



PERMANENT MISSION OF GREECE
GENEVA

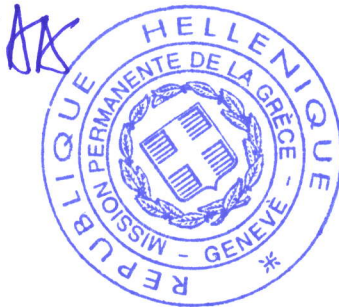
VERY URGENT

Ref. No. 6171.2 /77/AS 934

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 Verbale Housing (2013-3) dated 22.3.2013 (concerning communication of the Special Rapporteur on Adequate Housing Mrs Raquel Rolnic) has the honor to convey the relevant replies provided by the Greek Government (Ministry of Environment and Ministry of Interior).

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, 3 June 2013

To:

**-The Office of the High Commissioner for Human Rights
Special Procedures of the Human Rights Council**
Palais des Nations, CH-1211 Geneva 10, Switzerland
Fax: 0041-22-917)006

Pages attached: 3

OHCHR REGISTRY

06 JUN 2013

Recipients : SPB.....

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**REPLIES OF THE GREEK ENVIRONMENT MINISTRY
TO THE QUESTIONNAIRE OF THE SPECIAL RAPPORTEUR
TO THE HUMAN RIGHTS COUNCIL**

QUESTION 4

As shown by statistical data, 80 % of houses in Greece are of individual ownership and 20 % rental. Insecurity of tenure was not an issue in Greece until the economic crisis occurred.

Informal settlements of low standard were a problem in the '60s and '70s. Planning policies as well as increase of GDP resulted in a clear improvement of housing conditions since that time.

There are still some nomadic Roma populations, but we don't dispose figures on them. There have been so far, to our knowledge, at least 2 completed housing programmes for Roma and procedures had started for a third one, the area for which has been approved by our services as part of the extension of an existing urban plan. All 3 cases are situated in the Regions of Macedonia.

QUESTION 6

Law 4014/2011 aimed – among other things – at regularizing tenure rights and illegal buildings and reorganizing informal settlements. Yet, it is to be clarified that such settlements in Greece are not – in their big majority – slums needing upgrading but mostly secondary houses that have not respected the official licensing procedure.

Making use of the provisions of the Law 4014/2011, some 500.000 people have started the process foreseen to regularize their buildings, the big majority of which had exceeded the terms of their respective construction permit.

Recently, the Council of State decided that this Law was not conforming fully to the Constitution. A new draft Law on the issue has been elaborated by the Ministry of Environment, Energy and Climate Change. It is under consultation and is expected to be approved by the Parliament soon.

QUESTION 7

A Spatial and Urban Planning Reform is under way, including also provisions for a Land Policy / Land Bank. It is expected to be concluded by 2014.

QUESTION 9

It has not been the case so far, since over the last 15 years there has been an improvement of the living conditions and 80 % of the houses are of individual ownership, as mentioned before.

Ministry of Interior

«The Municipalities of the country, according to the legislation that governs their operation, are capable of developing actions in order to address the issues described in the "Questionnaire on Security of Tenure" elaborated by the Special Rapporteur of the Human Rights Council.

In particular:

a) according to the provisions of article 187 of the codex of Municipalities and Communities (law n. 3463/2006) Municipalities are able to sell directly plots to homeless and economically striving constituents, at a low price (at least at ¼ of the market prices) in order to build and cover their housing needs. Priority is given to citizens staying on a permanent basis in the municipality. Moreover, the specification of the categories of constituents entitled to this kind of benefit is made by a decision of the municipal council, in accordance with criteria such as the annual income, the number of under aged children, the health condition of family members, and natural disasters etc.

Furthermore, it is allowed to be conceded by a Municipality the right of a written mortgage, so as to enable the constituent to take a housing loan.

b) In addition, according to the provisions of article 188 of the codex of Municipalities and Communities, municipal authorities are able to build houses and bestow their usage, without auction, to homeless and poor constituents.

c) moreover, according to the provisions of article 185 par. 3 of the codex of Municipalities and Communities, municipal authorities subsequent to a decision of the municipal council, are able to concede at no price, giving full ownership, municipal property to Greek Roma population or Greek expatriates, who are settling back in Greece and they have followed state housing rehabilitation schemes or any kind of state funded schemes. In particular, under the authorization of the provisions of the Presidential Decree n. 410/1995 a Ministerial Decree n. 612/2004 has been issued, in which specific criteria, terms and prerequisites for a at no price, under full ownership, concession of municipal property to Greek Roma population.»

«Question 5: One case has been reported where the court has decided the eviction of Roma from a private land unlawfully occupied following a law suite filled by the owners of the land. Although further official data on the court law case have not been made available to our Department it is nevertheless evident that following the court ruling there is an issue of resettlement of the population affected. The situation is currently addressed by the authorities in charge, in particular the Decentralized Administration of Attica, within the course of the provisions governing the temporary settlement of itinerant groups of the population (through the establishment of settlements of temporary nature). In any case it is worth mentioned that this particular case does not refer to claims of disputed property rights on the side of the inhabitants of the unlawful settlement upon which redress rights could be founded.

Question 6: The improvement of the living conditions and thus of settlement infrastructures for Roma is a central priority under the National Strategy for the Roma in Greece. According to the operational planning in progress, the measure planned foresees the implementation of basic infrastructure development projects including the development of housing as well as the resettlement of Roma families in adequate settlements. Measures of the type address the issue of adequate housing. They do not however adverse the property rights (of the Municipality or the Public) on the settlement area in favor of the inhabitants of the settlement, unless the land in question has been specifically assigned for the construction of private housing. It is also to be stressed that even in cases of property assigned explicitly for the establishment of a settlement, the property rights of the owner are not likewise assigned to the inhabitants without, though, affecting the right to live in the settlement.»