of discrimination:</b>	All grounds
<b>Field of application:</b>	Education, Employment, Goods and services, Housing, Social advantages, Social protection
<b>Source:</b>	National equality body
<b>Applicable law:</b>	Antidiscrimination Law 4443/2016

### **Content**

**Policy development:** The Ombudsman's Special Report 2018 on Equal Treatment, which was published on August 8 2019, illustrates the Greek Ombudsman's activity as the national body for promoting the principle of equal treatment, in the year 2018. All the complaints submitted in 2018 cover the full spectrum of discrimination grounds protected by the national law. The number of complaints that were submitted in 2018 exhibited an 18% increase compared to 2017. Specifically, during 2018, 82 % of the complaints were 'within competence'. According to the data that were released, discrimination on ground of disability or chronic disease concerned 14 % of the complaints, discrimination on ground of national origin and ethnic origin concerned 7 %, discrimination on ground of age regarded 5 %, discrimination on ground of race or color concerned 3 %, discrimination on ground of religious or other beliefs concerned 3 % as well, whereas discrimination on ground of social orientation concerned only 1% of the complaints. It is also noteworthy that 70 % of the complaints were against public services and only 30% against the private sector. As for cases closed within 2018, the completed cases<sup>1</sup> amounted to the number of 641, whereas 65 % of the above completed cases were regarded by Ombudsman as well founded and 71 % of them were successfully resolved.

In the field of education, it was ascertained that Roma pupils at Drosero, Xanthi, encounter problems with their attendance at the settlement's primary schools due to the unsuitable building infrastructures (e.g. prefabricated buildings, lack of heating, etc.). The Ombudsman revived the issue that is frequently encountered by refugees and concerns their inability to provide supporting documentation from their countries of origin, pointing out at the same time that the law is obligated to facilitate them. The Ombudsman addressed the mutually competent ministries (Education and Rural Development) requesting that they take measures to recognise the interested party's standard qualification so that they can gain access to education.

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<sup>1</sup> 392 lodged in 2018 and 249 lodged in previous years.

As for Ombudsman's interventions for the elimination of indirect exclusion in transactions with refugees and foreigners, especially in the field of access to goods and services, the Equality Body clarified that the mandatory audit of the legalisation documents of all transacting third country nationals initially constitutes direct discrimination on grounds of national or ethnic origin, taking into consideration the serious impacts that this practice has on a number of the transacting parties' essential activities. Furthermore, as far as equal access to occupation and employment in the public sector is concerned, the Greek Ombudsman in its 2018 special report highlighted that notices constitute the source of a series of problems that present incompatibility with the provisions of law for equal treatment and the fight against discrimination, because they often include terms (such as age limits and other) that are incompatible with the anti-discrimination legislation. On the other hand, as for equal access to occupation and employment in the private sector, the Ombudsman found out that the search for employees through classified ads with terms that contravene the provisions and the purpose of the law for equal treatment during their access to employment constitutes a generalised practice which is considered discriminatory.

Finally, the Greek Ombudsman focused on awareness raising activities for public agencies, administrative services and civil society organisations. In particular, the Ombudsman's training actions continued in 2018 and addressed the Administration's officials by providing training on issues of rights and equal treatment to the National School of Public Administration and the Hellenic Police Academies. The Ombudsman has also implemented numerous workshops with representatives from public bodies and authorities that are directly involved in matters related to the fight against discrimination. In 2018, particular emphasis was placed on strengthening the cooperation between the Ombudsman and the Labour Inspectorate (SEPE). In 2018 the Ombudsman continued at monitoring racist phenomena in Greece and the responsiveness of the competent authorities in combating racist violence, the Ombudsman participates as an observer in the Racist Violence Recording Network and in regular meetings held by the National Council against Racism and Intolerance.

**Key points of analysis:** The Report describes the Ombudsman's actions for the year of 2018 as a body responsible for promoting the principle of equal treatment irrespective of racial or ethnic origin, religious or other beliefs, disability, age or sexual orientation, in compliance with its jurisdiction as established through Law 3304/2005.

**Internet link source:** [https://www.synigoros.gr/resources/docs/ee\\_im\\_2018\\_el.pdf](https://www.synigoros.gr/resources/docs/ee_im_2018_el.pdf).