PERMANENT MISSION OF GREECE
GENEVA

Ref. No. 6171.2/36/AS 415

NOTE VERBALE

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and reference made to the latter's Note Verbal dated 08.1.2013 (concerning public consultations on the human rights of older persons) has the honor to convey the relevant replies provided by the Greek Government (a) Ministry of Finance, b) Ministry of Tourism and c) Ministry of Justice, Transparency and Human Rights).

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 14 March 2013

To:
The Office of the High Commissioner for Human Rights
Palais des Nations, CH-1211 Geneva 10, Switzerland
Fax: 0041-22-917 9008

Pages attached: 6
MINISTRY OF FINANCE

Greek efforts for ensuring public debt sustainability under country’s economic support mechanism has led to fiscal tightening. However, there is a provision that austerity measures to exempt or impose as far as possible less burden on vulnerable social groups.

Regarding reductions of public sector pensions (Laws 4002/2011, 4024/2011, 4051/2012, 4093/2012, 4111/2013) exemptions have been made for some vulnerable social groups (for example incapacity benefit recipients, handicapped retired people with disability 80% and more, retired people whose spouse or child is disabled 80% and more).

Furthermore, low income pensioners of public sector continue to be provided with “Pensioners’ Social Solidarity Benefit (EKAS)”. However, according to the Law 4093/2012 as amended by the 19.11.2012 Legislative Act, the age limit as prerequisite eligibility criteria shifted from 60 to 65 years old, starting from 1.1.2014.

GENERAL DIRECTOR

K. MASOURAS
HUMAN RIGHTS OF OLDER PERSONS

Legal Framework in Greece

I. SOCIAL TOURISM

- Law 3190/2003 (article 13) stipulates that the Greek National Tourism Organization (G.N.T.O.) implements annual social tourism programmes ("Tourism for all"), beneficiaries of which are, among others, pensioners and people with disabilities. G.N.T.O.'s social tourism programmes usually consist of 6-day subsidized tourist packages in accommodation facilities all around Greece. This year's social tourism programme for elderly people will be in force from 01.10.2012 until 31.5.2013.

- The European Commission launched in 2009 the "Calypso" programme (2009-2011) aiming at promoting social tourism within the European Union, reducing seasonality and enhancing local economies of member states.

II. NO-BARRIER TOURISM

- European and national policies for accessible tourism also contribute to the promotion of senior tourism. During the past recent years, the institutional framework regarding the rights of people with disabilities when traveling (on a national, European and global level) has been strengthened.

- Presidential decree 43/2002 stipulates the prerequisites for licensing tourist accommodation (hotels). Among them there are a series of obligations related to persons with disability:
  - 5% of total rooms must be adjusted to the needs of disabled guests
  - Barrier-free horizontal and vertical mobility of wheelchairs in the facility
  - Ramps to facilitate the access of disabled people to elevators and to catering and recreation areas.
  - Hotels and elevators have to be equipped with visual alarms for deaf and sound signals for blind guests.
  - Special arrangements need to be made regarding the height of the reception counters and public phones, the size of the disabled persons' toilets, etc.
- Hotels that don’t have elevators are obliged to adjust at least two rooms on the ground floor of the facility for disabled guests.

- The National Strategic Reference Framework (NSRF) 2007-2013, through its tourism-related state-aid Programmes, such as “Green Tourism” and “Special Interest Tourism” promotes investments that take into account the factor of no-barrier accessibility. For instance, the “Green Tourism” programme demands that the submitted investment plans be accompanied by a solemn declaration that the tourism facilities will be constructed or/and renovated following the needs of people with mobility issues, subsidizing the relative expenditures up to a maximum amount of € 15,000. Additionally, funds are also provided for promotional actions targeting at disabled people, such as advertising flyers in Braille, W3C protocol in sites, easy-to-read leaflets etc.

- Several Greek regions have implemented no-barrier policies as well. For instance, through the cross-border programme “No-barrier tourism” that aims at enhancing accessibility in tourist destinations by decreasing natural, cultural and social barriers, funded by the cooperation programme between Greece and Italy (2007-2013) with the Region of Ionian Islands as final beneficiary, the islands of Corfu and Kefallonia conduct a mapping of accessible areas and install access systems on the beaches.

- The G.N.T.O., in collaboration with the Greek Workers’ Housing Organization, has launched annual social tourism programmes that concern low-cost vacation packages. Persons with a maximum of 67% disability are also beneficiaries of these programmes. Disabled persons that cannot participate in these programmes due to a high percentage of disability can alternatively participate in the relative programme “Tourism for All”, launched by the G.N.T.O.

- Since mobility is a crucial matter for tourism, the Greek Ministry of Development, Infrastructure, Transport and Networks has adjusted old train stations, set non-barrier specifications for buses and ensured that all newly constructed subway and train stations are accessible to elderly and disabled people. Furthermore, the Athens, Thessaloniki, Rhodes, Mytilini and Santorini airports are fully accessible and new passenger ships are equipped with elevators, specially adjusted cabins and ramps.
III. THERAPEUTIC TOURISM

- Law 3498/2006 and Ministerial Decision 9833/2009 stipulate the institutional framework concerning the granting of an operation license to therapeutic tourism-related facilities.

- In addition, the Joint Ministerial Decision 14759/09.11.2011 stipulates the procedure about the operation license of thalassotherapy centres. Thalassotherapy Centres are special establishments with all the necessary infrastructure and equipment, in which heated seawater, sand, mud, seaweeds and other material from the sea are used for medical purposes - as a form of prevention or healing, under medical surveillance and in combination with the sea environment.
With regard to Question 2 on the provisions of the constitution or legislation, which promote the human rights of older persons and the existing bodies, which protect against age discrimination, we would like to inform you on the following:

- In the framework of national legislation, equality before the law and the protection of all individuals against illicit discrimination are provided for by the Greek Constitution.
  - More specifically, Article 21 provides that 'The State shall care for the health of citizens and shall adopt special measures for the protection of youth, old age, disability and for the relief of the needy'.

- Law 3304/2005 on the 'Application of the principle of equal treatment irrespective of racial or ethnic origin, religion or belief, disability, age or sex discrimination' aims to set the general framework for combating discrimination on several grounds, including age, so as to ensure the application of the principle of equal treatment. The Law covers specific aspects of the issue, introduces measures of legal protection and effective sanctions, so as to prevent any discrimination.
  - Article 13 thereof provides that 'In case of non-application of the principle of equal treatment in the framework of administrative action, the party offended by a violation of the principle of equal treatment is provided not only with legal protection but also with protection, pursuant to articles 24 and 27 of the Code of Administrative Procedure. In order to exhaust all possibilities of legal protection, the representation of the person, who has been wronged in court as well as before administrative authorities by competent legal persons is also provided for (Article 13, par. 3).

- Article 19 provides that in cases where the principle of equal treatment is violated by public services, the competent authority for promoting the principle is the Ombudsman. In cases where the principle of equal treatment is violated by physical or legal persons the competent authority to promote the aforementioned principle is the Equal Treatment Committee set up in Article 21 of Law 3304/2005.'
Finally, pursuant to Article 21, the Equal Treatment Committee, which is directly answerable to the Minister of Justice, is set up in the Ministry of Justice with competencies regarding a) acting as mediators between the persons offended and the persons allegedly responsible for discriminatory treatment, b) forming the findings in case mediation fails, c) to phrase an opinion on the interpretation of the provisions of the present law and d) issuing reports on the application and promotion of the principle of equal treatment.