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W A T C H

Hate on the Streets

Xenophobic Violence in Greece

Summary and Key Recommendations

An aerial night photograph of a densely populated city, likely Jerusalem, viewed from a high vantage point. The city is illuminated by numerous warm, yellow lights from buildings and streets, creating a stark contrast with the dark blue night sky. A prominent, large, light-colored stone structure, possibly a fortress or a large building, is visible on the right side of the image. The overall atmosphere is somber and evocative.

HATE ON THE STREETS

Photographs by Zalmāi for Human Rights Watch



Since the early 2000s, Greece has become the major gateway into the European Union for undocumented migrants and asylum seekers from Asia and Africa. Years of mismanaged migration and asylum policies and, most recently, the deep economic crisis, have changed the demographics of the entire country. The center of Athens, in particular, has a large population of foreigners living in extreme poverty, occupying abandoned buildings, town squares and parks. While tourists are welcome, migrants and asylum seekers face a hostile environment, where they may be subject to detention in inhuman and degrading conditions, risk destitution, and xenophobic violence.

As human beings, we shouldn't be treated like this.... I am not an animal to be chased with sticks.

DOUGLAS KESSE, GHANAIAN ASYLUM SEEKER,
JANUARY 11, 2012

In May 2011, in the days following the murder of a Greek man, Manolis Kantaris, in central Athens, gangs of Greeks, in apparent retaliation for the killing, indiscriminately attacked migrants and asylum seekers, chasing them through the streets, dragging them off buses, beating and stabbing them.

The flare up of anti-immigrant violence was cause for serious concern. However, attacks against migrants and asylum seekers began well before May 2011 and have continued since with frightening regularity both in Athens and



elsewhere in Greece. Migrants and asylum seekers spoke to Human Rights Watch of virtual no-go areas in Athens after dark because of fear of attacks by often black-clad groups of Greeks intent on violence. Yunus Mohammadi, the president



Dozens of migrants and asylum seekers line up for a meal at a soup kitchen on Sofokleous street in central Athens.



A migrant sells household items at a street market in central Athens. Undocumented migrants and asylum seekers are often unable to find work outside of the informal sector.

of an association of Afghans in Greece, told us he started showing newer arrivals a map of Athens with a red line around areas they should avoid. “This is exactly what I used to do in Afghanistan with the Red Cross about places people shouldn’t go because of fighting,” Mohammadi said. “And here I am doing the same thing in a European country.”

A country that prides itself on its hospitality, Greece has become over the past decade a decidedly inhospitable country for many foreigners. While tourists are welcome, migrants and asylum seekers face a hostile environment, where they may be subject to detention in inhuman and degrading conditions, risk destitution, and xenophobic violence.

This report is based on interviews Human Rights Watch conducted with 59 people who experienced or escaped a xenophobic incident, including 51 serious attacks, between

August 2009 and May 2012. Victims of serious attacks included migrants and asylum seekers of nine different nationalities and two pregnant women. Patterns emerge from the victim testimonies: most of the attacks take place at night, on or near town squares; attackers, who include women, work in groups, and are often dressed in dark clothing with their faces obscured by cloth or helmets; bare-fisted attacks are not uncommon, but attackers also often wield clubs or beer bottles as weapons; most attacks are accompanied by insults and exhortations to leave Greece, and in some cases the attackers also rob victims.

Among the migrants and asylum seekers Human Rights Watch interviewed, Ali Rahimi, an Afghan asylum seeker, was stabbed five times in the torso outside an apartment building in Aghios Panteleimonas in September 2011; Mehdi Naderi, an undocumented Afghan migrant, has a prominent scar on his nose from a December 2011 attack in which he was beaten by a mob with sticks and an iron bar near Attica Square; and Afghan refugee Maria N.’s left hand was ripped open in



August 2011 when two men on a motorcycle hit her with a wooden club with iron spikes as they drove by.

Since the early 2000s, Greece has become the major gateway into the European Union for undocumented migrants and asylum seekers from Asia and Africa. Years of mismanaged migration and asylum policies and, most recently, the deep economic crisis, have changed the demographic face of the capital city. The center of Athens, in particular, has a large population of foreigners living in extreme poverty, occupying abandoned buildings, town squares and parks. Concerns about rising crime and urban degradation have become a dominant feature of everyday conversations as well as political discourse.

Parties across the ideological spectrum regularly and explicitly link irregular immigration to the city's ills. Undocumented migration and crime in Athens were high on the agenda in the lead-up to the May and June 2012 national elections. Nationalist, far right-wing parties such as Golden Dawn have in recent years gained strength and popularity largely because of their exploitation of anti-immigrant

Graffiti on the exterior of an Afghan-owned bar in the Aghios Panteleimonas neighborhood in Athens reads "Foreigners Out."

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sentiment. Having gained a seat on the Athens city council in 2010, Golden Dawn secured enough votes in the June 2012 national elections to enter Parliament for the first time in its history. It will have 18 seats.

Exploitation of legitimate concerns about crime, combined with widespread hardship in the economic crisis, appear to have nurtured a climate of intolerance towards migrants and asylum seekers. As one resident of Athens said, "I was never a racist but I've become one. Why can't we send them all home?" So-called "citizens' groups" (ομάδες πολιτών) have emerged over the past several years in the city center as self-appointed neighborhood watch units, claiming they have organized to patrol the streets and protect residents by getting rid of migrants. Virulent anti-immigrant posters signed by these groups are on display around the city. Although no known police analysis or court ruling has linked the citizens'



An anti-racist demonstration in the southern Athens suburb of Kallithea, where two separate racist attacks in May 2012 left four migrants injured.

ΕΟΝΑΖΙ
ΕΡΓΑΤΕΣ
ΕΝΩΜΕΝΟΙ
ΠΟΤΕ ΝΙΚΗΜΕΝΟΙ

ΕΛΛΗΝΙΚΗ ΔΗΜΟΚΡΑΤΙΑ
ΥΠΟΥΡΓΕΙΟ ΕΡΓΑΣΙΑΣ
ΚΑΙ ΚΟΙΝΩΝΙΚΗΣ ΑΣΦΑΛΕΙΑΣ





Somali men rest in a crowded apartment located in central Athens. The center of Athens, in particular, has a large population of foreigners living in extreme poverty, occupying abandoned buildings, town squares and parks.

groups with groups carrying out violent attacks on migrants and asylum seekers, there is some evidence to suggest that the perpetrators of the violent attacks are members of or associated with these groups. Two men and one woman on trial for the stabbing of an Afghan asylum seeker in September 2011 are allegedly members of a citizens' group, and such groups have signed threatening posters on view in downtown Athens. Local residents credit – or blame – these groups for taking action against migrants, including the closing of the Aghios Panteleimonas square playground because there were too many foreigners.

The true extent of xenophobic violence in Greece is unknown. Government statistics are unreliable due to failures of the criminal justice system, beginning with law enforcement, to adequately identify, investigate and prosecute hate crimes. Underreporting by victims, particularly undocumented migrants, is also a significant problem. In the entire country, the Greek government reported just two hate crimes in 2009, and only one in 2008. In May 2012 the senior Athens prosecutor tasked with collating all information relating to hate crimes told Human Rights Watch there were nine cases in Athens from 2011 under investigation as possible hate crimes.

Non-governmental sources help fill in the gaps. In June 2011, Doctors of the World director Nikitas Kanakis estimated that 300 victims of racist attacks had sought treatment at the organization's clinic in Athens in the first half of 2011. Tzanetos Antipas, the head of the Greek non-governmental organization (NGO) Praxis, said at the same time that they had treated just over 200 victims in roughly the same period.



(above) A young Somali couple sleeps in this storage space located above the toilet of a crowded apartment they share with other Somalis in central Athens.

(left) This 26-year-old Somali man and his friend were attacked by a group of 11 men in May 2012 in Pedion tou Areos park in Athens. The attackers used a beer bottle as a weapon.



A migrant collects metal objects, wood, and paper from the garbage to sell to junkyards.

Finally, a network of NGOs recorded 63 incidents between October and December 2011 in Athens and Patras.

Greece has clear obligations under international human rights law to undertake effective measures to prevent racist and xenophobic violence, to investigate and prosecute perpetrators, and should condemn publicly and unequivocally such violence. These obligations apply whether the perpetrators of the violence are agents of the state or not.

Yet the cases documented in this report demonstrate that migrants and asylum seekers have little chance of seeing justice done. Victims of xenophobic attacks in Athens face many obstacles in reporting crimes and activating a police response to attacks. Prosecutors and the courts have so far failed to aggressively prosecute racist and xenophobic

violence for what it is. Preoccupied by the economic crisis and concerned with control of irregular immigration, national authorities—as well as the EU and the international community at large—have largely turned a blind eye.

In theory, the legal tools and police guidelines are in place. In keeping with binding EU law, Greece amended its criminal code in 2008 to make racist motivation an aggravating circumstance for sentencing purposes. A 2006 Ministry of Citizen Protection circular to the Hellenic Police force ordered the police to investigate possible racist motives in the commission of a crime when invoked by victims or witnesses, when this interpretation is substantiated by evidence, when admitted by the perpetrator(s), or when the alleged perpetrator(s) and victim(s) of the crime belong to different racial, religious or social groups or self-identify as such.

In practice, the police appear ill-equipped or ill-disposed to investigate reports of racist violence. There is no specialized, practical training at the police academies, and there are no specialized officers tasked with pursuing or overseeing investigations into possible hate crimes. While responders

will provide immediate assistance—calling an ambulance, for example— Human Rights Watch heard repeatedly that police discourage victims from filing official complaints.

Victims we interviewed recounted police officers telling them it was pointless to lodge a complaint if they could not positively identify the perpetrators or that they should simply organize themselves to fight back. Police told Human Rights Watch that it was difficult to investigate crimes involving masked perpetrators. However, the police's failure to take preventive action or pursue investigations even in areas where violence is predictable and recurring makes this justification ring hollow. Three victims who insisted that they wished to pursue a case were told they would have to pay a 100 Euro fee (US\$ 125) instituted in late 2010 to discourage frivolous criminal complaints, even though justice officials told Human Rights Watch that hate crimes would be prosecuted *ex officio*, with no formal complaint (or fee) required from the victim. Finally, undocumented migrants were told they faced detention if they persisted in seeking to have a criminal investigation opened.

Indeed, fear of detention and deportation emerged from interviews as a principal reason why migrants were reluctant to seek assistance from the police in the aftermath of an attack, although Human Rights Watch did not document any cases where victims were in fact subject to immigration detention or deported from Greece after making complaints.

The response of the judiciary has also been inadequate. As noted above, racist motivation was introduced in 2008 as an aggravating circumstance in the commission of a crime, giving judges the discretion to impose the maximum penalty for any given crime. To our knowledge, racism as an aggravating circumstance has not once been applied in the nearly four years since it was introduced. The Athens public prosecutor's office has no specialized prosecutors to handle directly or oversee hate crimes, including racist and xenophobic violence.

National authorities have largely tended to downplay the extent of the problem, but positive steps have been taken recently. An inter-ministerial working group met in April 2012 to discuss targeted measures to raise awareness of racist and xenophobic violence amongst the police as well as efforts to improve recording of hate crimes. These include use of a special form by the police and the criminal justice system, and the creation of a centralized database located in the Justice Ministry. Also in April 2012, the Justice Ministry asked the Attorney General to adopt specific guidelines for prosecutors to help them address racist violence. Finally, there is discussion about reforming criminal law to strengthen the scope and application of the aggravating circumstance of racist motivation.

The European Union has an important role to play in ensuring that Greece lives up to its obligations to effectively

prevent and prosecute racist violence. Thus far, European institutions have paid little to no attention to increasing anti-immigrant sentiment and incidents of violence against migrants and asylum seekers. Yet it is precisely the pressure on Greece from its European neighbors to take responsibility for a disproportionate number of asylum seekers on the one hand and secure its internal EU and external borders on the other that has contributed to the present untenable situation. The severe budget cuts arising from Greece's austerity measures have also strained the police force and the provision of services that might help alleviate social tensions that fuel the violence.

However these realities do not relieve Greece of its duty to counter racism and xenophobia. There is no excuse for allowing violent gangs to harm migrants and asylum seekers with impunity. The Greek authorities must take urgent action to crack down on this alarming phenomenon.



An anti-immigrant manifesto in the Aghios Panteleimonas neighborhood in Athens.

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Bishoy, a 25-year-old Egyptian asylum seeker, at an anti-racist demonstration in the southern Athens suburb of Kallithea, where he was a victim in one of two separate racist attacks in May 2012 that left four migrants injured.



Cidiki Kaba, a 36-year-old Senegalese asylum seeker, was attacked on November 26, 2011, in the Aghioi Anarguroi neighborhood of central Athens, around 9 p.m. by one man and two older children.

Police officers took Kaba and the two older children, who were apprehended by neighborhood residents before the police arrived, to the local police station. He says they debated the merits of officially recording the incident at great length before a superior officer told them they had to do so.



Malak, a 23-year-old Egyptian migrant, was attacked on May 8, 2012, in the Kallithea neighborhood along with two of his friends. All three were transferred to the hospital for treatment but the police interviewed only one.



They asked me first, 'Where are you from?' I said Somalia. When I answered they tried to take my daughter away... They hit me on my head with a wooden stick... I fell down bleeding. When I fell down and they saw I was bleeding they ran away. My daughter was crying. All the people [around at the time of the attack] they were watching but nobody helped me. I didn't go the hospital...It didn't matter if I was hurt. I just thought about the baby and my daughter.

Mina Ahmad, a 20-year-old Somali woman, was attacked by a group of men in October 2011 near the Aghios Panteleimonas church in Athens. She was with her infant daughter and was six months pregnant.



Every time they pass here this happens. Three days ago, they came and were hitting the door with their legs...today they broke the window and the door. At first they threw bottles and then they broke the glass with stones and threw stones inside and then they started kicking the door... They wear black clothes and...hoods and they do these things...

Razia Sharife stands in front of her home, located in the Aghios Panteleimonas neighborhood of Athens. Sharife's home was attacked numerous times, including four times in January 2012 and one time in April 2012.



Then they came after me riding their motorbike along the road near me, one of them rode the motorbike over my leg and the other hit me with a stick on my back...I lay on the ground and then they hit me and they beat me up, then they left me.

Jereer K., a 17-year-old undocumented Somali, was attacked in November 2011 by four men and two women on motorcycles near Aghios Panteleimonas square.



The police didn't ask me anything then [that day] but three days later after they saw me on TV, two officers from the central police station came to take my statement. I gave them the names of my friends but the police never contacted them.

Qadir Hossaini, a 33-year-old Afghan interpreter, spent a week in the hospital and had to have stitches near his right eye following an attack on September 15, 2010, near the Aghios Panteleimonas church by what witnesses said was a group of 25 people.



There were five policemen. My head was hurting because I was hit on the head. I said I cannot wait because I wanted to go the hospital, but the policeman said to me, 'Now we cannot do anything, we are busy, you should wait.' But I saw the five policemen in the office drinking coffee and chatting. I made a remark to them. They told me again to wait.

Safar Haidari, a 29-year-old asylum seeker from Afghanistan and vice-president of the Nour Afghan cultural association, was attacked by a group of 10–15 men on December 23, 2011 around 8 p.m. roughly 200 meters from the Aghios Panteleimonas police station. Haidari attempted but was unable to report the crime.



Saadia, a 20-year-old Somali, was eight months pregnant when four men and one woman attacked her on Aghios Panteleimonas square in April 2012. They yelled insults, slapped her, and kicked her to the ground.



First, they hit me with a beer bottle on the head and then they stabbed me with a knife here and here. There were two women and the rest were men. When I went [to the hospital] I was very afraid. I realized that I could have died so easily. We came from so far away and it is so easy to get killed here.

Ali Rahimi, a 27-year-old Afghan asylum seeker, and two of his friends suffered an attack in September 2011 by a large group of people outside an apartment building in the Aghios Panteleimonas neighborhood, in which he was stabbed five times in the torso. The trial of two men and one woman for the September 2011 attack has been postponed six times. It remains unclear whether the prosecutor will argue the attack had been motivated by racist or xenophobic sentiment.



I held my hand in front of my head when something hit my hand. After that I held my hand, it was something very hard, I didn't know what it was but it seemed like a saw. My hand was hurt severely here. It was injured so deeply that you could see the bone.

Maria, a 25-year-old Afghan refugee, and her husband were attacked in broad daylight on August 5, 2011, near Attiki train station by two men on a motorcycle who hit her with a wooden club with spikes as they drove by.

This new detention center in Amygdaleza, near Athens, was opened in late April 2012 to house undocumented migrants awaiting deportation.





KEY RECOMMENDATIONS

TO THE GREEK GOVERNMENT

- Publicly and unequivocally condemn, at the highest level, instances of racist and xenophobic violence.
- Urgently address deficiencies in police action to prevent and investigate reports of racist violence by:
 - Moving quickly to institute the special form for recording allegations of racist violence and the centralized database;
 - Ensuring obligatory and appropriate training at all levels and in-service training on detecting, preventing, responding to, and investigating hate crimes, including racist and xenophobic violence for all police officers; and
 - Disseminating detailed guidelines for police for the investigation of hate crimes, including racist and xenophobic violence; and
- Adopt and implement a preventive strategy to counter xenophobic violence, including appropriate deployment of law enforcement in areas with high rates of such violence.
- Ensure, either in law or through binding circulars, that regardless of the nature of the offense, any crime that may be categorized as a hate crime is subject to mandatory state action – investigation and prosecution – without the requirement that victims pay the 100 Euro (US\$ 125) fee.
- Improve the response of the judiciary by:
 - Reforming the Criminal Code to improve the scope and application of the aggravating circumstance of racist motivation;
 - Ensuring appropriate training, including through inclusion of special seminars in continuing professional education courses, for prosecutors and judges in national and European anti-racism legislation; and
 - Encouraging the appointment of one or more specialized prosecutors in relevant public prosecutor's offices including Athens to provide technical expertise to colleagues prosecuting such cases.

TO THE EUROPEAN UNION

- The European Commission's Directorate General on Justice should assess Greece's compliance with its human rights obligations with respect to preventing and prosecuting racist and other hate violence, and allocate funding to support initiatives to address the deficiencies in state response to racist and xenophobic violence, as well as public awareness-raising campaigns.

Hate on the Streets

Xenophobic Violence in Greece

Xenophobic violence has reached alarming proportions in Greece, particularly in the capital city of Athens. Vigilante groups of up to twenty people, often with their faces hidden and sometimes armed with clubs or beer bottles, attack migrants and asylum seekers regularly. These attacks usually take place at night on or near particular town squares. Victims have been dragged off buses, beaten, stabbed, and scarred for life.

Hate on the Streets, based on dozens of interviews with victims, government officials, police and others, shows that Greek authorities have been shamefully slow in acknowledging the extent of xenophobic violence and taking concerted steps to arrest this disturbing trend.

The police fail to take preventive action or respond adequately to reports of attacks, have discouraged victims from filing official complaints and threatened undocumented migrants with detention if they persist in seeking justice. Perpetrators are rarely arrested or prosecuted; to date no one has been convicted of racially-aggravated assault under a 2008 criminal law provision.

The economic crisis and migratory pressure are no excuse for the Greek government's failure to counter xenophobic violence. Human Rights Watch calls on the Greek government to repudiate xenophobic violence, and take immediate steps to ensure vigorous law enforcement action to prevent and punish these hate crimes. Criminal law reform, specialized training, and better recording of hate crimes are urgently needed. The EU should support these efforts.



“I went to the Police Station two days later... The only thing they asked me is where are you from, what happened...They told me, ‘Ok if we find [them], we will call you, we will try.’ They didn’t give me anything.”

Ali Mohammadi, a 25-year-old Afghan asylum seeker, said a police officer asked him why he had not fought back when he filed a complaint after an attack on Aghios Panteleimonas square.

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