

Civic space in the EU: Mapping of national approaches to civic space monitoring, participation and protection

Greece

February 2025

Contractor: Centre for European Constitutional Law (in collaboration with Hellenic League for Human Rights and Antigone-Information and Documentation Centre on racism, ecology, peace and non-violence)

Author: Zoi Anna Kasapi

DISCLAIMER:

This document was commissioned under contract as background material for comparative analysis by the European Union Agency for Fundamental Rights (FRA) for the project “Civic space and national rule of law dialogues”. The information and views contained in the document do not necessarily reflect the views or the official position of the FRA. The document is made publicly available for transparency and information purposes only and does not constitute legal advice or legal opinion.

Table of Contents

1.	MONITORING AND REPORTING ON CIVIC SPACE	3
1.1.	Monitoring initiative from the side of the State	3
1.2.	Other monitoring initiatives.....	3
2.	PARTICIPATION	7
2.1.	Rules on participation.....	7
2.2.	Consultative/participatory bodies.....	9
2.3.	Awareness raising and capacity building on participation.....	9
3.	ENABLING ENVIRONMENT AND PROTECTION	10
3.1.	Civil society strategy	10
3.2.	Protecting an enabling environment	10
3.3.	Law on recognition and protection of defenders	11
3.4.	Support and funding for protection of defenders	11

1. MONITORING AND REPORTING ON CIVIC SPACE

1.1. Monitoring initiative from the side of the State

Has there been any initiative from the side of the State (government/parliament) to observe/monitor the restrictions/challenges/threats for civic space actors in your country in the last three years?

No.

1.2. Other monitoring initiatives

Has there been any other actor/body/mechanism that has observed/monitored civic space restrictions/challenges/threats in your country in the last three years?

The Bodossaki Foundation, ¹ a private, non-profit foundation, founded in 1972, has developed in 2024 an Action Plan for Civil Society, ² under the auspices of the then President of the Hellenic Republic, Katerina Sakellaropoulou. The Plan observes that the Greek civil society ecosystem, despite its significant contributions in the past, is today severely a relatively limited compared to other EU countries and is in need of significant improvements in terms of empowerment (self-regulation and transparency), as well as in terms of regulation (legislative and fiscal) and recognition by the state regarding its institutional role. At the same time, numerous surveys show a particularly low level of public trust in civil society organisations (CSOs), while citizens do not tend to participate in civil society initiatives and activities.

The first part of the Action Plan is dedicated to mapping the current situation in Greece, in terms of the estimated number and fields of activity of CSOs active in Greece based on existing surveys and scientific publications (also highlighting the lack of a centralized registry for CSOs in contrast to thematic registries, such as those in the field of asylum and migration); their legal forms; their geographical distribution; basic data on their staff and volunteers; and a summary of the types of informal, non-legally recognised groups (informal civil society). It also deals with the relationship of organized civil society with society in large and the level of transparency and maturity of the Greek civil society in relation to the rest of Europe. Based on the above mapping, the authors of the Plan concluded that the civil society in Greece is weaker than in the rest of Europe, including other southern EU countries, based on several indicators such as citizens' participation in voluntary activities,

¹ For more information visiti Bodosakis official webpage available on [Bodosakis Foundation](#) (Ιδρυμα Μποδοσάκη).

² For more information visiti Bodosakis official webpage available on [Σχέδιο Δράσης για την Κοινωνία των Πολιτών](#).

donations and the level of trust in charitable and environmental organisations. They also observed that the absence of a collective body representing the CSOs at secondary or tertiary level limits the power of the CSOs in shaping positions and public policies in Greece.

In terms of the main characteristics of CSOs active in Greece, the Plan offers the following insights:

- The main fields of CSO activity are arts and culture, education, human rights and social welfare and care;
- The geographical distribution of CSOs is narrow; most are located and active in Athens, despite some dynamic organizations in a few other large cities;
- Most CSOs are relatively small in terms of paid staff (less than 20 people) and volunteers;
- There is a particularly low level of trust and interaction between civil society and the general public, evidenced both in the low participation and support for CSO activities, and in the low percentage of CSO income derived from private donations;
- Some CSOs are overly dependent on public funds, while allegations of clientelistic relations with the state further undermine public trust.

The authors proceed to assess the current legal and regulatory framework relevant to the operation of CSOs in Greece, including their fiscal obligations from taxation and the administrative framework covering their operation, and formulate legal reform and policy proposals on the basis of good practices at the international level. In addition, they offer suggestions to CSOs for better self-regulation, cooperation and communication of their actions.

In terms of registration requirements, the Action Plan mentions that CSOs should not be burdened with excessive administrative obligations, which may be avoided by better coordination between public services. It also draws attention to the case of CSOs which are already subject to registration requirements in specialized registers (such as migration, culture, public health, etc.), and suggests that their obligations for registration in a central registry should be limited to the necessary additional information related to their specialised area of competence (such as migration, culture, public health, etc.).

The plan concludes on specific proposals for reform, including an assessment of their potential impact on the role and activities of the Greek civil society.

In addition to this comprehensive, systematic initiative, the shrinking civic space in Greece has been a topic of concern and discussion among the members of the civil society and

beyond. For example, the Greek National Commission for Human Rights (GNCHR),³ the National Human Rights Body (NHRI) of Greece has issued, in April 2024, a public statement⁴ concerning the treatment of human rights defenders active in the field of asylum and migration, where it references the downgrading of the Greek civic space from “*narrow*” to “*obstructed*”, in the 2023 Rule of Law report of the European Commission.⁵ The GNCHR urges the government to show zero tolerance for harassment, attacks, hate speech and any other targeting of human rights defenders by official state bodies; to secure an enabling environment for the operation of CSOs and repeal the condition of registering NGOs active in the area of asylum and migration that creates undue administrative burdens to these organisations, which include lengthy procedures, exhaustive evidence of their aims and activities, thresholds related to their years of operation (thus effectively excluding new and grassroots organisations), and the obligation to register any changes in their personnel within 24 hours;⁶ to cease the prosecution of NGOs/CSOs and other human rights defenders (including lawyers and journalists) for reasons related to the provision of humanitarian assistance or the exercise of their profession; to ensure that ongoing trials are concluded speedily and with respect to the right to a fair trial, as enshrined in Art. 6 ECHR, noting that “*state sanctions of a criminal or civil nature, which are punitive in nature and intended to discourage persons from participating in associations (freedom of association) constitute retaliation and are prohibited*”; and to ensure the unimpaired exercise of the journalistic profession and take measures to protect and compensate victims of strategic lawsuits against public participation (SLAPPs).

Regarding human rights defenders, the Racist Violence Recording Network had recorded an intensification of their targeting already in 2020. This intensification related to harassment and violent behaviour both against refugees and migrants, as well as against defenders targeted because they support these groups. In its 2022 Annual Report⁷ the Network

³ For more information visit GNCHR official webpage available on [Greek National Commission for Human Rights \(Εθνική Επιτροπή για τα Δικαιώματα του Ανθρώπου\)](#).

⁴ GNCHR, Statement on human rights defenders working in the field of refugee/migration, ([Δήλωση ΕΕΔΑ για τους υπερασπιστές ανθρωπίνων δικαιωμάτων που δραστηριοποιούνται στο προσφυγικό/μεταναστευτικό](#)), Athens, 22nd April 2024

⁵ 2023 Rule of Law Report Country Chapter on the rule of law situation in Greece, Brussels, Brussels, 5.7.2023 SWD (2023) 808 final, also confirmed in the 2024 Rule of Law Report.

⁶ Amnesty International (2020) Greece, “The Regulation on Immigration and Asylum NGOs Threatens Civil Society” ([Ελλάδα: ο κανονισμός για τις ΜΚΟ στους τομείς μετανάστευσης και ασύλου απειλεί την Κοινωνία Των Πολιτών](#)), 31 July 2020.

⁷ Racist Violence Recording Network (Δίκτυο Καταγραφής Περιστατικών Ρατσιστικής Βίας) (2022) *Annual Report 2022* ([Εθνική Έκθεση 2022](#)).

observes that this targeting has extended to campaigns of defamation or criminalisation of the actions of these actors.

2. PARTICIPATION

2.1. Rules on participation

Are there any binding rules in place in your country for the participation/consultation of civil society organisations for developing/implementing/monitoring laws and policies?

OpenGov⁸ is the Greek government's platform for public consultation on bills, regulatory administrative acts, and policy/strategic proposals. The platform is open to any citizen or CSO to comment on the content of any of the proposed provisions, subject to the approval of moderators. The law on the operation of OpenGov, in its current form,⁹ provides that "consultation shall be achieved through the publication, by appropriate means, of the envisaged regulation, with a view to informing and involving all interested parties in a timely manner". The same article provides that public consultation has a duration of two (2) weeks, which may be shortened or prolonged by one (1) week, in the event of exceptional circumstances mentioned in the public consultation report included in the bill.

This framework is ineffective, as evidenced in the impact assessment reports, which form part of all enacted laws, as well as in the published consultation reports. As regards the former, the relevant section in the vast majority of cases indicates that there has been no cooperation with the civil society for the drafting of the relevant bill.¹⁰ Also, the consultation reports themselves make no indication as to the number and content of the comments that were actually incorporated in each bill, but merely state that the results of the public consultation were taken into account.¹¹ Overall, the legal framework only mandates that the consultation process takes place, and that its results "should be taken into account", without, however, giving any mandatory effect to the results of the consultation under any conditions, or providing any type of safeguards that the comments provided are actually considered. In practice, separate consultation reports are often not

⁸ For more information visit OpenGov official website available on [OpenGov](#)

⁹ Greece, Law 4622/2019 on the Executive State: organisation, functioning and transparency of the Government, the governmental institutions and the central public administration. ([Επιτελικό Κράτος: οργάνωση, λειτουργία και διαφάνεια της Κυβέρνησης, των κυβερνητικών οργάνων και της κεντρικής δημόσιας διοίκησης](#)) (O.G. A' 133/07.08.2019).

¹⁰ For more information please visit Minister of State Consultation official website available on. Impact Assessment Report on the Marriage Equality bill ([Ολοκλήρωση δημόσιας ηλεκτρονικής διαβούλευσης για το σχέδιο νόμου του Υπουργού Επικρατείας: «Ισότητα στον πολιτικό γάμο, τροποποίηση του Αστικού Κώδικα και άλλες διατάξεις»](#))

¹¹ For more information please visit Ministry of Environment and Energy Consultation official Website on the Consultation Report for a recent bill on waste management. ([Έκθεση Δημόσιας Διαβούλευσης](#))

drafted or rendered available to the public.¹² In addition, the relatively limited duration of the consultation, in conjunction with the average size of the bills, which may span tens or hundreds of pages and include several irrelevant provisions, leave a very limited amount of time for any meaningful processing and assessment of the proposed provisions and render the publication of the bills largely perfunctory.

~~it does not render contain any rules rendering the result of the public consultation civil society participation and consultation obligatory.~~

~~There is no framework for mandatory consultation with civil society in a structured, binding manner.~~ Compounding on the above, as noted in the Action Plan,¹³ there is no state-wide representative body for CSOs active in Greece. The GNCHR is composed of several CSO and NGO members but is not their representative. Instead, it plays the role of the intermediary between them and the state, monitoring developments related to human rights and their protection in Greece and abroad and providing advice to the state and its bodies regarding human rights compliance.

¹² In this regard, see The Green Tank (2024) "12 years of public consultation on the environment through OpenGov: citizen participation and youth opinion" ([The Green Tank \(2024\) «12 χρόνια δημόσιων διαβουλεύσεων για το περιβάλλον μέσω OpenGov: Η συμμετοχή των πολιτών και η γνώμη των νέων»](#)), which concludes on various deficiencies of the consultation process, as regards environmental law, including the following recommendation: "The consultation reports should indicate which comments were taken into account and in which changes to the proposed regulation and which comments were not taken into account and why. This practice will contribute to overall transparency in environmental and other policy-making, and may also enhance the credibility of the institution of consultation in general, possibly leading to more and better informed participation in future consultations."

¹³ Greece, Law 4622/2019 on the Executive State: organisation, functioning and transparency of the Government, the governmental institutions and the central public administration. ([Επιτελικό Κράτος: οργάνωση, λειτουργία και διαφάνεια της Κυβέρνησης, των κυβερνητικών οργάνων και της κεντρικής δημόσιας διοίκησης](#)) (O.G. A' 133/07.08.2019).

2.2.Consultative/participatory bodies

Are there any consultative/participatory bodies in your country that ensure the participation of civil society in developing/implementing/monitoring laws and policies?

There are no bodies that “ensure” participation. The GNCHR, which is composed of CSOs and NGOs, is not a civil society body itself. In addition, its role is consultative and it is not mandatory for the state to take into account its recommendations.

2.3.Awareness raising and capacity building on participation

Does your Member State fund or carry out meaningful awareness raising and/or capacity building to support participation in your country?

No.

3. ENABLING ENVIRONMENT AND PROTECTION

3.1. Civil society strategy

Does your country have a general civil society strategy / civil society development strategy in place?

No such strategy has been enacted by the government. However, the Bodossaki Foundation Action Plan referred to in section 1 could serve as a blueprint, if officially adopted.

3.2. Protecting an enabling environment

Is there a dedicated policy/framework (or support measures) in place in your country to enhance and protect an enabling environment for civil society to work on fundamental rights?

No (see also the observations of the GNCHR in its public statement, ¹⁴ urging the establishment of an enabling environment in the area of asylum and migration. Law 4873/2021 ¹⁵ on the Protection of volunteering, strengthening the activities of civil society, tax incentives for the strengthening of the public benefit activity of CSOs and other provisions are geared more towards the regulation of the civil society rather than towards enabling it to act more freely. ¹⁶

¹⁴ Greece, Law 4622/2019 on the Executive State: organisation, functioning and transparency of the Government, the governmental institutions and the central public administration. ([Επιτελικό Κράτος: οργάνωση, λειτουργία και διαφάνεια της Κυβέρνησης, των κυβερνητικών οργάνων και της κεντρικής δημόσιας διοίκησης](#)) (O.G. A' 133/07.08.2019).

¹⁵ Greece, Law 4825/2021 "Reform of deportation and return procedures of third country nationals, attraction of investors and digital nomads, issues of residence permits and procedures for granting international protection, provisions of competence of the Ministry of Immigration and Asylum ([Αναμόρφωση διαδικασιών απελάσεων και επιστροφών πολιτών τρίτων χωρών, προσέλκυση επενδυτών και ψηφιακών νομάδων, ζητήματα αδειών διαμονής και διαδικασιών χορήγησης διεθνούς προστασίας, διατάξεις αρμοδιότητας Υπουργείου Μετανάστευσης και Ασύλου](#)) (O.G. A' 157/04.09.2021).

¹⁶ FRA European Union Agency for Fundamental Rights, 2022 [Legal environment and space of civil society organisations in supporting fundamental rights and the rule of law – Greece](#), 13 July 2022.

3.3.Law on recognition and protection of defenders

Is there a dedicated law (and/or guidelines) in your country dealing specifically with the recognition and/or protection of human rights defenders?

No.

3.4.Support and funding for protection of defenders

Is there any dedicated support/funding by the State for the protection of (individual) human rights defenders in your country?

No.