



**International Convention on  
the Elimination of All Forms  
of Racial Discrimination**

Distr.: General  
14 February 2022

Original: English  
English, French and Spanish only

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**Committee on the Elimination of Racial Discrimination**

**Combined twenty-third and twenty-fourth  
periodic reports submitted by Greece under  
article 9 of the Convention, due in 2019\***

[Date received: 24 September 2021]

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\* The present document is being issued without formal editing.



1. Greece has the pleasure to submit the combined twenty-third and twenty-fourth periodic report to the Committee on the Elimination of Racial Discrimination of the International Convention on the Elimination of All Forms of Racial Discrimination. The report was drafted by the Legal Department of the Ministry of Foreign Affairs, in close cooperation with the competent Ministries. In addition, we have incorporated, to the extent possible, input and comments by the National Commission for Human Rights (GNCHR), in which are represented forty-one organizations, in particular NGOs and civil society actors. The present report focuses mainly on the follow-up to the concluding observations of the Committee, dated 3.10.2016, as well as the observations of the Committee contained in a letter dated 17 May 2018 on the information provided by the State party on the specific recommendations identified by the Committee in its 2016 Concluding Observations.

## **I. General framework (concluding observations, paras 6–9)**

2. On 20.8.2018, Greece successfully concluded the European Stability Mechanism (ESM) economic adjustment programme and was integrated into the normal cycle of the European Semester framework (of economic and social policy coordination).

3. The Government's economic policies place a special emphasis on boosting growth, investing in education, employment and health and supporting/enhancing the effectiveness of social solidarity policies. It is acknowledged that the welfare state, having suffered a severe crisis in the last decade, needs to be overhauled, to adjust to new realities and challenges and to become more efficient and effective. In this respect, the most important objectives pursued by the Government are the promotion of employment, the fight against social exclusion, the protection of the family and in particular children, the universal and equal access of citizens to quality health care and education services as well as the practical support of vulnerable groups.

4. The social dimension of the Government's policies is all the more important when it comes to addressing the negative impact of the COVID-19 pandemic, which has claimed, also in Greece, thousands of lives (more than 14,000 deaths, 135 per 100,000). The country acted in a manner that made it possible to avert the worst consequences of the health emergency, as shown by the relevant data, seen, in particular, through a comparative perspective. This was achieved by the timely response to the health emergency, the improvements in the capacity of diagnostics, the hard work of medical doctors and all personnel of the national health system, the perseverance of "essential workers", the resilience of the population and the trust placed by the public on the role and the advice of medical and other scientific experts. The authorities imposed a number of restrictive measures, in particular on economic activities and freedom of movement, but without resorting to derogations to the relevant European and international human rights treaties. At the same time, economic relief measures were adopted, addressed to all those affected, to mitigate the adverse social and economic effects of the pandemic. The vaccination campaign is unfolding smoothly, with a prioritization policy especially for those considered at high risk, based on scientific criteria, without any exclusion or discrimination, by using innovative digital tools to facilitate all those willing to be vaccinated. As of 21.9.2021, 55% of the entire population was fully vaccinated.

5. In accordance with the EU Recovery and Resilience Facility and the Next Generation EU plan of financial support to member states to address the economic and social impact of the pandemic, Greece has submitted its National Recovery and Resilience Plan Greece 2.0. The plan, endorsed by the European Commission on 17 June 2021, is structured around four pillars: (a) green transition, (b) digital transformation, (c) employment, skill and social cohesion and (d) private investment and transformation of the economy. The third pillar is comprised in particular of the following components: improvement of resilience, accessibility and sustainability of healthcare (primary health care system, mental health, digital transformation), increase of access to effective and inclusive social policies (with regard, in particular, to child protection, disability, social integration, digital transformation of the social support system, social benefits optimization, diversity awareness, creation of childcare units within larger companies, promotion of the integration of the refugee population into the labour market, digital transformation of the immigration and asylum

system). Furthermore, in June 2021, the Ministry of Labour and Social Affairs launched a public consultation on the National Strategy for Social Integration and Poverty Reduction.

6. During the reporting period, the Greek Ombudsman's responsibilities were further strengthened, as it will be shown in the relevant parts of this report.

7. Law 4780/2021 proceeded to an important overhaul of the legislative framework governing the Greek National Commission for Human Rights (GNCHR), the national institution for the protection and promotion of human rights and independent advisory body on human rights issues. The new law provides, *inter alia*, that the GNCHR acquires legal personality and enjoys functional independence and administrative and financial autonomy, which will allow the Commission to elaborate, submit and execute its own budget. The composition of the Commission has been amended so as to become even more pluralistic and to encompass all human rights fields. The new provisions, adopted in close cooperation with the GNCHR, are fully in line with the Paris Principles and the recommendations of the Sub-Committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI), which has already granted Status A accreditation to the GNCHR.

8. The GNCHR has adopted a number of reports and recommendations, on a variety of issues. In particular, during the pandemic, the Commission held online meetings in plenary on a weekly basis, with the participation, *inter alia*, of high-level officials involved in the decision-making process. The issues discussed were reflected in two reports published in June 2020 and June 2021, respectively. The most recent report focuses on the disproportional effects of the pandemic on groups in vulnerable situations, access to vaccination as a human right, access to justice, policing during the pandemic, access to healthcare, right to education and right to work and makes a number of specific recommendations. The Commission has also adopted a comprehensive reference report on the refugee and migrant issue as well as numerous statements, press releases, submissions to UN and Council of Europe bodies, etc.

9. During the reporting period, Greece ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by Law 4531/2018, the Council of Europe Convention on Cybercrime, and its Additional Protocol concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems (Law 4411/2016), the (revised) European Social Charter (Law 4359/2016), and, more recently, by Law 4808/2021, the ILO Violence and Harassment Convention (C190) and the Promotional Framework for Occupational Safety and Health Convention (C187).

10. It should be mentioned that the present report contains detailed statistical data on a number of issues falling into the scope of the ICERD.

## **II. Information relating to articles 2 to 7 of the Convention**

### **Anti-racism legal framework (Concluding Observations, paras 12–19)**

11. The Greek authorities continued, during the reporting period, to implement Law 4285/2014, which punishes the following intentional conduct:

(a) To publicly abet, instigate or incite, either orally or through the press or the internet or any other means, acts or activities which may result to discrimination, hatred or violence against individuals or groups of individuals defined by reference to race, color, religion, descent, national or ethnic origin, sexual orientation, gender identity, gender characteristics or disability, in a manner which endangers public order or threatens life, liberty or physical integrity of the abovementioned persons;

(b) To abet, instigate or incite damage of items used by the abovementioned persons, in a manner that endangers public order;

(c) To establish or participate in an organization or union of persons of any kind which systematically pursue the commission of the abovementioned acts;

(d) To publicly condone, trivialize, or maliciously deny, either orally or through the press or the internet or any other means, the commission or seriousness of crimes of

genocide, war crimes, crimes against humanity, the Holocaust and Nazi crimes, recognized by decisions of international courts or the Hellenic Parliament, and directed against groups of individuals, or a member thereof, defined by reference to race, color, religion, descent, national or ethnic origin, sexual orientation, gender identity, gender characteristics, or disability, in a manner which may incite violence or hatred or threatens or insults the abovementioned groups of individuals or members thereof.

12. The penalties provided for the above offences are imprisonment of between three months and three years and a fine of 5,000 to 20,000 €. More severe penalties are foreseen, in case the incitement described above resulted in the commission of a crime or the perpetrator is a public official or servant, acting in that capacity. The aforementioned acts are also punishable when they are committed through the internet.

13. Article 82A (former 81A) of the Criminal Code sets out the penalties to be imposed in case of crimes with racist characteristics. It is to be noted that, already since the adoption of the previous law 4356/2015, in order for a crime to be punished with stiffer penalties as a racist one, it is not required to prove that the offender was motivated by hatred against the victim. It is sufficient to establish that the victim has been targeted by the offender on the basis of his/her characteristics (race, color, national or ethnic origin, descent, religion, disability, sexual orientation, gender identity or gender characteristics). In such case, if the punishable offence is a misdemeanor punished with imprisonment of one year or less, the minimum penalty is raised by six months. With regard to all other misdemeanors, the minimum penalty is raised by one year. In respect of crimes, the minimum penalty is raised by two years.

14. Moreover, according to article 137A of the Criminal Code, as amended in 2019, torture is punished even in the absence of the specific purposes set out in the definition of that crime, where the choice of the victim is made on account of the abovementioned characteristics.

15. Concerning support to victims, Law 4478/2017 incorporated Directive 2012/29/EU, establishing minimum standards on the rights, support and protection of victims of crime (among which, hate crimes) and strengthened substantially the relevant legislative framework. Victims, from their first contact with police authorities or social services, are provided information on the type of support they can obtain and their rights. The Law also provides for an individual assessment of the victim, in order to protect them against secondary and repeated victimization, intimidation and reprisals. In the context of the individual assessment, particular attention should be paid to the personal characteristics of the victim, including age, race, color, religion, national or ethnic origin, sexual orientation, gender identity or characteristics or disability and residence status; additionally, one should assess the severity of the harm suffered by the victim, the type, seriousness and nature of the crime, in particular terrorism, trafficking in human beings, gender-based violence, racist violence, domestic violence, sexual violence or exploitation.

#### **Anti-discrimination legislation**

16. Law 4443/2016, replacing Law 3304/2005, established a single and comprehensive regulatory framework for the implementation of the principle of non-discrimination and defined the bodies responsible for protecting, promoting and monitoring compliance with the abovementioned principle. In this respect, new prohibited grounds of discrimination were added to those set forth in Law 3304/2005, namely chronic condition (which also includes seropositivity), family status (covering all forms of family life, including civil unions, irrespective of gender), social status (referring to situations of potential stigmatization of persons due to their distinct characteristics as members of a specific social sub-group), gender identity or characteristics.

17. More specifically, the prohibited grounds of discrimination are the following: race, color, national or ethnic origin, descent, religious or other beliefs, disability or chronic condition, age, family or social status, sexual orientation, gender identity or characteristics.

18. The prohibited forms of discrimination are the following: direct discrimination, indirect discrimination, harassment, instruction to apply a discriminatory treatment against a person on the prohibited grounds, discrimination by association, discrimination by perception,

multiple discrimination and refusal of reasonable accommodation of persons with disabilities or suffering from chronic disease.

19. The authority responsible to monitor and promote the application of equal treatment in the private, public and wider public sector is the Ombudsman (Article 14 of Law 4443/2016). The Ombudsman and the Labour Inspectorate Body (SEPE) cooperate closely with a view to effectively detecting undertakings that violate the principles of equality and non-discrimination. SEPE informs the Ombudsman without delay, both upon receipt of a complaint and after the completion of their investigative and any sanctioning actions. Complaints are dealt with according to the procedure for the resolution of labour disputes, with the participation of the Ombudsman. The finding of the Ombudsman, in the event of an infringement, is binding on the SEPE and imposes the penalties provided for.

### **Statistical data**

20. Police authorities produce annual reports reflecting the number of incidents reported as presenting racist characteristics as well as the alleged motivation of such acts and also containing summary information on the relevant facts, the place, date and time of the act complained of, the victim's and the alleged offender's profile.

21. The number of allegedly racially motivated incidents reported to the police authorities during the period 2015–2020 is as follows:

- 2015: 84 incidents;
- 2016: 100 incidents;
- 2017: 184 incidents;
- 2018: 226 incidents;
- 2019: 282 incidents.

22. In 2020, the competent agencies of the Hellenic Police Force nationwide recorded 222 incidents potentially involving racist motives, in 168 of which the police authorities conducted preliminary investigations either ex officio or following a complaint, whereas the remaining 54 incidents were handled by the police authorities upon instructions of the prosecutorial authorities ordering a preliminary investigation.

23. In most cases (53%), the perpetrators were known to the victims or the Authorities. The main motive for the commission of racist acts was the race, color or origin of the victim (69%), followed by religion (13%), sexual orientation (10%) and gender identity, disability (5%). Most victims were male (80%) and foreign nationals (65%). The majority of racist crimes were committed in the Attica Region. It is interesting to note that in the islands of the Eastern Aegean, where the Reception and Identification Centers of migrants and refugees are located, the number of incidents recorded increased (29 incidents).

24. It is estimated that the decrease of the racist incidents for the year 2020 can rather be explained by the restriction measures taken by the Government to deal with the pandemic. The improvement in the capacity of the police and prosecutorial authorities to recognize and identify the racist characteristics of the crimes brought to their attention should be noted too.

25. During the period 2015–2017, criminal charges were brought in 127 cases (32 in 2015, 40 in 2016 and 55 in 2017). In 19 cases the defendants were convicted (5 in 2015, 6 in 2016 and 8 in 2017), while in 4 cases the defendants were acquitted (2 cases in 2015, 1 in 2016 and 1 in 2017).

26. At the end of 2019, the number of files categorized as “Racist Violence” pending before the prosecutorial authorities at First Instance Courts and in respect of which criminal charges were brought, was 216, while 4 cases were pending before the prosecutorial authorities at the Courts of Appeal.

27. With regard to hate speech incidents, 75 cases were recorded in 2018, 93 in 2019 and 51 in 2020, on the grounds mainly of origin, color and race, followed by religion, sexual orientation, gender identity and disability.

28. One of the most active civil society actors in the field of the fight against racism is the Racist Violence Recording Network (RVRN), established in 2011 on the initiative of the GNCHR and the UNHCR. The Network is comprised of 51 NGOs and civil society bodies, as well as the Greek Ombudsman and the Migrant Integration Council of the Municipality of Athens as observers.

29. In its latest report, published in April 2021 and covering developments during the year 2020, the RVRN recorded incidents directly or indirectly related to the pandemic. The Network recorded also an increase in incidents of racist violence against refugees, migrants and supporters and noticed that the incidents where the perpetrators were citizens and/or members of extremist groups, took place in areas where refugees and migrants gathered, mainly in areas with accommodation and reception facilities. The RVRN also noticed that half of the incidents against LGBTIQ+ individuals took place either inside the victims' residence, combining domestic violence with the racist motive, or online. In addition, the Network found instances of "problematic and highly harassing behavior" against transgender individuals and that victims had experienced a significant number of incidents due to gender identity.

30. More specifically, during 2020, the RVRN recorded through interviews with victims, 107 incidents of racist violence (up from 100 in 2019). According to the Report, in 74 incidents, the targets were migrants, refugees, or asylum-seekers due to their ethnic origin, religion or/and color, human rights defenders due to their association with refugees and migrants, as well as shelters or facilities for the said groups. In 30 incidents, the targets were LGBTIQ+ individuals. In 3 incidents, the victims were Greek citizens, targeted due to ethnic origin. In 50 incidents, the targets were more than one victim, whereas in 77 incidents, the assault was committed by a group (of at least two persons).

31. The RVRN's report addresses a number of recommendations to the competent authorities.

#### **Racist hate speech and racist crimes**

32. In 2013, following the stabbing to death of a singer and activist by a member of the "Golden Dawn" party, relevant criminal files were combined and criminal investigations were conducted, which led to charges being pressed against a number of "Golden Dawn" members. In particular, all members of Parliament belonging to the "Golden Dawn" party were deprived of their immunity, prosecuted for establishing and participating in a criminal organization and held in pre-trial detention (which lasted until the maximum period of pre-trial detention prescribed by the Constitution was reached). State funding of the party was suspended. The trial of some 80 "Golden Dawn" members began in 2015 and involved the participation of hundreds of witnesses and lawyers for the defense and the civil parties.

33. In a landmark judgment delivered on 7 October 2020, the competent Criminal Court (Athens Court of Appeals) found the seven members of the leadership of "Golden Dawn" guilty of directing a criminal organization. The other former MPs on trial, members of the political council of "Golden Dawn" as well as the heads of two local chapters were found guilty of joining and participating in a criminal organization.

34. The court also found one defendant guilty of all charges for the abovementioned murder and another 15 defendants in the case guilty of acting as accomplices, while acquitting two due to reasonable doubt. The court also found guilty all defendants accused in connection with the attack on members of a trade union, as well as those charged for the attempted murder perpetrated against Egyptian fishing boat workers. With regard to the leaders of "Golden Dawn" found guilty of directing a criminal organization, the Court decided not to recognize any extenuating circumstances and to reject the suspension of the prison sentences (up to 13 years) imposed.

35. It is to be noted that the electoral support for the "Golden Dawn" party had already progressively decreased. Thus, in the September 2015 parliamentary elections, "Golden Dawn" obtained 6.99% and 18 seats; in the 2019 European Parliament elections, 4.87% and 2 seats in the European Parliament; in the last parliamentary elections, held in July 2019, "Golden Dawn" was voted out of Parliament, as it obtained 2.93% of the popular vote, falling below the electoral threshold of 3%.

36. The Greek legislation does not provide for the banning of political parties, an issue which is very sensitive, taking into account the political and constitutional history of the country. This, of course, does not preclude the judicial investigation and prosecution of the members of a party who engage in criminal activities. It is to be noted that, in accordance with Article 23 of Law 4203/2013, state financing of political parties whose leaders or a number of their elected officials are charged with the crime, in particular, of membership of a “criminal organization” and put on pre-trial detention, is suspended by decision taken by the Parliament. The suspension may be imposed for offences committed by the above individuals in the context of actions taken by the political party to which they belong or in the name of it.

37. Furthermore, the 2016 Code of Ethics for Members of the Greek Parliament (articles 2 and 8 (1)) provides for the prevention of hate speech against persons on the grounds of their racial or ethnic origin, religious or political beliefs, sex, age, disability or sexual orientation.

38. It is to be clarified that legal persons are subject, not to criminal, but to administrative liability. More concretely, in case one of the acts punishable under the anti-racism Law 4285/2014 was committed for the benefit or on behalf of a legal person or a union of persons by any person, acting either individually or as part of an organ of the legal person or the union of persons, and having a power of representation thereof, the Minister of Justice, jointly with other competent Ministers, as appropriate, shall impose administrative sanctions, namely a fine of between 10,000 and 100,000 € and exclusion from entitlement to public benefits, grants, aid, public works, services and supply contracts and procurement, public contract awards etc., for a period between one and six months.

39. Among the measures which are currently implemented to increase the effectiveness of the investigation of racist crimes are the following:

- Prosecution *ex officio* of the crimes punished under the anti-racism legislation;
- Appointment of 24 special prosecutors for the investigation of racist crimes;
- Exemption of victims of such offenses from the payment of a fee when submitting a criminal complaint or participating as a civil party in a criminal procedure;
- Provision of free legal aid for all victims with low income;
- Granting of a residence permit on humanitarian grounds to third-country nationals who are victims or material witnesses of racist acts until a judgment has been delivered or the case has been closed;
- Exemption from return procedures of undocumented migrants, who are victims or substantial witnesses of racist criminal acts (articles 82A of the Criminal Code and 1 and 2 of Law 927/1979) and submit a complaint or report of the incident to the competent police authorities, until the competent prosecutor has issued an act (designating the foreigners concerned as victims).

40. Data collection with regard to racist crimes has significantly improved and is expected to further improve following the operation of the new computerization system of the courts. Furthermore, the Supreme Court Prosecutor and the Courts of all instances provide the Ministry of Justice with data on all cases indicted as racist crimes every 6 months. The Police also provide the Ministry every 6 months with data on all racist crimes with a potential racist motive.

41. In December 2018, the Prosecutor at the Court of Cassation issued a circular addressed to all prosecutors at the Appeal Courts and the Misdemeanors Courts recalling Articles 2 (1) and 5 (2) of the Constitution, on the protection of human dignity and the life, honour and liberty irrespective of nationality, race or language and of religious or political belief. The circular also mentions the European Convention on Human Rights and Law 4478/2017 on the rights, support and protection of victims of crime and invites all prosecutors to ensure respect for the abovementioned rights and to display severity, in order to address racially motivated hate crimes. Furthermore, the Circular invites the prosecutorial authorities to mark any file related to a hate-motivated offence with the initials RV (“racist violence”), so as to identify cases of racist violence. It also stresses that all prosecutors shall examine the

motivation of the violent act committed and signal the existence of a racist motive, while collecting any evidence that might substantiate the motivation of the offender.

42. Other important measures taken in the field of law enforcement are the following:

- The establishment of two specialized Departments and 68 Offices throughout the country and the operation of a special hotline (“11414”, with normal calling rate for mobile phones and for all parts of Greece), while a special form for complaints is available on the Hellenic Police website ([www.astynomia.gr](http://www.astynomia.gr)), so that those concerned may anonymously and with full respect for the privacy of their communication, complain or notify the Hellenic Police, 24h/day, about any unlawful act committed with racist characteristics or motives. On the same webpage, information has been posted on Police Services against racist violence in the Greek and English languages;
- The obligation for police officers to ascertain whether a criminal act has been racially motivated (the same applies to the disciplinary investigation of cases involving inappropriate behaviour of police officers against persons belonging to vulnerable groups or foreign nationals; relevant instructions have been addressed by the Hellenic Police Headquarters to all Police Services);
- Obligation for police officers to immediately inform the competent Prosecutor on every case of racist violence under investigation;
- Co-ordination with local and non-governmental organizations and training of police staff;
- Training and retraining of the Hellenic Police personnel both within the country, in particular in the Schools of the Police Academy, and abroad on issues of human rights, racism and discrimination. In addition, police personnel participate in seminars on such topics co-organized with the Council of Europe, the OSCE, other national bodies (such as the Ministry of Education and Religious Affairs) and NGOs.

43. When an incident is reported to the Police, the police officers examine the case according to the guidelines included in the 2014 Circular Order of the Chief of the Hellenic Police and use a general case recording form of the internal network ‘Police On-Line’. This form includes the type of offence, place, time, the characteristics of the perpetrator, the victim's identity, the description of the incident and the administrative and procedural actions taken. There is also a specific box which allows to flag racially motivated crime (Racially motivated crime? Yes/No). In case the answer is “Yes”, a second field is enabled for choosing the relevant bias motivation: race, color, religion, national or ethnic origin, sexual orientation, gender identity, and disability. All crimes that are flagged as racially motivated are also recorded in a separate electronic database.

44. The Department for Social Issues and Combating Racism of the State Security Directorate of the Hellenic Police Headquarters in co-operation with the Ministry of Justice and the Public Prosecution Offices has developed a template for collecting hate crime data. This template includes the number of hate crime cases and the bias motivations recorded by the police, together with information from the Public Prosecution Offices and courts about the cases prosecuted and the court decisions. The same template is used for collecting hate speech statistics.

45. More recently, the Hellenic Police has circulated to all its Services a circular order on racism, xenophobia and discrimination, annexed to which was a list of “bias indicators” elaborated in 2017 by OSCE/ODIHR.

#### **Case-law of criminal courts**

46. Judgment n° 19488/2017 of the Thessaloniki Criminal Court concerned the conviction for racial insult on the basis of the religion of the victims, who participated in the trial as civil parties. The Criminal Court identified the racial motivation of the crime and took the latter in consideration at the stage of sentencing, imposing a one year suspended sentence of imprisonment.

47. Judgment no 1667/2018 of the Athens Criminal Court concerned the conviction of the defendant for racist remarks against migrants residing in an area of Athens where a large



number of foreign nationals live and imposed on him a suspended sentence of imprisonment of one year.

48. Judgment n° 286/2019 of the Athens Mixed Jury Court of Appeal concerned the conviction of two persons to imprisonment of 21 years and 5 months for the murder of a foreign national. The Court identified the racial motivation of the crime and underlined that the offenders attacked the victim with the intent of killing him, having realized, on the basis of his accent and physical appearance, that he was a migrant. The parents of the victim were informed about the conduct of the proceedings and participated in the trial as civil parties. Furthermore, Judgment no. 764/2020 of the Chalkida Criminal Court concerned the conviction of the perpetrator of an incident recorded by a member of the RVRN in 2015, recognizing the racist motive in the perpetrator's actions as an aggravating circumstance because the victim was attacked due to her gender identity. In July 2020, in the "Crypteia" case, the Athens Mixed Jury Court found the defendant guilty, inter alia, of the offences of attempted arson which could result in endangering someone, and in particular the Community of Afghan Migrants and Refugees, with the aggravating circumstance of article 82A of the Criminal Code (racist motive), and public incitement to violence and hatred.

49. The abovementioned case-law shows that the police, as well as the judicial, authorities, upon a mere suspicion of the existence of racist motivation, examine carefully that aspect of the crime from the beginning of the investigation and at all stages of the criminal proceedings.

50. Judgment 858/2020 of the Court of Cassation found the defendant, a Metropolitan Bishop, guilty for incitement to violence or hatred, on account of a blog post, which was found to incite the citizens to violent behavior against persons on the grounds of sexual orientation.

#### **Case-law of the European Court of Human Rights**

51. The ECtHR has found a violation of the ECHR in the cases *Sakir v. Greece* (24.3.2016) and *Gjikondi v. Greece* (21.12.2017), due to the lack of investigation of a possible racist motive for violent assaults on the migrants concerned, which resulted in injury, in the first case, and in death, in the second. It should be noted that the GNCHR also pays particular attention to the issue of effective investigation of racist crimes.

#### **Further measures in the field of Justice**

52. The Program "Building a Comprehensive Criminal Justice Response to Hate Crime" by the OSCE/ODIHR and the Hellenic Ministry of Justice as a partner has been implemented during the period 2017–2019. The project was funded by the European Commission and provided for the improvement of the common database on hate crimes maintained by the Ministry of Justice and the Hellenic Police, the identification of the main elements of a national policy against hate crimes and the drafting of a cross-government protocol for preventing and combating hate crimes as well as of a supplementary protocol on a criminal justice system response to hate crimes.

53. In this context, and in view of developing anti-racist policies which could have a horizontal effect to government policy and public administration, an "Agreement on inter-agency cooperation on addressing racist crimes in Greece" was signed in 6 June 2018 by the Minister of Justice, Transparency and Human Rights, the Minister for Migration Policy, the General Secretary of the Ministry of Health, the Alternate Minister of Interior (in charge of Citizen's Protection), the President of the Supreme (Civil and Criminal) Court, the Public Prosecutor at the Supreme (Civil and Criminal) Court, the Director General of the National School of Judges, the President of the GNCHR and the UNHCR Representative in Greece on behalf of the Racist Violence Recording Network and the National Point of Contact (for the OSCE) on Combating Hate Crimes.

54. Moreover, the Ministry of Justice actively participates in the European Commission's Sub – Group on countering Hate Speech Online and takes into consideration all new developments and initiatives in this field.

### **The National Council against Racism and Intolerance – National Action Plan against Racism and Intolerance**

55. It should be recalled that Law 4356/2015 (art. 15–19) established the “National Council against Racism and Intolerance”, an advisory body which is chaired by the Secretary General for Justice and Human Rights of the Ministry of Justice. The Council consists of representatives of the competent Ministries, as well as the National Council for Radio and Television, the GNCHR, the RVRN (where 51 NGOs participate), the UNHCR, the National Confederation of Persons with Disabilities, the Migrants Integration Council, the Union of Athens Daily Press Editors, the Research Centre for Gender Equality (K.E.TH.I.), the General Confederation of Greek Workers and the Civil Servants Union Federation (A.D.E.D.Y.). The Greek Ombudsman participates, at its own request, without the right to vote, but has the right to notify at any time the President of the Council of its wish to become a full member of the Council with a right to vote.

56. The Council has identified the need for awareness-raising activities, public information and pro-active measures against racism and intolerance. To this end, a social message of the Council on the integration of refugee children into the education system was issued, along with a brochure to inform civil servants about racist crimes. In 2020, the Council elaborated a Guide on the rights of victims of racist crimes.

57. Among the tasks of the National Council against Racism and Intolerance is the drafting of a National Action Plan against Racism and Intolerance. The first Action Plan, covering the period 2020–2023, was adopted in December 2020. As it was stressed in the relevant press release, all members of the Council expressed their satisfaction about the thorough consultations held within the Council in the context of the elaboration of the Action Plan and the strengthening of the lines of action and activities to be undertaken in view of addressing in a comprehensive manner the different aspects of racism, while some members (RVRN, GNCHR, UNHCR, General Confederation of Greek Workers, the Greek Ombudsman) expressed their reservations, related to the need for the adoption of further concrete policies and actions. The whole membership of the Council expressed their commitment to conduct further consultations about the designing of actions and policies and to support the latter’s assessment and possible redesign.

58. The National Action Plan consists of two parts. The first part focuses on the description of the phenomenon and its characteristics in Greece, as well as on the existing institutional framework, both national and international, and provides an overview of relevant reports, recommendations, best practices and anti-racism action plans from a comparative perspective. Throughout the text, there are specific references to the ICERD and the Committee’s concluding observations following the examination of Greece’s periodic reports, as well as its General Recommendations. The second part contains definitions of key concepts and identifies targets and lines of action. More specifically, the lines of action are the following: (1) forms of discrimination, stereotypes and prejudice, (2) addressing racist crimes, with a special emphasis on reporting and recording such crimes, (3) awareness-raising and information activities, (4) integration and empowerment and (5) horizontal/cross-sectoral actions. Under each heading, the National Action Plan describes the specific activities to be undertaken by the competent authorities. The implementation of the Action Plan will be monitored by the National Council against Racism and Intolerance, in which, as already stated, participate independent authorities, the NHRI and the most active and representative civil society organizations. Finally, specific dissemination of information and training activities are also envisaged.

59. It should also be mentioned that, in 2020, the first National Action Plan on the Rights of Persons with disabilities and, in 2021, the National Action Plan on the Rights of the Child were adopted.

#### **Training activities**

60. As regards training of judges and prosecutors, the National School of Judges’ initial education curriculum for judges and prosecutors includes courses on human rights, as well as specialized courses on racism and xenophobia and migration law. Furthermore, the National School of Judges organizes or includes in the annual curriculum several seminars

aimed at human rights education of judges on issues such as refugees' and migrants' rights, racism and hate crimes, minors, disabilities and discrimination. Training activities and workshops have been organized, in cooperation with the Council of Europe and the OSCE, on hate speech, hate crimes and trafficking in human beings, addressed mainly to the country's Public Prosecutors and members of the judiciary. In addition, the GNCHR has increased its activities in the field of human rights education and training.

61. At the level of basic training, the students of the Schools of the Police Academy are taught the thematic unit "Human Rights", as an independent field of study, in the context of the subjects "Constitutional Law-Human Rights" and "Elements of Constitutional Law-Human Rights and elements of Administrative Law" from well-known University professors and specialized scientific personnel. Moreover, lectures are conducted on topics such as: racism and xenophobia, migration in the 21st Century: political identities, integration models, borders and boundaries, sensitization on issues regarding drug addicts and HIV/AIDS, trafficking in human beings, fight against discrimination, rights of LGBTIQ+ individuals. Furthermore, at the level of higher training, seminars, online seminars and lectures are conducted, in Greece and abroad, on topics regarding human rights, such as: fundamental rights and police ethics, management of diversity, hate crimes, racist violence in general, racist violence against members of the LGBTIQ+ community, fight against discrimination with emphasis on issues affecting the Roma, refugee law and legal protection of refugees in Greece, comprehensive management of external borders, racism, hate speech, etc.

62. In order to increase the Hellenic Police personnel's awareness of the principles of fundamental rights protection in border and migration management duties, the Hellenic Police HQ pays special attention to training activities. In this framework, the following activities should be mentioned:

- Introduction to the principles of fundamental rights at the borders, addressed to the cadets attending the 3rd year of the Hellenic Police Officers Academy, under the subject "Common European Standards in Border Management", which is included in the curricula of basic training;
- Participation of police officers in workshops organized by Frontex and CEPOL, among others, on topics such as management of diversity, police ethics, anti-trafficking and children protection;
- Organization of further/periodic training in the field of "Human-Fundamental Rights and Border Protection", funded by the EU.

63. In the framework of its preventive action, the Hellenic Police Cyber Crime Unit has developed a series of innovative actions to inform and raise the awareness of the public on issues such as safe Internet browsing, racism, hate speech and online expression, racist violence through the internet and relevant legislation.

64. Law 4779/2021 transposing into the national legal order the EU Audiovisual Media Services Directive (2010, amended in 2018), stipulates that the abovementioned services shall not contain incitement to violence or hatred against a group of persons, or members of a group on the basis of race, color, national or ethnic origin, descent, religion, disability, sexual orientation, gender identity or characteristics. The law also prohibits audiovisual commercial communications from including or promoting discrimination. Video-sharing platform providers under Greek jurisdiction shall ensure the protection of the general public from programmes, user-generated videos and audiovisual commercial communications containing incitement to violence or hatred against a group of persons or members of a group on the basis of the abovementioned grounds. The assessment of these measures is entrusted to an Independent Authority, the National Council for Radio and Television, which also has the respective enforcement powers.

### **The Rights of LGBTIQ+ persons**

65. Greece has continued to implement the legislative provisions of the anti-racism legislation punishing hate crimes and hate speech on the grounds, inter alia, of sexual orientation and gender identity.

66. An important development during the reporting period was the adoption of Law 4491/2017 on the legal recognition of gender identity, which, *inter alia*, allows for the change of the registered gender information through the same procedure that applies to all cases of change of identity information, such as the name, with no requirement to undergo a medical procedure, examination or treatment. This also applies to minors aged 17 years provided that they have their parents' or legal guardians' explicit consent and to minors aged 15–17 years, provided that, in addition to the explicit consent of their parents or legal guardians, the opinion of a medical board is submitted.

67. Law 4538/2018 allows persons who have entered a civil partnership pact, including same-sex couples, to become foster parents.

68. The anti-discrimination Law 4443/2016 expanded the scope of the principle of non-discrimination to gender identity and gender characteristics (in addition to sexual orientation) and strengthened the role of the Greek Ombudsman as Equality Body.

69. The application of Law 4356/2015, which opened the civil partnership pact to same-sex couples, recognizing family ties between the parties and conferring rights similar to those deriving from marriage, has contributed to the fight against stereotypes and prejudices. However, challenges remain in many areas, requiring cross-sectoral actions and policies.

70. In March 2021, by decision of the Prime Minister, a committee was set up, with the aim of drafting a National Strategy for the Equality of LGBTIQI+ persons in Greece, chaired by the former CERD Vice-Chairman and former President of the ECtHR Prof. Linos-Alexandre Sicilianos and composed of representatives of the academic community, NGOs defending the rights of LGBTIQI+ persons, the Secretary General of the Ministry of Justice and the Chief Economic Adviser to the Prime Minister. The report was presented on 29 June 2021. Furthermore Greece cooperates with the Council of Europe and the OSCE on the training of police officers, judges and public prosecutors on hate-motivated crimes, based, *inter alia*, on sexual orientation and gender identity.

#### **The situation of the Roma (Concluding Observations, paras 20–21)**

71. The National Strategy for Roma Social Inclusion 2011–2020 and Action Plan 2017–2021 include four pillars: housing, health, employment, education, to which a set of horizontal-supportive and sectoral actions has been added.

72. Relevant actions include: improvement of living conditions in Roma settlements; elimination of inter generationally divided settlements / camps and integration into the wider urban fabric; measures for combating poverty and early school leaving; promoting access to healthcare services, strengthening active social participation, social dialogue development and consensus-building, through social mediation and empowerment of Roma and especially young people and women; combating discrimination and stereotypes; eliminating the causes of delinquency and criminal gang activity in areas inhabited by Roma; implementing emergency actions to prevent COVID-19 spread in Roma settlements and promote Roma COVID-19 vaccination. The impact of the COVID-19 pandemic on the Roma population, including in the field of remote learning, has been highlighted in the relevant GNCHR reports.

73. The European Council Recommendation of 12 March 2021 on Roma equality, inclusion and participation was adopted in accordance with the new 10-year EU Roma strategic framework. It sets out a comprehensive three-pillar approach: equality with all other members of society, social and economic inclusion, and participation in political, social, economic and cultural life.

74. Within this framework, the new National Strategy for Roma Social Inclusion 2021–2030 is being elaborated under the responsibility of the national focal point, the General Secretariat for Social Solidarity and Fight against Poverty of the Ministry of Labour and Social Affairs. Prevention and fight against antigypsyism and discrimination, as well as strengthening Roma participation and empowerment will be included as main pillars of the new National Strategy.

## Article 2

### **Mixed migratory flows: migrants, asylum seekers and refugees (Concluding Observations, paras 22–23)**

#### *General Overview*

75. At the outset, it should be recalled that, since 2015, Greece has been faced with the arrival of an unprecedented high number of third country nationals (asylum seekers and irregular migrants), coming to Europe through Turkey, as a result of Greece's geographical proximity with the latter (land and extensive sea borders).

76. Due to unceasing arrivals, despite the EU – Turkey Statement of March 2016, pressure on the reception and asylum applications processing capacity, as well as the social structure of everyday life in the islands, remained high for a number of years, notwithstanding the continuous efforts of the competent Greek authorities, in collaboration with relevant International Organizations such as IOM and UNHCR, to transfer large numbers of persons to the mainland. In 2019, the apprehensions for illegal entry and stay amounted to 123,710 third-country nationals, compared to 93,367 in 2018 (i.e. an increase of 32.5%).

77. In 2020, there was a considerable reduction, by 80%, as far as new arrivals are concerned, a decline of the number of residents in all structures of the country, important decongestion of the Aegean islands, as well as a considerable number of returns, relocations and Dublin transfers, in spite of the pandemic, and acceleration of asylum procedures.

78. The support of EU Institutions and some EU Member States, both in financial terms and technical assistance, has been significant. However, so far, compulsory distribution of asylum applicants among Member States is not foreseen in the EU law.

79. Greece has been complying, and will continue to do so, with its obligations under international law, including all relevant human rights treaties to which is a Party, also mindful of its obligations under the borders, migration and asylum EU legal framework. International cooperation and solidarity is crucial in dealing with unprecedented mass influx of persons, along with burden and responsibility sharing. In this spirit, Greece has supported the Global Compact on Refugees and the Global Compact on Safe, Orderly and Regular Migration. Effectively protecting the Union's external borders by carrying out all the necessary surveillance, prevention and control, streamlining asylum procedures, creating a new solidarity mechanism for crisis situations and managing them, adopting a more effective return policy, developing partnerships with third countries of origin or transit of third-country nationals, creating new legal migration routes, as well as adopting effective integration policies, are key targets of Greece for the effective management of the migration phenomenon.

80. During the last days of February and throughout March 2020, Greece was faced with a sudden, unprecedented and extraordinary situation at its land borders with Turkey, namely orchestrated and coordinated mass movements of thousands of third country nationals, trying to violently penetrate into its territory. Those persons who had already been residing in Turkey were misinformed that the borders with Greece, and subsequently with all the other European countries, were open, despite repeated public clarifications by Greek and European Union officials to the contrary. In the meantime, boats carrying third country nationals had once again been pushed massively towards Greek islands in the Aegean.

81. From 28 February 2020 until 9 March 2020, the competent Greek authorities managed to prevent around 41,000 illegal crossings into Greece, almost 5,000 per day. The intentional creation of chaotic conditions at the borders, if not addressed, would have overwhelmed the capacity of Greece, a State at the external borders of the European Union and the Schengen area, to address in an orderly and efficient manner the influx of a large number of persons.

82. Moreover, the above situation constituted not only a clear instrumentalization of migration flows, but also an active, grave, exceptional and asymmetric threat against the national security of the country, which was further aggravated by the health emergency due to the COVID-19 pandemic.

83. For all the above-mentioned reasons, it was decided to temporarily suspend the submission of new asylum applications, a measure fully proportionate to the gravity of the situation at the border.

84. The suspension of the submission of asylum applications remained in force for one month, as provided for in the Act of legislative content dated 2 March 2020 and ratified by Parliament by virtue of Law 4681/2020, and was not extended thereafter. This exceptional measure was lifted in April 1st, 2020.

85. It is significant that the European Court of Human Rights on 6 March 2020, in the context of an individual application against Greece, decided not to indicate to the Greek Government the sought interim measures, under Rule 39 of the Rules of the Court.

86. It is also to be noted that Greece continued to extend its full cooperation to the competent monitoring bodies. In this respect, the European Committee for the Prevention of Torture (CPT) of the relevant Council of Europe Convention conducted a five-day rapid reaction visit to Greece between 13 and 17 March 2020 to examine the way in which persons attempting to enter the country and apprehended by the Hellenic Police or Coast Guard have been treated, notably since 1 March 2020, when inter alia the processing of asylum requests was suspended.

#### **Protection of human rights at the borders-Allegations about violations of the principle of non-refoulement**

87. The personnel of the competent Hellenic Police border authorities have demonstrated a high level of responsibility and professionalism, including during the period when a number of incidents were recorded involving detections of third country nationals, attempting to illegally cross the land borders to Greece through the Evros region. In fact, the Hellenic Police personnel are trained to respect the basic fundamental rights of every person crossing the borders. Great emphasis is placed on the prohibition of inhuman and degrading treatment, the prohibition of discrimination, the protection of human dignity, the respect of the principle of non-refoulement, the right to information, etc.

88. The border surveillance activities which are conducted have as objective the early detection of an illegal border crossing activity and the application of prevention and deterrence measures, according to the Schengen Borders Code. The competent border surveillance teams implementing patrolling activities inside the Hellenic territory conduct national and EU Joint Border Operations, in cooperation with the EU Border and Coast guard Agency (Frontex). Both the national authorities and Frontex follow a strict Code of Conduct and every accusation of ill-treatment, including alleged unprocessed returns, on behalf of the border personnel, taking place during these activities, is investigated at internal and/or EU level.

89. The principle of non-refoulement is enshrined in Law 4636/2019. Allegations that some officers, belonging to the law enforcement competent border authorities have misbehaved do not correspond at all to reality and the operational activities which are implemented. It is recalled that the police staff, in dozens of recorded incidents, saved, at the risk of their own life, in extreme weather conditions (snow – floods on the river Evros) hundreds of irregular migrants and refugees at risk.

90. In addition, the Police Services are in close cooperation both with the Greek Ombudsman, designated since 2017 as the National Investigation Mechanism of incidents of arbitrariness by law enforcement personnel and prison officers, and Frontex, in order to address any alleged violation of human rights at the borders, by officials participating in Border Surveillance Operations. Until October 2020, administrative investigations were ordered in five cases. Three of the cases were filed/closed from a disciplinary point of view, while the remaining two cases are pending at the stage of an opinion to be formulated. In addition, the cases investigated by the Public Prosecutor concerning the use of violence at the borders amount to four for the year 2019 and another four for the year 2020. Four out of these cases, two per year, were closed by entering in the file of unknown perpetrators.

91. During the period 2015–2020, the Hellenic Coast Guard (HCG) rescued more than 319,000 migrants in search and rescue incidents. In 2020, the Hellenic Coast Guard handled

1,358 incidents, both inside and outside the Athina FIR, in which they provided valuable services to 27,334 people at risk at sea. In the first semester of 2021, JRCC (Joint Rescue Coordination Center) Piraeus provided assistance to 9,599 people, in 490 search and rescue incidents.

92. The operational goals of the Hellenic Coast Guard focus first on the timely identification of boats carrying migrants within the Turkish territorial waters just before entering the EU territory. Following that, communication with Turkish Authorities is established in order for Turkey to act in accordance with its commitments deriving from the EU-Turkey Statement of 2016 and international law. However, Turkey does not respond in a timely manner, as it should, in particular since the end of March 2020. Furthermore, the Turkish Coast Guard not only refrains from deterring boats carrying irregular migrants, but very often fails to act until the boats approach the sea border line. In addition, sometimes Turkish Coast Guard's vessels accompany the boats of migrants in the Greek territorial waters.

93. Since February 2020, enhanced supervision measures have been implemented on the border line, as the competent national authorities maximized their efforts to protect Greek and European borders by intensifying their border control activities through the dispatch of additional resources.

94. These activities are based on the Schengen Border Code and fully comply with the country's international obligations, as provided for in human rights treaties, the UN Convention on the Law of the Sea, the International Convention for the Safety of Life at Sea and the International Convention on Maritime Search and Rescue.

95. In addition, the COVID-19 pandemic compelled Greece, as well as a great number of other countries worldwide, to take exceptional measures to drastically restrict entries to the country, to contain the spread of the pandemic as well as to protect public health.

96. Given the fact that the sea borders of Greece (as well as its land borders) are also EU's external borders, joint operations with Frontex have been developed. More specifically, at the sea borders, through the "Poseidon" operation, which is taking place in the Aegean Sea, Frontex contributes to the efficient management of border crossings, in particular through surveillance activities. The previously mentioned joint operational activities are conducted under the provisions of Regulation 656/2014, in line with the principle of non-refoulement.

97. Moreover, the HCG exhausts all efforts to manage emergency situations at sea, in alignment with the applicable human rights and maritime law, prioritizing the protection of vulnerable individuals or groups, including women and children with disabilities. For these purposes, the HCG has strengthened the training of its personnel deployed at the external sea borders in order to be able to identify people who might be part of vulnerable groups or in need of international protection and refer them to the competent authorities. Furthermore, the HCG cooperates with the UNHCR in the context of a Memorandum of Understanding concluded between the two sides in 2015 as well as with other respective healthcare providers and NGOs aiming at facilitating the access of vulnerable individuals and groups to necessary medical and legal services.

98. Allegations about acts of the Greek Authorities, after migrants/refugees have crossed the country's land or sea borders and found themselves within the Greek territory, refer to conduct which has never been a part of the operational practices implemented by the Hellenic Coast Guard, nor reflect the applied procedures and practices, which consist in the referral of those concerned, including asylum seekers, to the competent national authorities.

99. An internal disciplinary control mechanism is well in place within the Hellenic Coast Guard to ensure that complaints for violations of fundamental rights allegedly committed by its personnel are adequately investigated. In addition, the Hellenic Coast Guard cooperates directly with the competent national authorities, in particular the Greek Ombudsman.

100. The Hellenic Coast Guard has recently completed a series of educational training courses relevant to the duties and obligations of Hellenic Coast Guard officers at the external border of the EU. The aforementioned training courses were designed and delivered in full compliance with Frontex Core Curricula, Human Rights manuals and dedicated material on

the principle of non-refoulement with a focus also on the special treatment of vulnerable people.

101. To conclude, it should be mentioned that the measures taken by the Greek authorities, especially in the face of large and orchestrated migration flows, aim at protecting the land and sea borders of the country, also constituting the EU's external borders. The right and obligation to protect the national and European borders was recognized by the Grand Chamber of the European Court of Human Rights in its judgment in the *N.D. and N.T. v. Spain* case, and is implemented in a manner fully consistent with the country's obligations under international law.

#### **Efforts to decongest structures hosting migrants and refugees**

102. The continuing arrivals of migrants, for many years now and often in large numbers, have placed the authorities under new challenges and constant pressure. Action is taken regarding the transfer of vulnerable persons from the islands to the mainland, in view of the islands' decongestion, which remains a top priority.

103. Relevant initiatives undertaken include the voluntary relocation of unaccompanied minors, families of vulnerable applicants and beneficiaries of international protection to other European States and the enhancement of assisted voluntary returns to countries of origin. Despite the challenges posed by the pandemic, Greek authorities are moving forward with the relocation of unaccompanied children and have achieved, for the first time after a long period, a decrease in the numbers of those located in the islands.

104. The Ministry of Migration and Asylum, following the amendment of national legislation to ensure faster processing of asylum requests, is currently increasing the staff of the Asylum Service. Moreover, a mechanism for the transfer of migrants and refugees from the islands to the mainland has been put in place, with a view to decongesting the existing overcrowded camps and facilities. In this regard, two new facilities have been constructed in the mainland, while at the same time projects for the construction of new centres in the five islands of eastern Aegean are in process of being implemented.

105. The new Multipurpose Reception and Identification Centres to be constructed will meet the appropriate standards and will provide higher accommodation capacity. The freedom of movement of the residents will be safeguarded, with the obvious exception of the pre-removal centre. In addition, there will be various pre-defined areas for the accommodation of the vulnerable migrants (e.g. unaccompanied minors, single mother families, persons with disabilities etc.).

106. In the first half of 2021, the total number of third country nationals staying in Reception and Identification Centers (RICs) in the Aegean islands amounted to 6,804 persons, reduced approximately by 54% compared to 2020. On 31.12.2020, the total number of third country nationals staying in the RICs in the Aegean islands amounted to 14,688 persons, having decreased by approximately 60% compared to 2019. The total number of transfers from the islands to the mainland reached 33,617 in 2020, an increase of 56% compared to 2019.

107. The goal of the Government is the equal and fair distribution (not exceeding 1% of the local population) of asylum seekers in the country, with the exception of the first reception points. In 2020, a reduction by 30% throughout the country has been recorded.

#### **Accommodation of migrants and refugees**

108. Throughout the period from January 2019 to June 2020 the Greek authorities, in close cooperation and coordination with organizations acting in the field, took action to ensure to the extent possible that unaccompanied minors and asylum seekers would be accommodated in dignified conditions, adapted to their needs.

109. Under the "ESTIA" programme (run by the Ministry of Migration and Asylum and the UNHCR and co-funded by the EU), in September 2020, 21,762 persons were accommodated, among whom 14,891 asylum seekers, in 4,648 apartments and 8 buildings, in 14 cities and 7 islands across Greece.



110. Under the program, the UNHCR provides cash assistance in Greece. In May 2020, 98,139 eligible refugees and asylum-seekers (50,272 families) received cash assistance in Greece, in 120 locations. Since April 2017, 185,603 eligible individuals have received such assistance, at least once.

111. During their stay, beneficiaries receive accompanying services, whenever needed and depending on availability. Translation, psychological support and consulting are also provided.

112. As of 30.6.2021, 21,666 persons were accommodated in open reception facilities run by the state. 1,781 persons were accommodated in rent apartments and hotels.

113. There were 6,794 persons residing in hotels and facilities run by IOM on 1.6.2020.

114. In order to support the transition of beneficiaries of international protection (refugees and beneficiaries of subsidiary protection) from the stage of reception to the integration process, IOM, with its partners, implements the so-called “HELIOS” programme, which is funded directly by the European Commission and monitored by the Ministry of Migration and Asylum. The programme’s objective is to integrate beneficiaries of international protection into Greek society through: a) housing subsidies (up to twelve months); b) integration courses, that is, Greek language courses and elements of the Greek culture, as well as soft skills training; c) facilitating access to the labour market (through individual vocational guidance and mentoring sessions); d) local community awareness activities and promotion of social cohesion.

115. According to the latest data, 31,964 beneficiaries have enrolled in HELIOS Program, while 14,914 individuals benefited from HELIOS rental. At the same time, 5,609 beneficiaries of international protection have enrolled in the integration courses and 3,333 persons are attending counseling seminars on work orientation issues.

#### **Statistical data on applications for asylum**

116. In the context of the reception of an asylum applicant, the competent official must identify whether the applicant belongs to a vulnerable group and prioritize his/her case in the affirmative. If, upon filing the application for international protection, there are indications or information from which it appears or it is probable that the applicant belongs to a vulnerable group, the registering official must record this fact (“vulnerability”) in the Asylum Service’s electronic database.

117. In the conduct of the asylum interview, special procedural guarantees are applied in the case of minors, victims of trafficking, torture or sexual violence, and all persons belonging to vulnerable groups. In addition, in the assessment of the evidence when a decision on the asylum claim of a vulnerable person is to be made, the case officer is obliged to show leniency if confronted with minor inaccuracies and inconsistencies, provided these relate to the applicant's specific situation. The best interest of the child is an overarching principle, enshrined in the Standard Operating Procedures of the Asylum Service. It is a guide for all the staff of the Service and governs their actions related to minors, unaccompanied or not, in the asylum procedures.

118. Greece ranks fourth among the EU Member States as far as the number of first-time asylum applicants registered is concerned.

#### **First instance asylum authorities**

119. 40,559 asylum requests were registered in 2020 (a significant decrease in comparison to 2019, when 77,282 requests were registered, and to 2018, when 66,960 requests were registered), the majority of which was recorded in the island of Lesbos (9,351). As far as the nationality of asylum seekers is concerned, 11,514 persons were nationals of Afghanistan (28%) 7,768 nationals of Syria (19%) and 4,146 of Pakistan (10.2%).

120. The total number of applications received by the Asylum Service since the start of its operation (2013) until the end of May 2020 is 302,701. 76,335 cases were pending on 31.12.2020 (including pending pre-registrations and registrations), a decrease of 43% in comparison to 2019.

121. In 2020, 81,052 applications were examined. 26,371 applicants were granted refugee status, 7,954 applicants were granted subsidiary protection, 22,821 applications were rejected as ill-founded and 2,967 applications were rejected as inadmissible. Furthermore, 4,340 applications were implicitly withdrawn and 1,148 were explicitly withdrawn. Finally, 8,934 pre-registrations were archived.

122. In 2019, the average processing time between pre-registration and issuance of a first instance on the merits decision was 189 days (110 days for inadmissibility decisions). For persons detained, the relevant period required was 92 days (decisions on the merits) and 89 days (inadmissibility decisions), while for unaccompanied minors it was 156 (on the merits) and 98 (inadmissibility) days respectively.

123. From January 2019 until May 2020 legal assistance was granted in 6,760 cases by lawyers registered in the existing Asylum Service's list.

124. The Asylum Service provides constant training to its personnel alone and in cooperation with EASO.

### **Second instance asylum authorities**

125. 21 Committees, each consisting of three professional judges, are hearing appeals against decisions rejecting asylum applications at first instance.

126. A total number of 12,931 appeals were lodged in 2020 (25,013 in 2019).

127. 20,316 decisions were issued in 2020 (14,579 in 2019), with a recognition rate of 5.15% in total and 16.73% in the islands (refugee status and subsidiary protection).

128. The average time from the filing of the appeal to the issuance of the decision was 92 days in 2020.

### **Apprehensions and detention of irregular migrants**

129. Whenever the competent border services locate a third-country national who enters the Greek territory irregularly, they strictly apply all criminal and administrative procedures provided by the legislation in force, based on full respect for human rights and without discrimination.

130. At the end of the police preliminary investigation, the identified persons are taken to the Reception and Identification Centers in order to be subjected to first reception procedures as defined by legislation. There, they are informed about their rights and obligations, at the stage of reception, as well as their possibility to apply for international protection or participate in programs of voluntary return, if they so wish. If they wish to apply for asylum, their application is submitted for examination at the Regional Asylum Office operating in the area.

131. Law 4636/2019 "On International Protection and other provisions", which entered into force on 1.1.2020, introduced changes to the existing legal framework on asylum and to the relevant procedures for examining requests for international protection (in particular with regard to those under administrative detention in view of return, to whom it is given immediate priority). The law aims at the reconfiguration of the already heavily-burdened national asylum system, by putting in place regulations which secure fair, clear and more expeditious national procedures and lead to an effective asylum system. Also, other legal issues regarding the possibility to detain applicants for international protection (through the full transposition of Directive 2013/33/EU) and the examination of appeals lodged against relevant return decisions have been resolved, while the relevant judicial procedures of examination of appeals lodged (such as applications for annulment) before the competent administrative courts have been accelerated.

132. It should be clarified that, in full compliance with domestic and international law and in full respect of the requirements of the 1951 Geneva Convention and the procedures provided for in Directive 2013/32/EU, which was transposed into Greek national legislation by Law 4375/2016, as well as the relevant case-law of the Council of State (Supreme Administrative Court), no third-country national in detention who seeks international protection is returned, until his or her request has been examined.

133. In addition, in order to fully safeguard the principle of non-refoulement, experts from the Greek Ombudsman carry out external monitoring of return operations.

134. The Hellenic Police Headquarters, in order to ensure the correct application of EU Directive 2008/115/EC “on common standards and procedures in Member States for returning illegally staying third-country nationals”, has provided clear instructions to the competent Services and continues the effort not to detain third-country nationals subject to return procedures in police holding cells, but, as soon as possible, to take them to the Pre-Departure Detention Centers, after their identification and the issuance of the necessary decisions.

135. At the same time, the measures taken by the police authorities as alternatives to detention included the stay of third-country nationals in the open or semi-open Reception and Identification Centers on the islands of the Eastern Aegean, until their return to Turkey is achieved. In addition, the measures taken by the Hellenic Police Headquarters comprised the provision of instructions which allow voluntary returns (through IOM programs), as an alternative for irregular migrants who cannot continue their journey to Central and Northern Europe.

136. Regarding the detention of applicants for international protection, the competent Police Directorates strictly apply the relevant provisions of Law 4375/2016, as amended and in force (Law 4636/2019 and Law 4686/2020). In particular, as soon as the decision rejecting an asylum request (in the first or second instance) is served by the competent Regional Asylum Office on an asylum seeker third-country national, the competent local police services are appropriately informed in order for the former to be subjected to a return process.

137. In such case, a detention order is issued for the absolutely necessary period required for completing the process, with a maximum period of six (6) months, which can be extended for an additional twelve (12) months, in cases where, despite the reasonable efforts of the competent authorities, the process is likely to take longer because the third-country national refuses to cooperate or delays in obtaining the necessary documents from third countries occur. In any case, for the imposition or continuation of the detention measure, the availability of detention facilities and the possibility of ensuring decent living conditions for the detainees are taken into account.

138. Priority has been given to ensuring decent reception and accommodation conditions in the eight (8) Pre-Removal Detention Centers, including through refurbishment and reconstruction of the facilities.

### **Unaccompanied minors**

139. The Greek Government has set as a priority ensuring dignified conditions and promoting the protection of all asylum seeking unaccompanied minors. To this effect, a Special Secretariat for the Protection of Unaccompanied Minors has been established within the Ministry of Migration and Asylum as the competent national authority for the development, implementation and supervision of the National Strategy for the protection of the unaccompanied and separated minors living in Greece. The Secretariat manages accommodation and relocation requests, supports social integration of unaccompanied minors residing in Greece and, generally, safeguards that adequate institutional protection is provided to them.

140. Unaccompanied minors arriving to the Greek islands are staying in the Reception and Accommodation Centers (RICs) only for the time period which is necessary for the completion of their identification procedures and as long as required by the health protocols against the pandemic. They are staying in specially designed areas, separate from adult detention facilities, until they are accompanied to more suitable places, with the support of the Special Secretariat.

141. Law 4554/2018 establishes the regulatory framework for the guardianship of unaccompanied minors. Law 4636/2019, as amended and in force, assigned the responsibility for their placement in appropriate accommodation centers to the Special Secretariat. In this context, unaccompanied minors over 16 years of age are placed in a status of semi-autonomous living in supervised apartments, in order for them to be supported in an

appropriate context for their gradual and unobstructed personal development, empowerment and social integration. The Special Secretariat defines quality standards of operation for accommodation facilities, as well as supervised apartments.

142. The Special Secretariat has implemented, in collaboration with UNHCR, IOM, EASO and EU member states and with the financial support of the European Commission, a relocation scheme for Unaccompanied Children and Accompanied Minors with severe medical conditions or other vulnerabilities.

143. Since the launch of the EU-funded initiative in April 2020 and until the end of June 2021, 4,008 individuals, including 849 unaccompanied children, were relocated from Greece. Moreover, under an emergency transfer plan implemented by the Special Secretariat, all unaccompanied minors were transferred from all RICs to safe accommodation facilities in the mainland.

144. As for the detention of unaccompanied minors, until recently, the latter could be placed under a protective custody status in order to avert the risk of exploitation by trafficking networks, etc., in execution of relevant prosecutorial orders, as a temporary precautionary measure. In this regard, they were housed, temporarily, in structures of the Hellenic Police, until they were transferred, with the care of the National Center for Social Solidarity (EKKA), and later the Special Secretariat for the Protection of Unaccompanied Minors, to appropriate open accommodation structures, the best interests of the child being the sole consideration. Greek authorities had been working towards the gradual abolition of this measure, taking also into account the judgments of the European Court of Human Rights finding a violation of the ECHR. Finally, the ‘protective custody’ of unaccompanied minors was abolished in December 2020 by Law 4760/2020, which also stipulates that the Special Secretariat has the responsibility to ensure that the minors are immediately referred to an appropriate accommodation facility. In cases where unaccompanied minors are in immediate need of protection and accommodation, an emergency response mechanism for unaccompanied minors living in precarious conditions, coordinated by the Special Secretariat, was established in April 2021, comprising a tracing and referral mechanism, emergency accommodation and a comprehensive case management framework.

145. By the end of June 2021, the accommodation facilities available for placing unaccompanied minors throughout the country were the following: 64 shelters with the capacity to accommodate 1,672 persons; 97 SIL (Supported Independent Living) apartments for semi-independent living of unaccompanied minors older than 16 years of age, with a total capacity of 388 persons; 11 safe zones in reception facilities in the mainland, run by the state, with a total capacity of 330 persons; 7 Hotels for UAM with total capacity of 359 places, including 1 acting as a transit hub for UAM relocation.

146. Greek authorities continue focusing their efforts on containing the spread of the Covid-19 pandemic in the reception centers and accommodation facilities. In order to contain the threat of a COVID-19 outbreak in any of the facilities, mainly those of the five Aegean islands, a series of measures required by the circumstances have been implemented. In June 2021, specialized medical teams were dispatched to the RICs in three Eastern Aegean Islands for the vaccination of interested asylum seekers.

147. All possible security measures and actions are taken to deter and limit risks of sexual and/or domestic violence against women or children, both practical ones, such as fences, CCTV systems and special lighting, and other, implemented by police security experts to ensure the best possible ways to avoid such incidents inside the RICs.

#### **Situation of persons belonging to minorities (paras 10–11 of the Committee’s Concluding Observations)**

148. In Greece, one group of persons is qualified as a “minority”, namely the Muslim minority in Thrace, the status of which was established by the 1923 Treaty of Lausanne. The minority consists of three distinct groups, whose members are of Turkish, Pomak and Roma origin. Each of these groups has its own spoken language and cultural traditions, which are fully respected by the Greek state. Their common denominator is the Muslim faith, and this objective fact explains why the minority is recognized as a religious one.

149. At the same time, Greece fully respects the principle of individual self-identification. Persons living in Greece are free to declare their origin, speak their language, exercise their religion and observe their particular customs and traditions. What is not acceptable is the attempt to establish a single ethnic identity for the entire Muslim minority in Thrace.

150. Greece's firm position is that the decision of a State to recognize a group as a minority and to provide to its members specific minority rights, additional to those guaranteed by human rights treaties, must be based, not only on subjective claims or perceptions of a numerically small number of persons, but also on objective facts and criteria. This principle is reflected in the explanatory report of the Council of Europe Framework Convention on the Protection of National Minorities. Moreover, all ethnic, cultural, linguistic or religious differences do not necessarily lead to the creation of ethnic or national minorities.

151. In this respect, it is important to note that, according to the case-law of the European Court of Human Rights, States are not obliged by international law to adopt a particular concept of "national minority" in their legislation or to introduce a procedure for the official recognition of minority groups.

152. Members of groups which are not officially recognized as "minorities", as they do not fulfill the abovementioned objective criteria, fully enjoy their rights under the ICERD. They participate in the economic, social, public and cultural life of the country and are of course free to organize festivities and cultural events, to undertake any kind of related activities and to express themselves as they wish. Their existence and identity are thus fully guaranteed.

153. The policies implemented by the competent authorities towards the Muslim minority in Thrace aim at guaranteeing the smooth integration of this minority in the social fabric of the country, while safeguarding the cultural and religious identity of its members, and preventing any tendency which would lead to marginalization or favor the creation of "parallel societies" or an inward-looking mentality.

154. Indeed, persons belonging to the Muslim minority in Thrace actively participate in all aspects of everyday, public, civil and political life at the regional as well as the national level.

155. As far as freedom of religion is concerned, there are approximately 260 mosques operating in Thrace. The three Muftis appoint, supervise and dismiss imams who serve in the mosques. In order to enhance the religious and spiritual development of the Muslim citizens in Thrace, 240 positions of Islamic religion teachers have been created and allocated in the Muftiates in the region. Their primary task is to teach the Quran in the mosques. They also have the possibility to teach the Quran in public schools of primary and secondary education in Thrace to Muslim pupils who have been exempted from the Greek Orthodox religious classes and wish to attend Quran classes. There are also two religious (Koranic) schools in Thrace, which belong to the Secondary Greek Education System (both Lower and Upper), where, in addition to the general education program, students (boys and girls) attend also religious specialization courses. Recent Law 4713/2020 upgraded the status of the Religious Schools' Committees, which are the bodies responsible for the administrative and financial aspects of the Schools' operation. These School Committees consist of 4 members elected among the students' parents, are presided by the local Mufti and may receive subsidies by the Ministry of Education and Religious Affairs.

156. The Greek legislation provides for the optional application of clearly defined and stricto sensu interpreted provisions of Islamic law in specific family and inheritance law disputes of members of the Muslim minority in Thrace, laid down in the relevant legislation. One of the most important developments during the reporting period was the adoption of Law 4511/2018, which amended article 5 of Law No. 1920/1991 concerning the Muftis in Thrace and provided that Greek Muslims, members of the Muslim minority in Thrace, have the option between civil law (implemented by civil courts) and Islamic law, in matters of family and/or inheritance law.

157. More specifically, matters of family law of members of the Muslim minority in Thrace are regulated by the ordinary Civil Law provisions and only exceptionally may fall under the jurisdiction of the Muftis, under the condition that both parties agree to submit their case to the latter, in order for the dispute to be settled in accordance with the Islamic law.

158. Matters of inheritance are also ruled by the provisions of the Civil Code, unless the testator draws a declaration of last will, of which sole content would be the expression of his wish to submit his succession to the Islamic law.

159. Furthermore, judgments of the Muftis are not enforceable unless they are declared so by local Civil Courts. The latter shall, first, examine whether the judgment falls within the jurisdiction of the Mufti and, second, whether the provisions applied violate the Greek Constitution, and especially Article 4 (2) (gender equality), as well as the European Convention on Human Rights.

160. The Grand Chamber of the European Court of Human Rights, in its judgment in the case of *Molla Sali v. Greece* delivered on 19 December 2018, found that the compulsory application of the Islamic law to the abovementioned matters constituted a violation of the European Convention of Human Rights and “note[d] with satisfaction that on 15 January 2018 the law abolishing the special regulations imposing recourse to Sharia law for the settlement of family-law cases within the Muslim minority came into force. Recourse to a mufti in matters of marriage, divorce or inheritance is now only possible with the agreement of those concerned...”.

161. Presidential Decree 52/2019 on “Procedural rules on cases falling under the jurisdiction of the Muftis – Establishment, organization and operation of the Directorate for cases under the jurisdiction of the Muftis at the Muftiates in Thrace” sets out all the necessary procedural rules on: the hearing of the cases before the Mufti, the delivery of his judgments, the procedure of lodging an application and serving a notice to the opposing party, legal representation, operational matters concerning the competent Directorate of the Muftiates. The provisions of the aforementioned Decree ensure the transparency of the procedure and the rights of the parties.

162. It is to be noted that the operating expenditures of the Muftiates are to be borne by the budget of the Ministry of Education and Religious Affairs, in order to support the Muftiates, so as to cater for the religious needs of the Muslim minority in the best possible way, as well as in order to safeguard transparency.

163. The same Presidential Decree aligns the conditions for the conclusion of a marriage before the Mufti with the general provisions of the Civil Code.

164. The Greek Government is implementing policies upholding the right to education of Muslim minority students. The State continues to provide strong support to minority schools, while, at the same time, it accommodates appropriately the increasing preference of Muslim minority students for the public educational system. In fact, the number of minority students who prefer to attend public schools at all levels has tripled since 1996. Moreover, the number of Muslim minority girls graduating from high school has significantly increased. There are 115 minority elementary schools in Thrace hosting 4,103 students, while 2,024 minority students attend public primary schools. There are also two secondary and two religious (Koranic) schools. A 0.5% quota of the general admission to Universities and Higher Technical Educational Institutes is reserved to Muslim minority students from Thrace. This has led to an equally significant increase of the number of Muslim minority undergraduate students.

165. During the pandemic crisis, Greece has adopted all the necessary protection measures in order to ensure and safeguard the health and well-being of the members of the Muslim minority in Thrace. On special circumstances, when it was deemed necessary for health reasons in order to reduce the spread of the pandemic, local quarantine regimes were imposed in areas where members of the Muslim minority reside, in close cooperation with the local authority officials and based on impartial and uncontested medical scientific data available at the time, as it was the case for other parts of the Greek territory. Special care and attention was given so as to protect the affected populations without unnecessary restrictions. On 29 March 2020, the Deputy Minister of Citizen Protection visited the respective areas to show solidarity and personally coordinate the necessary actions to prevent further transmission of the virus and especially shield those with underlying conditions.

166. Moreover, the Greek Government has been considering appropriate ways and means of implementing three judgments of the European Court of Human Rights finding a violation

of Article 11 of the ECHR (freedom of association), including legislative amendments in order to make possible the reopening of the relevant domestic procedures.

167. In this respect, in October 2017, the Greek Parliament adopted a legislative provision which allows the reopening of non-contentious judicial procedures, including those related to the registration of associations, following a judgment of the European Court of Human Rights finding a violation of the Convention. Reference is made in the above provision to the conditions and restrictions set out in the relevant articles of the ECHR. In addition, a transitional provision covers cases in which a judgment of the European Court has already been delivered and makes reference to the conditions set out in Article 11 ECHR, to other provisions of the ECHR, as well as to international treaties.

168. On the case of the so-called “Tourkiki Enosi Xanthis”, on 29.6.2021 the Supreme Court rejected the latter’s application. As for the two other cases (Bekir-Ousta and Others and Emin and Others), the hearing before the Supreme Court has been expedited from 18.3.2022 to 1.10.2021.

169. It is to be noted that the final decision on the registration of associations lies with the competent courts, and not with the administrative authorities.

170. It is also noteworthy that the European Court had previously dismissed all three new cases brought before it by the aforementioned three minority associations based on alleged new violations of the freedom of association, finding that Greece had not committed such further violations.

171. Furthermore, it should be clarified that the registration by the competent courts of an association does not imply the existence or official recognition by a State of a particular group as a “minority”. Moreover, as already stated, the European Court of Human Rights does not consider that, under the European Convention of Human Rights, a State has the obligation to recognize a group as a “minority” and has never requested Greece to do so.

172. The Greek authorities have long used the case-law of the ECtHR as a benchmark for State practice and the same also applies to the cases in question. In particular, Greek courts harmonize their jurisprudence with the relevant case-law of the ECtHR.

173. It should be stressed that freedom of association is duly protected by the Greek Constitution and, as such, is enjoyed by all citizens, irrespective of ethnic origin, culture or religion.

174. Especially, in the region of Thrace, there is a thriving civil society consisting of associations (and NGOs) established by and comprised of Greek citizens that are members of the Muslim minority, as foreseen by the relevant provisions of the Civil Code, which apply to all associations in Greece. In fact, over the last 10 years, more than 50 associations established by and comprised of members of the Muslim minority have been registered with local courts in Thrace, all of which freely pursue and promote their various activities.

175. Finally, in 1998 and in 2015, the European Court of Human Rights found a violation of the right to freedom of association on the grounds that the Greek courts have refused to register an association bearing the name of “Home of Macedonian Civilization”. It is to be noted that the inclusion of the qualifier “Macedonian” in the statute of the said association creates confusion, since the same qualifier is used by hundreds of other associations established by Greek Macedonians, which, however, use the adjective “Macedonian” to denote the regional and/or cultural provenance of their members and not a distinct national identity. Such confusion, which also creates problems of public order and infringes upon the human rights of others, could have been avoided if the founders of the said association had used a name for the latter which corresponds to their Slav-oriented identity.

176. Greek citizens of Muslim faith residing in the Greek islands of Rhodes and Kos enjoy the same rights and have the same obligations as all Greek citizens. No Treaty or other international instrument designates them as “minority”. Their religious and cultural rights are safeguarded under the Greek Constitution and legislation, as well as the general human rights treaties. They coexist harmoniously with and are fully integrated to the rest of the local population. More specifically, in these two Greek islands, there are three mosques, two Muslim cemeteries and three Muslim charitable foundations, which adequately cover the

Muslims' religious needs. The competent Greek authorities always pay special attention to the protection and restoration of Ottoman monuments in these islands.

### **Gender equality in general**

177. In March 2019, the Hellenic Parliament adopted law 4604/2019, on "Promotion of substantive gender equality, prevention and combating of gender-based violence". The law introduces a comprehensive legal framework on gender equality and the elimination of discrimination against women, which applies horizontally to all sectors of life and covers legal relations of both public and private law.

178. The National Action Plan on Gender Equality for the period 2021–2025, under consultation until 20.8.2021, is coordinated by the General Secretariat for Demography and Family Policy and Gender Equality, in alignment with the priorities of the European Union and the United Nations on Gender Equality.

179. Data collection and impact assessments are foreseen during the implementation of all the objectives, through a Monitoring Mechanism (Observatory). The follow-up and evaluation of the policies is based on statistical data and the development of gender indicators according to UN (12 critical areas of the Beijing Platform for Action) and EU criteria.

180. Greece has finalized its first National Action Plan on Women, Peace and Security (2020–2024), in implementation of UN Security Council Resolution 1325/2000 and subsequent ones, under the coordination of the Ministry of Foreign Affairs and in cooperation with all competent Ministries, agencies and other competent stakeholders.

181. The General Secretariat has established the Department of Social Protection and Combating Multiple Discrimination (Directorate of Social Protection and Counseling Services), which is responsible, inter alia, for elaborating and promoting measures to tackle gender discrimination against persons belonging to vulnerable social groups (migrant women, refugee women, single parent families, Roma women etc.) with a view to enhancing social cohesion through their successful social integration.

182. Law 4555/2018 on the Reform of the Local Government Institutional Framework raised the gender quota on the total number of candidate regional, municipal and community counselors from 33% to 40%.

183. More recently, Law 4604/2019 increased the existing gender quota for parliamentary elections from at least 33% to at least 40% of the total number of candidates, in a further attempt to strengthen the position of women candidates in the National Elections. In 2020, for the first time, a woman was elected by the Parliament as President of the Hellenic Republic.

184. The General Secretariat created a partnership between public stakeholders and NGOs to contribute to the needs of refugee women and their children. A Protocol of Cooperation was signed, aiming at the coordination of all competent entities for the identification, referral, accommodation and provision of counseling services to refugee women, victims or potential victims of violence and their children, with regard to their special needs, including disability. The provision of relevant services is ensured by the national network of structures for the prevention and combating of violence against women (see below).

185. Additionally, Greece, through the General Secretariat, has a long-term cooperation (on the basis of a Memorandum of Cooperation) and undertakes joint actions with UNHCR for the protection, temporary accommodation, provision of information and support for refugee women in danger and their children, victims of violence or multiple discrimination.

### **Violence against women**

186. Greece ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by Law 4531/2018, which also adjusted domestic legislation, particularly in the field of criminal law, with the provisions of the latter. The new law, among others, strengthens the criminal provisions punishing female genital mutilation, criminalizes stalking, enhances the rights of victims of domestic violence, facilitates the implementation of the Convention and designates as "coordinating body", in



accordance with Article 10 of the Convention, the General Secretariat for Demography and Family Policy and Gender Equality of the Ministry of Labour and Social Affairs.

187. An integrated network of 63 structures has been set up and operates across the country for the prevention and treatment of all the above mentioned forms of violence against women. The Network includes a 24-hour SOS 15900 helpline, 43 Counseling Centers and 19 Safe Shelters.

188. The purpose of these services, provided free of charge, is to empower women victims of violence and to help them regain their self-esteem, so that they can take responsibility for their professional, personal and family life and make the best decisions for their own future.

189. As far as the Hellenic Police is concerned, in November 2019, 73 regional domestic violence response units were created. Furthermore, the Hellenic Police has issued specific Orders on handling sexual offences with a victim-centered approach, preventing secondary victimization, making best use of the work of all competent Departments and informing without delay the Public Prosecutors and other relevant Services.

190. A relevant Action Guide addressed to police officers was elaborated and disseminated. Instructions addressed to victims were compiled and posted online so as to encourage the latter to contact the competent Services. Related courses have been included in the curricula of the Police Academy Schools.

191. The abovementioned instructions were updated and enriched during the pandemic.

192. Incidents of domestic violence increased significantly during the lockdown imposed to stop the first wave of the pandemic, as shown by the number of incidents reported to the SOS 15900 hotline. The GNCHR has placed strong emphasis on the impact of the pandemic on vulnerable categories of women with regard to domestic violence and the measures to address it.

#### **Victims of trafficking in human beings (THB)**

193. During the reporting period, the legal framework against THB has further been strengthened. The new Criminal Code, which entered into force on 1.7.2019 (Law 4619/2019), amended Article 323A, entitled “Trafficking in Human Beings”, consolidating the relevant criminal law provisions. The definition of THB includes the following forms of exploitation: sexual exploitation, removing of cells, tissues or organs of a person, exploiting the labour or begging of the victim, forcing into marriage, slavery and similar practices, servitude, committing criminal acts and the recruitment of a minor for use in an armed conflict. Perpetrators are punished by a maximum penalty of 10 years’ imprisonment and by a fine. In case the victims are children, higher penalties may be imposed. Moreover, the Law stipulates the criminalization of knowingly using the services of a trafficked person, providing for a penalty of at least 3 years of imprisonment and payment of a fine.

194. The National Referral Mechanism (NRM) constitutes a formal national identification and referral system for inter-agency cooperation on issues of first level identification and support for victims (and presumed/potential victims) of trafficking in Greece. It was officially launched on 1.1.2019. The Mechanism is supervised by the Office of the National Rapporteur (ONR) at the Ministry of Foreign Affairs and managed by the National Centre for Social Solidarity.

195. As far as prevention is concerned, raising public awareness to reduce ‘demand’ for services or products extracted from THB victims concerns primarily Human Rights Education in schools. Most notably, systematic human rights education is promoted in the schools of Greece as part of a cooperation program between the ONR, the Ministry of Education and Religious Affairs and the Council of Europe.

196. A National Action Plan has been drafted by the ONR on human trafficking, covering the period 2019 – 2023. The National Action Plan covers a broad range of policy-making projects that include *inter alia*: prevention of THB; early detection of potential THB victims; ensuring victims’ protection and assistance; ensuring law enforcement so that perpetrators are brought to justice and punished accordingly; seeking coordination and effective co-operation of all the national and international actors involved in the field; ensuring a victim-

centered approach while planning the political and operational policy of the State for the protection of THB victims; respect for the gender aspect of the phenomenon and the special needs according to the victims' age group –especially those of the minors victims – regardless of their nationality; promotion and support for research in the field. On 30 July 2021, the Minister of Citizen Protection and the National Rapporteur launched the Ministry's "Strategy against Trafficking in Human Beings 2021–2025". The Strategy includes targeted victim-centered actions against THB and will be implemented within the framework of the abovementioned NAP.

197. Collaboration with the private sector will remain a priority, aimed at fighting for supply chains free of any form of exploitation.

198. The parliamentary sub-committee against THB has recently increased its activities and has organized joint meetings with other competent Permanent Parliamentary Committees. In February 2020, the (then) President of the European Court of Human Rights visited the Greek Parliament and briefed MPs on the Court's case-law on Human Trafficking, highlighting the role of national Parliaments in adopting legislation to tackle THB. On 30 July 2020 (World Day Against Trafficking in Persons), the President of the Hellenic Republic, as well as the Speaker of the Parliament, delivered a speech in the Greek Parliament during a joint meeting of the competent Parliamentary Committees.

199. As regards prosecution of THB offences, the Public Prosecutor at the Supreme Court transmitted to all the Public Prosecutor's Offices all over the country guidelines and a Memorandum drafted by the National Rapporteur on various issues that might arise when the police, the investigators or the judicial authorities are dealing with THB cases. The Public Prosecutor solicited the Public Prosecutor's Offices at the First Instance Courts all over the country to report every four months on the number of the THB victims officially recognized.

200. Public Prosecutors have also participated in various training seminars on THB issues. The curriculum of the National Magistrates' School has included twelve and twenty four additional hours of courses for prosecutors and judges, respectively, on criminal law issues with a particular emphasis on THB offences. Law enforcement officers continue to follow training on THB issues and have participated in various seminars to that effect.

201. Since 2017/2018, all services involved in managing the Reception and Identification Centres (RICs) have made considerable progress in protecting vulnerable populations from THB and identify potential victims of THB. Special attention is devoted to first-level identification of victims of human trafficking, including potential victims staying in the RICs. Thus, human trafficking indicators are applied to the unified vulnerability assessment of migrants registered in the RICs. Furthermore, the ONR and IOM Greece have agreed on a joint action plan to pilot an intervention on awareness-raising, information provision and training on the risks of THB and modern slavery to a variety of target groups, including migrants and refugees, local authorities and public institutions, the private sector, as well as IOM staff. The NRM plays a crucial role in training personnel in the RICs to follow Standard Operational Procedures (SOPs) about referrals and early detection of vulnerability in high risk groups (e.g. unaccompanied minors, single women etc.). After the official launch of the NRM, a series of trainings took place in the Aegean islands and in the mainland during 2019. Lastly, a series of training seminars on the prevention of trafficking and exploitation of unaccompanied minors were organized by the Special Secretariat for the Protection of Unaccompanied Minors, in collaboration with the National Rapporteur on Trafficking in Human Beings. The aim was to familiarize participants with key issues related to human trafficking, migration, the vulnerability of unaccompanied minors and appropriate ways of responding to such incidents.

202. Pursuant to the project "No child alone", announced by the Prime Minister's Office in November 2019, the Special Secretariat for the Protection of Unaccompanied Minors of the Ministry of Migration and Asylum was established in 2020, as already mentioned. An MoU between the General Secretariat for Demography and Family Policy and Gender Equality and relevant governmental bodies aims at the adoption of standard procedures as regards identification, referral and accommodation, and the provision of a 24/7 help line, counseling services and activities for refugee women at risk or survivors of gender-based violence, as well as for refugee women heads of single-parent families and their children.

**Labour discrimination of migrant workers (Concluding Observations, paras 24–25)**

203. In the new article 323A of the Criminal Code punishing THB, the definition of “exploitation” is extended to include the subjection of the victim to servitude or servitude-like practices, or to slavery or slavery-like practices, as well as the ensuing commission of criminal acts. In addition, according to the new Article 323A, forced begging is explicitly included within the meaning of labour exploitation.

204. The establishment of the THB offence is disconnected from the victim's “consent” to his/her intended “exploitation”, so that the criminal act of trafficking in human beings is committed even in cases where the victim’s consent to his/her exploitation is not a product of deception. Particularly, the perpetrator of THB is the person who, even without the use of coercive or deceptive means, obtains the consent of the victim, taking advantage of the “vulnerable position” in which he/she is found.

205. The principle of the irrelevance of the consent of the THB victim has become settled case-law in Greece. The Supreme Court judgment No. 2/2019 provided a definition of human trafficking, in the form of labour exploitation, which fully complies with the requirements of Article 4 of the Council of Europe Anti-Trafficking Convention, to the extent that it disconnects the trafficking of human beings from the consent of the victim to the intended exploitation.

206. Furthermore, the penalties for the criminal acts under the new Article 323A of the Criminal Code have increased – up to at least three years in prison and a pecuniary sentence – for those who receive services of trafficking victims, while the recruitment of trafficking victims, sexual intercourse with them and reception of revenue generated by their exploitation are classified as criminal offences punishable with the above sentence, even in cases where the perpetrator has not used any kind of coercive and deceptive means enumerated in paragraphs 1 and 2 of the Article 323A CC.

207. Greece subscribes to a victim-centered and more inclusive identification regime applied to all forms of THB, including those related to labour exploitation. A variety of provisions have been introduced over the years, such as: granting a reflection period and a residence permit to victims formally identified by the Prosecutor, non-punishment of victims involved in unlawful actions to the extent they were compelled to do so, free access to public health services, the right to claim a compensation, protecting victims of trafficking that have testified against traffickers, protecting unaccompanied and separated minors, providing the option of voluntary return to the countries of origin and assisting the victim during the repatriation process. Moreover, a significant number of shelters specifically for victims of gender-based violence and victims of human trafficking have been secured, run by the public sector and NGOs.

208. The Labour Inspectorate (SEPE) operating under the auspices of the Ministry of Labour and Social Affairs is responsible for carrying out inspections at workplaces, including farms and agricultural activities. Labour inspectors can inspect any place where workers are likely to be employed to detect violations of the labour regulations, including identification of possible victims of trafficking. However, the agricultural sector is particularly difficult to monitor, especially in remote country areas, due to the increased participation of migrant land workers, the high percentage of micro farms and family production units, the geomorphologic features of the farmland, the small number of cooperatives and the low level of trade union membership.

209. The Hellenic Police maintains an Anti-Trafficking Unit (ATU) within the Organized Crime Division comprised of two sub-units, with 37 officers in Athens and 10 officers in Thessaloniki, and twelve smaller sub-units across municipalities all over the country investigating trafficking. ATU regularly carries out visits and inspections in order to detect eventual cases of THB for labour exploitation. In 2018, ATU officers conducted 1,426 joint inspections with Labour Inspectors and social workers from the National Social Solidarity Centre (EKKA) on 5,984 individuals leading to 46 cases of various offences. In 2017, they conducted 1,244 similar joint inspections and in 2016, 498. In addition, there is a good cooperation between the Hellenic Police and the Labour Inspectorate.

210. At the Athens and Thessaloniki First Instance Courts, Public Prosecutors have been appointed to handle exclusively THB cases. In order to ensure expeditious and effective criminal proceedings, especially in cases where the victims of human trafficking are minors, all the investigation and prosecution acts are conducted with absolute prioritization and the same goes with the ensuing trial.

211. In 2017, following criminal investigations, one (1) case and one (1) perpetrator of THB for forced begging were brought to justice (public prosecutor) while three (3) victims of THB were rescued; in 2018, two (2) cases and three (3) perpetrators of THB for labour exploitation were brought to justice (public prosecutor) and one (1) victim was rescued; finally in 2019, the Hellenic Police brought to justice (public prosecutor) three (3) cases and eight (8) perpetrators of THB for forced begging and rescued eighteen (18) victims of THB.

212. In 2017, Greek judicial authorities (Prosecutors' Offices) have officially identified three (3) victims subjected to forced begging, in 2018, one (1) victim subjected to forced labour and, for the third quarter of 2019, one (1) victim has been officially identified.

213. In 2017, Greek judicial authorities conducted five (5) criminal prosecutions for THB for labour exploitation and forced begging, while they delivered two (2) convictions in first instance for labour exploitation and forced begging; in 2018, they conducted three (3) criminal prosecutions for THB for labour exploitation and forced begging, while they delivered three (3) convictions in first instance and seventeen (17) in second instance for THB for labour exploitation and forced begging and eight (8) acquittal judgments. In 2019, Greek judicial authorities conducted thirteen (13) criminal prosecutions for THB for labour exploitation and forced begging, while they delivered four (4) convictions in first instance and six (6) in second instance and six (6) acquittal judgments for the same offences.

214. According to relevant data from the Ministry of Justice, sentences actually imposed in practice for THB for labour exploitation offences range from a minimum of three (3) years of imprisonment to ten (10) years of incarceration combined in most of the judgments with pecuniary fines ranged from €10,000 to € 55,000.

215. In 2019, 150 presumed or officially recognized victims of human trafficking were registered by the NRM. 68 of these referrals have been made by public actors (Hellenic Police, Asylum Service, Reception and Identification Centers, the National Center for Social Solidarity and the National Public Health Organization) and 82 from NGOs (Greek Council for Refugee, Arsis and others) and International Organizations, such as the UNHCR. However, only 5 of the above victims were subject to labour exploitation. In 2020, 167 presumed THB-victims were referred to the NRM, among which 21 adults for labour exploitation and 73 children for forced begging.

216. In November 2018, the ONR together with the Council of Europe, the Ministry of Justice and the Office of the Public Prosecutor at the Court of Cassation organized an all-day seminar to present and analyze the ECtHR's case-law in the case *Chowdury and others v. Greece*. The seminar, in which 50 Public Prosecutors participated from all over the country, has contributed to enhance the expertise and the operational readiness of prosecutors, judges, police officers, investigators and social security's mechanisms in dealing with the labour and agricultural sector.

217. A 'Compendium of good practices in addressing trafficking in human beings for the purpose of labour exploitation' was translated into Greek and forwarded to all the Public Prosecutor's Offices in Greece by the Prosecutor at the Supreme Court.

218. The co-operation of the ONR with the Regional Authorities is centered on the issue of due diligence in supply chains and public procurement. In a two-day regional conference held in Athens in January 2019, over 200 participants from 15 countries discussed how governments can help prevent human trafficking and labour exploitation in their supply chains. The conference was organized by the OSCE, in cooperation with the City of Athens, the ONR, the Athens Partnership and Bloomberg Associates. The Regional Government of Attica has signed an MoU with the ONR aiming, inter alia, at implementing a due diligence programme in supply chains and public procurement to ensure that the Regional Government of Attica does not purchase goods produced or contract services provided by victims of human trafficking. The ONR intends to promote this same model of cooperation with the

Regional Government of Thessaly, Western Greece and the Central Union of Municipalities of Greece.

219. In December 2018, the Ministry of Labour in cooperation with the ONR organized an all-day training seminar on the tackling of THB for the executives of the Labour Inspectorate from all over the country. On 30 and 31 January 2019, a Regional Conference was held to combat trafficking in human beings in supply chains through government practices and measures. An Inspector of Labour Relations attended the meeting. Also, from 16 to 20.9.2019, a training simulation was carried out in Vicenza, Italy, on “Fighting trafficking in human beings along migration routes”. An Inspector of Labour Relations participated in this action.

220. Taking into consideration the improvement of the legal and institutional framework in the action against THB, the Committee of Ministers of the Council of Europe closed the examination of the execution of the judgment of the ECtHR in the case *Chowdury and others v. Greece*, (the Manolada case), where 42 irregular migrants were the victims of trafficking for agricultural labour. It should be noted that the GNCHR has been monitoring closely the issue of THB for labour exploitation purposes and has made a number of proposals to address it.

221. Indeed, Greece has taken effective measures to tackle trafficking in human beings and particularly for labour exploitation purposes, by adapting and enhancing its legislation, providing law enforcement agents with the necessary resources and tools to detect and investigate THB cases, developing the specialization of prosecutors and judges to deal with THB cases with a view to ensuring an expeditious trial and effective, proportionate and dissuasive convictions, enhancing training of all the actors in the field and awareness raising in civil society.

#### **Right to security of person and protection by the State against violence or bodily harm**

222. Article 56 of Law 4443/2016 designated the Greek Ombudsman as the National Investigation Mechanism of incidents of arbitrariness by law enforcement personnel and prison officers, with the main responsibility of collecting, recording, evaluating, investigating and forwarding complaints to the competent disciplinary authorities about alleged: (a) incidents of torture or other violations of human dignity as provided for in Article 137A of the Criminal Code, (b) incidents relating to unlawful and intentional violations of life or physical integrity or health or personal or sexual freedom, (c) incidents relating to the unlawful use of firearms, (d) unlawful behavior for which there is evidence of racist motivation or other discriminatory treatment on the grounds of race, color, national or ethnic origin, descent, religion or belief, disability or chronic condition, age, sexual orientation, gender identity or characteristics.

223. The Greek Ombudsman may investigate a case: (a) following the filing of a complaint, (b) *ex officio*, (c) following the referral of a case from the competent Minister or Secretary General (d) following a judgment of the European Court of Human Rights against Greece, in which gaps were found in the disciplinary examination of a case or new elements, which were not assessed during the disciplinary procedure.

224. In all cases of investigations conducted by the Ombudsman, the competent disciplinary bodies shall suspend their decision until a report has been issued by the Ombudsman. In case the Ombudsman refers a complaint or a case to the competent authorities, the latter shall take the necessary steps to process and investigate the above mentioned cases and, thereafter, transmit a copy of the relevant file to the Ombudsman, while suspending their decision on the matter until the Ombudsman’s report has been issued.

225. Law 4662/2020 further strengthened the relevant legislative framework. More specifically, according to the new legislative provisions:

- The investigation of a complaint by the Ombudsman may proceed even when there is an ongoing, parallel criminal trial or procedure regarding the same allegations;
- The Ombudsman has the power to summon witnesses, conduct inspections, order an expertise, take testimonies under oath and receive documents or oral statements from persons involved in the examination of a complaint. Thus, the investigation powers of

the Ombudsman are as broad as those of the disciplinary bodies of law enforcement personnel;

- The Ombudsman has access to the file of the preliminary investigation, after lifting the relevant material's confidentiality;
- If the Ombudsman finds that the Administration has reached a conclusion which diverges from the independent authority's findings without due reasoning, he/she may refer the case back to the competent Minister to exercise his or her disciplinary powers in respect of the members of the law enforcement personnel concerned;
- In order to further facilitate and promote the execution of judgments of the European Court of Human Rights, it is provided that the Administration is bound by the legal characterization of the act under investigation, which has been given the European Court in its relevant judgment;
- In the context of the reopening of a disciplinary procedure, following a judgment of the ECtHR finding a violation of the Convention, the principle of *ne bis in idem* is not applicable in case that new facts or evidence have emerged or in case the investigation procedure suffered from substantial shortcomings.

226. In 2020, 263 cases were submitted to the Mechanism (an increase of 26% compared to 2019), out of which 53 by individuals, 209 by the Hellenic Police, 1 by the Legal Council of the State (as the Office of the Agent before the European Court of Human Rights and related to the execution of judgments of the ECtHR). 37 investigations were referred back by the Ombudsman to the Administration with a view to completing the investigation, while 53 investigations were deemed complete. As stressed in the Report, the fact that the majority of internal administrative investigations began to meet the criteria of an impartial and in-depth inquiry highlights the importance of the institutional dialogue between the Administration and the Ombudsman.

227. Most cases of alleged arbitrary incidents (45%) concern physical integrity or health infringement and 25% infringement of personal freedom. In many of the reported incidents of arbitrariness, persons belonging to vulnerable groups were involved (young persons, migrants), while a smaller number of cases concern allegations of discrimination on the grounds of origin (affecting Roma persons), sexual orientation, gender identity or characteristics.

228. Among the 253 cases which fell within the competence of the Ombudsman, 24 were related to racist motive or involved discrimination. Complaints of offensive behavior with a racist motive were also present in identity checks. The National Mechanism has stressed in its findings, *inter alia*, that the definition of treatment that is discriminatory or has a racist motive does not presuppose that the cause of discrimination has been expressed in words; indications that the unlawful conduct was carried out with a racist motive or presented an implicit element of any other kind of discrimination should be taken into account. As far as harassment is concerned, it is significant that the victim or any other person perceives some behavior as racist.

229. It is also to be noted that Presidential Decree 111/2019 contains important provisions on strengthening the disciplinary procedures concerning police personnel. More specifically, it extends the preliminary disciplinary enquiries conducted on the determination of disciplinary misconducts committed against citizens, which shall be assigned to an officer of a Directorate or an equivalent Department, other than the one of the police officers involved; it restricts the possibility of suspending disciplinary proceedings pending a criminal investigation; and accelerates the conduct of disciplinary procedures.

## **Other civil rights**

### *Freedom of religion*

#### The new Mosque of Athens

230. In November 2020, the Mosque of Athens began its operation, following the completion of the necessary legal adjustments, administrative procedures and works in the

surrounding area. The costs for the construction of the Mosque were covered by the Public Investment Program. The Mosque was constructed on land, the use of which was granted by the State, which also subsidizes its operation and maintenance. The Management Board as well as a Muslim religious minister (imam) are appointed by Ministerial Decree. The Board's members have recently been increased (Law 4777/2021) from seven to nine, among whom, four (instead of two originally) representatives of the Muslims residing in the Attica region. The Management Board has adopted two legal texts necessary for carrying out the management of the Mosque: a) the Rules of Procedure of the Management Board of the Legal Entity of Private Law "Committee of the Mosque of Athens" where the regulatory framework for the use of the Mosque by the Muslim communities of the Attica region is set out and b) the Organizational Structure of its services.

#### On the Houses of Worship in general

231. An updated joint Circular was issued in July 2016 on the implementation of the legislation on granting a permit to establish and operate places of worship of religious communities other than the Orthodox Church. The complete text of the Circular is available in English on the website of the Ministry of Education and Religious Affairs. A list of the documentation required is currently available in English. So far, there are 524 licensed worship places of other religious communities, both Christian and non-Christian.

232. As far as Islamic Houses of Prayer are concerned, all Muslim communities which have applied for the licensing of such locations have already been granted permits, except for certain cases in which the documentation required had not been provided. So far, fourteen Islamic houses of prayer have been licensed in areas other than Thrace (for Thrace specifically, see para. 155 above). There have not been any administrative or other obstacles, concerning the licensing of locations which conform to all applicable urban-planning, security (e.g. against fire, earthquake etc.) and health regulations.

233. It is also noteworthy that the Greek Government has been providing sheltered athletic installations, such as the Olympic Stadium of Athens as well as other municipal installations, free of charge, so that Muslims may perform their religious duties during Ramadan and other religious occasions.

#### Monitoring incidents against religious sites

234. The Secretariat General for Religious Affairs monitors, collects and evaluates data on incidents of vandalism and desecration of religious sites of all religious communities in Greece, by networking with the religious communities themselves as well as other State authorities (e.g. Police, Public Prosecutors).

235. In 2015, 147 cases were recorded, in 2016, 215, in 2017, 556, in 2018, 591 and in 2019, 524. This increase can be explained by the strengthening of the reporting network, the response of the Hellenic Police to related complaints as well as the effort of religious communities themselves to compile relevant data. The acts against religious sites of the Greek Orthodox Church represent the vast majority, followed by acts against other religious communities. The figures demonstrate that the Greek Orthodox Church is the number one victim of attacks, acts of vandalism, theft and sacrilegious acts in Greece.

236. While Greek Jews represent 0.05% of the total population, a disproportional number of acts against Jewish religious sites is regularly noted (e.g. 3.38% for the year 2018). There were, however, no violent attacks against members of the Jewish community or their property. It is clear that further efforts are needed to fight antisemitism and the culture accompanying it.

237. In 2019, a total of 524 incidents were recorded, which are broken down by religion as follows: Christianity: 514 incidents (98.08%), among which 504 cases concerned the Orthodox Church (96.18%), Judaism: 5 incidents (0.95%), Islam: 5 incidents (0.95%).

238. The data compiled and, in particular, the specific circumstances of the incidents recorded confirm that Greece has maintained so far religious peace and avoided controversies of a religious nature.

#### Further actions

239. Among the main objectives of the Secretariat General for Religious Affairs of the Ministry of Education and Religious Affairs figure planning and implementing policies – especially for students and teachers – countering antisemitism, racism, religious intolerance etc.

240. To this effect, a wide variety of actions have been undertaken so far, such as: cooperation with Jewish cultural and historical Institutions both in Greece and abroad, students' contests on the topic of the Holocaust, teachers' seminars, joint seminars for Christian and Muslim Theologians in Thrace, educational programmes for students of Ecclesiastical Schools in cooperation with Muslim religious schools in Thrace and with Orthodox Ecclesiastical Schools abroad, as well as participation of Ecclesiastical Schools in awareness-raising programmes concerning human rights and refugees. In June 2021, in cooperation with Yad Vashem, the first webinar on Holocaust and antisemitism was organized for Clerics of the Orthodox Church of Greece.

241. On 8 November 2019, the Prime Minister officially announced the adoption by Greece of the Working Definition of the International Holocaust Remembrance Alliance (IHRA) on Antisemitism, as well as the Working Definition of Holocaust Denial and Distortion. Prior to that, as announced by the Minister of Education, Research and Religious Affairs on 11 February 2019, the General Secretariat for Religious Affairs had already adopted the IHRA working definition for the needs of planning and implementing its actions and initiatives on combating antisemitism. A Special Envoy on Combating Antisemitism and preserving Holocaust Remembrance was appointed at the Ministry of Foreign Affairs, also acting as the head of the Greek delegation at the IHRA. Since April 2021, Greece is holding the Chairmanship of the Alliance for one year and, in this context, the Government has projected a network of academic, educational and cultural activities which focus on the role of education and social media in preserving Holocaust Remembrance, as well as on the promotion of the 2000-year old history of Greek Jews.

242. Several events are organized throughout Greece every year on January 27, on the occasion of the International Holocaust Remembrance Day. Holocaust monuments have been raised in Athens and Thessaloniki, including a monument to the old Jewish cemetery on the grounds of the Aristotelian University of Thessaloniki. Information on the Holocaust is included in school textbooks, while special training seminars addressed to educators are organized.

243. Greece actively participates in international organizations and international meetings on the Holocaust and collaborates with the Holocaust Museum in Washington. Furthermore, a permanent Greek exhibition at the Auschwitz Museum is in the process within the framework of a relevant Greek-Polish Agreement.

#### Criminalization of blasphemy (Concluding Observations, paras 18–19)

244. Law 4619/2019, introducing the new Criminal Code, abolished the provisions criminalizing blasphemy.

#### **Education of asylum seekers and refugees**

245. As regards children living in refugee accommodation centers, since the school year 2016–2017, the Ministry of Education has established the Reception School Annexes for Refugee Education (RSARE), a preparatory transitional intervention scheme aiming at ensuring gradual integration of refugee children into the educational system, whether in Greece or in other countries. RSARE are run in school districts in which operate refugee accommodation centers and form part of existing primary (for children aged 6 to 12 years old) and secondary schools (for children aged 12 to 15 years old). Their curriculum includes courses of Greek Language, Mathematics, Foreign Language (English, etc.), Computer Science, Physical Education and Arts classes. For teaching and learning the Greek language, the textbooks in use have been developed and used in the Schools of Intercultural Education for teaching Greek as a second language, after they have been duly revised.



246. Children living in “off-site” accommodations are attending morning classes of mainstream Greek public schools close to their residence, in Reception Classes, where supplementary teaching and tutorial support is provided. Refugee children also enroll at Schools of Intercultural Education, where special programmes are applied, focusing on intercultural communication and on educational and cultural particularities of the students. Moreover, refugee children can be enrolled at All-Day Schools with no requirements. Special teacher training, curricula, textbooks and other material have been designed to support refugee education. Furthermore, the Ministry of Education and Religious Affairs has implemented for the school year 2019–2020 an important legislative framework: the new Law 4636/2019 includes a special chapter on Refugee Education, in which, migrant/refugee children are subject to the same requirement of compulsory education as Greek nationals. It also reiterates the right to education and enrollment of children with insufficient documentation. In addition, it outlines the relevant obligation of parents/guardians for the children’s enrollment. It also provides for the issuance of Ministerial Decisions in order to ensure the right to education of newly arrived refugee children in the country and facilitate their enrollment in Greek public schools.

247. During the school year 2017–2018, the total number of refugee children enrolled at all levels of the public educational system, was 8,017 (2,026 pupils enrolled at RSAREs, 5,291 pupils enrolled at Reception Classes).

### **Education and non-discrimination**

248. The Hellenic Education Ministry has been adjusting its curricula, action frameworks, educational programmes, school textbooks and in-class practice standards to disseminate the values and principles of democratic citizenship and inalienable human rights. The values of human rights, democratic and responsible citizenship and intercultural / interreligious respect are disseminated across the entire spectrum of subjects, modules, projects and programmes through a cross-scientific and cross-thematic approach. A number of educational programmes, student competitions and information activities, encouraging mutual respect and freedom of expression in Primary and Secondary Education, are being carried out or have been approved by the Ministry of Education. Since February 2020, the Ministry, in collaboration with the Institute of Educational Policy, has designed and implemented in a pilot phase a compulsory education module called “Skills Labs.”, with a view to deeply cultivating a democratic culture and preparing students to become critical thinkers and global active citizens. This initiative has been honored by the GENE Global Education Award 2020–2021 for Quality and Good Practice in Global Education across Europe. The policy is going to be implemented nationwide in September 2021. Both in the National Action Plan for the Rights of Persons with Disabilities (under the coordination of the Minister of State) and in the Strategic Action Plan for Equal Access to Education for Persons with Disabilities (devised by the Ministry of Education and Religious Affairs), there are special provisions for people with disabilities who experience multiple discrimination.

249. The Ministry of Education develops and participates in many educational programmes, through primary and secondary schools, aiming, among others, at raising human rights awareness, preventing all forms of discrimination and eliminating negative attitudes, school violence, prejudice and inequalities. Some examples of programmes on Human Rights, Democracy and Active Citizenship for teachers of primary and secondary education, are: the “Act” Programme on active citizenship (E.U.), the Summer Academy on Education for democratic citizenship, Human Rights Education – EDC/HRE (Wergeland Center – Council of Europe), national dissemination events on the values of the Council of Europe in the context of the Pestalozzi Programme (Council of Europe) for primary and secondary school teachers, etc.