

ODRI – Office against Discrimination, Racism and Intolerance

**Contribution regarding the  
twenty-third and twenty-  
fourth of Greece  
(CERD/C/GRC/23-24)**

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(2310 words)

## Introduction

ODRI - the Office against Discrimination, Racism, and Intolerance - is honoured to contribute to the Committee on the Elimination of Racial Discrimination's efforts. This document highlights two pressing concerns in Greece that merit the Committee's consideration: racial profiling, and artificial intelligence for migration control.

## I Access to justice, racially motivated violence and racial profiling (Articles 5 & 6)

### **Law enforcement operatives against Romani, migrant communities, migrants in transit and undocumented non-nationals**

1. Despite the notable adoption of different measures to eradicate racism within law enforcement described in the periodic report (CERD/C/GRC/23-24, paras. 20-24, 39-45, 49, 61-63, 70, 89-90, 196, 200), ODRI wishes to inform the CERD Task Force of serious concerns regarding practices by the Hellenic Police, and particular border authorities that might amount to racially motivated violence and racial profiling against Romani, non-national and ethnic groups that migration authorities.

2. We disagree with the Hellenic government's position as stated in paragraphs 87 and 88 of the periodic report. While the Hellenic Police personnel may be trained to respect fundamental rights, numerous reports from NGOs and international organisations, including the Greek National Commission for Human Rights, raise serious concerns about border surveillance activities in Greece, especially in the Evros region. These reports allege pushbacks, physical abuse, and denial of asylum procedures, which would be a blatant violation of international law if proven true.

3. While Greece has established legal remedies for allegations of ill-treatment during border surveillance activities, these often fail to consider racial profiling or racial justice, overlooking the racially motivated components of the reported violence. We recommend that Greece strengthen its oversight of border surveillance activities and its commitment to ensuring that all individuals are treated with dignity and respect, regardless of their race or ethnicity.

4. Current statistics and available information do not provide disaggregated data on specific cases of racial profiling and racially motivated violence. ODRI has found allegations of cases of racial profiling against Romani and migrants with Asian, Arab and African descent that involved the Hellenic police. For instance, in April 2024, a male tourist with South Asian descent experienced repeated racial profiling and stop

and search activities by the Greek throughout his trip, including incidents in major tourist archeological places such as the Acropolis in Athens, in places where people should expect to feel safe and welcome. Each and every day in Athens, this tourist was singled out and cornered by a group of police asking for ID, and he was profiled when being among other white tourists who weren't questioned. After providing his passport, he had to show proof of his tickets that assured that he would leave the country and was not an irregular migrant.

5. Other victims were subjected to racial profiling in airports when being in the presence of other white tourists who were not questioned, indicating a discriminatory nature of the airport police's behaviour. For instance, in 2019, a tourist with East Asian descent experienced at the Athens airport racial profiling, particularly when those in positions of power act in an unchecked and aggressive manner questioning the validity of official passports. He has reported that only he and other travellers of Asian, Arab and African descent were targeted and subjected to intimidation, despite having valid documents at hand, and the right to travel. He was menaced to do an extra security check of him, before other border control authorised his boarding to his plane to the United States. Such practices speak to the systemic nature of racism and the need for accountability in law enforcement and border security.

6. Members of Romani communities in Greece face significant harassment by the Hellenic police due to harmful stereotypes that associate them with crime and depict them as not belonging to Greek society. This police harassment is further fueled by conservative and nationalist ideologies that perpetuate discriminatory and exclusionary attitudes towards Roma. By utilising racial profiling, the police effectively perpetuate the marginalisation and segregation of Roma communities from mainstream Greek society.

7. ODRI recommends that the Committee raise the following questions during the constructive dialogue:

- What measures have been put in place to make it easier for victims of racial discrimination to seek justice and obtain remedies? Are there specialised investigating teams, courts, or inspector committees to deal with these issues, and are victims provided with legal aid and other support in both administrative and judicial complaints?
- What measures have been taken to prevent law enforcement officers from engaging in racial discrimination, including racially motivated violence and practices that amount to racial profiling? How are such incidents investigated, and what are the consequences for officers found to have engaged in such behaviour?
- What specific measures are in place to prevent police harassment of Romani communities, which is a significant barrier to their integration into Greek society?

- How is the Greek government addressing the underlying prejudice and negative stereotypes that fuel discrimination and violence against Roma communities, and what steps are being taken to change the cultural narrative and promote acceptance?

## II. Use of artificial intelligence by migration authorities (articles 2, 5 and 6)

### **Artificial intelligence systems that perpetuate racism in migration control**

8. While we are aware of the different measures and various policies to improve the well-being of non-nationals, including asylum-seekers, migrants, and refugees as expressed in the periodic report, the racial biases are dangerously exacerbated by the use of technologies. The intense integration of artificial intelligence in migrant control and border management has allowed the Hellenic border police to perpetuate racism and expose racial bias against irregular and undocumented migrants.

9. Current data indicates that AI systems employed by migration authorities face substantial risks of perpetuating racial stereotypes, potentially resulting in algorithmic bias and racial discrimination. ODRI briefly outlines intricate algorithmic systems implemented by Hellenic migrant authorities since 2017:

10. CENTAUR utilises cameras, drones, and motion analysis algorithms to monitor facilities where migrants are housed temporarily, transported, or administratively detained. CENTAUR aids migration authorities in detecting unauthorised entries, responding to illegal substance trafficking into reception centres, and early warning of security risks. In addition, drones are used for patrolling and visual confirmation of events, while Structural Behavior Analysis (using modern video analytics for dynamic detection of criminal behaviours). In addition, drones are used for patrolling and visual confirmation of events, while Structural Behavior Analysis employs modern video analytics for dynamic detection of criminal behaviours. However, concerns arise about the potential collection, storage, or monitoring of almost any personal data of migrants deprived of their liberty. There are apprehensions about the misuse of recorded information, including invasive monitoring of women, which could lead to irregular strip searches and unlawful interferences to privacy.

11. On May 2019, the Ministry of National Defense requested the supply of electro/optical (H/O) systems and drones (unmanned aircraft systems) to enhance maritime border control and search and rescue (SAR) capabilities. Last May 2023, the government announced the implementation of the PROTECT DOME project to create an autonomous anti-drone situational awareness system that uses algorithms to detect,

track, and identify out-of-control/aggressive drones. In November 2023, the government announced another project called "Maximising the impact of electronic surveillance through the strengthening of communication links - Strengthening the capacity of the Hellenic Police for land border surveillance," which would allow the use of twenty-seven (27) Mobile Incident Management Centers (MIMC) to complement the machinery of the mobile surveillance camera system and audio and video reception-transmission control centre with integrated drone systems.

12. All of these projects complement different initiatives to control and monitor frontiers through the use of surveillance artificial intelligence systems. In theory, the use of artificial intelligence could significantly prevent further human rights violations during rescue operations and address the specific vulnerabilities of migrants to drowning or hypothermia. On the contrary, there are allegations against the government suggesting that the use of this technology has aided the collective disembarkment, pushbacks, harassment of stranded migrants, and the collective expulsion of migrants in unsafe locations, without access to humanitarian assistance and medical support. Furthermore, "bordercrimes.net," "alarmphone.org," and "watchthemed.net" have recorded several incidents of attacks and human rights violations in the Aegean Sea, identifying hundreds of incidents reported of alleged human rights violations committed during search and rescue operations.

13. From January 2021, the Hellenic Ministry of Migration and Asylum (HMMA) has been developing a virtual border wall, an automated surveillance system, to prevent the transit of irregular migrants through the northern frontiers with North Macedonia and Albania. The virtual border wall monitors closed-circuit television (CCTV) surveillance systems, heat sensors, heartbeat detectors installed at border crossing points to identify people hidden in the internal system of automobiles. This artificial system complements a broad range of surveillance systems used by the Ministry of Migration and Asylum, including "REACTION: REAL-time Artificial Intelligence for Borders Surveillance via RPAS data and Analytics to support Law Enforcement Agencies"; the algorithmic system over the steel wall built near the Evros river, near Türkiye; the HYPERION system that controls the entry and exit at the entry points and closed zones for those screened and destined for deportation, among other artificial intelligence systems.

14. In September 2022, the Prime Minister labelled REACTION during a tech conference as a good policy due to its innovative design, their two innovative algorithms, and its potential to serve as a model for other initiatives elsewhere. On that event, the Ministry of Immigration and Asylum explained further that REACTION comprises "unmanned drone vehicles but with artificial intelligence algorithms (...) able to monitor either alone or in swarms in inaccessible areas, analyse information and find threats at the border. Not only can it be used for immigration issues but also for other needs such as anti-smuggling and search and rescue." A couple of days later, the Ministry of Migration and Asylum uploaded a video on YouTube of the capabilities of REACTION, showing that the system could hover over two men in a particular space, label and track them as persons of interest.

15. In January 2023, the Hellenic Republic convened a plenary meeting called “Three Years of Effective Management of the Migration Crisis” to review the advances of the different funds and programs in course. The Secretary General of Immigration Policy informed that REACTION guarantees the protection of victims of trafficking, as this artificial system is dedicated to guarding the borders and the strengthening of the Hellenic Police. In December 2023, a NGO reported that two migrant women from Sierra Leone have tried repeatedly to leave Greece and remained stranded in border crossing points for over a month, as a possible result of the use of artificial intelligence to facilitate the identification of persons in cross-border movements.

16. In that regard, it is not clear if the use of these technologies increases the disproportionate exposure of migrants to racial discrimination, abuse, or violence, while in transit or upon arrival, by both public officials, private individuals, or organised crime groups. For instance, to avoid being detected by these surveillance technologies, migrant women could decide to use the most dangerous routes controlled by organised crimes, where they could face trafficking, sexual enslavement, forced prostitution, or other forms of racist violence. The Hellenic government has been proudly using artificial intelligence systems to contain periodic humanitarian crises and to mitigate the arrival of unprecedented numbers of migrants and refugees. As all these different security and surveillance systems have been disseminated throughout many activities of the migration governance, there are dangers that these systems could be perpetuating negative stereotypes and may even entail racial discrimination. The revision of the available online documentation from 2021 to 2023 from the Greece Program - Asylum, Migration and Integration Fund (TAME), Greece Program - Financial Support Instrument for Border Management and the Visa Policy of the Integrated Border Management Fund (IMBM), Internal Security Fund, and other initiatives raises concerns if the government usually conducts impact assessments of each technology.

17. Due to the complex use of artificial intelligence by technical, operational, scientific, and administrative migration authorities, impact assessments should also identify and respond to the cumulative effect of all these technologies on the rights of migrant women and refugees of artificial intelligence. Furthermore, the lack of antidiscrimination guarantees, such as racially-sensitive audits, or the limited access and involvement of civil society organisations or users impacted by these algorithms before the deployment of these systems, alert the possibility of negative impact on women asylum seekers, migrants and refugees, including women from ethnic and religious minorities. Technology should also address the specific circumstances of women migrants, refugees and asylum seekers with vulnerabilities, such as pregnant or lactating women, women with disabilities, older women, unaccompanied girls or separated from their parents, women or girls who have lost their lives, have been injured or have gone missing in their attempt to cross international borders at sea, among others. To that effect, it is key that tech operators receive training, use techniques and procedures, and report data sensitive to race, ethnicity, gender, age, and other intersectional grounds of discrimination and disadvantage.

18. ODRI advises the Country Rapporteur and the Committee Experts to consider asking the government about the measures were in place to enforce due diligence, transparency, racial-sensitive impact assessments and periodic revision in the use of algorithmic profiling, biometric and surveillance systems by migration authorities, national police and other law enforcement authorities to avoid racism, racial stereotyping, or algorithm-driven racial discrimination. If possible, ODRI requests to raise questions related to the trainings provided to operators of artificial systems, to supervisors of migration search and rescues operatives, prosecutors, and members of the judiciary on the impacts of algorithms on racial equality and racial justice.

20. The potential of technology to perpetuate discrimination in law enforcement, migration, education, health, and in the private sector, is a critical issue that CERD must closely examine during the constructive dialogue:

- The Committee should seek information regarding the safeguards envisaged by the government to use unbiased data and algorithms to prevent racial discrimination, and ensure that technology is deployed in a manner that does not perpetuate or intensify biases.
- The Committee could consider asking about the measures that had been put in place to detect and address racial biases that could arise from the introduction of those technologies and to ensure that they did not have a negative impact on the marginalised groups protected under the Convention during migration control.
- CERD may also wish to inquire whether Greece is considering adopting legal frameworks to improve access to reparations and guarantee of non-repetition for victims of discrimination, including those caused by automated decision-making and artificial intelligence systems in border management.

21. After the constructive dialogue with the delegation, ODRI respectfully requests CERD to consider some of these elements for recommending the Hellenic Republic:

- Carry out racial impact assessment studies, with the active participation and involvement of civil society, to address the racial discriminatory effects of algorithms used by migration authorities to the detriment of groups protected within the purview of the ICERD, and support research to develop measurement studies and bias prevention methodologies to identify racial stereotypes, and to ensure that artificial intelligence systems do not entrench racial inequalities or produce racial discriminatory results that undermine the principle of non-discrimination, the right to equality before the law, the right to liberty and security of person, and the right to privacy.
- And it would be also important to issue recommendations to provide access to effective remedies against cases of racial discrimination and human rights abuses arising from the use of artificial intelligence and new technologies on woe asylum-seekers, migrants and refugees.