

HELLENIC REPUBLIC
GREEK NATIONAL COMMISSION FOR HUMAN RIGHTS

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<p>Decision regarding Discriminatory Treatment of Gays, Lesbians, Bisexuals and Transsexuals and the Extension of the Right to Civil Marriage to Same-Sex Couples</p>
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At the request of the Greek Section of Amnesty International and the Greek Gay and Lesbian Association, the Commission examined the aforementioned issues at the Plenary Session and held extensive discussions on the complex legal and social issues arising from the subject. It stressed the importance of the respect for sexual identity in a pluralist, democratic society. Taking into consideration the relevant principles and rules of international, European and Greek human rights law, the Commission adopted the following positions and put forward proposals to the Greek competent authorities:

1. The Commission supports the legal recognition of the real symbiotic relationship between persons of the same sex, so that homosexuals and heterosexuals have equal social and welfare benefits. It proposes the formation of an *ad hoc* committee to be established by the Ministry of Justice, which will examine in detail all the aspects associated with the introduction of new legal provisions to cater for the needs of same-sex couples, while taking into account the local context, the international experience, as well as the views of relevant actors and entities in the field.

2. It is also proposed that Law 927/1979 –on anti-discrimination- is modified so that protection on the grounds of sexual orientation is explicitly included therein.

3. It calls for the implementation of the public information campaigns related to Law 3304/2005 entitled "Application of the principle of equal treatment irrespective of racial or ethnic origin, religious or other beliefs, disability, age or sexual orientation" (transposition of Directives 2000/43/EC and 2000/78/EC).

4. It proposes the abolition of article 347 of the Greek Penal Code (on lechery between male homosexuals- sic-), which stipulates a different age of consent to the sexual encounter for the male victim of the act (17 years of age), whereas other legal provisions set the age of consent for the female victims of sexual offences to 15 years of age. Moreover, the same article penalises male homosexual prostitution, in opposition to recently adopted legislation, which sets the legal framework for the prostitution related issues irrespective of sex.

5. It calls the Greek National Council for Radio and Television to rigorously inflict the penalties provided by its statutes to those radio and television programmes and/or channels, which portray gays in a condescending way or infringe their rights.

6. Proposes to the Ministry of Public Order to establish a series of directives and training for law enforcement agents promoting the respect of the dignity and rights of homosexuals; moreover, to facilitate the attribution of refugee status to those applicants who have flown their country of origin due to persecution on the grounds of their sexual orientation.

7. Last, but not least, it invites the Ministry of Education to introduce to the school curricula a course on sexual education, inspiring and instigating school children to tolerance and acceptance of differing sexual identities; it also encourages the Ministry not to allow the discriminatory treatment of homosexual teachers, through circulating relevant directives.

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