

Cultural and Educational Roma Women Association of Drosero Xanthi “HOPE”¹



Drosero – Xanthi, 13/6/2017

Reference Nr 445/17

To: Municipality of Xanthi

Cc: Prime Minister Mr. Alexis Tsipras
Council of Europe, Ms. Isabela Mihalache
European Ombudsman, Ms. Gundi Gadesmann
The Greek Ombudsman
European Commission, Mr. President Jean-Claude Juncker
European Commission, Ms. Papamichalopoulou Lina
European Commission, Ms. Salla Saastamoinen
European Commission, Mr. Michel Servoz
European Parliament, Ms. Soraya Post
Commission on Human Rights. Mr. Mutuma Ruteere
Organisation for Security and Co-operation in Europe, Mr. President Sebastian Kurz
Court of First Instance Xanthi, Chairman of the Judiciary Prosecutor's Office Xanthi
Attorney General, Prosecutor
Court of First Instance Athens, Chairman of the Judiciary Prosecutor's Office Athens
Attorney General, Prosecutor
Bar Association Athens Mr. Alexandris Vassileios
Bar Association Xanthi Ms. Kiouisi – Siouti Kyriaki
Region of Eastern Macedonia and Thrace, Mr. Metios Christos

Dear Mayor Dimarchopoulos,

Please let us know, within the statutory deadlines, the reasons why the settlement of Drosero is not included in the official city plan of Xanthi despite the fact that it has approximately 1.500 permanent residences with 7.500 inhabitants, of which 4.000 are children in school age, which is a number equivalent to the total number of pupils in the town of Xanthi. We note that the continuation of this pending issue, despite the existence of the settlement at least since the liberation of Xanthi, has easily measurable adverse effects on both, the health and the life expectancy of the inhabitants of the settlement, as easily proved. In this regard it has an adverse impact on the educational level of the pupils and increases their dropout. Even the public infrastructure is minimal, insufficient and lacks of necessary planning permissions. The absence of action from your side in order to integrate the settlement into the official city plan of Xanthi, a settlement that corresponds to a modern “small town”, therefore creates suspicions against the settlement and its inhabitants of deliberate discrimination, which results, apart from what has been already mentioned, also in the inability of the inhabitants to be employed in legal work to support their large families. For the same reason, the residents of the settlement cannot build their homes in a legal way and as a result they suffer from payments of huge fines from people deprived of the essential. This fact further worsens discriminatory treatment against them, but also transforms the majority of the inhabitants of the settlement into defendants only because they are not allowed to carry out legitimate actions that are self-sufficient for the rest of the Greek society.

In the following please find an extract of the Council Directive 2000/43/EC for your information:

Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, as described in Council Directive 2000/43 / EC of 29 June 2000.

Official Journal L 180 , 19/07/2000 P. 0022 - 0026

Council Directive 2000/43/EC

of 29 June 2000

implementing the principle of equal treatment between persons irrespective of racial or ethnic origin

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community and in particular Article 13 thereof,

Having regard to the proposal from the Commission(1),

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Having regard to the opinion of the European Parliament(2),

Having regard to the opinion of the Economic and Social Committee(3),

Having regard to the opinion of the Committee of the Regions(4),

Whereas:

(2) In accordance with Article 6 of the Treaty on European Union, the European Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to the Member States, and should respect fundamental rights as guaranteed by the European Convention for the protection of Human Rights and Fundamental Freedoms and as they result from the constitutional traditions common to the Member States, as general principles of Community Law.

(3) The right to equality before the law and protection against discrimination for all persons constitutes a universal right recognised by the Universal Declaration of Human Rights, the United Nations Convention on the Elimination of all forms of Discrimination Against Women, the International Convention on the Elimination of all forms of Racial Discrimination and the United Nations Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights and by the European Convention for the Protection of Human Rights and Fundamental Freedoms, to which all Member States are signatories.

(5) The European Parliament has adopted a number of Resolutions on the fight against racism in the European Union.

(6) The European Union rejects theories which attempt to determine the existence of separate human races. The use of the term "racial origin" in this Directive does not imply an acceptance of such theories.

(12) To ensure the development of democratic and tolerant societies which allow the participation of all persons irrespective of racial or ethnic origin, specific action in the field of discrimination based on racial or ethnic origin should go beyond access to employed and self-employed activities and cover areas such as education, social protection including social security and healthcare, social advantages and access to and supply of goods and services.

(18) In very limited circumstances, a difference of treatment may be justified where a characteristic related to racial or ethnic origin constitutes a genuine and determining occupational requirement, when the objective is legitimate and the requirement is proportionate. Such circumstances should be included in the information provided by the Member States to the Commission.

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(24) Protection against discrimination based on racial or ethnic origin would itself be strengthened by the existence of a body or bodies in each Member State, with competence to analyse the problems involved, to study possible solutions and to provide concrete assistance for the victims.

(26) Member States should provide for effective, proportionate and dissuasive sanctions in case of breaches of the obligations under this Directive.

HAS ADOPTED THIS DIRECTIVE:

CHAPTER I

GENERAL PROVISIONS

Article 1

Purpose

The purpose of this Directive is to lay down a framework for combating discrimination on the grounds of racial or ethnic origin, with a view to putting into effect in the Member States the principle of equal treatment.

Article 4

Genuine and determining occupational requirements

Notwithstanding Article 2(1) and (2), Member States may provide that a difference of treatment which is based on a characteristic related to racial or ethnic origin shall not constitute discrimination where, by reason of the nature of the particular occupational activities concerned or of the context in which they are carried out, such a characteristic constitutes a genuine and determining occupational requirement, provided that the objective is legitimate and the requirement is proportionate.

Article 5

Positive action

With a view to ensuring full equality in practice, the principle of equal treatment shall not prevent any Member State from maintaining or adopting specific measures to prevent or compensate for disadvantages linked to racial or ethnic origin.

CHAPTER II

REMEDIES AND ENFORCEMENT

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Article 12

Dialogue with non-governmental organisations

Member States shall encourage dialogue with appropriate non-governmental organisations which have, in accordance with their national law and practice, a legitimate interest in contributing to the fight against discrimination on grounds of racial and ethnic origin with a view to promoting the principle of equal treatment.

CHAPTER III

BODIES FOR THE PROMOTION OF EQUAL TREATMENT

Article 13

1. Member States shall designate a body or bodies for the promotion of equal treatment of all persons without discrimination on the grounds of racial or ethnic origin. These bodies may form part of agencies charged at national level with the defence of human rights or the safeguard of individuals' rights.

2. Member States shall ensure that the competences of these bodies include:

- without prejudice to the right of victims and of associations, organisations or other legal entities referred to in Article 7(2), providing independent assistance to victims of discrimination in pursuing their complaints about discrimination,
- conducting independent surveys concerning discrimination,
- publishing independent reports and making recommendations on any issue relating to such discrimination.

CHAPTER IV

FINAL PROVISIONS

Article 14

Compliance

Member States shall take the necessary measures to ensure that:

- (a) any laws, regulations and administrative provisions contrary to the principle of equal treatment are abolished;
- (b) any provisions contrary to the principle of equal treatment which are included in individual or collective contracts or agreements, internal rules of undertakings, rules governing profit-making or non-profit-making associations, and rules governing the independent professions and workers' and employers' organisations, are or may be declared, null and void or are amended.

Article 19

Addressees

This Directive is addressed to the Member States.

Done at Luxembourg, 29 June 2000.

For the Council

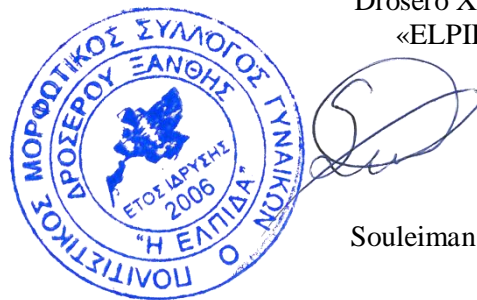
The President

M. Arcanjo

We also send you attached the whole Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, as described in Council Directive 2000/43 / EC of 29 June 2000. You are kindly requested to reply.

Sincerely,

The President of the Roma Women Association of
Drosero Xanthi
«ELPIDA»



Souleiman Sabiha

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