



## **Quality in Gender+ Equality Policies**

European Commission Sixth Framework Programme  
Integrated Project

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## **Issue Histories Greece: Series of Timelines of Policy Debates**

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## 1. Short history of gender equality policies in Greece (M. Pantelidou Maloutas)

### 1.1 Review of equality policies and responsible institutional structures

#### 1.1.a Important measures prior to 1995

Any history of gender equality policy in Greece must start with the **1975 Greek Constitution**, which stipulated, for the first time in this country's constitutional history, the «equality of the sexes» as an aspect of the general principle of equality (Article 4, paragraph 2). The Constitution was adopted following the end of the seven year dictatorship in a climate of hope for change and democratisation of the Greek political system. The provision concerning gender equality opened the way for promoting in **the 80s important legal measures** proposed by the newly elected socialist government of PASOK on equal treatment of men and women in many legislative sub-fields.

In fact, the 80s were a decade of great importance concerning the history of gender equality policies in Greece. The dynamic presence of the feminist movement from the second half of the 70s, the existence of large women's organisations (linked to the parties of the Left) and the socialist party's (PASOK, in government since 1981, the year that Greece became member of the EEC) wish to «modernise» the country in order to harmonise its coexistence with other EEC members, and also to appeal to the «non-privileged» members of the electorate, brought important legal measures towards gender equality. These included measures that apply to **family law** (N.1329/83), divorce, abortion, **employment discrimination** (N.1302/83) **and labour relations** (N.1414/84) along with measures stipulating facilities for employees with family responsibilities (1483/84). Also, during the same period, Greece, as a member of the U.N., ratified in 1983 (Law 1342/1983), the *Convention for the Elimination of all Forms of Discrimination against Women (CEDAW)*.

Despite their inadequacies, the above gender equality measures of the '80s, as well as welfare provisions then instituted, offered solutions to specific women's problems. Also, they legitimized for the first time in Greek political culture the vision of a society not based on brutal gender discrimination, promoting «sex equality» to the level of a widely accepted value. The fact that women's issues were no longer totally excluded from the political agenda had important and lasting effects on women's political attitudes and patterns of behaviour, of which the most interesting for PASOK was that women generously «repaid» the attention they received by voting massively in its favour at the 1985 general elections. Thus a «gender gap» was created for the first time in Greek electoral history.

During the electoral campaign of 1989, the issue of **quotas** was launched for the first time in Greek politics, mainly by women's organisations that had privileged relations with parties of the Left, and by women politicians. The campaign of 1989 failed to achieve its goal, as expected, but also it was not very successful on the ideological level, since it also failed to legitimise the demand of 35% in the lists, unable to offer convincing arguments on *why* this percentage. Furthermore, it was not supported by feminists of the autonomous movement, who insisted on «which women?», stressing the importance of the *issues* that the women

elected should promote, and not their sex. Although quotas are today applied for the elections in the legislative organs of most parties and in **local elections**, the demand is not yet explicit concerning general parliamentary elections, restricted only to a few political personalities. Strangely enough, based on research data of the University of Athens, public opinion seems rather favourable to the institution of gender quotas in parliamentary elections. However, it is certain that the political establishment will not easily accept such a radical change in the terms of the political game. While there is a systematic discourse in favour of the promotion of women's presence in decision-making, especially in politics, mention of quotas or any other compulsory measure is lacking.

### 1.1.b Post 1995 important measures

It was said above that today gender quotas are applied for local elections. Indeed, the institution of quotas in local elections in Greece took place in 2001 via law 2910/2001, which provides that a share of at least 1/3 of participation for each gender as candidates is obligatory in the Municipal and Prefecture elections. If the institution of quotas in 2001 was one of the most noteworthy gender equality legal measures in Greece for the last decade, it was made possible by a major change at the level of the Constitution. Indeed, in the **2001 Constitutional revision** two of the revised articles concern issues of gender equality:

- a) Article 116 par. 2 of the revised Constitution explicitly stipulates that the State is obliged to take **specific positive measures for the elimination of discrimination** mainly against women, aiming at the effective implementation of the gender equality.
- b) The new Article 31 paragraph 1 of the Constitution stipulates that to be eligible for election to the Presidency of the Republic, a person must be of Greek descent from the father's **or mother's side**.

The revision of Article 116/2 was seen by many as an important step towards de facto gender equality, since thereafter, any deviations from the principle of gender equality were to be eliminated and the responsibility of the State to take special positive measures for the elimination of any discrimination against women was established. The General Secretariat of Equality (GSE) in its 6<sup>th</sup> CEDAW report states that "This development, in the achievement of which the role of Greek women's organizations has been important, has aligned Greece with the international acquis and the acquis communautaire. In this way it has strengthened the position already held by international bodies that the realization of the principle of gender equality, through a shift towards equality of opportunity, constitutes the actualization of social rights and the principle of the social state, in accordance to respect and protection of human rights".

It is of capital importance to note that, in light of Article 116 paragraph 2 of the revised Constitution, and Article 1 of the United Nations CEDAW, the Greek Council of State has ruled that deviations from the principle of gender equality constitute discrimination against women. **Taking positive measures** for the elimination of discrimination mainly against women for the effective implementation of the principle of gender equality in all sectors, far

from constituting discrimination, **constitutes an obligation**. In the past, the lack of constitutional legitimation of quotas resulted in the annulment of many attempts by the Council of State.

Apart from the important constitutional revision, **The National Action Plans** of the period show what the priorities were in gender equality policy. In particular, the **National Action Plan for Equality 2001-2006** was implemented during the 2001-2004 period (until March 2004, when there was a change in Government sanctioning the return of the Right). The main aim of the Plan was “the modernization of social standards, aiming at full utilization of human resources regardless of sex and the elimination of any form of discrimination against women”. The principal instrument for the implementation of the principle of gender equality was stipulated to be gender mainstreaming.

The main axes of this Plan have been the following:

- Gender equality in economic life.
- Equal participation and representation in the political, social and economic sectors.
- Equal access to the implementation of social rights for men and women.
- Change of the roles and stereotypes of the sexes.

In other words, the main targets of gender equality policy in Greece during this decade are, in total accordance with the EU, as follows:

- A. Combating the equality deficit in labour relations and the labour market.
- B. Preventing and combating domestic violence and human trafficking.
- C. Combating stereotyped conceptions of gender roles within the educational process.
- D. Strengthening of women’s participation in decision making centres.

According to the findings of the project “Implementing Gender Mainstreaming at Governmental level in the EU Member States”<sup>1</sup> Greece seems to have given the impression to the authors of the report that: “Greece has focused on gender mainstreaming throughout the guidelines, policies and actions to be supported by the 4th Community Support framework (2007-2013). Gender mainstreaming as a tool to achieve gender equality is in the process of elaboration.”<sup>2</sup> While it is stated that “Greece does not have a plan for implementing gender mainstreaming”, it does have an **Action Plan for Gender Equality 2004-2008**, since after the government change a new Action Plan was formulated. Its goals are practically the same, with very small differences in the wording, as expected. The specific gender equality measures that were taken in accordance with the above provisions of the Action Plans include the following, by policy area<sup>3</sup>:

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<sup>1</sup> “Implementing Gender Mainstreaming at Governmental level in the EU Member States”. 2005, by Gunilla Sterner, Helene Biller. Ministry of Integration and Gender Equality, Sweden. A project co-funded by the EU Gender Equality Programme.

<sup>2</sup> See *ibid.* Annex 6, *Formal Political Support*.

<sup>3</sup>For a comprehensive presentation of all policies and measures necessary for this report, the Greek Reports to the CEDAW have proven extremely useful. In particular, see Committee on the Elimination of Discrimination against Women, *Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women*. Sixth periodic

## EMPLOYMENT

The National Collective Labour Agreements of the years 2002-2004 have improved the existing legislation concerning private sector employees, as far as **labour relations**, **parental leaves**, **paternal leaves** and other issues related to gender are concerned. In particular:

1. *The National Collective Labour Agreement of the years 2002-2003* established the following:

- The right for late arrival at or early departure from work (by one hour per day) of the mother or alternatively the father for reasons pertaining to childcare, for 30 months (instead of 24), after the confinement/maternity leave. Alternatively, working hours may be reduced by two, daily for the first 12 months and by one hour for 6 more months (previously, working hours could be reduced for 12 months only).
- For the first time, the employee is entitled to a two-day paid leave in the case of death of kin, up to the second degree.
- Additional paid annual leave of 6 days for widowed parents or single parent families. The single parent family leave may not coincide with the end or the beginning of the regular paid annual leave and it applies to parents with children up to 12. For three or more children in the family, the parent's leave is up to 8 days.

2. With the *National Collective Labour Agreement of the years 2004-2005* the following have been established:

- Regarding reduced working hours due to nursing and childcare as stated in Article 9 of the *General National Collective Labour Agreement of the year 1993*, the employee has the right to apply alternatively for equal time of adjoining paid leave, within the time period during which he/she is entitled to reduced working time due to childcare. This type of alternative leave presupposes the employer's accord and is given in a one-off form or in parts; it begins at the end of the confinement leave.
- The natural or adoptive parents of a child up to the age of sixteen (16) years, who suffers a disease which requires transfusions of blood and its derivatives, are entitled to an additional leave of 10 working days annually.

3. Discrimination against women regarding their admission to the military academies are repealed (*Law 2913/2001*).

4. *Law 3103/2003* abolishes the set quota concerning the admission of women to the police Academy. Also, *law 3113/2003* abolishes the respective provision (laws 2622/1998 and 2838/2000) regarding the recruitment of women as border guards. A competition conducted (2001) according to the previous legal provisions for the Ministry of Public Order concerning the recruitment of Border Guards set a quota of 90% men recruits and 10% women.

5. *Law 3227/2004* on Measures against unemployment and other provisions stipulates, among other things, the following:

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report of States parties Greece/ 05-40579 (E) 291105. For the initial report submitted by the Government of Greece, see CEDAW/C/5/Add.28 which was considered by the Committee at its sixth session. For the combined second and third periodic report submitted by the Government of Greece, see CEDAW/C/GRC/2-3 which was considered by the Committee at its twentieth session. For the combined fourth and fifth periodic report submitted by the Government of Greece, see CEDAW/C/GRC/4-5 which was considered by the Committee at its exceptional session.

- Employers who hire employees on a fixed-term contract to replace women employees who are on pregnancy or confinement leave are subsidized, for the duration of the women employees' leave, with a sum equal to their insurance contribution liability for the insurance coverage of the hired employees.
  - As an incentive for the recruitment of unemployed mothers of at least two children, the employer is subsidized with a sum equal to his/her insurance contribution liability for the insurance coverage of the hired mothers. The duration of the subsidy is one year for each child of the hired mother.
  - For every child born to them after the first child, women farmers, insured in the farmers' main insurance branch (law 2458/1997), are exempted from their contribution liability towards the Agricultural Insurance Organization (O.G.A) as regards contributions towards old age pension and sickness insurance as well as contributions towards the Farmers Union Fund for one year after the birth of each child apart from the first child.
6. By Law 3174/2003, part time employment was expanded in the public sector, legal entities operating under public law and Local Government Organizations, to cover needs relating to provision of services of social character to citizens. This law aimed at boosting employment among vulnerable population groups, including- as a special category- mothers with children up to 12 years of age, at a quota of 10%. By law 3250/2004, the categories of people eligible for recruitment were redefined, through the addition of members of large families and of mothers with underage children (the limit of 12 years regarding the age of the children was abolished), without change in the quota of 10%. At the same time, law 3250 provided that a quota of up to 60% of the various categories of unemployed who benefit from such employment positions is covered by women.
7. The competent Committee of the Ministry of the Interior, Public Administration and Decentralization, in charge of the amendments in view of the revision of the Code of Civil Servants (Law 2683/1989), accepted proposals of the GSE concerning parental leaves for Civil Servants, which promote full implementation of the equal treatment of women and men and express an increased care for single parents and large families.

## **SOCIAL SECURITY**

1. *Law 3029/2002* modernized old age pension schemes and abolished any existing gender based differentiation in old age social protection. In particular:
- Mothers affiliated to the IKA-TEAM (Social Insurance Fund, Employee's Supplementary Insurance Fund) who give birth after 1/1/2003 or, if the right is not exercised by mothers, then fathers, can have a fictitious insurance period recognized, in order to fulfil the conditions for a minimum insurance period and be entitled to pension rights. The fictitious insurance period recognized in the case of the mother or father of children who were born from the above mentioned date onwards, is one (1) year for the first child, 1 and ½ for the second and 2 years for the third child.
  - On completion of 37 years or 11,100 working days both men and women affiliated to IKA-TEAM and Special Funds are entitled to old age benefits, irrespective of age.
  - For men affiliated to Special Funds, the age for pension entitlement was reduced by two years and therefore harmonized with the age of pension entitlement for women, so that

persons insured to those Funds (irrespective of sex) who became affiliated to any main insurance Fund from 1/1/1983 to 31/12/1992 may be entitled to an old age pension when they reach their 58th year of age or 35 years of insurance.

2. Law 3232/2004 introduces the provision that those who are divorced may receive part of the pension of the deceased ex-husband or wife and they are entitled to a survivor's pension.

The main requirements are:

- The person divorced must be in his or her 65th year of age or incapable for employment at a percentage of 67% or more.
- Also, the person divorced must have had 15 years of married life before divorce.
- The ex- husband or wife must, at the time of death, be paying alimony, determined either by court order or by a contract between the ex-spouses.
- The divorce cannot have resulted from severe damage to married life caused by the applicant for the survivor's pension.
- A subsequent marriage (by the applicant for the survivor's pension) must not exist.

The amount of pension that the divorced person is entitled to is determined as follows:

- In the case of death of the ex- husband or wife, the amount of pension that the widowed ex-spouse is entitled to is 70% and the divorced person is entitled to 30%. If married life had lasted 25 years or more, then the amount of pension is allocated at 60% and 40% respectively.

- In the case of more than one beneficiary, the pension amount (according to the above mentioned percentages) is shared equally between them.

3. The same law (3232/2004) introduces old age benefits by the main insurance Funds for insured mothers of children with 80% percent disability, or more, as well as insured spouses of disabled people with a disability percentage of 80% or more, irrespective of age, after 7,500 days of work or 25 years of insurance.

4. *Presidential Decree 87/2002* incorporated into Greek Law Directives 86/378/EEC and 96/97/EC for the implementation of equal treatment of men and women in systems of occupational social security.

## **HEALTH AND SOCIAL WELFARE**

1. Law 3089/2002 on medical support for reproduction provides the terms and requirements for artificial insemination and allows unmarried women to have children thus.

2. With the new *Benefits Regulation of the Civil Servants Health Insurance Organization* (OPAD) 6, there is no discrimination on the basis of gender regarding persons (family) covered by the member's insurance and entitled to medical care at the expense of the Organization.

3. By implementation of law 3163/2002, the National Centre of Emergency Social Care (E.K.A.K.V.) has been converted into an independent institution under the supervision and control of the Ministry of Health and Welfare. It aims at extending its services to all parts of Greece, by creating a network of structures and human resources which will cover emerging new needs, such as those related to victims of trafficking and abused women.

4. Law 3305/2005 on the Implementation of Medically Assisted Reproduction sets up the regulatory framework for fertility clinics and sets up a relevant National Authority in order to oversee compliance of standards and practices to the law.

## **EDUCATION**

1. Combating stereotypical conceptions of the role of the sexes has been a priority both for the National Action Plan of the previous period and for the National Political Priorities 2004-2008, especially with regard to the stereotypes promoted by the mass media. Emphasis has been placed on combating stereotypical conceptions through the educational process and especially in primary education, educational handbooks, and enhancement of libraries and redefinition of school vocational orientation.

2. For an integrated system of reconciling family and the working life of women, the operation of *all-day* primary schools and kindergartens has been established. Already there are 3,964 primary schools and 2,169 kindergartens operating with extended working hours.

## **VIOLENCE AGAINST WOMEN**

1. Law 3064/2002 for “The elimination of human trafficking, crimes against sexual freedom, child pornography and, generally, financial exploitation of sexual life”. In particular this law:

- Takes into consideration not only human trade but also modern forms of human trafficking and specifically, trafficking which aims at a) labour exploitation and b) sexual exploitation. Most of the related offences are characterized as felonies.
- Establishes severe sentences, which in certain cases may even provide for life imprisonment for related offences. It ensures equal protection for men and women.
- Stipulates for the first time, that child pornography is an offence.
- Defines sexual abuse by a paying adult against a child as a specific case of abuse.
- Adds to Art. 8 of the Penal Code the offences of human trade and sexual abuse so that these are punishable even when committed abroad.
- Defines as an offence the acceptance of services rendered by victims of trafficking.
- Provides for the protection of victims of such crimes and for assistance towards victims of such crimes by Presidential Decree 233/20039.

2. According to paragraph 7, Article 34 of law 3274/2004, victims of human trafficking are entitled to a residence and work permit for six months, after which their permit may be extended for an equal period of time, until the issuing of an irrevocable court decision. The GSE places women victims of trafficking, who have received a temporary residence and work permit according to Article 34/ 7 of Law 3274/2004, in work positions in cooperation with the Greek Manpower Employment Organization in the framework of common programmes.

3. Law 3500/2006 on domestic violence protects the fundamental rights of women through the introduction of five critical reforms: It provides for stricter penalties for acts that are already qualified as criminal offences under the Criminal Code when these are committed in the context of the family. Rape within marriage is regarded as a criminal offence. Non-marital cohabitation between men and women is covered by the scope of the law. Physical violence against minors as a disciplinary measure is explicitly forbidden. The institution of mediation in

criminal cases is established as an innovative instrument for certain domestic violence offences.

4. Law 3488/2006 addresses sexual harassment in the workplace, incorporating at the same time the relevant EU Directive into domestic law and responding to related recommendations of this Committee. For the first time, sexual harassment is defined by Greek law and is explicitly regarded as a form of discrimination in the workplace on the grounds of gender, and is forbidden as regards access to employment, and the whole spectrum of the labour relationship and occupation.

## **PARTICIPATION OF WOMEN IN DECISION MAKING CENTRES**

1. Law 2839/2000 stipulates that both genders will participate, at a quota of at least 1/3 for each, in departmental boards of public administration services and collective managing bodies of public organizations and Local Administration Organizations.

2. Law 2910/2001 stipulates participation of 1/3 of each gender as candidates for the Prefecture and Municipal Elections. With a series of decisions, the Council of State (Supreme Administrative Court) has judged that the above mentioned provision is in accordance to the Constitution (revised Article 116, paragraph 2).

## **NATIONALITY AND CITIZENSHIP**

Law 3284/2004 abolishes old provisions in the Code on Greek citizenship, which created issues of discrimination against women. Older provisions of the Code of Greek Citizenship, which contained discriminations according to gender, were modified by Law 1438/84. Later, article 69 of Law 2910/2001 abolished deadlines that applied according to Law 1438/84 in relation to Greek and foreign women obtaining or losing Greek citizenship following their marriage to a foreigner or Greek citizen respectively. Finally, the recent adoption of the *Code of Greek Citizenship* (Law 3284/2004) also brought about the following changes:

- A foreign woman who acquired the Greek citizenship by marriage to a Greek and maintains the citizenship she had before marriage, may lose the Greek citizenship if she declares her relevant will to the Secretary General of the Region or to the Greek Consular Authority of the place of her permanent or temporary residence. For the loss of the Greek citizenship, a certifying decision of the Secretary General of the relevant Region is issued (Article 21).
- A Greek woman, who has lost Greek citizenship due to marriage to a foreigner, recovers it if she declares her wish to the Secretary General of the Region or the Greek Consular Authority of the place of her residence (Article 22).
- A child, born earlier than 8.5.1984 to a mother who was Greek at the time of childbirth or the time of marriage in which the child was born, becomes Greek, if he/she declares his/her relevant will to the Secretary General of the Region or to the Greek Consular Authority of the place of his/her permanent or temporary residence (Article 14/ 1).
- A child born to a Greek father and foreign mother before law 1250/1982 came into force, provided he/she is considered a legitimate child in accordance to the provision of article 7, paragraph 3 of the above mentioned law, becomes a Greek if he/she declares his/her

relevant will to the Secretary General of the Region or to the Greek Consular Authority of the place of his/her residence (Article 14 paragraph 2).

- The children of those who obtain the Greek Citizenship, according to the present article, become Greeks without any further process, provided they are minors and unmarried at the date of the declaration (Article 14 paragraph 4).

## **IMMIGRATION**

1. In 2002, the General Secretariat for Gender Equality and the Bureau of the United Nations High Commission in Greece signed a Memorandum of Co-operation, in a common effort to promote the rights of women and underage girls who have been offered asylum or have applied for asylum or have been granted humanitarian status in Greece according to the Geneva Convention of 1951 and Presidential Decree 61/1999. A result of this coordinated action has been the issuing of a circular by the Chief of the Greek Police regarding detention and the conditions of detention of people applying for asylum, wherein there is special reference to the treatment of detained women.

2. From 2001 onwards, state institutions, the Bureau of the United Nations High Commission in Greece and non-governmental organizations have implemented programmes of extensive assistance to women/asylum seekers, immigrant women and women/members of vulnerable groups.

3. The new Code on Greek Citizenship (law 3284/2004) abolishes any further discrimination against children of Greek or foreign women.

## **INTERNATIONAL CONVENTIONS**

Greece has been one of the first 22 States to sign the Optional Protocol to the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW) on December 10th 1999. This Protocol was ratified by law 2952/2001. It must be noted that the implementation of the CEDAW has induced the Greek State to undertake active measures and to adapt legislative and other measures aiming at the elimination of unequal treatment on the basis of gender, as well as (according to the 6<sup>th</sup> Greek report for the CEDAW,) at gradual gender mainstreaming in all policies. The compilation of National Reports to the U.N., the Observations of the competent Committee for the Elimination of Discrimination Against Women, as well as the relevant discussions of the Greek delegations with the members of the Committee regarding the content of the Report, seemed to have contributed to the collection of information and the realization of the existing needs/ problems.

### **1.2. Priorities in Greek gender policy and QUING's four issues**

In 2004 there was a change in government in Greece and the Right returned to power. It had neither the wish nor the strength to change existing gender policy which was predefined within Greece's international obligations. *Thus, we cannot speak of any major shift in gender policy due to the political change from Left to Right or about controversies that resulted in a*

*different approach to issues of gender equality.* Maybe a there was a small degree of (expected) unease or awkwardness at first, and a period of inertia, together with a lack of understanding and conviction in what has to be done anyway.

The main program for gender equality for the period 2004-2008 was, according to the country's 6<sup>th</sup> Report for the CEDAW, to develop "an integrated and cohesive strategic intervention, aiming to stress both the national importance and the supra-national dimension of gender equality issues. In the present situation, these two parameters render the promotion of such issues a national priority, above any political differences. The main aim of this intervention is to disengage gender equality issues from the category of marginal and special issues and to stress their political, economic, social and developmental character, through their direct connection to prevailing national priorities (development, employment, social cohesion)." In other words, "gender policy for development" rather than for equality, justice, or democracy etc. It is in all probability the "modernisation argument" (which has a long tradition in Greek political culture) resurfacing once more.

As for the means of implementation of the above targets, it is clarified in the same Report that the GSE intends to base its strategic intervention on the following:

-The promotion of gender mainstreaming in all instruments, policies and actions.

-The undertaking of special actions in the following sectors, which will be put forward as priority sectors:

1. Combating the equality deficit in **labour relations** and the labour market.

2. Preventing and combating family **violence and human trafficking**, the victims of which are women.

3. Combating **stereotyped conceptions** regarding "the role of the sexes" within the educational process, especially in primary education.

4. Strengthening women's **participation in decision making**.

The mention of gender mainstreaming as a strategy is unavoidable, due to EU obligations. What must be stressed is that priorities centre on: labour market issues, gender violence, gender stereotypes and women's presence in decision making. We could say that in a sense, *three out of four of our issues (two out of the three set issues, plus the supplementary one) appear, in one way or the other, within Greece's gender policy priority areas:* Non employment, as related to the labour market, gender violence and immigration, related to the issue of trafficking+gender violence.

### **1.3. Development of gender equality machinery and consultation with civil society**

The General Secretariat for Equality is responsible for promoting and implementing policy measures for gender equality in all fields (political, economical, social, and cultural). *Thus in Greece there is a dedicated gender unit.* Originally created in 1982 as an advisory Council for Gender Equality directly responsible to the Prime Minister and operating as an independent official unit of the Ministry of the Presidency, it was upgraded three years later ( Law 1558/85) into a GSE of the Ministry of Presidency. Today it is the governmental agency in charge of gender issues, supervised by the Ministry of Interior, Public Administration and Decentralisation, and is headed by an under-secretary of state, who is a junior cabinet

member. Since 1994, it has had a Research Centre for Gender Equality (KETHI) (Law 2266/94) for the scientific documentation of equality policies promoted by the GSE. KETHI, with five branches, has a Documentation Unit and an Information Unit for Employment and Training.

The GSE's current priorities are determined by the Community Support Framework and incorporate measures of the National Action Plans for Employment as well as the major objectives of EU policies for gender equality. In its advisory capacity it aims at the diffusion of the mainstreaming perspective in all public policies as well as being the promoter of the development of positive action to ensure the realisation of equal opportunities between men and women.

For the implementation of equality policies there is a provision for the functioning of decentralised Regional Committees for Equality in each of the country's regions (Law 2839/2000, Article 6.2), as well as Prefectural Committees for Equality, in which it is stipulated that women's organizations and NGOs will be represented. The above institutional frame still remains largely on paper. Other initiatives created for the implementation of gender policy comprise:

- an Inter ministerial Commission for Gender Equality (Directive 316/14-7-2000) in order to carry out the National Action Plan for Equality
- an Inter-ministerial Commission on Violence against Women
- the Permanent Parliamentary Committee for Equality and Human Rights (2002)
- the Office for Gender Equality in the Ministry of National Defence (2004).

It is obvious that gender equality machinery is in fact integrated in one body i.e. the GSE, whose role is all-encompassing. *There are no clear intersections with class or other inequalities, although women immigrants and victims of trafficking are dealt with, at times, as issues concerning gender inequality also.* However, the gender machinery is not integrated with that for other inequalities, which are in fact non existent.

There are noteworthy attempts to *build statistics by gender*, but as for tools or instruments developed in order to implement, monitor and evaluate equalities policies, they do not exist. Neither do gender impact assessments or impact assessments for other equalities and there is no gender budgeting. According to the findings of the project "Implementing Gender Mainstreaming at Governmental level in the EU Member States"<sup>4</sup>, only ten states have tried gender budgeting. It would have been strange if Greece were among them. Also, according to the same data, Greece was among the states that answered a question on resources by replying that there were no specific resources for gender mainstreaming. In addition, seven EU states did not mention any special structure for implementing mainstreaming and Greece was one of them.

Consultation with **civil society** takes place via the influential NGO's which are in the wider environment of the GSE. Also, the GSE wishes to promote social dialogue with social partners, including the trade-unions of civil servants and farmers. It conceives social dialogue as a means of strategic planning and monitoring of policies.

The **importance of EU directives** and recommendations cannot be too strongly underlined in all campaigns, gender policies, legislation changes and equality measures. As for the role of the GSE and the personalities around it (expressing themselves, or NGOs), these are definitely the focal point of all gender developments in Greece, where state feminism reigns absolutely. Today, the GSE constitutes an intermediary that pressures for more gender equality policies, in accordance with EU developments, attempting to put to work the Action Plan for Gender Equality 2004-2008, approved by the government. Mainstreaming is not yet well understood, but often referred to as a means for realising the gender equality objectives. It remains largely an ill-defined target on GSE leaflets, maybe even more so today than before 2004 and the return of the Right to government. The Community Support Framework remains the main means of financing intervention, together with Community Initiatives and other Community Programmes.

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<sup>4</sup> "Implementing Gender Mainstreaming at Governmental level in the EU Member States". 2005, by Gunilla Sterner, Helene Biller. Ministry of Integration and Gender Equality, Sweden. A project co-funded by the EU Gender Equality Programme.

## 2. INTIMATE CITIZENSHIP

### 2.1. Introduction

In Greece the sub issues within intimate citizenship that that are most relevant for the QUING project are:

- Same sex partnership
- Assisted reproduction (IVF) linked to the issue of declining birth rates

#### 2.1.a. Same-sex partnership

The discussion in Greece about new family arrangements that will include same-sex partners is very recent and limited to a handful of initiatives, either from Gay and Lesbian groups, or from the parties of the Centre-Left. The ‘first generation’ of the Gay and Lesbian movement in Greece appeared in the late seventies and until the mid-to-late eighties had a small but dynamic presence in the public discourse mainly through *AKOE (Free Homosexual Movement of Greece)*. Its major aim was to make Greek homosexuals visible and fight against an overtly sexist and traditional society.

The early and mid 2000’s witnessed a ‘revival’ of gay and lesbian activism, largely connected with new forms of social mobilization and activism, aided by the Internet (WebPages and personal blogs), Athens-based free press magazines etc. In the year 2004 *OLKE (Gay and Lesbian Community of Greece)* was created by a second generation of LGBT activists with a specific agenda – among other issues –to press for the legal recognition of same-sex marriages.<sup>5</sup> In the year 2005, a ‘Gay Pride’ parade was organized for the first time in the city of Athens, with limited but nevertheless significant participation (and the expected ironic and biased coverage by the media).

Although acting in a hostile cultural environment, where the traditional heterosexual family is regarded as the pillar of Greek society (still the vast majority of children are born in wedlock) under the influence of a strong and heavily conservative Church and clergy, a few initiatives have appeared in the last few years. Especially relevant for these initiatives are policy changes in other EU countries and EU directives. The adoption of such policies in other countries is always mentioned in order to underline the significance of the matter and the (always sensitive) fact that Greece is lagging behind its EU counterparts. Europe (referred to either as a cultural or as a political entity) is perceived as the unattainable ideal that Greece will reach some day. In that discourse, pressing for the recognition of gay rights becomes more acceptable.

However, cultural barriers continue to account for the lack of acceptance of LGBT demands from public figures. Indicative of the negative conditions is the fact that in the year 2003 the *Greek National Council for Radio & Television (ESR)* issued a heavy fine on a TV series for a scene where two men were kissing and in 2004 issued a fine on a radio program where the presenter was a lesbian. In both cases the rationale of the decisions was based on the

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<sup>5</sup> See [www.olke.org](http://www.olke.org)

grounds that these programs were of a 'degrading' quality (in the case of the radio show, the fact that a lesbian club and condoms were advertised during break was given as a self-evident fact of the low quality of the program).<sup>6</sup>

Initiatives from party actors: The only time that the issue was addressed in a Parliamentary discussion was in **December 2005**, when the Minister of Justice replied to a question posed by the leader of Synaspismos (a small Party of the Left).<sup>7</sup> The Minister was asked whether (his Ministry) was considering to legally recognize same-sex partners living together, and grant them all respective rights deriving from their status as partners (e.g. inheritance and property rights, tax-deductions, health care and pensions etc). The paradigm of other European countries that have adopted similar measures was used in order to underline the significance of the matter. In his response, the Minister claimed that any such initiative would be '*in great inconsistency with the social morals and ethics of the Greek people*'. In sum, he dismissed the idea for such an initiative claiming that the European societies that have adopted similar policies are societies with different histories, cultures and levels of tolerance, and that this discussion is virtually non-existent in the Greek public domain.

This last remark accurately reflects the absence of any such discussion in the (mainstream) public sphere. The only other initiative that received some media attention occurred a few months later (in April 2006) when G. Papandreou, leader of the opposition, announced that his party (PASOK) was drafting a law for a "Pact of Cohabitation" in an attempt to modernize the institution of marriage so as to respond and adapt to changing societal needs. This Pact was claiming to cover the space between marriage and informal living together and was not addressed only towards same-sex partners. Some LGBT groups hailed with enthusiasm the initiative, others however pointed to the stereotypical and discriminatory language used in the text (e.g. using the word 'different' in order to describe non-heterosexual attitudes) as well as the implicitly conservative nature of the proposal, since it avoided the word 'marriage' (certain to raise fierce objections), using instead the more technical and neutral term of 'cohabitation'. Also, the fact that the proposal – for the first time ever in an official document – explicitly *denied* the right to adoption to same-sex couples was conceived as a step backwards. Current legislation does not give this right anyway (implicitly, by stating who *has* the right to adopt), so this article was considered redundant.

This proposal received some (positive) attention from mainstream high quality newspapers of the centre-left (*To Vima*, *Eleftherotypia*) and the centre-right (*Kathimerini*) but the issue quickly died out, without any other reference ever since related to its fate. Apparently, tensions and disagreements inside the socialist party called for a more realistic approach. The identification of PASOK with such issues would distance a significant fraction of its supporters; therefore the issue was dropped altogether. It appears that despite its (many) shortcomings, not even this proposal could be easily promoted and endorsed. The fact

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<sup>6</sup> See <http://www.esr.gr/media/408-2004.pdf> and <http://www.esr.gr/media/371-2003.pdf>

<sup>7</sup> See <http://www.parliament.gr/ergasies/praktika/pdf/es16122005.pdf> for the debate.

remains however that for the very first time a major political party touched, albeit lightly, the issue.

Initiatives from LGBT groups: the majority of the initiatives related to the issue of same-sex marriages come from *OLKE*. One of the very first actions taken by this group after its creation was to make a formal application, at the end of 2004, to the *National Committee for Human Rights* (EEDA). EEDA is an independent authority operating in Greece since 2000, having a consultative status with the Greek state on issues related to the protection and promotion of human rights.<sup>8</sup> *OLKE* asked for the Committee's judgment on the request for expanding the right to civil marriage to same-sex couples. EEDA issued a report<sup>9</sup> acknowledging the right to same-sex marriage and proposing a series of measures to be taken by the Greek state, in order to promote equality and abandon any discrimination based on sexual preference. The fact that EEDA's reports *do not* have a binding character allows for the projection of more 'progressive' ideas that are unlikely to gain implementation in the near future. EEDA's report did not receive any media coverage (aside of course from gay and lesbian media outlets of a limited audience), despite the fact that so far it remains the only official document addressing these matters in a positive manner.

*OLKE* has continued acting for this issue. On the eve of the October 2006 Local and Municipal elections, it formally addressed all candidates for the position of Mayor in the three biggest Greek cities, asking them where they stand on the issue of same-sex marriages and about the policies of their parties towards gays and lesbians. Only Alexis Tsipras, a young candidate supported from *Synaspismos* for the Municipality of Athens, expressed clear views in favour of same-sex marriage and in support of LGBT groups. Not surprisingly, his electoral list was the only one to include candidates from gay and lesbian groups. The rest either did not respond or gave vague answers probably wishing not to offend anyone.

Although by no means exhaustive, the above chronicle attempted to trace down the most significant events linked to the issue of same-sex marriage and its related matters (adoption rights etc). It is quite clear that this discussion in Greece is still very recent, and much inspired by developments in other EU countries that often serve as a point of reference (e.g Zapatero's related policy changes in Spain). The initiatives that were described so far largely did not enter mainstream public discourse (or did so only briefly). Interestingly, individual MPs that express views in line with the demands of LGBT groups, views that might be in sharp contrast to their party's official stance, are 'allowed' to do so.<sup>10</sup> We might consider this to be an indication of the fact that these issues are still regarded as pertaining to the private sphere, where politicians are expected to hold personal opinions that might deviate from the official party line (this in a parliamentary system with a heavy sense of party duty for all MPs).

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<sup>8</sup> For more information see [www.nchr.gr](http://www.nchr.gr)

<sup>9</sup> [www.nchr.gr/media/word/gay\\_rights\\_final.doc](http://www.nchr.gr/media/word/gay_rights_final.doc)

<sup>10</sup> See for instance interviews with known MPs in the Greek gay magazine "Ten percent" ([www.10percent.gr](http://www.10percent.gr)) where they express considerably more 'progressive' views than the ones adopted by their parties.

To sum up, tracking the above discussion results in the identification of a limited number of texts for analysis since the issue is in reality a *non* issue. However, we have reason to believe that in the future, pressures from the EU will result in the adoption of some kind of legislation that will enable same-sex couples to enjoy some of the rights and benefits that for the moment are limited only to heterosexual couples.

#### **Primary Sources:**

- **Draft Law for Cohabitation Pact from PASOK (Πρόταση Νόμου για Σύμφωνο Συμβίωσης). April 2006.**
- **Plenary Session of the Greek Parliament, 16 December 2005. Answer of the Minister of Interior to a question posed from the leader of SYN regarding the issue of same-sex partnership.**

#### **Secondary Sources:**

- **Decision-Opinion by NHRC concerning discrimination against sexual minorities in Greece and the expansion of Civil Marriage in same-sex couples. (Απόφαση-Γνωμάτευση της Ολομελείας της ΕΕΔΑ για Ζητήματα Σχετικά με τις Διακρίσεις σε Βάρος Σεξουαλικών Μειονοτήτων στην Ελλάδα και την Επέκταση του Πολιτικού Γάμου σε Ζευγάρια του Ιδίου Φύλου). December 2004, 22 p. E-text.**
- **Opinion of Greek Homosexual Community (ΟΚΕ) on same-sex partnership, 18 August 2005 <http://www.gay.gr/index.php?svc=magazine&lang=el&cid=1201&aid=352>**

#### **2.1.b. Assisted reproduction (IVF)**

In 1976, the Coordination Committee of Women's organisations for the reform of Family Law was established whose activities led to the 1329/83 Act and the modernisation of Family Law. Immediately afterwards, the fight for the decriminalization of abortion began, which resulted in the passing of the 1609/86 Act for the "artificial interruption of pregnancy and the protection of women's health." It was at that time that Greece liberalized its abortion law, removing most restrictions on abortion during the first 12 weeks of pregnancy.

The legal issue of abortion (and reproduction) has since remained settled and largely unchallenged, although the official stance of the Greek Orthodox Church, as anticipated, opposes abortion. Lately, the rhetoric that accompanies anti-abortion voices is also directly related to declining birth rates in Greece (e.g. as opposed to those of neighbouring countries) and the dangers stemming from a large flow of immigrants (with higher birth-rates) that in the long term might endanger Greece's identity. Over the past few years some conservative anti-abortion NGO's have made an appearance using a discourse quite different to past anti-abortion supporters (i.e. more "scientific"). One example of such organizations is the "Organization for the protection of the unborn child" (Σύλλογος Προστασίας Αγέννητου

Παιδιού - see [www.unborn.gr](http://www.unborn.gr)).<sup>11</sup> Although, as mentioned before, there is no actual challenge to the legal status of abortion, this NGO makes public statements on issues related to reproduction, (against) contraception etc. In February 2006 the National Board of Radio and Television (ESR) denied them access to free air time in order to broadcast anti-abortion messages on radio, on the grounds that their messages created guilt among pregnant women wishing to perform their legal right to abortion. The messages were broadcasted as regular commercial paid messages and not as messages having a social content (which are entitled free air-time).<sup>12</sup>

The discussion on reproductive health and reproductive rights revived in **2002**, with **Law 3089/2002** on “medical support to human reproduction”. The law provides the terms and requirements for artificial insemination and allows unmarried women to have children in this manner. According to the law: “Medically assisted human reproduction (artificial fertilization) is permitted only in order to treat the incapacity to have children by natural way or to avoid the transmission of a severe genetic disease to the child. Such medical assistance is permissible up to the reproductive age of the assisted person. Human reproduction with the methods of cloning is prohibited. Sex selection of the child to be born is prohibited, unless a severe hereditary sex-linked disease is to be avoided”.

The necessity for presenting a law on artificial insemination was apparent due to the fact that Greece, on the one hand, had already ratified the Oviedo Convention (Convention on Human Rights and Biomedicine), and on the other, artificial insemination was rapidly becoming a necessity for many couples; as it is stated in the introductory report to the Draft Law, over recent years Greek courts had to deal with cases related to artificial insemination in a “legislative void”.

#### **Primary Sources:**

- **Law 3089/2002 (Official Gazette of the Hellenic Republic A' 327/23.12.2002), 7 p. E-text.**
- **Accompanying Report to the Draft Law on Medical Assistance in Human Reproduction (εισηγητική Έκθεση στο Σχέδιο Νόμου «Ιατρική υποβοήθηση στην ανθρώπινη αναπαραγωγή) Athens 2002, 14 p, E-text.**
- **Explanatory Report to the Draft Law (Αιτιολογική Έκθεση στο Σχέδιο Νόμου) Ministry of Justice, Athens 2005, 15 p, E-text.**
- **Report of the Scientific Committee of the Parliament on the Draft Law (Έκθεση της επιστημονικής υπηρεσίας της Βουλής επί του Νομοσχεδίου), November 2002, 2p. E-text.**
- **Report of the Permanent Committee of Public Administration, Public Order and Justice of the Parliament on the Draft Law (Έκθεση της Διαρκούς Επιτροπής**

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<sup>11</sup> Among the founding members of this organization one can see representatives of the clergy, the judiciary and the medical professions.

<sup>12</sup> See newspaper ‘Augi’ 19.2.2006

Δημόσιας Διοίκησης, Δημόσιας Τάξης και Δικαιοσύνης στο σχέδιο νόμου). Athens, 7 November 2002, 5 p., E-text.

- **Protocols of the Plenary Sessions of the Greek Parliament, 21, 26 and 27 November 2002. E-text.**

**Sources of Secondary importance:**

- **National Committee of Bioethics, Recommendations on the Draft Law (Εθνική Επιτροπή Βιοηθικής, Εισήγηση στο Σχέδιο Νόμου «Ιατρική υποβοήθηση στην ανθρώπινη αναπαραγωγή»).** 4 p. E-text.
- **The Holy Synod of the Church of Greece, Press Release on Medically Assisted Reproduction (Ιερά Σύνοδος της Εκκλησίας της Ελλάδος, Δελτίο τύπου περί του νομοσχεδίου για την ιατρικά υποβοηθούμενη αναπαραγωγή) 16.9.2002, E-text.**

On the 1st November 2005, the Greek Ministry of Health proposed to the public a draft law regulating the practice of medically assisted human reproduction in Greece. Under the proposed new legislation, already forbidden acts such as embryo cloning for reproductive purposes, sex selection for non-medical reasons and gamete or embryo genetic modification carry a maximum penalty of 15 years imprisonment, while gamete or embryo trade carries a maximum penalty of 10 years imprisonment. The draft Law was presented to parliament and was voted on.

In **2005** a new law was adopted, on the “Implementation of Medically Assisted Reproduction”, which aimed to compliment the Law of 2002. New scientific discoveries and techniques made the need for a new law evident. The law 3305/2005 set the regulatory framework for fertility clinics and sets up a relevant National Authority in order to oversee compliance of the clinics' standards and practice to the law.

**Primary Sources:**

- **Law 3305/2005 (Official Gazette of the Hellenic Republic A' 17/27.1.2005), E-text.**
- **Accompanying Report to the Draft Law on the Implementation of Methods of Medically Assisted Reproduction (Εισηγητική Έκθεση στο Σχέδιο Νόμου «Εφαρμογή των μεθόδων Ιατρικώς Υποβοηθούμενης αναπαραγωγής) Athens 2004, 26p, E-text.**
- **Explanatory Report to the Draft Law (Αιτιολογική Έκθεση στο Σχέδιο Νόμου) Ministry of Justice, Athens 2005, 15 p, E-text.**
- **Report of the Scientific Committee of the Parliament on the Draft Law (Έκθεση της επιστημονικής υπηρεσίας της Βουλής επί του Νομοσχεδίου), January 2005, 10p. E-text.**
- **Report of the Permanent Committee of Social Affairs of the Parliament on the Draft Law (Έκθεση της Διαρκούς Επιτροπής Κοινωνικών Υποθέσεων στο σχέδιο νόμου). Athens, 15 December 2004, 13 p., E-text.**
- **Protocols of the Plenary Sessions of the Greek Parliament, 12 and 13 January 2005. E-text.**

### **Sources of Secondary Importance:**

- **Economic and Social Committee (OKE), Opinion #118 on the Draft Law (Οικονομική και Κοινωνική Επιτροπή, Γνώμη στο Σχέδιο Νόμου «Ιατρική υποβοήθηση στην ανθρώπινη αναπαραγωγή»).** 22 November 2004, 19 p. E-text.
- **The Holy Synod of the Church of Greece, Speech of Reverent Ierotheos on the draft Law (Ιερά Σύνοδος της Εκκλησίας της Ελλάδος, Ομιλία του Μητροπολίτη Ιερόθεου για το σχέδιο νόμου) 6.10.2004, E-text.**

## **2.2. Actors in the policy area of Intimate Citizenship**

### **State Actors:**

Ministry of Health and Social Solidarity

Ministry of Justice

### **Political parties:**

PASOK (social democratic party)

ND (right-wing governing party)

SYN (left-wing party)

### **Civil Society (or Semi Civil Society) Actors:**

National Human Rights Committee

National Committee of Bioethics

Gay and Lesbian Community of Greece (OLKE)

Homosexual Community of Greece (EOK)

The Greek Church

## **2.3. Time line**

### **2.3.a. Pre-QUING period**

**1982** Law 1250/1982 on Civil Marriage

**1982** Presidential decree 391/1982 regulating civil marriage issues

**1983** 1329/1983 Act on the modernization of the Family Law

**1986** Law 1609/1986 for the “Artificial interruption of pregnancy and the protection of women’s health”

### **2.3.b. QUING- period**

**1998** Launching of the National Committee of Bioethics (Law 2667/1998)

**1998** Greece ratifies the Convention on Human Rights and Biomedicine (Oviedo Convention) of the Council of Europe with Law 2619/1998

**2002** Law 3089/2002 on “Medical Assistance in Human Reproduction”

**2005** Law 3305/2005 on “Implementation of Medically Assisted Reproduction”

## 2.4. Concluding remarks

Concerning **the relative importance of subissues** in intimate citizenship it must be noted that, regarding same-sex partnership, the discussion is still largely non-existent, therefore this is rather a non-issue, despite the triggering of some debates in the last couple of years. In contrast, artificial insemination and assisted reproduction are discussed and there has been some legislation in the past years. Issues such as abortion and divorce are not on the agenda anymore since they were 'resolved' (i.e. legalized) in the 1980's, during which time they were very important issues on the agenda, particularly abortion.

**The major changes:** The only changes relevant to the Quing project, which took place after 1997, are related to legislation regulating assisted reproduction. Same sex partnership is still largely untouched, whilst divorce and abortion are no longer on the agenda.

**The role of civil society and other political actors:** Although still not an 'issue', same-sex partnership has been put forward almost exclusively by LGBT groups that try to put the issue on the agenda, with limited success so far. OLKE (Homosexual and Lesbian Community of Greece) is the most active among them.

**The impact of the EU:** So far, the impact of EU or other international bodies has been quite limited. Not even the climate of awareness for aspects of the issue has managed to influence public dialogue in Greece.

### 3. GENDER BASED VIOLENCE<sup>13</sup>

(Manina Kakepaki)

#### 3.1. Introduction

In Greece, the sub issues most relevant to the Quing project are

- Domestic Violence and rape in marriage;
- Sexual harassment;
- Trafficking and prostitution (although not addressed as gender-based violence)

Regarding the attention that issues of sexual and gender-based violence have received over recent years in Greece, there are two crucial questions we have to answer: The first is related to whether there is an apparent, wide-spread and indigenous social demand for legislative and other measures related to these issues. The answer to this question is definitely negative. But there are social and political networks and voluntary groups activated occasionally in order to sensitise public opinion and to promote solutions on a political level. Nevertheless, as an initial reaction we can note that one is astonished by how narrow the field of gender based violence issues is in Greece, judging from the demands made within it. The second question, which is more difficult to answer, refers to the ways that the issues of gender- based violence are raised from time to time on different levels and whether there are any apparent preferences for specific issues on the different levels. For example, there is a striking lack of parliamentary debates on marital rape and sexual harassment at the workplace, while there are an increasing number of debates on issues of domestic violence, but limited most of the time to child abuse. Another inconsistency worth mentioning is the rapidly growing welfare system for support to victims of sexual violence and abuse and at the same time the absence of an integral and policy oriented debate. The above is probably indicative of the inconsistency in the definitions of sexual violence given by different agents, leading to different classifications of the problem. Also it may indicate the existence of EU funds for specific purposes, funds that guide the implementation of policies where there is no massive demand.

#### 3.1.a. Domestic violence

Domestic violence is well recognized and reported as a social problem in Greece according to evidence given by the NGOs and newspaper reports; however it still remains a 'common secret' well kept within Greek families. A National Plan has existed since 1997 in Greece on the subject of violence against women, drafted by senior civil servants at the Ministry of the Interior. However, this plan was never implemented. Since last year, when Law 3500/2006

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<sup>13</sup> The analysis that follows was based largely on the following sources: 6<sup>th</sup> Periodic Report of Greece to CEDAW, July 2005; Parallel Report on Greece's Compliance with the UN Convention on the Elimination of all Forms of Discrimination against Women, Greek Helsinki Monitor, July 2006; National Report, Greek National Observatory of Violence Against Women, November 2004; Introductory Statement by the Head of the Greek Delegation on the 6<sup>th</sup> Periodic Report of Greece to CEDAW, January 2007; General Secretariat of Gender Equality official webpage ([www.isotita.gr](http://www.isotita.gr)); Hadjiyanni, Andromachi and Fray Kamoutsi. 2005. "Dimensions of public debate on sexual violence against women: similarities and differences between Greece and EU policy frames". *The Greek Review of Social Research* 117B:189-220.

was passed, it was often noted that there was no specific legislation for domestic violence, which takes into account the marital and the inter-familial relationships. According to official sources, the long delay to put the issue forward with specific legislative acts is attributed to 'the lack of political commitment by the various ministries involved, and the division of competencies between them that makes coordination difficult' (see Greek Helsinki Report 2002).

During the last decade there were certain attempts to embody EU directives, mainly after January 2000, when the Secretary General for Equality, who works at the Ministry of the Interior, announced the creation of an **Interministerial Committee** to develop a policy on the subject of violence against women. Once again, no mention was made of a specific budget which would be necessary to implement this policy. The Interministerial Committee is made up of Ministerial representatives from the Ministry of Health and Social Protection, Ministries of Justice, Public Order, civil servants from the Department of the Secretary General for Equality, members of the police force and university experts.

The plan drafted by this committee included:

- Recording of the different forms of violence against women;
- Drafting of a Bill on this subject;
- Provision of a legal framework for the control, detection and setting up of social services to record crimes of violence and their causes and to provide physical and psychological support for women victims of violence;
- Training of management and staff to assess the needs of the victims, their families and to provide for the redress of the perpetrators of violence;
- Development of the current infrastructure – at this time only one centre and refuge for abused women existed, which was operated under the management of the Secretary General for Equality and the Athens Town Council.

In relation to the “specific budget”, the new plan mentions European initiatives and programmes (5th Medium-term Programme of Action, Equal, etc.) as a source of funding.

### **3.1.b. Fighting against trafficking of women and girls**

From 2001, Greece started to tackle trafficking in human beings and sexual exploitation of women and girls in a systematic way. Since August 2004, the Greek government has been implementing an integrated National Action Plan against trade and trafficking in persons. This Plan covers all the spectrum of actions and more specifically: screening, identification, protection and support of the victim, granting of a residence permit, a work permit and a reflection period, voluntary repatriation with financing of reintegration programs, training of police officers, judges and public prosecutors, information and awareness raising of the society and the creation of a national database for monitoring the phenomenon. The National Action Plan is coordinated at political level by a Special Inter-ministerial Committee of Secretary Generals in cooperation with specialised NGOs and the International Organization for Migration (IOM). An important turning-point was a Memorandum of Cooperation between

the Special Committee on the one hand and twelve (12) NGOs and IOM on the other. There has been an extensive television campaign, aiming to raise the awareness of the public.

Training seminars have been organized for Judges, Public Prosecutors, Police officers and Health Officials concerning the screening and referral process, run by the State in cooperation with NGOs and other bodies (for instance, the Association of Public Prosecutors, the IOM, the International Association of Police Officers etc.).

The Ministry of Foreign Affairs, through the Hellenic Agency for International Development (Hellenic Aid), aims at combating human trafficking in the fields of prevention, protection and prosecution. The Plan of Action of Hellenic Aid includes, inter alia, screening, identification and referral to shelters, accommodation, psychosocial and legal assistance and assisted voluntary repatriation in the countries of origin. It also includes training of prosecutors, police officers and regional initiatives aiming to address the root causes of trafficking in human beings in the countries of origin.

The 3064 Act, which covers the subject of trafficking, was adopted in October 2002 and, alongside the 233/2003 Decree, it governs the subject of trafficking of human beings for sexual purposes. It considers trafficking as a crime and provides a base for the assistance and protection of victims according to the measures set down in the Decree. Unfortunately, these texts do not explicitly provide for work permits which are essential to the victim being able to earn enough money to live and also for their psychological wellbeing. However, despite the gaps in the Act and the Decree and its lack of clarity, the legal framework aims to protect victims. The work done by NGOs in this area is of great significance if we consider the activities carried out, the knowledge gained and the pressure brought to bear on the competent authorities by the Movement. We should also mention here the Agreement on Collaboration for the prevention and suppression of cross-border crime (SECI), which was signed by Greece, Turkey and the Balkan States in 1999 and which came into effect in 2000. 20% of its budget is covered by the Greek State.

Since 1999 **prostitution** in Greece is regulated by a new law which defines it a legal profession - for men and single women only - by specifying permits and health checks for sex workers, as well as tight rules on location including a 200-metre distance from civic buildings such as churches or schools. However the law was not enforced until the middle of 2003, when the city council revived it for a pre- Olympic Games clean up, saying enforcement would cut down the 600-odd brothels operating in the city to 230. But in the meantime the vice Mayor Hra Valsamaki put forward a proposal for an amendment on the law 2734 of 1999, asking to issue extra permits for hotels to provide sexual services. The justification was that during the Olympics, when demand is expected to rise sharply, it would be very difficult to exert control over illegal brothels. Also 'if the existing ones begin to comply with regulations and are licensed, then authorities will have better control over the sex trade'. The reactions to this decision were direct and came from all parts.

### **3.1.c. Sexual harassment**

Until 2006, there was no specific legislation on sexual harassment; the general provisions were applicable in very few cases that came before the courts. They included: a) provisions in the Civil Code: article 57 entitles the victim to request the charges to be lifted and for its omission in the future; article 59 provides for the compensation of the victim; article 281 prohibits abuse of the law; article 662 obliges the employer to protect the life and health of his or her employees; article 932 provides for the compensation of the individual whose life or health has been damaged; b) provisions in the Penal Code: article 337 provides for the punishment of the assault against sexual dignity; article 343 provides for sanctions against employees who commit an offence against an individual under his or her charge; article 361 provides for sanctions for insulting either verbally or through one's actions; c) labour laws including the 1414/1984 Act which prohibits discrimination in the workplace. The recommendation of the Interministerial Committee to draft a specific law was rejected on the basis that Greece was due in the near future to ratify Directive 2002/73/CE which contains clauses concerning sexual harassment in the workplace and because of this it was deemed unnecessary to have a specific law on the subject.

In September 2006, a new law was adopted (**Law 3488/2006 Official Journal of the Hellenic Republic A' 191/11.09.2006**) which addresses sexual harassment in the workplace, incorporating at the same time the relevant EU Directive into domestic law and responding to related recommendations of this Committee.

### **3.2. Actors in the policy area of Gender Based Violence**

#### **State Actors:**

General Secretariat of Gender Equality  
Ministry of Employment & Social Protection  
Ministry of Health and social solidarity  
Ministry of Justice  
Ministry of National Education & Religious Affairs  
Ministry of Public Order  
Interministerial Committee on the subject of violence against women

#### **Political parties & Women's sections:**

PASOK  
ND  
SYN

#### **Civil Society (or Semi Civil Society) Actors:**

Amnesty International

National Committee on Human Rights

Movement of Democratic Women (MDW): a feminist organisation working to eliminate violence against women by political, social and cultural means. MDW provides direct legal aid to women victims of violence and undertakes their defence in the Courts. This was the

first organisation to establish a research and study group on the issue of violence against women directly following the period of the fall of the dictatorship in Greece, and it organised seminars and debates both in Athens and in other Greek towns. It has published several books including one entitled "Violence – Rape: Social and Feminist Discussion Papers", which looks at the problem of rape during the first years of MDW, when its barrister members defended, as they continue to do, victims of rape in courts throughout Greece.

League of Women's Rights This is a NGO which has a drop-in centre for women victims of different kinds of violence, which has been operating on a voluntary basis since 1980 and works with specialists, barristers, psychologists, psychiatrists and social workers, all of whom work on a voluntary basis. It receives no funding from the government and has never requested funding through the DAPHNE programme.

Network of European Women (Greek section) This is a women's NGO which works on a voluntary basis on questions relating to violence in three specific areas: a) prevention: through awareness raising and training of citizens, young people, students and professionals; b) provision of services and support (telephone helplines, victim support); c) working on a legal framework.

Women's Studies Group – University of Thessaloniki (GEF-AUT) The group is active in raising public awareness in relation to violence against women through conferences, seminars and articles published in the press on the issue. It is also involved in the training of professionals through postgraduate training courses and training seminars for specialists.

Also, numerous NGO's operate in various Greek cities mostly through programmes to combat trafficking and prostitution (providing shelter etc).

## **International**

EU: the impact of the EU in shaping domestic gender policy is quite substantial.

UN, CEDAW

## **3.3. Timeline**

### **3.3.a. Pre QUING period**

**1983** Ratification of the Convention for the Elimination of all Forms of Discrimination against Women, with Law 1342/1983.

**1984** Law 1419\1984 reforms the provisions on rape. Rape provisions used to be included in the Chapter on "crimes against morals", while they now belong to the chapter on crimes against sexual freedom and crimes against the economic exploitation of sexual life, as a direct result of fierce feminist struggles. The result though was not entirely satisfactory to them.

**1988** The first centre for battered women opens in Athens, an initiative of the General Secretariat for Gender Equality (GSE).

**1993** A guest house, run jointly by GSE and the Municipality of Athens, offers support and temporary hospitality to battered women and their children.

### **3.3.b. QUING period**

**1997** A National Plan on the subject of violence against women is drafted by senior civil servants at the Ministry of the Interior.

**1999: Law 2734, Official Gazette of the Hellenic Republic A' 161/5.8.1999:** Law on Prostitution. This law is a reform on previous legislation on prostitution, aiming to set up new criteria for: the issuing of work permits (age-related issues, health conditions, penal records etc), medical examinations, penal sanctions, authorization of residence, and the abolition of previous provisions.

**2000 Research Centre for Gender Equality (KETHI)** launches the first major campaign to sensitise public opinion and official agencies about domestic violence. With the funding of the European Commission and the General Secretariat for Equality, and working within the framework of the European campaign on violence against women, the main activities of this campaign were: To hang a giant poster in 150 locations in five major cities (Athens, Thessaloniki, Patras, Volos and Heracleion in Crete); To produce and transmit television and radio messages on broadcast stations with both a pan-Hellenic and a local range; To produce printed information and more specifically, in July 2000, an information leaflet '*BREAK THE SILENCE*' was distributed with electricity bills in a major campaign to inform people about violence against women. In addition to giving the numbers for the SOS line and the Battered Women Centres, it also gave the numbers of KETHI in each area.

**2000 – 2004 Training seminars:** In the context of training on treatment towards victims of rape, officers of the Security Services participated in seminars abroad. In the context of training the police staff on treatment towards women victims of domestic violence, the Ministry organized and implemented a pilot programme in the context of which social workers and psychologists were hired at regional police stations, to: (a) seek-locate individuals in need of help, (b) investigate charges for abuse, (c) keep records of individual cases, (d) contribute to and scientifically support the project as experts, (e) compile a report and (f) direct people to competent agencies.

**2001: Law 2952, Official Gazette of the Hellenic Republic A' 248/22.10.2001:** Ratification of the optional protocol in the convention for the elimination of all kind of discriminations towards women (CEDAW).

**2002: Law 3064/02, Official Gazette of the Hellenic Republic A' 248** regulation aiming to combat human trafficking, crimes against sexual freedom, child pornography and, generally,

financial exploitation of sexual life. Adds to Article 8 of the Penal Code (Regulations for Global Justice) the offences of human trade and sexual abuse so that these are punishable even when committed abroad. Defines as an offence the deliberate acceptance of services rendered by victims of human trafficking. The provisions of law intend to adjust the domestic law to the European legislation on trafficking and children exploitation. It introduces more detailed sanctions in cases of sexual assault and pornography and attempts to bring forward specific measures for the support of the victims. In 1999, the Committee on the Elimination of Discrimination against Women noted in its Concluding Observations on the Second and Third Periodic Reports of Greece that insufficient attention was given to the possible links between the lack of law enforcement and trafficking in and migration of women. The Committee recommended that *'compliance with the regulations governing prostitution be monitored effectively and adequate measures to address trafficking in women be introduced.'*<sup>14</sup> In May 2001, the Committee against Torture (CAT) recommended that Greece should take steps *'to prevent and punish trafficking of women and other forms of violence against women.'*<sup>15</sup> The U.S. State Department report released in June 2002 gave Greece the lowest rating possible, for failing to combat trafficking and protect victims.<sup>16</sup> According to this report, Greece *'does not fully comply with minimum standards for the elimination of trafficking and is not making significant efforts to do so.'*<sup>17</sup> In March 2002, the Human Rights Observatory released a commentary on Greece's draft anti-trafficking legislation, urging members of the Greek parliament to strengthen the draft law to protect victims and punish corrupt public officials implicated in the trade. The National Committee for Human Rights has also released a commentary of the draft law with similar remarks. Thus, the government's determination to re-examine the existing legislation on the issue of crimes of sexual exploitation and to prefigure the provisions of protection to victims of those actions came under the pressure of demands for compliance. Hence it is not surprising that most of the argumentation on the importance of legislating is focused on Greece's obligations towards the international community. But, whatever the incentives, it is important that this debate gave rise to a number of questions addressed by the media and NGOs, concerning the numbers of trafficked persons in Greece and the insufficiency of the new law in matters of the victims' protection. Another big issue raised in this discussion was the treatment of prostitution as an inclusive aspect of sexual exploitation, and its offensive character for human rights. Related to the above were also the reactions (from feminist groups, media, and NGOs) to a city council's decision to issue extra permits for hotels to provide sexual services on the occasion of the Olympic Games.

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<sup>14</sup> U.N. Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) Concluding Observations on the Second and Third Periodic Reports of Greece, U. N. Doc. A/54/38, February 1999, 197-198.

<sup>15</sup> U.N. Committee against Torture (CAT), "Conclusions and Recommendations: Greece," U.N. Doc. CAT/C/XXVI/Concl.2/Rev.1, May 8, 2001, Section IV, 6(d).

<sup>16</sup> United States Department of State, « Trafficking in Persons Report, » June 2002, at <http://www.state.gov/g/tip/rls/tiprpt/2002/10678.htm>

<sup>17</sup> <http://www.state.gov/g/tip/rls/tiprpt/2002/10679.htm#greece>

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**2002 Draft Bill** from a Working Committee for domestic violence, which, however, was not taken to Parliament to be put to the vote.

**2002:** the Greek Section of European Women's Network starts operating a free telephone help line, which provides psychological, social, and free legal assistance at the national level, on a 12-hour basis. At the same time, a consultation service was established, operating in the general area of the capital city. Its activities also include training volunteer social scientists for the operation of the telephone help line mentioned above.

**2003: Presidential decree 105 (Official Journal of the Hellenic Republic A' 96/23.4.2003):** adaptation of domestic law to the provisions of directive 97/80/EK of the council of 15.12.1997 (EE L 14, 20.1.1998 p.6) «with regard to the gravity of evidence in cases of gender discrimination".

**2003 Presidential Decree 233/2003 on the provision of assistance and protection to the victims of human trafficking,** introduces the necessary legal framework for the provision of assistance, protection and care to victims of the crimes of pandering, trafficking in human beings, human trade, paid sexual abuse of children, and slave trade. In particular, there are provisions for the protection of the victims' life, physical integrity, personal and sexual

freedom. Assistance is also provided in relation to accommodation, sustenance, medical care, psychological support, and ensuring the existence of a legal advisor and an interpreter.

**2003 Article 6 of Law 3106/2003 establishes the National Centre of Social Solidarity (E.K.K.A)**, under the supervision of the Ministry of Health and Social Solidarity. The objective of the E.K.K.A. is the coordination of the network that provides social support services to individuals, families, groups and populations facing emotional crisis or in need of urgent social aid.

**2003** Organization of two Conferences on “Violence against Women as an Obstacle to Equality” (Athens & Thessaloniki).

**2003** Organization of three training programs for civil servants, titled “Gender Equality and Violence against Women”.

**2004 (March)** Parliamentary elections, change in government, the conservative party on *New Democracy* (ND) in office.

**2004.** A recent legislative provision (**Law 3274/2004, Article 34, par. 7**) allows the issuing of a temporary residence permit, valid also as a work permit, to illegal migrants who report that they are victims of trafficking and pandering. The above mentioned permit is issued for a time period of six months and extended for an equal time period and until the issuing of an irrevocable court decision regarding their allegations, following suspension of their deportation ordered by the First Instance Court Public Prosecutor and approved by the Principal Public Prosecutor.

Since 2004, Greece has been implementing an integrated National Plan of Action against trafficking in human beings aiming at screening, identifying, protecting and assisting the victims, as well as giving relevant support to the countries of origin through prevention and reintegration programs. In this framework Greece, following the relevant European Council’s decision, coordinates a Plan for cross-border and interregional cooperation and operational action of police services in the countries of S.E. Europe under the code name “ILAEIRA”.

**2004.** Since August 2004, Greece has been implementing an integrated program of actions against trafficking in people, based on the coordination of the co-competent Ministries and covering the whole range of actions related to trafficking. This Program was prepared by an **Interministerial Committee against Trafficking in Human Beings**, formed in 2004, by initiative of the Ministry of Justice. In the context of this Program, the General Secretariat for Gender Equality of the Ministry of the Interior, Public Administration and Decentralization, places women victims of trafficking, who have received a temporary residence and work permit according to Article 34 paragraph 7 of Law 3274/2004, in work positions in cooperation with the Greek Manpower Employment Organization in the framework of common programs.

**2004** On 25th November 2004, commemoration day of violence against women, the General Secretariat for Gender Equality publicized data from a study on Domestic Violence, “Sample statistical development of data on women’s abuse”. The research refers to women who contacted the Consultation Centers of the General Secretariat for Gender Equality during the period 1-1-2004 to 31-10-2004 and was conducted on the basis of the 7 European indicators proposed by the Danish Presidency in 2002.

**2005** When UN CEDAW was reviewing Greece in August 2002, the Gender Equality Secretary General Efi Bekou said that “*Regarding violence against women (...) the Government had established an Interministerial Committee to elaborate relevant draft law.*” That draft law never reached parliament until the socialist government lost the elections in 2004. By decision of the successor conservative government, faced with continuing criticism by UN Treaty bodies, the Minister of the Interior, Public Administration and Decentralization (February 2005) established a Working Committee in the General Secretariat for Gender Equality, the task of which was to propose an integrated legislative framework for the prevention and reduction of domestic violence. The issue of a legislative framework on domestic violence had been pending since 2002, when CEDAW (evaluating Greece, on the basis of its report for the years 1996 -2000) suggested the rapid adoption of legislation on domestic violence. The UN Human Rights Committee on 31 March 2005, when examining the course of implementation of the International Covenant on Civil and Political Rights, made similar suggestions, asking also for legislative measures for rape in marriage. The Committee published its conclusions on the 8<sup>th</sup> July 2005,<sup>18</sup> claiming that due to the complicated nature of the issues at stake, there was not enough time to propose a coherent legislative framework in the available timeframe (four months). It therefore provided only a report with its finding and suggestions.

The Draft Bill on Domestic Violence was presented on 1<sup>st</sup> December 2005. In reviewing the draft law, the National Committee on Human Rights (NCHR) noted that the draft law does not address at all “violence against women,” a term not even used therein; presenting the problem of domestic violence as gender-neutral. Moreover, it is concerned that the exclusive burden to deal with such cases continues to fall upon prosecutors and police officers, without the addition of an institution of family social workers to empower them. Finally, the NCHR considers that the draft does not offer adequate protection to the witnesses or authority to prosecutors to issue restraining orders, and that the absence of adequate institutions to deal with the victims would weaken the law.<sup>19</sup>

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<sup>18</sup> Ministry of Interior, Public Administration and Decentralisation, General Secretariat of Gender Equality, *Concluding Remarks of the Working Committee for tackling the issues of domestic violence*. Athens 2005 (Πόρισμα της Ομάδας Εργασίας του ΥΠΕΣΔΔΑ για την αντιμετώπιση της ενδοοικογενειακής βίας και της βίας κατά συνοικούντων προσώπων). 18 p.

<sup>19</sup> See «Παρατηρήσεις-απόφαση της ΕΕΔΑ σχετικά με το σχέδιο νομού «για την αντιμετώπιση της ενδοοικογενειακής βίας»

Other NGOs, like Amnesty International,<sup>20</sup> were additionally concerned that the punishment of marital rape is potentially inadequate. Article 7 of the draft law calls for the punishment of an act of violence against a family member *“without the victim being obligated to it,”* instead of the internationally used *“without the consent of the victim.”* However, in Greece the prevailing social attitude, as was recently recalled by a bishop of the official state Orthodox Church, is that, also according to the Scriptures, *“a woman has no right to refuse to engage in sex whenever her husband demands it.”*<sup>21</sup> The NGOs are also concerned with the introduction, the first ever in Greece, of the institution of court arbitration to help deal with cases of domestic violence. They believe that this may give the impression that domestic violence, as the only area where this institution will be applied, is a less serious crime than all others where arbitration will not be applied. This concern is strengthened by the Minister of Justice’s declarations that the aim of the draft law, rather than being to combat violence against women within the family, is *“to secure peace in the family (...) it does not intend to interfere in the private lives of the family members; hence it does not affect customs, values and principles as they have developed in Greek society.”*<sup>22</sup>

The draft Law was deposited in Parliament on the 27<sup>th</sup> of July 2006; on September 7<sup>th</sup>, the Permanent Committee of Public Administration and Public Order of the Parliament delivered its report on the Draft Law. The Law was discussed and voted in Parliament during October 2006. This law mainly protects the fundamental rights of women through the introduction of five critical reforms: It provides for stricter penalties for acts that are already qualified as criminal offences under the Criminal Code when these are committed in the context of the family as defined by law. Rape within marriage is regarded as a criminal offence. Non-marital cohabitation between men and women is covered by the scope of the law. Physical violence against minors as a disciplinary measure is explicitly forbidden. The institution of mediation in criminal cases is established as an innovative instrument for certain domestic violence offences. To raise public awareness on the issue, a television campaign is currently being broadcast all over the country. At the same time, relevant printed material has been distributed since November 2006, while training seminars take place in all public administration and local authorities, in collaboration with the National Centre for Public Administration and Local Government, and special seminars are held for NGOs.

**State Actors:** Ministry of Justice; Ministry of Interior, Public Administration and Decentralization; Ministry of Economy; Ministry of Education; Ministry of Health and Social Solidarity; Ministry of Public Order; General Secretariat of Gender Equality.

**Civil (or quasi civil) Society:** Amnesty International; National Committee on Human Rights; League of Women’s Rights.

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<sup>20</sup> <http://www.amnesty.gr/news/2006-02-20-1.htm>

<sup>21</sup> “Sex lessons from a Bishop” *Espresso* 18 May 2006; there was no disclaimer by any church or secular authority of this position, made in an interview by Bishop of Lagada, that also included the Church’s known position against homosexuality. The interview is available at: <http://cm.greekhelsinki.gr/index.php?sec=192&cid=2195>

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<sup>22</sup> Αιτιολογική Έκθεση στο Σχέδιο Νόμου για την Ενδοοικογενειακή Βία, Αθήνα 2005

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In **September 2006**, a new law was adopted (**Law 3488/2006 Official Gazette of the Hellenic Republic A' 191/11.09.2006**) which addresses sexual harassment in the workplace, incorporating at the same time the relevant EU Directive into domestic law and responding to related recommendations of this Committee. For the first time, sexual harassment is defined by Greek law and is explicitly regarded as a form of discrimination in the workplace, and is forbidden as regards access to employment, and the whole spectrum of the labour relationship and occupation.

With this law two EU directives were incorporated in the Greek legislative order: a) **Directive 2000/43/CE** «implementing the principle of equal treatment between persons irrespective of racial or ethnic origin» and b) **Directive 2000/78/CE** “for combating discrimination on the grounds of religion or belief, disability, age or sexual orientation as regards employment and occupation”, with a view to putting into effect in the Member States the principle of equal treatment.<sup>23</sup>

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### **3.4. Concluding remarks**

Concerning the **relative importance of topics in the subissues** in gender-based violence what must be underlined is that trafficking and prostitution are issues that are quite visible and are subject to legislative initiatives, though they are not necessarily viewed as problems of gender based violence. Marital rape and domestic violence were also discussed and there has been an increasing number of policy outcomes related to these sub-issues. Sexual harassment, though not much discussed or debated, has also received legislative attention. Stalking, forced marriage and honor crimes are absent from public discourse, but also rare.

**The major changes:** In this area there has been a significant amount of change, especially the new legislation on domestic violence, marital rape, sexual harassment and trafficking. Women's groups however have pointed to the serious weaknesses and shortcomings of the policies, since they do not challenge traditional gender roles. Cultural stereotypes are very strong in this area; in various local cultures, male violence seems tolerated as part of being a man.

**The role of civil society and other political actors:** Many women's and feminist groups were actively involved in promoting legislative initiatives on these issues (such as the Network of European Women, the League of Women's Rights and the Movement of Democratic Women). Human Rights NGO's (like Amnesty International or Helsinki Watch) were also active. The General Secretariat of Equality, which is the public body promoting gender issues, had the most prominent role in the political arena.

**The impact of the EU and other international bodies** in policy related to gender based violence: in every sub-issue in this area, the impact of the EU and CEDAW has determined the policy outcomes. In fact, most of the legislation put forward during the last decade resulted largely from the pressures and demands from international organizations and bodies, and from the need to harmonize Greek legislation with Community legislation.

## 4. NON-EMPLOYMENT

(L. Maratou-Alipranti, A. Nikolaou)

### 4.1. Introduction

The sub-issues that must be defined as points of reference in order to study non-employment in Greece are the following:

- Family policy
- Reconciliation of work and family life
- Child and elderly care
- Equal pay
- Pension rights and pension reform
- Part-time employment (including flexi-work and atypical employment)
- Female unemployment

#### 4.1.a. Family policy<sup>24</sup>

Family policy has been integral to the Greek social policy agenda for a long time but the objective was not, until very recently, gender equality. Family policy measures had been included in a range of other social regulations but it is mostly after the Second World War that the state started to develop more coherent strategies of family protection.

Regarding gender equality the most important Institutional Reform was the revision of the Family Law in 1983 which endorsed the constitutional 'principle of equality for men and

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<sup>24</sup> The analysis is based on the following sources: Pantelidou Maloutas, M. Hadjiyanni, A. Kamoutsi, F., Maratou-Alipranti, L. Thanopoulou, M., Tsiganou, J. Filiopoulou, M. Nikolaou, A. Tsanira, E. 2004. *Preliminary Country Study Greece, Family Policy*, Vienna: IWM [internal report], p.24., Verloo, M., Maratou-Alipranti, L., Tertinegg, K. and Beveren, J. "Framing the Organisation of Intimacy as a Policy Problem Across Europe", *The Greek Review of Social Research*, B' 2005, EKKE p. 119-147., Milioni, F. and Zeis, T. (2004) 'Legislative context for the Reconciliation of Work and Family Life' in Guide of Good Practices for the Reconciliation of Work and Family Life, Athens: Equal-Andromeda.

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<http://www.kethi.gr/greek/ethniki/structure.html>

Ministry of Labour and Social Security *National Action Plan 2004* available at:

[http://europa.eu.int/comm/employment\\_social/employment\\_strategy/nap\\_2004/nap2004el\\_el.pdf](http://europa.eu.int/comm/employment_social/employment_strategy/nap_2004/nap2004el_el.pdf)

Ministry of Labour and Social Security, *National Action Plan for Social Integration, 2002-2005*, Athens, July 2003.

Ministry of Labour and Social Security (2002) *National Action Plan for Employment*, Athens: Study-report.

women' (law 1329/1983). In the 1980's, laws and regulations on employment and social security included articles for support of the family. Overall, legal measures aimed at securing: family benefits for workers and employees, maternity and parental leaves, the protection of maternity, the prevention of the dismissal of pregnant women, the extension of pension rights to rural women and family members working in family businesses or rural family holdings etc. Yet these measures have largely been characterised by complexity, a lack of co-ordination and cooperation between public organisations and public services, and unequal distribution of fragmentary and low level benefits.

It should be also noted that during the 80's governments ratified: the European Social Charter (law 1426/84) which secured all social rights without discriminations of gender; the 122 International Convention for Employment (law 1423/84) that established employment measures to combat unemployment and underemployment independent of gender, 'race' and religion; the 111 International Convention for Employment (law 1424/84) that prohibits any form of discrimination on the basis of 'race', gender, religion etc.; and the International Convention 103 that refers to the protection of maternity (law 1302/83). These reforms were the product of a wide and fervent demand for social change, directly after the accession of Greece to the EU in 1981. The accession undoubtedly played a very important role in the modernization and democratization of Greece.

Since the 1990's, there have been a number of structural socio-economic changes, including: the growing participation of women in employment; the reforms in various sectors of economic activity; the changes in the organisation of the production process; and the radical technological changes and new technologies. Each and every one of these paved the way for new regulations of more flexible types of work that are predominantly directed towards working mothers. However, family policy has not been well adjusted to newly emerging social conditions. In a nutshell, family policy in Greece is restricted to a social security nexus relating to the following policies:

1. Employment policy (reduction of working hours, parental leave, maternity leave, safety regulations for pregnant and nursing women, regulations preventing the dismissal of pregnant women)
2. Educational policy (extending school operation hours, the establishment of nurseries / play schools and creative activities for children)
3. Housing policy (mortgage, housing subsidies)
4. Income policy (tax exemptions)
5. Insurance policy (maternity allowances, parturition benefits)
6. Family benefits for children (support of working parents, welfare benefits, and benefits to support unprotected children, benefits for families with many children, welfare-demographic benefit for the third child, life-long pension etc)

#### 4.1.b. Reconciliation of work and family life

In connection to family policy, **reconciliation of work and family life** is seen as a well-considered policy response to labour and care issues. Reconciliation is a concept that refers to the combination of paid and unpaid labour or balance between paid work and caring responsibilities.

Reconciliation was in the equal opportunities agenda of the European Community in the 1980's. However, the prime concern during that decade was how women could actually combine their work and family responsibilities, rather than how an equal distribution of paid and unpaid labour could be achieved. During the 90's, reconciliation of work and family life gradually became a commitment to promoting gender equality in employment. This coincided with the demands of business corporations for flexitime, reduction of employment costs and increased competition. The turning point for developing coherent reconciliation policies in Greece was perhaps the transposition of the Open Method of Coordination (as defined in the Treaty of Amsterdam 1997) guidelines into national and regional policies<sup>25</sup>. The OMC was further officially defined and endorsed at the Lisbon Council in 2000.

The *National Action Plan for Social Integration (NAP) 2003*<sup>26</sup> reveals that non-working women's reluctance to work results from family obligations and a variety of labour market complexities. In Greece, working conditions combine the following characteristics: inflexible working hours; a limited range of options available to a potential employee; "incompatibility between working hours and the hours observed by the social infrastructure (schools, public administration, government departments, shops, etc.); the limited duration of the official school timetable, the way that many city schools operate alternating morning and afternoon shifts" (National Action Plan, 2003). All of the above comprise factors that prevent many women from participating in the labour market. Another factor influencing women's decision to work is the partial development of child and elderly care services, together with the attitude and preference of many women towards bringing up their children alone.

Reconciliation policies aim at bridging the gap between work and caring responsibilities. Most of these policies are found in a number of Government documents on employment issues such as the National Action Plans, which epitomize the integrated employment policy of the Government, and also in law articles related to the following general categories:

1. Measures for the regulation of working hours (reduction of working hours and flexible types of employment).
2. Balancing measures promoting maternal, paternal and parental leaves (maternity and parental leaves should not be detrimental to women's access to employment, encouraging men to participate in child caring duties).
3. Measures referring to Collective Deliberate action at a business level (regulation of working hours, child and elderly care).

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<sup>25</sup> OMC allows member-states to coordinate their employment policies, exchange knowledge, policies and good practices on social policy.

<sup>26</sup> Ministry of Labour and Social Security, "*National Action Plan for Social Integration, 2002-2005*, Athens, July 2003

4. Measures for the provision of allowances, benefits, structures and support services.
5. Measures for the social organisation of time (operating hours of public services, administrative authorities, schools and shops).

In policy documents the reconciliation problem is located in the organisation of labour and the organisation of intimacy. The former is generally represented as a number of labour reforms that entail flexible working hours, part-time jobs, and informal types of work, all aiming at the elimination of discrimination against women in the labour market. The latter suggests that the unequal distribution of family roles creates many obstacles to the greater participation of women in the labour market. For example, research findings show that in Greece working women continue to carry over 80% of household and family chores<sup>27</sup>. Additionally, existing gender stereotypes and traditional perceptions of gender roles are perhaps the most powerful mechanisms reproducing the problem.

The *National Action Plan for Employment (2002)* points out that the reconciliation problem can be resolved; first, by the expansion and improvement of care services and second, by the redefinition of gender roles within the family and redistribution of family duties. The former suggests an integral social policy that can be only achieved by the welfare state (although Greece and other countries seem to be making deep cuts in welfare), while the latter is simply an issue of men being urged to take up more caring tasks. Although *reconciliation* is represented as an issue of intimacy, it appears that most policy proposals and suggested measures focus primarily on employment issues which correspond to European demands for more flexible labour markets. Most documents portray the balance between paid work and caring responsibilities as a problem of women, who are also called upon to deal with it since their social role as caregivers is almost never disputed. In other words, reconciliation entails a fixed representation of women as solely responsible for the provision of care to dependent family members.

#### **4.1.c. Care for children and the elderly**

**Care for children and the elderly** is also an integral part of the reconciliation, equal opportunities and social policy in Greece. These fields have recently been closely connected, with a commitment to promoting women's access to employment. However, policymaking in these fields is characterized by fragmentary and often contradictory regulations that obstruct the normal operation of several organisations and institutions. This is because the state prefers to offer short-term solutions as an alternative to social policy reform. In that context, child care is limited to the following:

- Public nurseries supervised by the local government, the Ministry of Health and Social Solidarity, or by NGO's.
- Public kindergartens that belong to the public system of primary education.

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<sup>27</sup> Ministry of Labour and Social Security (2002) *National Action Plan for Employment*, Athens: Study-report p.78

- Day-long public kindergarten and day-long primary public schools in order to support dual-career families and the participation of mothers in the labour market.
- Private nurseries.
- Centres for creative activities.

In 1997 the PASOK (social democratic party) government established day-long kindergartens and primary schools (law 2525/1997) in an attempt to strengthen the role of the state in child-care beyond the regular operating hours of public schools.

Despite efforts to expand care services, insufficient child care facilities cannot meet the child care need and therefore create an employment barrier. EU-SILC 2004 shows that child care in Greece is, to a large extent, provided by family members/ relatives or other people<sup>28</sup>.

In the field of policy for the elderly there are few significant programmes and caring facilities are restricted mostly to supporting low income families.

In 1979 the Directorate for the Protection of Elderly People of the Ministry of Health and Welfare piloted an **Open Care Centre for Elderly People** (KAPI) and in 1982 they became Legal Entities subject to public law and supervised by the local government. Today they are spread all over the country.

In 2002 the programme **Help at Home** was implemented by the Ministry of Health and Welfare in co-operation with the Ministry of Labour and Social Security. Help at home is linked to Open Care Centres for the Elderly in each borough and they are free. It is staffed by social workers, nurses, family assistants and administrative employees who provide aid, psychological and emotional support and transportation to the elderly.

#### **4.1.d. Part-time employment**

The **Part-time employment** sub-issue can construct a clear boundary between employment and non-employment and it is undoubtedly the most common type of flexible employment. In Greece part-time employment is 'feminized' as more women than men work part-time. Policy texts suggest that part-time employment gives women the opportunity to reconcile work and family life and it is also a convenient option for students to get some income. Additionally, it is considered a great measure against long-term unemployment. Generally, part-time work does not have a long history in Greece since it was enacted in 1990 by law 1892/90, though some regulations like work suspension and supplementary employment pre-existed in law 3198/55 as a form of part-time employment which is still in practice. In 1998 law 1892/90 was amended and completed by law 2639/98 "Regulation of Labour Relations, Establishment of Labour Inspectorate and other provisions" by the Ministry of Labour. Article 1 regulates issues of informal work and paid work-at-home. During the parliamentary discussion (4/8/1998) on the Bill, a woman MP from the Opposition accused the government that the Bill

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<sup>28</sup>National Statistical Service of Greece, 17.05.2006 Press release available at: [http://www.statistics.gr/gr\\_tables/S805\\_SFA\\_2\\_DT\\_05\\_04\\_1\\_Y.pdf](http://www.statistics.gr/gr_tables/S805_SFA_2_DT_05_04_1_Y.pdf)

expressed an 'anti-labour mentality'. She said that informal types of work are not protected by labour legislation, they are not subject to Labour Inspection, and they have no contractual working hours, leaves or bank holidays, or a minimum wage limit. Employees are insured by TEBE insurance fund for free lancers and pay high contributions. She implied that employers prefer these tactics in throwing off balance relations and argued that the Bill is a barrier to women's equal participation to the labour market, it violates the rights of working mothers, it promotes discrimination and it restricts them to working in informal types of jobs. Furthermore, measures provided by law 2693/1998 for promoting part-time employment in the public sector have so far not been implemented which reveals an inconsistency between theory and practice. Compared to other European member-states, part-time employment is very limited in Greece because it involves low-paid and low-status jobs. For many years the rate for part-time employment has been fixed around 4-5% below EU average (18%)<sup>29</sup>. Article 7 law 2874/2000 provides for a 7.5% increment in the wages of part-time workers, especially those with the lowest wages, as an attempt to promote part-time employment in Greece. In addition, law 3174/2003 entails measures to facilitate and endorse part-time work in local governments and the public sector in order to cover the needs of the welfare state and to advance the social integration of the unemployed.

#### **4.1.e. Equal pay**

Equal pay is not directly related to non-employment but inequalities of income combined with a non-family friendly labour market may well influence women's decision to work. Equal pay is provided by article 22 of the Constitution of 1975 where for the first time in Greece gender equality was consolidated (article 4 general principal of equality). In 1984 equal pay was included in law 1414/84 aiming at adjusting employment equality measures to the E.C. directives 75/117 and 76/207, and it was finally replaced by law 3488/2006 on the 'principle of equal treatment' between men and women, as regards access to employment and vocational training. Yet social exclusion indicators show that the gender pay gap was 9% in 2005<sup>30</sup> and 10% in 2004<sup>31</sup>. It follows that there is a gap between de jure and de facto equal pay in Greece.

The **social insurance system** is structured on traditional patterns of gender roles which make it difficult for working mothers to stay in the labour market. For many years the Greek Law of Social Insurance regarded men as breadwinners and women as responsible for providing family care. However, there have been some important reforms as regards the pension system. In 1982 law 1287/82 extended pension rights to women working in the rural sector. Likewise in 1988 law 1759/88 gave insurance rights to family members working in family enterprises (primarily women). Recent law 3029/02 includes measures in order to improve **the pension system** and to eliminate every form of gender discrimination as

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<sup>29</sup> Press release 25 August 2005: [http://www.parliament.gr/sioufas/press/Deltia/2005/8\\_2005/\(25-08-05\)stage.doc](http://www.parliament.gr/sioufas/press/Deltia/2005/8_2005/(25-08-05)stage.doc)

<sup>30</sup> National Statistical Service of Greece EU Statistics on Income and Living Conditions, 2005 'Social Cohesion Indicators', [http://www.statistics.gr/gr\\_tables/S805\\_SFA\\_2\\_TB\\_AN\\_05\\_1\\_Y%20.pdf](http://www.statistics.gr/gr_tables/S805_SFA_2_TB_AN_05_1_Y%20.pdf)

<sup>31</sup> National Statistical Service of Greece, EU Statistics on Income and Living Conditions, 2004 'Social Cohesion Indicators' [http://www.statistics.gr/gr\\_tables/S805\\_SFA\\_2\\_DK\\_AN\\_04\\_1\\_Y.pdf](http://www.statistics.gr/gr_tables/S805_SFA_2_DK_AN_04_1_Y.pdf)

regards social security. For the first time, working mothers insured by the Social Security Institute have been given the option to entitlements or credits ('not real time') as indirect recognition of unpaid care work in order to complete the required insurance time to access a pension. 'Not real time' is one year for the first child, one and a half for the second child and two years for the third child. This development seems to justify women's non-employment. A further important step in the pension system reform is law 3232/2004 that met the long-standing demands from many women MPs to extend pension rights to divorcees and widows. Article 4 regulates for the first time in Greece the **pension rights** of this category of women. However, during the parliamentary discussion on 29/1/2004 it was stressed that the law places certain economic and social restrictions to the problem holders. This measure could also be a justification of non-employment.

#### **4.2. Actors in the policy area Non-employment (Employment +Unemployment)**

##### **State Actors**

General Secretariat for Equality, Ministry of Interior and Public Administration  
Ministry of Employment and Social Protection  
Ministry of Health and Social Solidarity  
Ministry of National Education and Social Solidarity  
Ministry of Development  
Ministry of Agriculture

##### **Parliamentary Political Parties**

ND (right-wing governing party)  
PASOK (social democratic party)  
SYN (left-wing party)  
KKE (Greek communist party)

##### **Organisations**

Greek Manpower Employment Organisation  
Labour Inspectorate  
Social Security Institute  
Organisation of Agricultural Insurance  
Free Lancers Insurance Organisation

##### **Social Partner organisations**

General Confederation of Greek Workers  
Confederation of Greek Industries  
National Confederation for Greek Commerce  
Greek General Confederation of Arts and Crafts

##### **Civil society Actors /NGOs**

National Confederation of Individuals with Special Needs ( ΕΣΑΜΕΑ).

Confederation of Families with Many Children<sup>32</sup> was founded in 1931 and its primary aim is to promote demands of families with many children to the Parliament, Ministries and other agencies, and raise public awareness on the demographic issue.

Family and Child Care Centre (KMOP)<sup>33</sup> was established in 1977 and since then 'it has undertaken a number of programs, many in collaboration with a large number of organizations, both in Greece and abroad, targeting the following groups:

- Families below the poverty line, in danger of social exclusion
- Persons suffering from physical disabilities and mental disorders
- School-age children with difficulties in adapting to their school environment, school drop-outs in compulsory education, and job-seeking adolescents who are unable to enter the labour market
- Single-parent families
- Long-term unemployed and those with low professional qualifications
- Refugees, migrants and Greek repatriates from former USSR'

Their main activities concern gender equality, employability, social inclusion, mental health and entrepreneurship. KMOP has been partner for the provision of counselling in numerous projects and it provides support services for women in difficult situations (network for combating social exclusion of women) and other social groups.

Together for the Child<sup>34</sup> is a confederation of non profiting benefit agencies that started to cooperate in 1996. General objectives are:

- Provision of material, spiritual and moral care to infants, children, and youth who suffer from health, mental or psychological disorders and their families.
- Informing and sensitizing society about children in need. Expanding the principles and methods of voluntary action in order to face children's special needs.
- Cooperation with corresponding foreign and international organizations.
- Promoting scientific research.
- Raising funds through the organisation of cultural, scientific or sport activities.

Daily Care Centre for Children with Special Needs (KIVOTOS)<sup>35</sup> provides children with special needs and their families medical diagnoses, early therapeutic intervention, daily care services and counselling.

Foundation for the Child and Family<sup>36</sup> is a public benefit foundation under private law, and in Special Consultative Status with the Economic and Social Council of the United Nations.

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<sup>32</sup>Confederation of Families with Many Children  
<http://www.aspe.org.gr/fDBDisplay.aspx?codeid=42>

<sup>33</sup> KMOP <http://www.kmop.gr/en/frameset.htm>

<sup>34</sup> Together for the Child <http://www.mazigiatopaidi.gr/history.htm>

<sup>35</sup> Daily Care Centre for Children with Special Needs <http://www.kivotos-amea.gr/en/Default.htm>

<sup>36</sup> Foundation for the Child and Family <http://www.childfamily.gr/idrima.html>

Amongst other things the foundation contributes to secure appropriate conditions for children and the family.

## **International**

United Nations

EU: Impact of European Employment Strategy (Lisbon 2000) on non-employment.

UNICEF, CESCEEP

### **4.3. Timeline<sup>37</sup>**

#### **4.3.a. Pre QUING period**

**1975** The ‘principle of equality for men and women’ was consolidated by article 4 of the Constitution that reinstated the Constitution of 1952 in the attempt to strengthen democracy and to obliterate the traumatic experiences of the Greek civil war<sup>38</sup>.

**1979<sup>39</sup>** the Directorate for the Protection of Elderly People of the Ministry of Health and Welfare piloted an Open Care Centre for Elderly People and until the end of 1981 there were 8 centres operated. In 1982 they became Legal Entities subject to public law and supervised by the local government. Today the Open Care Centre for Elderly People has a wide network of centres throughout the country.

**1980** Law 1082/80 prohibits the dismissal of pregnant women.

**1982** Law 1257/82 for rural association: organisations gave divorcees and widows who have rural holdings the right to become members.

**1982** Rural women are entitled to separate pension equal to the related provisions for men (law 1287/82).

**1983** Law 1302/83 ratified the International Convention 103 that refers to the protection of maternity.

**1983** Family law was adjusted to the constitutional ‘principle of equality for men and women’ by Law 1329/1983. In particular, it replaced the concept of patriarchal family with the concept of the ‘family of equality’. Thus, the institution of dowry was abolished, women obtained the right to maintain their family name and both spouses were hence obliged to contribute to the needs of the family.

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<sup>37</sup> Timeline sources: Research Centre for Gender Equality (KETHI) available at:

<http://www.kethi.gr/greek/ethniki/legislative.html>

<http://www.kethi.gr/greek/ethniki/structure.html>

General Confederation of Greek Workers available at: <http://www.inegsee.gr/esa-en.htm> ,

<sup>38</sup> <http://www.parliament.gr/english/politeuma/default.asp>

**1983** One of the first attempts for promoting gender equality in Greece was the configuration of prefectural equality committees in July 1983 (the memorandum was issued by the Secretary General of the Ministry of Interior to all Prefectures) with representatives of state and local agencies and women's organisations. The Prefectural Equality Committees and Prefectural Bureaus for equality were finally institutionalised by the 370/89 Presidential Decree but in later years these committees were not supported and as a result they were not further developed. Today there is effort to upgrade them.

**1984** Bureaus for Equality were established in the Ministry of Work and every Labour Inspectorate in the country (law 1414/84). They had to closely cooperate with the General Secretariat for Equality (Ministry of Interior). Since March 1990 the bureaux for equality operate in all Ministries, Public Organisations and Public Services. However, with the exception of the Ministries of Work and Justice, all others are not fully operating.

**1984** Equal pay and other employment equality measures were provided by law 1414/84 in compliance with the E.C. directives 75/117 and 76/207.

**1985** The 2396/85 Ministerial Decree of the Ministry of Work amended and completed the articles of the Social Security Regulation of Social Insurance Institute for the insurance of baby sitters, cleaners etc.

**1986** 283169/86 Ministerial Resolution of the Ministry of Agriculture defines according to the 797/85 Regulation of the E.C. that rural holdings are joined within the context of family and there is no differentiation between spouses as to the headship of the rural holdings.

**1988** The National Collective Convention of Employment regulates that family benefits are given to all married working women without any requirements according to law 1414/84.

**1988** Law 1759/88 provides for the insurance of family members (mostly women) working in family businesses; similar provisions are included in law 1759/88 for rural women.

**1988** The discrimination in article 24 of the Rural Code that excluded unmarried adult women from rural settlement during the redistribution of public lands was abolished by law 1790/88.

**1990** Part-time employment, the most common type of flexible work, was enacted in Greece (Law 1892/90).

#### **4.3.b. QUING period**

**1997** Law 2525/1997 "Unified lyceum: access of graduates in tertiary education, evaluation of the educational system and other provisions" by the Ministry of National Education and Religious Affairs providing the establishment of public day-long school (Primary and Kindergarten). Articles 3 and 4 of the Bill provide for the operation of day-long municipal

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<sup>39</sup> <http://www.eleftherio-kordelio.gr/index.php?menuid=35&topicid=55>

kindergarten and day-long primary public schools and specify the curriculum and creative activity programs. Measures reflect government's will to support dual-career families and to promote women-mothers participation in the labour market.

**2001** Greece ratified the voluntary UN protocol of the 'International Convention for the Elimination of Discrimination against Women' that allows individuals or groups to appeal to the UN Commission that was constructed to investigate cases of violation of the principle of equality between men and women.

**2002** Ministry of Health and Welfare launches the programme Help at Home that offers counselling, psychological and emotional support and transportation to elderly and disabled people.

**2002** Law 3029/02 modernized the pension system and abolished all forms of gender discrimination in social security.

**2003** Greek legislation was adapted to the 97/80/EC Council Directive by the Presidential Decree 105/2003 on the burden of proof in cases of discrimination based on sex, in order to ensure the implementation of the principle of equality for men and women, as regards access to employment and career development.

**2004** Law 3250/2004 promotes part-time employment to local government and legal public entities for the unemployed and mothers with children.

**2004** Law 3232/2004 "Issues of Social Security and other Provisions" extended pension rights to divorcees and widows.

**2004** The Ministry of Employment and Social Protection launched the operational programme "Employment and Vocational Training" with 2 years duration.

**2006** Law 3488/2006 on the principle of equal treatment for men and women as regards access to employment, vocational training and career development.

**2006** Law 3454/2006 Family Support and other Provisions.

**2006<sup>40</sup>** Ministry of Employment and Social Protection, Vocational Training Centre of the General Confederation of Greek Workers and Arsis –Association for the Social Support of Youth, launched the European project called "Active ageing and the inclusion of immigrants into the labour market". The aim of the project is to evaluate the implementation of the European Employment Strategy in Greece since 2000.

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<sup>40</sup>Vocational Training Centre of the General Confederation of Greek Workers  
<http://www.inegsee.gr/esa-en.htm>

**Primary sources:**

Since the Treaty of Amsterdam of 1997 the Ministry of Employment and Social Protection is the responsible government department for the transposition of the European Employment Strategy guidelines to national and regional policies in association with other departments and policy-making bodies. The Ministry, through National Action Plans and a number of programmes, is studying and monitoring the implementation of employment policies and objectives set by the Lisbon Council in 2000. Regulations relevant to the European Employment Strategy are included in laws, bills, decrees and other policy texts that should be included in the analysis of the QUING project. Such texts are the National Action Plans that provide information on employment strategies to combat social exclusion and an account of expected results; law 3488/2006 on the Implementation of the Principle of Equal Treatment for Men and Women in the labour market and parliamentary discussions; and law for the support of family and laws regulating employment issues.

- **National Action Plan for employment 2002, 2004, (Ministry of Employment and Social Protection) E-text**
- **National Action Plan for employment for Social Integration 2002-2005 (Ministry of Employment and Social Protection) E-text**
- **Law 3488/2006 on the Implementation of the Principle of Equal Treatment for Men and Women as regards Access to Employment, Vocational Training, Career Development and Terms and Conditions of Employment and other related provisions (Official Journal of the Hellenic Republic 191/A-11/9/2006) E-text**
- **Parliamentary discussions will be added**
- **Law 3454/2006 Family Support and other Provisions (Official Journal of the Hellenic Republic 75A/7-4-2006) E-text**
- **Parliamentary discussions will be added**
- **Law 2874/00 Promotion of Employment and other Provisions (Official Journal of the Hellenic Republic 162/A/12-7-02) E-text**
- **Parliamentary discussions will be added**
- **Law 2874/00 Preamble E-text**
- **Circular with relevant articles of law 2874/00**
- **Presidential Decree No 81 Regulations for Workers with Defined Working Contracts (Official Journal of the Hellenic Republic 77/A/2-4-03) E-text**
- **Law 3250/2004 Part-time Employment in the Public Sector, Local Governments and Legal Public Entities (Official Journal of the Hellenic Republic 124/A/7.7.2004)E-text**
- **Law 2639/98 Regulation of Labour Relations, Establishment of Labour Inspectorate and other provisions (Official Journal of the Hellenic Republic 205/A/2-9-1998)**
- **Parliamentary discussions will be also added**

The Ministry of Health and Social Solidarity is also a government department that has the responsibility to reform the insurance and pension system in order to achieve the Lisbon goals. However, the insurance system is characterised by a high degree of complexity and there has been not serious effort to modernize it. Additionally, it was structured on traditional stereotypes of gender roles which made it difficult for women to enter the labour market. The most important steps to endorse gender equality in the insurance and pension system are linked to measures provided by laws 3232/2004 and 3029/02. Law 3029/02 provides the elimination of every form of gender discrimination and law 3232/2004 extends pension rights to a particular category of women, namely divorcees and widows.

- **Law 3232/2004 Issues of Social Insurance and other Provisions (Official Journal of the Hellenic Republic 48A/12.2.2004) E-text**
- **Parliamentary debates will be included**
- **Law 3029/02 Reform of the System of Social Security (Official Journal of the Hellenic Republic 160A/11.7.2002)**
- **Parliamentary discussions will be added**

#### **Secondary sources:**

- **Guide for Good Practices for the Reconciliation of Work and Family Life (2004), Athens: EQUAL-Andromeda**
- **Hellenic Republic Ministry of the Interior, Public Administration and Decentralization, General Secretariat for Equality “6<sup>th</sup> National Report of Greece. Period 2001-2004”**
- **Research Centre for Gender Equality (KETHI) “Women in pursuit for employment”. European Guidelines**

#### **4.4 Concluding remarks**

**The relative importance of sub issues in the area of non-employment:** It is really not easy to construct a clear boundary between employment and non-employment. Most public discussion has focused on issues pertinent to reconciling work and family life, as many women’s reluctance to work seems to result from caring responsibilities. There is however a gap between theory and practice, as the few specific and targeted women continue to carry out most of the household chores, employment rates for women are very low, the gender pay gap is very high and many women seem to be restricted to part-time and informal types of work.

Relevant policy fields like family care, equal opportunities and social policy have been recently closely connected with a commitment to promoting women’s access to employment. However, policymaking in these fields is characterized by fragmentary and often contradictory regulations that obstruct equal access to the labour market. Although there is considerable discussion on incentives to strengthen women’s work participation, the partial development of family services and lack of coordinated action create employment barriers. Moreover, the social security system is structured on traditional patterns of gender roles

which make it difficult for working mothers to stay in the labour market. Despite efforts to modernize the social security system, some measures do seem to promote non-employment.

**The major changes:** The turning point for developing more coherent employment policies for women was the transposition of the Open Method of Coordination (as defined in the Treaty of Amsterdam 1997) guidelines into national policies. However, existing gender stereotypes combined with a non-family friendly labour market and inequalities of income influence to a large extent women's "decision" not to work.

**The role of civil society and other political actors:** It is difficult to assess the role of civil society and political actors. In an area related to employment where male dominated and male centred workers' unions reign, there is not much preoccupation with gender equality issues in this section of civil society. It is true, however, that policy makers have been working closely with academics, researchers and other experts to investigate aspects of employment inequalities and recommend ways to combat these. Conversely, for a number of years the Confederation of Families with Many Children has been making efforts to raise public awareness on demographic issues and it has also frequently promoted to the Parliament the demands and moral and material interests of families with many children. The Confederation has influenced to a large extent employment policies that are predominantly directed towards parents with many children, leaving in obscurity many low income and poor families. Other social actors do not really show a strong commitment to promote gender equality since the focus of their activities is more on the well-being of children and families and the provision of care, especially of disabled children.

**The impact of the EU:** As in all gender related issues, in 'non employment' the importance of EU decisions is of capital importance in Greece. In particular, since 1997, the EU employment strategy has determined the social policy agenda on the development of gender equality employment policies in Greece, and by extension, on the non employment issues that are par excellence related to gender.

## 5. General concluding remarks (MPM)

As was mentioned before, the 2004 change in government in Greece, by which the Right returned to power after two decades, does not constitute any major shift in Greek gender policy; existing gender policy is still largely predefined by Greece's international obligations. What may be noticed after 2004 is a slight unease or awkwardness at first, and a period of inertia, as well as a lack of understanding and conviction in what has to be done anyway. Thus, **any change in policy making** (which is mainly a change in pace not in substance) is primarily due to changes happening on the EU level, or at least in how the EU directives are perceived by Greek institutions responsible for applying gender policy.

According to the country's 6<sup>th</sup> Report for the CEDAW, the main aim is to develop "an integrated and cohesive strategic intervention, aiming to stress both the national importance and the supra-national dimension of gender equality issues." This is considered "a national priority, above any political differences". The aim of this intervention is proclaimed to be "to disengage gender equality issues from the category of marginal and special issues and to stress their political, economic, social and developmental character, through their direct connection to prevailing national priorities (development, employment, social cohesion)." In other words, "gender policy for development" rather than for equality, justice, democracy etc. It is in all probability the "modernisation argument" (which has a long tradition in Greek political culture), resurfacing once more, which, furthermore is in total harmony with the EU priority target concerning employment issues. Indeed the following sectors form the main targeted areas, according to the Greek official discourse:

1. Combating the equality deficit in **labour relations** and the labour market.
2. Preventing and combating family **violence and human trafficking**, the victims of which are women.
3. Combating **stereotyped conceptions** regarding "the role of the sexes" within the educational process, especially in primary education.
4. Strengthening women's **participation in decision making**.

The mention of gender mainstreaming as a strategy is unavoidable, due to EU obligations. What must be stressed is that priorities centre on: labour market issues, gender violence, gender stereotypes and women's presence in decision making. We can thus repeat that, **three out of four of our issues (two out of the three set issues, plus the supplementary one) appear, in one way or another, within Greece's gender policy priority areas:** Non employment, as related to the labour market, gender violence and immigration, related to the issue of trafficking and gender violence.

**Concerning the role of civil society** and other political actors, what must be noted is that there are a few dynamic NGO's active in promoting aspects of the issues of interest to QUING. However we cannot speak of an important civil society intervention (contrary to the past, when the issue of abortion was in the '80s very prominent on the agenda). Certainly the OLKE (Homosexual and Lesbian Community of Greece) is intervening in issues of intimate citizenship, but its voice is very weak. However, in gender based violence many women's

and feminist groups are actively involved in promoting legislative initiatives, as are Human Rights NGO's. The latter seem to have an impact in policy making, but maybe mainly in accelerating what must be done anyway. In no way can we speak of a movement demanding social change.

As far as political actors are concerned, in today's situation, it is the General Secretariat of Equality, the public body promoting gender issues that has the most prominent role in the political arena. Indeed, the General Secretariat for Equality is responsible for promoting and implementing policy measures for gender equality in all fields (political, economical, social, and cultural). Consultation with **civil society** takes place via the few influential NGO's which are in the wider environment of the GSE. Also, the GSE wishes to promote social dialogue with social partners, including the trade-unions of civil servants and farmers (traditionally male-dominated and male-centered).

The GSE's current priorities are determined by the Community Support Framework and incorporate measures of the National Action Plans for Employment as well as the major objectives of EU policies for gender equality. In its advisory capacity it aims at the diffusion of the mainstreaming perspective in all public policies as well as being the promoter of the development of positive action to ensure the realisation of equal opportunities between men and women. It is obvious that the gender equality machinery is in fact integrated in one body i.e. the GSE, whose role is all-encompassing.

As was mentioned before, the **importance of EU directives** and recommendations cannot be too strongly underlined in all campaigns, gender policies, legislation changes and equality measures. Mainstreaming is not yet well understood, but often referred to as a means for realising the gender equality objectives. It remains largely an ill-defined target on GSE leaflets, maybe even more so today than before 2004 and the return of the Right to government. The Community Support Framework remains the main financing means of intervention together with Community Initiatives and other Community Programmes. The importance of the EU, and also of the UN via the CEDAW (for which the obligation to make a report must be rather terrifying to all responsible) is especially clear in gender violence issues. It seems that in every sub-issue of this area the impact of the EU and CEDAW has determined the policy outcomes. In fact, most of the legislation put forward during the last decade resulted largely from the pressures and demands of international organizations and bodies, and from the need to harmonize Greek legislation with Community legislation.