

Coronavirus pandemic in the EU – Fundamental Rights Implications

Country: Greece

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

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1 Measures taken by government/public authorities

The Greek government continued to adopt measures in response to the outbreak of Coronavirus COVID-19 throughout the last days of March and the entire month of April 2020. The measures adopted took the form of Acts of Legislative Content (πράξεις νομοθετικού περιεχομένου) whose implementation is then specified through Joint Ministerial Decisions (κοινές υπουργικές αποφάσεις) and circulars (εγκύκλιοι).

In **Greece**, three Acts of Legislative Content were adopted in February and the first half of March¹ and another two followed at the end of March and mid-April.² These five Acts of Legislative Content include the core legislative measures adopted in response to Coronavirus COVID-19. In **Greece**, the lockdown of retail businesses, churches, schools, universities and places where people gather in high numbers as well as the restriction of movement of the general public were renewed;

- the closure of churches was extended to 28 April 2020³ ;
- the closure of schools and universities was extended to 10 May 2020⁴;
- the closure of retail businesses, restaurants, cafes and bars, cinemas, theatres, fitness centres, museums, catering and tourist businesses was extended to 3 May 2020⁵

¹ Greece, Act of legislative content, “on emergency measures of prevention and limitation of the contagion of the coronavirus” (Κατεπείγοντα μέτρα αποφυγής και περιορισμού της διάδοσης κορωνοϊού.), O.G A’ 42/25-2-2020, available in Greek at http://www.dsanet.gr/Epikairothta/Nomothesia/42_2020.htm , Greece, Act of Legislative Content , “on emergency measures to counteract the negative impact of the coronavirus COVID-19 emergence and the need to limit its contagion” (“Κατεπείγοντα μέτρα αντιμετώπισης των αρνητικών συνεπειών της εμφάνισης του κορωνοϊού COVID-19 και της ανάγκης περιορισμού της διάδοσής του”), O.G A’ 55/11-3-2020, available in Greek at http://www.dsanet.gr/Epikairothta/Nomothesia/PNP_11-3-2020.htm, Greece, Act of Legislative content , “on emergency measures in response to the need to limit the dispersion of the coronavirus COVID-19” (“Κατεπείγοντα μέτρα αντιμετώπισης της ανάγκης περιορισμού της διασποράς του κορωνοϊού COVID-19”), O.G A’ 64/14-3-2020, available in Greek at http://www.dsanet.gr/Epikairothta/Nomothesia/PNP_14-3-2020.htm

² Greece, Act of Legislative Content, “Measures to tackle coronavirus COVID-19 pandemic and other urgent provisions.” (“Μέτρα αντιμετώπισης της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες διατάξεις.”), O.G A’ 75/30-3-2020, Art. available in Greek at <http://www.dsanet.gr/Epikairothta/Nomothesia/pnp30032020.htm>, Greece, Act of Legislative Content, “Measures to tackle the continuing impact of the Coronavirus COVID-19 pandemic and other urgent provisions” (“Μέτρα για την αντιμετώπιση των συνεχιζόμενων συνεπειών της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες διατάξεις”), O.G A’ 84/13-4-2020, available in Greek at <http://www.dsanet.gr/Epikairothta/Nomothesia/pnp13-4-2020.htm>

³ Greece, Ministries of Finance-Labour and Social Affairs-Interior, Joint Ministerial Decision, “Grant of one-off financial aid of €400 to unemployed persons not receiving unemployment benefit” (“Χορήγηση εφάπαξ οικονομικής ενίσχυσης ύψους τετρακοσίων (400) ευρώ σε μη επιδοτούμενους μακροχρόνια ανέργους.”), No D1a/GP.oik.25763, O.G B’ 1471/16-4-2020, available in Greek at http://www.dsanet.gr/Epikairothta/Nomothesia/Apof15687_1468.htm

⁴ Greece, Ministries of Development and Investments-Citizen Protection-Education and Religious Affairs-Labour and Social Affairs-Health and Sports-Interior, Joint Ministerial Decision, “Extension of the joint decision of Ministers of Development and Investments-Citizen Protection-Education and Religious Affairs-Labour and Social Affairs-Health and Sports-Interior, with number D1a / G.P. oik.. 20021 / 21.3.2020 , O.G B’ 956 until 10.5.2020.”, (“Παράταση ισχύος της κοινής απόφασης των Υπουργών Ανάπτυξης και Επενδύσεων, Προστασίας του Πολίτη, Παιδείας και Θρησκευμάτων, Εργασίας και Κοινωνικών Υποθέσεων, Υγείας, Πολιτισμού και Αθλητισμού και Εσωτερικών με αριθμό Δ1α/ΓΠ.οικ. 20021/21.3.2020 (B’ 956) έως και τις 10.5.2020.”), No D1a / G.P. oik.. 24343, O.G B’ 956/10-4-2020 ,available in Greek at <https://www.alfavita.gr/sites/default/files/2020-04/%CE%9A%CE%A5%CE%91.pdf>

⁵ Greece, Ministries of Development and Investments-Citizen Protection-Education and Religious Affairs-Labour and Social Affairs-Health and Sports-Interior, Joint Ministerial Decision, “Imposition of the measure of temporary ban on the operation of private companies and other public gathering places, in the entire territory, for the period from 28.3.2020 to 11.4.2020, to limit the dispersion of the coronavirus COVID-19” (“Επιβολή του μέτρου

- the temporary restriction of movement of persons residing in the Greek territory was extended to 4 May 2020⁶
- the temporary suspension of selling activities in outdoor markets⁷

On 28 April 2020, the Greek Prime Minister announced a plan for the gradual lift of the measures to tackle the outbreak of Coronavirus COVID-19.⁸ The two-month plan includes consecutive phases involving different sectors of the economy and social life and made note of practices to be followed. These include:

- routines of good personal hygiene ;
- a voidance of handshakes ;
- physical distancing ;
- staying at home and contacting a doctor in case of symptoms ;
- correct use of face masks;
- movement without special permit within the district of permanent residence ;
- opening of churches on 4 May 2020 for individual praying ;

Businesses:

- some retail shops will reopen on 4 May 2020 and the rest on 11 May 2020 ;
- beauty/hair salons will reopen on 4 May 2020 only on the basis of appointments;
- malls will reopen on 1 June 2020 ;
- restaurants, cafe bars and hotels that operate around the year will reopen on 1 June 2020 ;

Education:

- the third grade senior high school students will resume classes on 11 May 2020 ;
- remaining junior high and senior high school students will return to classes on 18 May 2020 ;
- primary schools and nurseries will remain closed ;

Entertainment:

της προσωρινής απαγόρευσης λειτουργίας ιδιωτικών επιχειρήσεων και άλλων χώρων συνάθροισης κοινού, στο σύνολο της Επικράτειας, για το χρονικό διάστημα από 28.3.2020 έως και 11.4.2020, προς περιορισμό της διασποράς του κορωνοϊού COVID-19.”), No D1a/G.P. oik. 21268, O.G B’ 1081/18-3-2020, available in Greek at http://www.dsanet.gr/Epikairothta/Nomothesia/YA_Dla21268_1081.htm

and Greece, Ministries of Development and Investments-Citizen Protection-Education and Religious Affairs-Labour and Social Affairs-Health and Sports-Interior-Transport and Infrastructure, Joint Ministerial Decision, “Imposition of the measure of temporary ban on the operation of private companies and other public gathering places, in the entire territory, for the period from 12.4.2020 to 27.4.2020, to limit the dispersion of the corona COVID-19” (“Επιβολή του μέτρου της προσωρινής απαγόρευσης λειτουργίας ιδιωτικών επιχειρήσεων και άλλων χώρων συνάθροισης κοινού, στο σύνολο της Επικράτειας, για το χρονικό διάστημα από 12.4.2020 έως και 27.4.2020, προς περιορισμό της διασποράς του κορωνοϊού COVID-19”), No D1a/GP. oik. 24406/2020 , O.G B’ 1299/10-4-2020, available in Greek at <https://www.taxheaven.gr/circulars/32791>

⁶ Greece, Ministries of Citizen Protection-Health-Interior, Joint Ministerial Decision, “Imposition of the measure of temporary restriction of movement in response to the danger of Coronavirus COVID-19 spread” (“Επιβολή του μέτρου του προσωρινού περιορισμού της κυκλοφορίας των πολιτών προς αντιμετώπιση του κινδύνου διασποράς του κορωνοϊού COVID-19”), No D1/GP. oik. 20036/2020, O.G B’986/22-3-2020, available in Greek at <https://www.taxheaven.gr/circulars/32612>

⁷ Greece, Ministry of Development and Investments (2020) , “Issues pertaining to outdoor markets” (“Θέματα λαϊκών αγορών”), 2 April 2020, available in Greek at <https://bit.ly/3dczwoV>

⁸ Greece, Prime Minister’s Office, “Prime Minister Kyriakos Mitsotakis to the citizens regarding the plan of gradual lift of restriction measures” ,press release, 28 April 2020, available in Greek at <https://primeminister.gr/2020/04/28/23850>

- open concerts, music and theatre festivals, sports events will not take place in the summer

1.1 **Emergency laws/states of emergency, including enforcement actions**

The most recent Acts of Legislative Content, adopted on 30 March and 13 April 2020 contain provisions related to:

- 25% discount on debts due to Tax Authorities and social security contributions payable to the Single Social Security Entity (*Ενιαίος Φορέας Κοινωνικής Ασφάλισης, Ε.Φ.Κ.Α*) for businesses, freelancers and individuals⁹;
- suspension of expiry date of negotiable instruments¹⁰;
- temporary financial support measures for undertakings facing a shortage or unavailability of liquidity in the form of repayable advances¹¹;
- special financial support to medical staff¹²
- special purpose leave for working parents whose partner is hospitalised or has been infected by COVID-19¹³;
- extension of free pharmaceutical treatment for individuals lacking health insurance until 31 May 2020¹⁴;
- creation of a National Registry of COVID-19 patients¹⁵

Further, the Greek government extended the financial support of €400 to long-term unemployed individuals who do not receive unemployment benefits.¹⁶

⁹ Greece, Act of Legislative Content, “Measures to tackle coronavirus COVID-19 pandemic and other urgent provisions.” (“Μέτρα αντιμετώπισης της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες διατάξεις.”), O.G. A’75/30-3-2020, Art. 1 available in Greek at <http://www.dsanet.gr/Epikairothta/Nomothesia/pnp30032020.htm>

¹⁰ Greece, Act of Legislative Content, “Measures to tackle coronavirus COVID-19 pandemic and other urgent provisions.” (“Μέτρα αντιμετώπισης της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες διατάξεις.”), O.G. A’75/30-3-2020, Art.2, available in Greek at <http://www.dsanet.gr/Epikairothta/Nomothesia/pnp30032020.htm>

¹¹ Greece, Act of Legislative Content, “Measures to tackle coronavirus COVID-19 pandemic and other urgent provisions.” (“Μέτρα αντιμετώπισης της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες διατάξεις.”), O.G. A’75/30-3-2020, Art.3, available in Greek at <http://www.dsanet.gr/Epikairothta/Nomothesia/pnp30032020.htm> and C(2020) 1863/19.3.2020 EU Commission https://ec.europa.eu/competition/state_aid/what_is_new/sa_covid19_temporary-framework.pdf

¹² Greece, Act of Legislative Content, “Measures to tackle coronavirus COVID-19 pandemic and other urgent provisions.” (“Μέτρα αντιμετώπισης της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες διατάξεις.”), O.G. A’75/30-3-2020, Art. 4, available in Greek at <http://www.dsanet.gr/Epikairothta/Nomothesia/pnp30032020.htm>

¹³ Greece, Act of Legislative Content, “Measures to tackle the continuing impact of the Coronavirus COVID-19 pandemic and other urgent provisions” (“Μέτρα για την αντιμετώπιση των συνεχιζόμενων συνεπειών της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες διατάξεις”), O.G. A’84/13-4-2020, Art. 8, available in Greek at <http://www.dsanet.gr/Epikairothta/Nomothesia/pnp13-4-2020.htm>

¹⁴ *Ibid*, Art. 9

¹⁵ Greece, Act of Legislative Content, “Measures to tackle coronavirus COVID-19 pandemic and other urgent provisions.” (“Μέτρα αντιμετώπισης της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες διατάξεις.”), O.G. A’75/30-3-2020, Art. 29, available in Greek at <http://www.dsanet.gr/Epikairothta/Nomothesia/pnp30032020.htm>

¹⁶ Greece, Ministries of Finance-Labour and Social Affairs-Interior, Joint Ministerial Decision, “Grant of one-off financial aid of €400 to unemployed persons not receiving unemployment benefit” (“Χορήγηση εφάπαξ

From March 24 to April 30, several Joint Ministerial Decisions were issued to detail the implementation of the measures adopted within the previous months. The main focus was on specifying which businesses and employees would benefit from the financial support measures adopted with Act of Legislative Content of 11 March 2020¹⁷.

1.2 Measures affecting the general population

1.2.1 Social distancing

In **Greece**, stay at home orders for the general population were extended by the government until 4 May 2020¹⁸. These orders entailed restriction to movement with exclusive exceptions for going to the pharmacy or the doctor, going to supermarkets or other shops in operation, going to the bank, walking a pet, exercising with one other person, going to work, offering help to persons in need and attending a ceremony such as a funeral or a wedding. In order for an individual to be able to leave the house, a special permit and identification were required. The fine to be imposed in case of breach amounted to €150 for each violation. The Greek Government doubled the amount of the fines for the period between 18 and 20 April to prevent unnecessary movement during the Orthodox Easter holiday. An additional penalty of removal of driving license was imposed to drivers in breach of the restrictions.¹⁹ According to the media, winter swimmers were fined for swimming even though they had the required special permit for physical exercise²⁰ while two individuals were fined for running in an area that was not in proximity to their place of residence²¹. Petitions to annul these fines have been lodged to the

οικονομικής ενίσχυσης ύψους τετρακοσίων (400) ευρώ σε μη επιδοτούμενους μακροχρόνια ανέργους.”), No D1a/GP.oik.25763, O.G B’ 1471/16-4-2020, available in Greek at http://www.dsanet.gr/Epikairothta/Nomothesia/Apof15687_1468.htm

¹⁷ Greece, Act of legislative content “on emergency measures to counteract the negative impact of the coronavirus COVID-19 emergence and the need to limit its contagion” (Κατεπείγοντα μέτρα αντιμετώπισης των αρνητικών συνεπειών της εμφάνισης του κορωνοϊού COVID-19 και της ανάγκης περιορισμού της διάδοσής του), (O.G A’ 55/11-3-2020), available in Greek at http://www.dsanet.gr/Epikairothta/Nomothesia/PNP_11-3-2020.htm

¹⁸ Greece, Ministries of Development and Investments-Citizen Protection-Labor and Social Affairs-Health-Culture and Sports-Interior-Transport and Infrastructure, Joint Ministerial Decision, “Extension of the temporary prohibition of operation of private businesses and other public gathering spaces from 28.4.2020 to 3.5.2020 to limit the dispersion of Coronavirus COVID-19” (“Παράταση ισχύος του μέτρου της προσωρινής απαγόρευσης λειτουργίας ιδιωτικών επιχειρήσεων και άλλων χώρων συνάθροισης κοινού, στο σύνολο της Επικράτειας, για το χρονικό διάστημα από 28.4.2020 έως και 3.5.2020, προς περιορισμό της διασποράς του κορωνοϊού COVID-19”), No D1a, GP.oik. 26797/2020, O.G 1584/25-4-2020, available in Greek at <https://www.taxheaven.gr/circulars/32929>

¹⁹ Greece, Ministries of Citizen Protection-Health-Interior, Joint Ministerial Decision, “Penalties in case of violation of the measures to restrict the movement of citizens to deal with the risk of dispersion of the coronavirus COVID-19 during the period from 18.4.2020 to 20.4.2020” (“Κυρώσεις σε περίπτωση παράβασης των μέτρων περιορισμού της κυκλοφορίας των πολιτών προς αντιμετώπιση του κινδύνου διασποράς του κορωνοϊού COVID-19 κατά την περίοδο από 18.4.2020 έως 20.4.2020”), No D1a/GP. oik.25771, O.G 1477/17-4-2020, available in Greek at http://www.dsanet.gr/Epikairothta/Nomothesia/YA%2025771_1477.htm

²⁰ Greece, E-lawyer, “Appeal against fine imposed on winter swimmer” (“Προσφυγή για πρόστιμο σε χειμερινό κολυμβητή της Άνδρου”), 23 April 2020, available in Greek at http://elawyer.blogspot.com/2020/04/blog-post_24.html

²¹ Greece, E-lawyer, “Appeal against fines imposed due to physical exercise” (“Προσφυγή για πρόστιμα λόγω μετακίνησης σωματικής άσκησης”), 21 April 2020, available in Greek at http://elawyer.blogspot.com/2020/04/blog-post_21.html

competent Administrative Courts of First Instance on the grounds that the relevant legislation²² does not specify the place of physical exercise or the distance from one's home.

In **Greece**, physical distancing measures include restricting the number of passengers in private cars to two including the driver, unless the passengers are children. Larger vehicles can carry three or four passengers including the driver whereas buses can carry up to 50% of their capacity in passengers.²³ This measure was adopted on 1 April 2020 and will apply until 31 May 2020.

In **Greece**, according to a circular of the Ministry of Development and Investments²⁴ supermarkets' must allow one customer per 15 square metres instead of 10 square metres as provided for in the previous circular.²⁵ These measures are mandated to last for a maximum of six months unless the need for special precautions is minimised upon an earlier decision of the Ministry of Health.²⁶ The free use of sanitisers by customers and the obligation to disinfect all surfaces remain in force.

Persons travelling to Greece from abroad are obligatorily tested for Coronavirus COVID-19 and to quarantine at home for 14 days, even if tested negative.²⁷

²² Greece, Ministries of Citizen Protection, Health and Interior, Art 1 para 2, Joint Ministerial Decision , "Imposition of a measure to temporarily restrict the movement of citizens in response to the risk of spreading the COVID-19 coronavirus." (*Επιβολή του μέτρου του προσωρινού περιορισμού της κυκλοφορίας των πολιτών προς αντιμετώπιση του κινδύνου διασποράς του κορωνοϊού COVID-19*), No. D1a/G.P οικ.20036, O.G B' 986/22-3-2020, available in Greek at <https://bit.ly/2Ud69we>

²³ Greece, Ministry of Transport and Infrastructure, Circular, "Supplementary measures for the transport of passengers and the avoidance and limitation of Coronavirus COVID-19" (*"Συμπληρωματικά μέτρα για τη μεταφορά επιβατών για την αποφυγή και τον περιορισμό της διασποράς του ιού COVID-19 (κορωνοϊού)"*), No 21656/1115, 1 April 2020, available in Greek at <https://diavgeia.gov.gr/doc/9%CE%9A%CE%A19465%CE%A7%CE%98%CE%9E-%CE%94%CE%9F4?inline=true>

²⁴ Greece, Ministry of Development and Investments, Circular, "Combined obligations regarding the implementation of measures [...] for the reduction of the spread of the COVID-19 in the supermarket companies (supermarket)" (*"Συνδυαστικές υποχρεώσεις σχετικά με την εφαρμογή των μέτρων όπως ορίζονται με τις Πράξεις Νομοθετικού Περιεχομένου ΦΕΚ Α 64/2020 & Α 68/2020 και την ΚΥΑ ΦΕΚ Β859/2020, για τον περιορισμό της διασποράς του κορωνοϊού COVID19 στις επιχειρήσεις υπεραγορών (supermarket)"*), No 32440, 23 March 2020, available in Greek at <https://bit.ly/3bZxUi8>

²⁵ Greece, Ministry of Development and Investments, press release, "Obligations on the application of measures for the limitation of coronavirus COVID-19 in supermarkets", (*"Υποχρεώσεις σχετικά με την εφαρμογή των μέτρων για τον περιορισμό της διασποράς του κορωνοϊού COVID-19 στις επιχειρήσεις υπεραγορών (super market)"*), Available in Greek at <https://bit.ly/3fiLYfJ>

²⁶ Greece, Act of Legislative Content, "Measures to tackle coronavirus COVID-19 pandemic and other urgent provisions." (*"Μέτρα αντιμετώπισης της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες διατάξεις."*), O.G A'75/30-3-2020, Art. 14, available in Greek at <http://www.dsnet.gr/Epikairothta/Nomothesia/pnp30032020.htm>,

²⁷ Greece, Ministry of Health, Ministerial Decision, "Imposition of laboratory tests and temporary restriction measures on a group of persons entering the State from a country with high disease transmission, for the period from 22.3.2020 to 4.4.2020, for precautionary reasons of public health, related to the treatment of coronavirus COVID-19" (*"Επιβολή των μέτρων εργαστηριακού ελέγχου και προσωρινού περιορισμού ομάδας προσώπων εισερχόμενων στην Επικράτεια από χώρα υψηλής μετάδοσης της νόσου, για το χρονικό διάστημα από 22.3.2020 έως και 4.4.2020, για προληπτικούς λόγους δημόσιας υγείας, που συνδέονται με την αντιμετώπιση του κορωνοϊού COVID-19."*) No D1a/GP. οικ. 22819, O.G B' 1166/3-4-2020, available in Greek at http://www.dsnet.gr/Epikairothta/Nomothesia/ya%20diaaik%2022819_2020.htm

1.2.2 Education

In **Greece**, the Minister of Education and Religious Affairs extended the closure of all educational institutions until 10 May 2020²⁸ and announced a phased reopening of schools and universities.²⁹ According to the Ministry of Education and Religious Affairs, the students attending the third grade of senior high school will return to classes on 11 May 2020 while the rest of students attending junior and senior high school will return on 18 May 2020. The suspension of operation of primary and preprimary schools is extended, while the possibility of reopening is considered for the 1st June, but only under the complete certainty that the epidemic is slowing down. Universities will continue online classes while some clinical classes will resume on 25 May 2020. Further measures were announced in relation to physical distancing measures that will apply in classrooms:

- Students in each grade will be divided in sub-groups so that there are no more than 15 students in each classroom;
- students must keep 1.5 metre of distance ;
- each sub-group will attend school interchangeably on a day by day basis ;
- grade groups with fewer than 15 students will attend school every day as usual ;
- schools will be equipped with antiseptics and will be cleaned twice per day ;
- all classes will be transmitted on live streaming for students who are absent for health reasons
- Separate breaks and canteen bans
- Optional use of masks, while in class and during students' transportation
- Distance learning is continued for the educational units that have yet to open, and for the members of the educational community that are unable to attend in person for special purposes

In **Greece**, according to the Act of Legislative Content of 13 April 2020, digital devices are provided by the state to students who need it for the purposes of distance learning³⁰. Electronic devices provided by the state are supplemented by private donations as well. More than 18,000 devices have already been sent to schools and are about to be delivered according to the Ministry of Education and Religious affairs on 23 April 2020. The press release mentions that priority will be given to families with low income, unemployed parents of guardians, lone parent families, families with three or more children or orphaned families, special needs or excellent performance of students³¹. Distance learning has also been accessible to students via telephone. and through national television for primary school students.³² Access to online education platforms of the Greek Ministry of Education and Religious

²⁸Greece, Ministry of Education and Religious Affairs, "Extension of prohibition of operation of educational units", (*"Παράταση απαγόρευσης λειτουργίας εκπαιδευτικών δομών"*) , press release 20 April 2020 , available in Greek at <https://www.minedu.gov.gr/rss/44626-10-04-2020-dt-paratasi-apagorefsis-leitourgias-ekpaideftikon-domon-eos-kai-10-5-2020>

²⁹ Greece, Ministry of Education and Religious Affairs, "The presentation of the gradual reopening of educational units by the Minister of Education and Religious Affairs, Niki Kerameus" (*"Η παρουσίαση του σχεδίου της σταδιακής επαναλειτουργίας των εκπαιδευτικών δομών από την Υπουργό Παιδείας και Θρησκευμάτων Νίκη Κεραμέως"*) press release, 29 April 2020 available in Greek at <https://www.minedu.gov.gr/rss/44775-29-04-2020-i-parousiasi-tou-sxediou-tis-stadiakis-epanaleitourgias-ton-ekpaideftikon-domon-apo-tin-ypourgo-paideias-kai-thriskevmaton-niki-kerameos-2>

³⁰ Greece, Act of Legislative Content, "Measures to tackle the continuing impact of the Coronavirus COVID-19 pandemic and other urgent provisions" (*"Μέτρα για την αντιμετώπιση των συνεχιζόμενων συνεπειών της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες διατάξεις"*), O.G A'84/13-4-2020, Art. 27, available in Greek at <http://www.dsnet.gr/Epikairothta/Nomothesia/pnp13-4-2020.htm>

³¹ Greece, Ministry of Education and Religious Affairs, "We continue to equip our schools with technological equipment [...]" (*"Συνεχίζουμε να εξοπλίζουμε τεχνολογικά τα σχολεία μας [...]"*), press release, 23 April 2020, available in Greek at <https://bit.ly/3cgrxqO>

³² Greece, Ministry of Education and Religious Affairs (2020), "We stay at home, we learn at home" (*"Μένουμε σπίτι, μαθαίνουμε σπίτι"*), available in Greek at <https://mathainoumestospiti.gov.gr/schetika/>

Affairs is available to students without internet access through the “zerorating” which allows them to attend classes without wi-fi or cell phone internet data charges. “Zerorating” allows access to the learning platforms of the Ministry of Education and Religious Affairs through electronic devices without internet data charges. This is ensured by the Ministry of Education and Religious Affairs in collaboration with all telephone providers³³

All relevant information on distance learning is available online through the special website of the Ministry of Education and Religious Affairs³⁴.

In addition, the educational community has access to a help desk facilitating the involvement and answering of relevant questions³⁵.

1.2.3 Work

In **Greece**, the financial support mechanism established pursuant to Act of Legislative Content of 14 March 2020³⁶ was extended to people in precarious work conditions due to the seasonality of their profession. In concrete, workers who received a special seasonal financial aid in September 2019 were included in the state support mechanism pursuant to the Joint Ministerial Decision of the Ministries of Labor and Social affairs issued on 22 April 2020.³⁷ This list included mine workers, forest workers, tobacco leaf collectors, shoe makers, cinema and theatre cashiers, cinema and television technicians, musicians, dancers and actors, touristic and catering employees. Those who can benefit from the financial support are the ones who were employed during the previous year, while no provision is made for those who were not working in 2019 and are currently unemployed. Relief measures for long-term unemployed who are not receiving an unemployment benefit³⁸ were introduced on 16 April 2020 through a one-off €400 lump sum. The status of long term unemployed is for individuals who have been registered as unemployed for 12 consecutive months since April 1st 2019 until the publication of the Joint Ministerial Decision.³⁹ A one-off special benefit amounting to half of their

³³ Greece, Ministry of Digital Governance (2020), “Free access to mobile platforms for digital education free of charge” (“Χωρίς χρέωση από κινητά δίκτυα η πρόσβαση σε ψηφιακές πλατφόρμες για την εξ αποστάσεως εκπαίδευση”), available in Greek at <https://mindigital.gr/archives/1343>

³⁴ <https://mathainoumestospiti.gov.gr/>

³⁵ <https://www.minedu.gov.gr/anastoli-leitourgias-ekpaideftikon-monadon/44445-21-03-2020-odigies-gia-tin-eks-apostaseos-ekpaidefsi>

³⁶ Greece, Act of Legislative Content on “Emergency measures in response to the need to limit the dispersion of the coronavirus COVID-19” (Κατεπείγοντα μέτρα αντιμετώπισης της ανάγκης περιορισμού της διασποράς του κορωνοϊού COVID-19), Art. 13 para. 1, O.G A’ 64/14-3-2020, available in Greek at http://www.dsanet.gr/Epikairothta/Nomothesia/PNP_14-3-2020.htm

³⁷ Greece, Ministry of Labor and Social Affairs, Joint Ministerial Decision, “Support measures for special categories of workers significantly affected by the negative impact of coronavirus COVID-10” (Μέτρα στήριξης εργαζομένων ειδικών κατηγοριών, οι οποίοι πλήττονται σημαντικά λόγω των αρνητικών συνεπειών της εμφάνισης κορωνοϊού COVID), No 16073/287 , O.G B’ 1547/22-4-2020 available in Greek at <https://bit.ly/3fiMN12>

³⁸ Greece, Hellenic Manpower Organisation (Οργανισμός Απασχόλησης Εργατικού Δυναμικού), Press Release 14 April 2020 (in Greek) at <https://bit.ly/2SJlpjm>

³⁹ Greece, Ministries of Finance-Labour and Social Affairs-Interior, Joint Ministerial Decision, “Grant of one-off financial aid of €400 to unemployed persons not receiving unemployment benefit” (“Χορήγηση εφάπαξ οικονομικής ενίσχυσης ύψους τετρακοσίων (400) ευρώ σε μη επιδοτούμενους μακροχρόνια άνεργους.”), No D1a/GP.oik.25763, O.G B’ 1471/16-4-2020, available in Greek at http://www.dsanet.gr/Epikairothta/Nomothesia/Apof15687_1468.htm

regular salaries was provided to doctors, nurses and people working in health units throughout Greece⁴⁰.

In **Greece**, according to the Gradual De-escalation of Restrictive Measures Scheme (*Σχέδιο σταδιακής αποκλιμάκωσης περιοριστικών μέτρων*)⁴¹, the 4th of May will be the first day of the gradual reopening of businesses and services. The preventive measures for the health and safety of the workers are summarised as follows:

- Workers in the private and public sector must continue to work remotely to the extent possible also during the month of May. This measure is to be applied to all or to the 70% of the workers within an undertaking or public service ;
- retail shops will open at 10 am instead of 9 am;
- workers are encouraged to use their own vehicles to commute to work and only use means of public transport for work-related reasons during rush hour ;
- arrival time at the workplace must be varied to avoid crowding. Three arrival times must be indicated between 7 and 10 am ;

Further, to prevent unemployment, according to the above Scheme, undertakings which reopen must deploy at least 50% of their staff. According to the Ministry of Finances⁴², the employees whose employment is still suspended in May 2020 will continue to benefit from the state special purpose compensation (pro rata) established with the Act of Legislative Content of 4 March 2020.⁴³

In **Greece**, the General Confederation of Greek Workers (GSEE) (*Γενική Συνομοσπονδία Ελλήνων Εργατών, Γ.Σ.Ε.Ε*) raises concerns concerning the potential negative impact of the Coronavirus COVID-19 on labour rights. The General Confederation of Greek Workers notes in its press release of 15 April 2020⁴⁴ that Collective Agreements have not been extended by law and underlines that the inactivation of collective bargaining power of workers due to the pandemic threatens basic labour rights. The General Confederation of Greek Workers addressed a letter to the Minister of Labor and Social Affairs on 26 March 2020 recommending the extension of existing Collective Agreements until 30 September 2020.⁴⁵ The Ministry of Labor and Social Affairs has not commented on this proposal on their website or in press as of yet.

⁴⁰ Greece, Act of Legislative Content, "Measures to tackle coronavirus COVID-19 pandemic and other urgent provisions." (*Μέτρα αντιμετώπισης της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες διατάξεις.*), O.G A'75/30-3-2020, Art. 4 available in Greek at <http://www.dsnet.gr/Epikairothta/Nomothesia/pnp30032020.htm>

⁴¹ Greece, "Gradual plan of de-escalation of the restrictive measures" (*Σχέδιο σταδιακής αποκλιμάκωσης περιοριστικών μέτρων*), 28 April 2020, available in Greek at <https://bit.ly/2zFhPQn>

⁴² Greece, Ministry of Finances, "Announcement of the Minister of Finance Mr. Christos Staikouras for the Complete Plan for tackling with the economic repercussions of COVID-19 in May" (*Τοποθέτηση του Υπουργού Οικονομικών κ. Χρήστου Σταϊκούρα για το Ολοκληρωμένο Σχέδιο αντιμετώπισης των οικονομικών επιπτώσεων του κορωνοϊού για τον μήνα Μάιο*), press release, 30 April 2020, available in Greek at <https://bit.ly/3dbC6eV>

⁴³ Greece, Act of legislative content on "Emergency measures in response to the need to limit the dispersion of the coronavirus COVID-19" (*Κατεπείγοντα μέτρα αντιμετώπισης της ανάγκης περιορισμού της διασποράς του κορωνοϊού COVID-19*), (O.G A' 64/14-3-2020), available in Greek at http://www.dsnet.gr/Epikairothta/Nomothesia/PPN_14-3-2020.htm

⁴⁴ Greece, General Confederation of Greek Workers, "The legal extension of collective agreements that expired or are about to expire is imperative" (*ΕΠΙΒΕΒΛΗΜΕΝΗ Η ΝΟΜΟΘΕΤΙΚΗ ΠΑΡΑΤΑΣΗ ΣΥΛΛΟΓΙΚΩΝ ΡΥΘΜΙΣΕΩΝ ΠΟΥ ΕΛΗΞΑΝ Ή ΘΑ ΛΗΞΟΥΝ ΚΑΤΑ ΤΗ ΔΙΑΡΚΕΙΑ ΕΦΑΡΜΟΓΗΣ ΤΩΝ ΕΚΤΑΚΤΩΝ ΜΕΤΡΩΝ*), press release, 15 April 2020, available in Greek at <https://gsee.gr/?p=36873>

⁴⁵ *Ibid*

1.2.4 Access to justice

In **Greece**, all courts of justice and prosecution offices closed their buildings, initially from 28 March to 10 April⁴⁶ and then until 15 May 2020⁴⁷. District Courts had suspended operations since 10 March 2020.⁴⁸ All deadlines and limitation periods were suspended and proceedings were adjourned. Exceptionally, courts remained in operation for the following proceedings⁴⁹:

- petition and granting of temporary orders⁵⁰ ;
- petition and granting of provisional relief measures;
- trials of detained misdemeanour defendants caught in the act;
- selection of members of the jury ;
- trials of felony defendants under pre-trial custody who have served time close to the maximum time allowed in pre-trial custody ;
- trials of felonies bound to become time-barred ;
- publication of judgments ;

In **Greece**, according to the Ministerial Decision of the Ministry of Justice, District Courts and Courts of First Instance of Athens are due to reopen on 24 April 2020.⁵¹ The Athens Bar Association in a press release on 24 April 2020 noted that the Ministry of Justice decided to reopen the District Courts and Courts of First Instance without consulting with the Athens Bar Association and most importantly without prior approval from the competent public healthcare authorities.⁵² On these grounds, the Athens Bar Association board announced a strike of lawyers in Athens as of 28 April 2020 for one day. The Board of the Athens Bar Association assembled on 28 April 2020 after a visit to the District Courts and according to its press release of 29 April 2020, it considered the sanitary conditions in the courts

⁴⁶ Greece, Ministries of National Defence-Health-Justice, Joint Ministerial Decision, "Imposition of the measure of temporary suspension of the function of all Courts of Justice and Prosecution Offices [...] from 28.3.2020 until 10.4.2020" ("Επιβολή του μέτρου της προσωρινής αναστολής λειτουργίας όλων των Δικαστηρίων και Εισαγγελιών [...] για το χρονικό διάστημα από 28.3.2020 έως και 10.4.2020."), No D1a/G.P. oik. 21159, O.G B' 1074/27-3-2020, available in Greek at http://www.dsnet.gr/Epikairothta/Nomothesia/YAD1a_21159_1074.htm

⁴⁷ Greece, Ministries of National Defence-Health-Justice, Joint Ministerial Decision, "Imposition of the measure of temporary suspension of the function of all Courts of Justice and Prosecution Offices [...] from 28.4.2020 until 15.5.2020" ("Επιβολή του μέτρου της προσωρινής αναστολής λειτουργίας όλων των Δικαστηρίων και Εισαγγελιών [...] για το χρονικό διάστημα από 28.4.2020 έως και 15.5.2020."), No D1a/G.P. oik. 26804, O.G B' 1588/25-4-2020, available in Greek at http://www.dsnet.gr/Epikairothta/Nomothesia/YA26804_2020.htm

⁴⁸ Greece, Ministry of Justice, Ministerial Decision, "Partial lift of suspension function of judicial services of the Athens District Court" ("Μερική άρση αναστολής λειτουργίας των δικαστικών υπηρεσιών του Δικαστικού Μεγάρου Ειρηνοδικείου Αθηνών."), No 19160, O.G B' 1582/25-4-2020, available in Greek at <https://www.e-nomothesia.gr/kat-ygeia/astheneies/upourgike-apophase-19160-2020-phek-1582b-25-4-2020.html>

⁴⁹ Greece, Ministries of National Defence-Health-Justice, Joint Ministerial Decision, "Imposition of the measure of temporary suspension of the function of all Courts of Justice and Prosecution Offices [...] from 28.3.2020 until 10.4.2020" ("Επιβολή του μέτρου της προσωρινής αναστολής λειτουργίας όλων των Δικαστηρίων και Εισαγγελιών [...] για το χρονικό διάστημα από 28.3.2020 έως και 10.4.2020."), No D1a/G.P. oik. 21159, O.G B' 1074/27-3-2020, Art 4 para. 2, available in Greek at http://www.dsnet.gr/Epikairothta/Nomothesia/YAD1a_21159_1074.htm

⁵⁰ Civil and administrative procedure institution granted by the presiding judge as a form of interim relief

⁵¹ Greece, Ministry of Justice, Ministerial Decision, "Partial lift of suspension function of judicial services of the Athens District Court" ("Μερική άρση αναστολής λειτουργίας των δικαστικών υπηρεσιών του Δικαστικού Μεγάρου Ειρηνοδικείου Αθηνών."), No 19160, O.G B' 1582/25-4-2020, available in Greek at <https://www.e-nomothesia.gr/kat-ygeia/astheneies/upourgike-apophase-19160-2020-phek-1582b-25-4-2020.html>

⁵² Greece, Athens Bar Association, "Board Decisions of the Athens bar Association (24/4)-Announcement on Athens lawyers' strike on Tuesday 28/4" ("Αποφάσεις του ΔΣ του ΔΣΑ (24/4) - Ανακοίνωση για αποχή των δικηγόρων Αθηνών την Τρίτη, 28/4"), press release, 25 April 2020, available in Greek at <https://bit.ly/3aSShAf>

adequate but raised concerns with regard to the lack of security staff in District Courts and Mortgage Registries.⁵³

No alternative measures to detention have been announced or adopted by the Greek Ministry of Citizen Protection who is competent for detention facilities. The Hellenic Criminal Bar Association issued a recommendation paper on 27 March 2020 making reference to health and safety precautions for the protection of detainees and to the release of some categories of delinquents as necessary.⁵⁴

1.2.5 Freedom of movement

In **Greece**, as of 22 March 2020, flights from Turkey and the UK are completely banned. The reasons for this selective ban was a sudden and steep rise of COVID-19 infections in these two countries the days prior to the imposition of the ban.⁵⁵ The ban was initially imposed until 15 April 2020 and was then extended until 15 May 2020.⁵⁶ Repatriation flights for Greek citizens do not fall under this restriction.

The ban on entry to the Greek territory ordered on 17 March 2020⁵⁷ was extended until 15 May 2020⁵⁸ and concerns third country nationals, with the exception of: family members of EU/EEA citizens, Medical staff, researchers, third country nationals legally residing in Greece or the EU and their family members, diplomats and workers carrying essential goods.⁵⁹ Third country nationals who are subject to the general restriction of entry and wish to travel to Greece for professional or personal reasons may apply for an exceptional permit at the Greek consulates of their place of residence.⁶⁰

⁵³ Greece, Athens Bar Association, "Athens Bar Association board decisions 28/4" ("Αποφάσεις του Διοικητικού Συμβουλίου του ΔΣΑ (συνεδρίαση 28/4)"), press release, 29 April 2020, available in Greek at <https://bit.ly/2yVVluj>

⁵⁴ Greece, Hellenic Criminal Bar Association, "Recommendations for the detainees' protection from the pandemic", ("ΠΡΟΤΑΣΕΙΣ ΓΙΑ ΤΗΝ ΠΡΟΣΤΑΣΙΑ ΤΩΝ ΚΡΑΤΟΥΜΕΝΩΝ ΣΤΙΣ ΦΥΛΑΚΕΣ ΑΠΟ ΤΗΝ ΠΑΝΔΗΜΙΑ"), press release, 26 March 2020, available in Greek at <https://bit.ly/35tb9AU>

⁵⁵ Greece, Ministries of Health-Transport and Infrastructure-Maritime Affairs and Insular Policy, Joint Ministerial Decision, "Imposition of the measure of temporary limitation of connections with Turkey and the United Kingdom due to Coronavirus COVID-10" ("Επιβολή του μέτρου του προσωρινού περιορισμού συνδέσεων με την Τουρκία και το Ηνωμένο Βασίλειο προς περιορισμό της διασποράς του κορωνοϊού COVID-19."), No D1/G.P. oik. 20042, O.G B' 989/22-3-2020, available in Greek at <https://bit.ly/2yVVNj1>

⁵⁶ Greece, Ministries of Health-Transport and Infrastructure-Maritime Affairs and Insular Policy, Joint Ministerial Decision, "Extension of [...] Joint Ministerial Decision No D1/G.P. oik. 20042, O.G B' 989/22-3-2020 until 15.5.2020 at 15:00" ("Παράταση ισχύος της κοινής απόφασης [...] με αριθμό Δ1α/ΓΠ.οικ.20042/22.3.2020 (B' 989) έως και τις 15.5.2020 και ώρα 15.00"), No D1a/G.P. oik.25139, O.G B' 1420/15-4-2020, available in Greek at http://www.dsnet.gr/Epikairothta/Nomothesia/YAD1a%2025139_1420.htm

⁵⁷ Greece, Ministries of Citizen Protection-Interior, Joint Ministerial Decision, Imposition of the ban on entry of third country nationals in the country [...]" ("Επιβολή του μέτρου της απαγόρευσης εισόδου στη χώρα των υπηκόων τρίτων κρατών [...]"), No D1a/G.P. oik. 19030, O.G B' 916/17-3-2020, available in Greek at <https://www.taxheaven.gr/circulars/32563>

⁵⁸ Greece, Ministries of Health-Transport and Infrastructure-Maritime Affairs and Insular Policy, Joint Ministerial Decision, "Extension of [...] Joint Ministerial Decision No D1/G.P. oik. 20042, O.G B' 989/22-3-2020 until 15.5.2020 at 15:00" ("Παράταση ισχύος της κοινής απόφασης [...] με αριθμό Δ1α/ΓΠ.οικ.20042/22.3.2020 (B' 989) έως και τις 15.5.2020 και ώρα 15.00"), No D1a/G.P. oik.25139, O.G B' 1420/15-4-2020, available in Greek at http://www.dsnet.gr/Epikairothta/Nomothesia/YAD1a%2025139_1420.htm

⁵⁹ Greece, Ministries of Citizen Protection-Interior, Joint Ministerial Decision, Imposition of the ban on entry of third country nationals in the country [...]" ("Επιβολή του μέτρου της απαγόρευσης εισόδου στη χώρα των υπηκόων τρίτων κρατών [...]"), Art. 1 para. 4, No D1a/G.P. oik. 19030, O.G B' 916/17-3-2020, available in Greek at <https://www.taxheaven.gr/circulars/32563>

⁶⁰ *Ibid*, Art. 1 para. 5

In **Greece**, asylum applications had been temporarily suspended for March 2020⁶¹ and this suspension was not extended further. The suspension had been imposed exclusively for one month and no decision to extend it was published.

1.3 Impact of measures on particular groups

- **ROMA**

In **Greece**, the General Secretary of Social Solidarity issued a circular addressing Mayors on 18 March 2020 requesting them to adopt special measures for the protection of the Roma populations from the spread of Coronavirus COVID-19.⁶² Within the limit of the appropriations entered in the budget this year in favor of Local Authorities (Central Independent Resources), the Ministry of Interior allocated grants of 2.465.000,00 to Local Authorities of the first and second degree for supplies and other services related to the urgent need for measures to be taken to prevent the spread of COVID-19 in Roma settlements. In particular, the Ministry of Interior issued a decision on 27 March 2020 to distribute €2.255.000,00 to 98 municipalities, and five other decisions in April (10/04, 16/04 and 28/04) concerning one Region and 8 municipalities, in order to enable them to undertake important initiatives and actions to protect public health such as disinfection inside and around the Roma settlements, public awareness, provision of drinking water and other preventive measures against the spread of COVID-19.⁶³ The Ellan Passe-Panhellenic Confederation of Greek Roma (*Ελλάν Πασσέ - Πανελλαδική Συνομοσπονδία Ελλήνων Ρομά*) addressed a letter to the heads of municipalities in Greece requesting information regarding special precaution measures to protect the Roma populations from the spread of COVID-19.⁶⁴ This letter made reference to the deplorable living conditions of thousands of Greek Roma in camps that lack access to clean water and electricity. Until 30 April 2020, the Mayors of six municipalities reported on the measures adopted to protect local Roma populations. These included:

- cleaning the facilities within and around Roma camps
- decontamination of residential areas
- provision of free gloves, sanitisers, soaps and bottled water
- provision of information on the negative impact of Coronavirus COVID-19

The Mayor of Acharnes commented in his letter that it is unfair for the rest of the community to become jeopardised due to the eccentric behaviour of Roma population in the area.⁶⁵ The content of

⁶¹ Greece, Act of Legislative Content, "Suspension of submission of asylum applications" ("Αναστολή της υποβολής αιτήσεων χορήγησης ασύλου"), O.G. A' 45/2-3-2020, 2 March 2020, available in Greek at <http://asylo.gov.gr/wp-content/uploads/2020/03/pnp-anastolh-ths-ypovolis-aithseon-asylou.pdf>

⁶² Greece, Ministry of Labor and Social Affairs, Circular, "Necessary measures in Roma camps" ("Λήψη αναγκαίων μέτρων από Δήμους με καταυλισμούς Ρομά"), 18 March 2020, available in Greek at <http://www.nomotelia.gr/photos/File/261-20.pdf>

⁶³ Greece, Ministry of Interior, Ministerial Decision,, "Urgent allocation of €2,255,000.00 [...] for Roma camps" ("Έκτακτη κατανομή ποσού 2.255.000,00 € [...] σε οικισμούς και καταυλισμούς Ρομά"), No 20210/ 27-3-2020, available in Greek at <https://bit.ly/2VRJNkA>

⁶⁴ Facebook post on the official facebook page of Ellan Passe-Panhellenic Confederation of Greek Roma, 6 April 2020, available in Greek at https://www.facebook.com/ellanpasse/posts/539164196992831?_tn=K-R

⁶⁵ Facebook post on the official facebook page of Ellan Passe-Panhellenic Confederation of Greek Roma, 6 April 2020, available in Greek at <https://www.civilprotection.gr/el/koini-synenteyxi-typoy-gia-ton-periorismo-kykloforias-politon-se-oli-tin-epikrateia-logo->

this letter has not received further comments neither by The Ellan Passe-Panhellenic Confederation of Greek Roma nor by the Racist Violence Recording Network (RVRN) (Δίκτυο καταγραφής ρατσιστικής βίας).⁶⁶

In **Greece**, according to the General Secretariat for Civil Protection, 20 persons residing in a Roma camp in Larissa city were tested positive for Coronavirus COVID-19 on 9 April 2020.⁶⁷ The camp was immediately placed under a state of emergency including a complete lockdown of residents and a complete ban of movement outside of the camp for 14 days. Measures to secure the safety of the residents and the population around the camp included the distribution of food, antiseptics and medicine through specific routes.

- **DETAINEES**

On 9 April 2020, the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) published a report containing its findings during its visit to Greece in 2019.⁶⁸ According to the report, the conditions in Greek prisons are poor, access to healthcare for detainees is problematic and most facilities are overpopulated. According to the media, sanitation and living conditions in Greek prisons are still deplorable.⁶⁹ The Ministry of Citizen Protection responded to criticisms regarding the poor hygienic conditions in Greek prisons through a press release⁷⁰ where it provided reassurance that all 34 prison facilities have been decontaminated against insects and rodents, visiting hours have been cancelled and all appropriate measures have been taken to prevent the spread of COVID-19 in prisons.

The Greek Department of Amnesty International criticised prison conditions in light of the recent death of a prisoner and urged the Greek state to adopt decongestion measures and to ensure access of all prisoners to clean water, antiseptics and medicine. Amnesty International also reported that detainees in many prisons around Greece have stated that they do not have access to antiseptics, masks or gloves.⁷¹ According to the media, the prisoner who died in Eleonas prison in the city of Thiva

[koronoioyhttps://www.facebook.com/ellanpasse/photos/pcb.539781363597781/539780810264503/?type=3&theater](https://www.facebook.com/ellanpasse/photos/pcb.539781363597781/539780810264503/?type=3&theater)

⁶⁶ The Racist Violence Recording Network (RVRN) was established in 2011 by the Greek National Commission for Human Rights and the Greek Office of UNHCR, the UN Refugee Agency. Today, RVRN consists of 46 non-governmental organizations and civil society actors, as well as the Greek Ombudsman and the Migrants' Integration Council of the Municipality of Athens. More information is available here: <http://rvrn.org>

⁶⁷ Greece, General Secretariat of Civil Protection, Press release , 10 April 2020, available in Greek at <https://www.civilprotection.gr/el/enimerosi-apo-ton-yfypoyrgo-politikis-prostasias-kai-diaheirisis-kriseon-niko-hardalia-kai-ton-14>

⁶⁸ Council of Europe , "Report To the Greek Government On the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 28 March to 9 April 2019" , available in English at <https://rm.coe.int/16809e2058>

⁶⁹Greece, To proto Thema, 27 April 2020, available in Greek at <https://www.protothema.gr/greece/article/1000328/apolumansi-stis-fulakes-gia-ton-koronoio-irthan-pano-mas-3000-podikia-san-provata-den-ekanan-pote-apolumansi/>

⁷⁰ Greece, Ministry of Citizen Protection, "27-4-2020:Press release regarding media reports on the decontamination of detention facilities in the country" ("27-04-2020: Δελτίο Τύπου σχετικά με αναφορές σε Μέσα Ενημέρωσης για την απολύμανση των Καταστημάτων Κράτησης όλης της χώρας") ,press release, 24 April 2020, available in Greek at http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=7083&Itemid=698

⁷¹ Greece, Amnesty International-Greek Department, "Urgent need for precaution measures against coronavirus in prisons" ("Έκτακτη ανάγκη για μέτρα προστασίας στις φυλακές από τον κορονοϊό") , 9 April 2020, available in Greek at <https://www.amnesty.gr/news/press/article/23202/epeigoysa-anagki-gia-metra-prostasias-stis-fylakes-apo-ton-koronoio>

had reported intense symptoms of cough, high fever and difficulty in breathing.⁷² The Ministry of Citizen Protection responded that the detainee was not a carrier of COVID-19 but failed to comment on to the lack of attention by the prison management to the symptoms of the deceased.⁷³

The Hellenic Criminal Bar Association recommended a potential release scheme.⁷⁴ The Greek Ministry of Citizen Protection has not commented on the recommendation but announced the intention of the Greek government to decongest prisons.⁷⁵

- **REFUGEES AND MIGRANTS**

In **Greece**, asylum applications were suspended for March 2020. From April 2020, asylum applications resumed normally. Regional Asylum Offices suspended their operations until 15 May 2020 in response to the pandemic⁷⁶. Asylum applicants' cards and residence permits were extended by law for four months.⁷⁷ The Appeals Authority has not suspended its operation, which means that the asylum appeals and the issuance of decisions are conducted normally. However, due to the closure of the Regional Asylum Offices, lawyers representing appellants do not have access to the case file prior to the examination of the appeal.⁷⁸ In **Greece**, the government has adopted measures to prevent the spread of Coronavirus COVID-19 within refugee hosting facilities since 21 March 2020⁷⁹. On 24 March 2020 the "Agnodiki" scheme was implemented⁸⁰, which included emergency measures of

⁷²Greece, Detainees' rights initiative, "Eleonas Prison in Thiva: Criminal negligence and fierce repression instead of decongestion" ("ΦΥΛΑΚΕΣ ΕΛΕΩΝΑ ΘΗΒΑΣ: ΑΝΤΙ ΓΙΑ ΑΠΟΣΥΜΦΟΡΗΣΗ, ΔΟΛΟΦΟΝΙΚΗ ΟΛΙΓΩΡΙΑ ΚΑΙ ΑΓΡΙΑ ΚΑΤΑΣΤΟΛΗ"), 9 April 2020, available in Greek at http://www.tokeli.gr/2020/04/blog-post_9.html

⁷³Greece, Ministry of Citizen Protection, "Announcement regarding the death of the 42-year-old prisoner" ("Ανακοίνωση σχετικά με το θάνατο της 42χρονης κρατούμενης", Press Release, 10 April 2020, available in Greek at http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=7077&Itemid=698

⁷⁴ Greece, Hellenic Criminal Bar Association, "Draft law provision for the protection of detainees from the pandemic" ("ΣΧΕΔΙΟ ΔΙΑΤΑΞΗΣ ΝΟΜΟΥ ΓΙΑ ΤΗΝ ΠΡΟΣΤΑΣΙΑ ΤΩΝ ΚΡΑΤΟΥΜΕΝΩΝ ΑΠΟ ΤΗΝ ΠΑΝΔΗΜΙΑ"), 30 March 2020, available in Greek at <https://bit.ly/35mwplk>

⁷⁵ Greece, Ministry of Citizen Protection, "04-04-2020: Announcement regarding news publication" ("04-04-2020: Ανακοίνωση σχετικά με δημοσίευμα"), 4 April 2020, available in Greek at http://www.minocp.gov.gr/index.php?option=ozo_content&lang=GR&perform=view&id=7073&Itemid=698

⁷⁶ Greece, Ministries of Health-Interior-Migration and Asylum, Joint Ministerial Decision, "Extension of Join Ministerial Decision No 12687/16-3-2020" ("Παράταση ισχύος των διατάξεων της αριθμ.12687/16.3.2020 κοινής υπουργικής απόφασης"), No 3332, O.G B 1297/10-4-2020, available in Greek at <https://www.e-nomothesia.gr/kat-ygeia/astheneies/koine-upourgike-apophase-3332-2020.html>

⁷⁷ Greece, Ministry of Migration and Asylum, Ministerial Decision, "Extension of residence permits, asylum applicants' cards [...]" ("Παράταση ισχύος Αδειών Διαμονής, Δελτίων Αιτούντων Διεθνούς Προστασίας [...]."), No oik. 7330, O.G B' 1426/15-4-2020, available in Greek at <http://asylo.gov.gr/wp-content/uploads/2020/04/%CF%80%CE%B1%CF%81%CE%AC%CF%84%CE%B1%CF%83%CE%B7-%CE%B9%CF%83%CF%87%CF%8D%CE%BF%CF%82-%CE%B4%CE%B5%CE%BB%CF%84%CE%AF%CF%89%CE%BD.pdf>

⁷⁸ Greece, General Secretary of of Migration Policy, Circular, "Suspension of the reception and service of the public" ("Αναστολή της υπηρεσίας υποδοχής και εξυπηρέτησης του κοινού"), No 632/13-4-2020 13 March 2020, available in Greek at https://www.dspeiraia.gr/members/attached_articles/2055200182.pdf

⁷⁹ Greece, Minister of Migration and Asylum, "Joint Ministerial Decision on the restriction of movement in asylum seekers' hosting facilities" ("ΚΥΑ Περιορισμού Κυκλοφορίας στις Δομές Φιλοξενίας Αιτούντων Ασυλο"), press release, 23 March 2020, available in Greek at <https://www.mitarakis.gr/gov/migration/1962-dt-yma-kyaperiorismou>

⁸⁰ Greece, Ministry of Health, "Information of accredited health reporters [...] Professor Sotiris Tsiodras" ("Ενημέρωση διαπιστευμένων συντακτών [...] Καθηγητή Σωτήρη Τσιόδρα"), available in Greek at https://eody.gov.gr/wp-content/uploads/2020/04/0403_briefing_covid19.pdf

seclusion, quarantine, evacuation, movement restriction, food distribution and establishment of medical units within infected areas.

In **Greece**, according to a letter by the Greek Minister of Migration and Asylum to the chair of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament, COVID-19 infections are reported in three refugee hosting facilities:⁸¹

- 150 infected persons in Kranidi Hotel ;
- 33 infected persons in Ritsona camp ;
- 12 infected persons in Malakasa camp ;
- 7 infected persons in other places.

All infections were identified after the “*Agnodiki*” scheme was adopted. No incidents have been recorded in the camps on the Aegean islands. The Chairperson of the Panhellenic Federation of Workers in Public Hospitals (*Πανελλήνια Ομοσπονδία Εργαζομένων Δημοσίων Νοσοκομείων, Π.Ο.Ε.Δ.Η.Ν*) expressed concerns on the delay of the public authorities to examine a suspicious incident in Malakasa camp.⁸²

The European Court of Human Rights, by way of interim measures issued on 7 April 2020, ordered the Greek authorities to transfer the applicant from Vial camp on Chios island to a facility with adequate hygiene and reception conditions compatible with Article 3 of the European Convention of Human Rights.⁸³

2 Users’ data - privacy and data protection

2.1 Arrangements between public authorities and other actors to allow collection, sharing and processing of user data

In **Greece**, the arrangements to allow collection, sharing and processing of user data by the public authorities and third party actors is summarised by three core measures:

1. Drone surveillance
2. SMS to 13033
3. Patients’ data

According to a press conference held on 22 March 2020, the Hellenic Police and the Ministry of Citizen Protection mapped out a plan of air surveillance through drones and helicopters to ensure compliance

⁸¹ Greece, Minister of Migration and Asylum, “Letter to Mr Juan Fernando López Aguilar” (“Επιστολή προς τον κο Juan Fernando López Aguilar”), letter, 27 April 2020, available in Greek at <https://bit.ly/3dpHY4o>

⁸² Greece, “Efimerida ton Syntakton” (“Εφημερίδα των Συντακτών”), “Too little and too late also for the measures in Malakassa” (“Πολύ λίγα και πολύ αργά τα μέτρα και στη Μαλακάσα”) https://www.efsyn.gr/ellada/ygeia/237999_poly-liga-kai-poly-arga-ta-metra-kai-sti-malakasa

⁸³ ECtHR, Application No 15782/20, M.A. v. Greece, Document Ref No:ECHR-LE2.2aR, 7 April 2020, available in English at https://c7db895f-7823-4bab-aca6-270af12c4d6b.usrfiles.com/ugd/c7db89_b689018d5b144e4fb261cff12f8e77ac.pdf

with stay at home orders.⁸⁴ The use of drones by the Hellenic Police was reported in the news specifically during the Orthodox Easter holidays⁸⁵.

In **Greece**, as of 22 March 2020, individuals were required to be in hold of a special permit in order to leave home for essential activities.⁸⁶ One way of receiving such a permit was by sending an SMS to the number 13033 operated by the General Secretariat of Civil Protection. The latter provided guidance as to what information is required for the SMS permit.⁸⁷ The personal data sent to 13033 included the name and surname, code number of the purpose of movement and residence address. An individual controlled by law enforcement had to show the permit that was sent through a SMS back to the sender or was otherwise liable to pay a fine. According to the General Secretariat Data Protection Policy, the collection and storage of this personal data is justified by reasons of public interest and specifically the protection of public health in response to the COVID-19 pandemic. The data Protection policy of the General Secretariat of Civil Protection mentions that the data is stored only for the time from when the sms is sent by the citizen to 13033 until the response sms that includes the exit permit (which takes a few seconds). According to the policy after the citizen receives the sms with the exit permit, their data is erased or anonymised⁸⁸. The legal basis is the Law 4624/2019 on measures for the implementation of the GDPR⁸⁹.

Pursuant to Act of Legislative Content of 30 March 2020 a National Registry of COVID-19 is established.⁹⁰ The registry derives from the need for swift and immediate documentation of COVID-19 infections and the need to collect adequate medical data to be sent to the Hellenic National Public Health Organization (EODY) (Εθνικός Οργανισμός Δημόσιας Υγείας, Ε.Ο.Δ.Υ). The data to be collected from patients include: name and surname, age, gender, current and previous overall health condition.

⁸⁴ Greece, General Secretariat of Civil Protection (Γενική Γραμματεία Πολιτικής Προστασίας), “Press Conference the restriction of movement in the Greek territory due to coronavirus” , (“Κοινή Συνέντευξη Τύπου για τον περιορισμό κυκλοφορίας πολιτών σε όλη την επικράτεια λόγω κορωνοϊού”) 22 March 2020, available in Greek at <https://www.civilprotection.gr/el/koini-synenteyxi-typou-gia-ton-periorismo-kykloforias-politon-se-oli-tin-epikrateia-logo-koronoioy>

⁸⁵ Greece, Enikos.gr, “Easter 2020: The plan of the Hellenic Police for the restriction order-Warning from Petsas” , 16 April 2020 available in Greek at: <https://www.enikos.gr/society/713933/pascha-2020-olo-to-schedio-tis-elas-gia-ta-perioristika-metra-i-p>

⁸⁶ Greece, Ministries of Citizen Protection, Health and Interior, Joint Ministerial Decision, “Imposition of a measure to temporarily restrict the movement of citizens in response to the risk of spreading the COVID-19 coronavirus.” (Επιβολή του μέτρου του προσωρινού περιορισμού της κυκλοφορίας των πολιτών προς αντιμετώπιση του κινδύνου διασποράς του κορωνοϊού COVID-19), No. D1a/G.P oik. 20036, O.G B’ 986/22-3-2020, available in Greek at <https://bit.ly/2Ud69we>

⁸⁷ Guidelines for citizens available in Greek at <https://forma.gov.gr/>

⁸⁸ Greece, General Secretariat for Civil Protection, Personal Data Policy, Section 4., available in Greek at <https://forma.gov.gr/docs/data-protection-policy.pdf>

⁸⁹ Greece, Law 4624/2019 ‘Data Protection Authority, measures for the implementation of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and transposition in national legislation of the Directive (EE) 2016/680 of the European Parliament and of the Council of 27th April 2016 and other provisions’ («Αρχή Προστασίας Δεδομένων Προσωπικού Χαρακτήρα, μέτρα εφαρμογής του Κανονισμού (ΕΕ) 2016/679 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 27^{ης} Απριλίου 2016 για την προστασία των φυσικών προσώπων έναντι της επεξεργασίας δεδομένων προσωπικού χαρακτήρα και ενσωμάτωση στην εθνική νομοθεσία της Οδηγίας (ΕΕ) 2016/680 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 27^{ης} Απριλίου 2016 και άλλες διατάξεις»), O.G. A’ 137/2019.

⁹⁰ Greece, Act of Legislative Content, “Measures to tackle coronavirus COVID-19 pandemic and other urgent provisions.” (“Μέτρα αντιμετώπισης της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες διατάξεις.”), O.G A’75/30-3-2020, Art. 29, available in Greek at <http://www.dsnet.gr/Epikairothta/Nomothesia/png30032020.htm>

The implementation of the registry is assigned to the E-Governance of Social Security S.A (Ηλεκτρονική Διακυβέρνηση Κοινωνικής Ασφάλισης Α.Ε , Η.Δ.Ι.Κ.Α)⁹¹ who is nominated as the data processor.⁹²

Pursuant to the Act of Legislative Content of 14 March 2020, collection of personal data of potentially or actually infected persons by the Hellenic National Public Health Organization (EODY) (Εθνικός Οργανισμός Δημόσιας Υγείας, Ε.Ο.Δ.Υ) for the purpose of sharing it with the General Secretariat for Civil Protection (GGPP) (Γενική Γραμματεία Πολιτικής Προστασίας, Γ.Γ.Π.Π) was already allowed. The data shared is to be anonymised and its transmission encrypted. The processing of the data is limited to purposes of coordination between the Hellenic National Public Health Organization and the General Secretariat for Civil Protection for the effective response to Coronavirus-COVID 19. This data is kept for a maximum period of one month following the end of any emergency measure taken to tackle Coronavirus COVID-19 and certainly not past 31 December 2020. Following this time frame, data may be anonymised and used to improve the system of civil protection in Greece.⁹³

In **Greece**, all arrangements announced to date with regard to data collection and processing in the face of the pandemic involve public entities and state authorities. No arrangement to share user or patient data with privately owned third parties has been announced by state authorities or reported in the news. To date, the state has used and enhanced its own human and material resources to implement the measures referred to above. However, sharing data collected by the SMS permits with third parties is referred to as a possibility in the fifth section of Data Policy of the General Secretariat for Civil Protection.⁹⁴

2.2 Legal framework enabling collection, processing, sharing and storage of user data

Drone surveillance:

In **Greece**, the Presidential Decree 98/2019 on the Organisation and structure of Drone Service (Υπηρεσία Μη Στελεχωμένων Αεροσκαφών)⁹⁵ allows the use of drones to support and enhance the activities of the Hellenic Police for crime prevention, traffic control and border surveillance. According to this decree the Hellenic Police is also empowered to use drones and collect the images recorded in order to cooperate with other Public Security Forces and other public or private entities in urgent cases. The capturing of images by drones is allowed without prejudice to the applicable legislation.⁹⁶

⁹¹ E-Governance of Social Security S.A operates for the public interest in accordance with the provisions of private law and is subject to the provisions of Law 3429/2005 on "Public Enterprises and Organizations (D.E.K.O.)

⁹² Greece, Ministry of Health, Ministerial Decision, "Establishment and essential parameters of the operation of the National COVID-19 Patient Registry [...]" ("Σύσταση και βασικές παράμετροι λειτουργίας του Εθνικού Μητρώου Ασθενών[...]"), No 2649, O.G B' 1390/14-4-2020 , Art. 2, available in Greek at <https://www.e-nomothesia.gr/kat-ygeia/astheneies/upourgike-apophase-2649-2020-phek-1390b-14-4-2020.html>

⁹³ Greece, Act of Legislative Content on "Emergency measures in response to the need to limit the dispersion of the coronavirus COVID-19" ("Κατεπείγοντα μέτρα αντιμετώπισης της ανάγκης περιορισμού της διασποράς του κορωνοϊού COVID-19"), Art. 5, O.G A' 64/14-3-2020, available in Greek at http://www.dsanet.gr/Epikairothta/Nomothesia/PPN_14-3-2020.htm

⁹⁴ Greece, General Secretariat for Civil Protection, Personal Data Policy, available in Greek at <https://forma.gov.gr/docs/data-protection-policy.pdf>

⁹⁵ Greece, Presidential Decree, "Organisation and structure of the Drone Service" ("Οργάνωση και διάρθρωση της Υπηρεσίας Μη Στελεχωμένων Αεροσκαφών."), No 98, O.G A' 165/25-10-2019 , available in Greek at <https://www.e-nomothesia.gr/kat-astynomikos-astynomia/armodiotetes-organon/proedriko-diatagma-98-2019-phek-165a-25-10-2019.html>

⁹⁶ *Ibid*, Art. 1 para. 15 indent kkk

SMS to 13033:

In **Greece**, the requirement of sending an SMS to the number 13033 in order to receive a special permit of movement was established on 22 March 2020 by way of Joint Ministerial Decision⁹⁷. The General Secretariat for Civil Protection issued a personal data policy specifically for the SMS procedure.⁹⁸

Patients' data:

In **Greece**, the Act of Legislative Content of 14 March 2020 mandates the collection of personal data of potentially or actually infected persons by the Hellenic National Public Health Organization (EODY) (Εθνικός Οργανισμός Δημόσιας Υγείας, Ε.Ο.Δ.Υ) for the purpose of sharing it with the General Secretariat for Civil Protection (GGPP) (Γενική Γραμματεία Πολιτικής Προστασίας, Γ.Γ.Π.Π). The data shared is to be anonymised and its transmission encrypted. The processing of the data is limited to purposes of coordination between the Hellenic National Public Health Organization and the General Secretariat for Civil Protection for the effective response to Coronavirus-COVID 19.⁹⁹ The Act of Legislative Content of 30 March 2020¹⁰⁰ established a National Registry of COVID-19 patients. The Ministry of Health issued a Ministerial Decision on 14 April 2020 for the implementation of the registry.¹⁰¹

2.3 Privacy and data protection concerns and possible solutions

Drone surveillance:

In **Greece**, the legislation governing the use of drones by the Hellenic Police¹⁰² does not include any guarantees against data breaches nor does it refer to other data protection legislation. An indirect reference to data protection legislation is through the reference "The capturing of images by drones is allowed without prejudice to the applicable legislation". This reference lacks clarity and is open to wide interpretation. To this day, no impact assessment plan has been drafted by the Hellenic Police

⁹⁷ Greece, Ministries of Citizen Protection, Health and Interior, Joint Ministerial Decision, "Imposition of a measure to temporarily restrict the movement of citizens in response to the risk of spreading the COVID-19 coronavirus." (Επιβολή του μέτρου του προσωρινού περιορισμού της κυκλοφορίας των πολιτών προς αντιμετώπιση του κινδύνου διασποράς του κορωνοϊού COVID-19), No. D1a/G.P oik. 20036, O.G B' 986/22-3-2020, available in Greek at <https://bit.ly/2Ud69we>

⁹⁸ Greece, General Secretariat for Civil Protection, Personal Data Policy, available in Greek at <https://forma.gov.gr/docs/data-protection-policy.pdf>

⁹⁹ Greece, Act of Legislative Content on "Emergency measures in response to the need to limit the dispersion of the coronavirus COVID-19" ("Κατεπείγοντα μέτρα αντιμετώπισης της ανάγκης περιορισμού της διασποράς του κορωνοϊού COVID-19"), Art. 5, O.G A' 64/14-3-2020, available in Greek at http://www.dsanet.gr/Epikairothta/Nomothesia/PNP_14-3-2020.htm

¹⁰⁰ Greece, Act of Legislative Content, "Measures to tackle coronavirus COVID-19 pandemic and other urgent provisions." ("Μέτρα αντιμετώπισης της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες διατάξεις."), O.G A' 75/30-3-2020, Art. 29, available in Greek at <http://www.dsanet.gr/Epikairothta/Nomothesia/pnp30032020.htm>

¹⁰¹ Greece, Ministry of Health, Ministerial Decision, "Establishment and essential parameters of the operation of the National COVID-19 Patient Registry [...]" ("Σύσταση και βασικές παράμετροι λειτουργίας του Εθνικού Μητρώου Ασθενών[...]"), No 2649, O.G B' 1390/14-4-2020, Art. 2, available in Greek at <https://www.e-nomothesia.gr/kat-ygeia/astheneies/upourgike-apophase-2649-2020-phek-1390b-14-4-2020.html>

¹⁰² Greece, Presidential Decree, "Organisation and structure of the Drone Service" ("Οργάνωση και διάρθρωση της Υπηρεσίας Μη Στελεχωμένων Αεροσκαφών."), No 98, O.G A' 165/25-10-2019, available in Greek at <https://www.e-nomothesia.gr/kat-astynomikos-astynomia/armodiotetes-organon/proedriko-diatagma-98-2019-phek-165a-25-10-2019.html>

on this matter. However, the Hellenic Data Protection Authority (Αρχή Προστασίας Δεδομένων Προσωπικού Χαρακτήρα) over the recent years has highlighted the lack of legal basis for the use of video surveillance by law enforcement agencies and has repeatedly called for the immediate adoption of a relevant legal act via official correspondence with the competent authorities and with relevant references in its Annual Reports. At present, the DPA following a request by the Ministry of Citizen Protection is deliberating on the draft legislation on the use of video surveillance in public places with the aim of issuing an Opinion.

SMS to 13033: In **Greece**, the data protection policy of the General Secretariat for Civil Protection regarding the SMS permits of movement¹⁰³ was reviewed by Homo Digitalis¹⁰⁴ who raised concerns in an open letter addressed to the General Secretariat for Civil Protection on 30 March 2020¹⁰⁵:

- the second section of the data policy laying down definitions contain terms not used in the policy which can mislead the data subject ;
- the third section of the policy specifying the personal data collected does not include health data. However, an individual may request a permit to visit a pharmacy or the doctor (code “1” for SMS purposes). Health data is not covered in the policy ;
- the third section of the policy laying down the personal data collected does not include reference to the Data Processor. Further, there are no contact details of the appointed Data Protection Officer, which amounts to a direct violation of the provisions of the GDPR and the provisions of Law 4624/2019 with regard to transparency and minimum required information to be made available to the data subject ;
- the third section is unclear about what happens to the user data sent. The policy states that *“when the citizen receives a response to their cellphones their data is deleted or anonymised and kept exclusively for statistical reasons”* ;
- the fifth section of the data policy relating to confidentiality is ambiguous and problematic. It makes reference to *“collaborating providers supporting the operation of the service”* that have access to the data while in the same section it is stated that *“the General Secretariat for Civil Protection does not provide , transfer or publish user data to third parties”* ;

The data protection policy of the General Secretariat for Civil Protection for the SMS movement permits does not appear to meet the standards of clarity and precision laid down in the Commission Recommendation of 8 April 2020¹⁰⁶, ¹⁰⁷ In **Greece**, from 4 May 2020 no permit will be required for movement.

Patients’ data:

In **Greece**, the establishment of the National Registry of COVID-19 patients pursuant to Act of Legislative Content of 30 March 2020¹⁰⁸ is intertwined with detailed provisions about data protection.

¹⁰³Greece, General Secretariat for Civil Protection, Personal Data Policy, available in Greek at <https://forma.gov.gr/docs/data-protection-policy.pdf>

¹⁰⁴ NGO focussing on the protection of digital rights in Greece, their website is available in English here <https://www.homodigitalis.gr/en/about-us>

¹⁰⁵ Homo Digitalis, Open Letter, 30 March 2020 , available in Greek at https://www.homodigitalis.gr/wp-content/uploads/2020/04/%CE%95%CF%80%CE%B9%CF%83%CF%84%CE%BF%CE%BB%CE%AE_%CE%A0%CE%BF%CE%BB%CE%A0%CE%94_13033_HD_30.03.2020.pdf

¹⁰⁷ *Ibid*, p. 9 para. 10.1 and 10.2

¹⁰⁸ Greece, Act of Legislative Content, “Measures to tackle coronavirus COVID-19 pandemic and other urgent provisions.” (“Μέτρα αντιμετώπισης της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες

Access and processing of the data is only allowed to authorised personnel with appropriate credentials and all data transferred will be encrypted. It is also explicitly stated in the Act that any sharing of data from the Registry with banks and insurance companies is prohibited.¹⁰⁹

¹¹⁰ According to the decision (2650/10.04.2020)¹¹¹ of the Ministers of Health and Digital Governance the data are kept for 20 years .

Within the context of obtaining and implementing measures to combat the Covid-19 pandemic in Greece, personal data processing is subject to the following legislation:

In general, personal data can be collected and used for various measures to contain the Covid-19 pandemic or to protect employees. In most cases, however, where personal data is collected in connection with the Covid-19 pandemic, relationships are established between individuals and the national public health authorities. From this point on, it is health data that is particularly protected in accordance with Article 9 of the General Data Protection Regulation (GDPR), pursuant to which the processing of health data is allowed, in principle, only in a restrictive manner. In any case though the principle of proportionality and the legal basis must always be observed.

Here below are some examples of measures that aim to contain and combat the Covid-19 pandemic and can be considered as legitimate under applicable data protection legislation in Greece:

a) Collection and processing of personal data (including health data) of employees by their employer in order to effectively prevent the spread of the virus among employees. This includes in particular information about cases:

- in which an infection has been identified or an individual has been in contact with an evidently infected person, or
- in which an individual has stayed in an area classified as a risk one during the relevant period.

διατάξεις.”), O.G A’75/30-3-2020, Art. 29 available in Greek at <http://www.dsanet.gr/Epikairothta/Nomothesia/pnp30032020.htm>

¹⁰⁹ *Ibid*, Art. 29 para. 10

¹¹⁰ Greece, Hellenic Data Authority (2020)(*Αρχή Προστασίας Δεδομένων Προσωπικού Χαρακτήρα*, Α.Α.Π.Δ.Π.Χ) “Specific guidelines regarding data protection issues in the framework of COVID-19”, available in Greek at <https://www.dpa.gr/APDPXPortlets/htdocs/documentSDisplay.jsp?docid=163,39,44,101,194,223,3,99>

¹¹¹ Greece, Decision 2650/10.04.2020 “Settlement of more specific technical issues for the operation of the National Patient Register for COVID-19, in accordance with the provisions of articles twenty-nine of the Act of 30.3.2020 of the Legislative Content Act (PNP) “Measures to deal with the pandemic of the corona COVID-19 and other urgent provisions” (A’ 75) and 83 of Law 4600/2019 (A’ 43). (*“Ρύθμιση ειδικότερων τεχνικών ζητημάτων για τη λειτουργία του Εθνικού Μητρώου Ασθενών από τον κορωνοϊό COVID-19, σύμφωνα με τα οριζόμενα στις διατάξεις των άρθρων εικοστού ένατου της από 30.3.2020 Πράξης Νομοθετικού Περιεχομένου (ΠΝΠ) «Μέτρα αντιμετώπισης της πανδημίας του κορωνοϊού COVID-19 και άλλες κατεπείγουσες διατάξεις» (Α’ 75) και 83 του ν. 4600/2019(Α’ 43))* (OG B 1298/10.4.2020), available in Greek at http://www.et.gr/idos-nph/search/pdfViewerForm.html?args=5C7QrtC22wHUdWr4xouZundtvSoCrlL81-32igAMSfbuFUDqazHcNeJInJ48_97uHrMts-zFzeyCiBSQOpYnTy36MacmUFCx2ppFvBej56Mmc8Qdb8ZfRjQZnsIAdk8Lv_e6czmhEembNmZCMxLMtQZLOjlzlejYkW6Tt8tes_zPHrfmB_og8YgUOJ-eO2RZ

b) Collection and processing of personal data (including health data) from guests and visitors in order to determine whether they:

- have been infected themselves or have been in contact with an evidently infected person, or
- have stayed in an area classified as risky one during the relevant period.

Nevertheless, it shall be noted that the disclosure of personal data of individuals who have been identified as infected or suspected of being infected for the purpose of warning their contact persons is only lawful, if the knowledge of the infected/suspected individual's identity is exceptionally necessary in order for precautionary measures to be undertaken with regards to contact persons.

Legal background information:

The above measures can be legitimized on the basis of the GDPR and the Greek Data Protection Law no. 4624/2019 (Greek Government Gazette Issue A, 137) (possibly in connection with state data protection and other special laws). Depending on the measure, the relevant legal basis can vary. Whatsoever, the following general principles apply:

In these cases, the right to processing employees' personal data is based for public law employers on Art. 6 paragraph 1 sentence 1 lit. e) GDPR and for employers in the non-public sector on Art. 27 paragraph 1 of Greek Data Protection Law no. 4624/2019 and Art. 6 paragraph 1 sentence 1 lit. f) GDPR in conjunction with the relevant civil law provisions as well as labor and social law regulations provided under national legislation. Insofar as health data is processed, Article 27 paragraph 3 of Greek Data Protection Law no. 4624/2019 and Article 9 (2) lit. b) GDPR are relevant. In favor of the public service employer, Art. 9 para. 2 lit. g) GDPR, is applicable, because the duty of care in the sense of health care also serves as an important public interest.

Measures against third parties by public bodies can be based on Art. 6 paragraph 1 sentence 1 lit. c) and e) of GDPR in conjunction with the relevant state data protection laws. In the non-public area, Art. 6 paragraph 1 sentence 1 lit. f) GDPR can be used as the legal basis. As far as particularly sensitive data - such as health data - are concerned, Art. 9 paragraph 2 lit. i) in conjunction with Article 22 paragraph 1 lit. c) of Greek Data Protection Law no. 4624/2019 is applicable.

Employers are responsible under the law for the health and safety of their employees. In view of the COVID-19 pandemic and the emergency measures taken by the Greek State, employers are obliged to ensure the health and safety of employees and to undertake necessary preventive measures to protect the health and safety of their personnel on the grounds of a risk-based approach, even by implementing collective measures of protection (article 42 § 1, 5, 6 and 7 of Law no. 3850/2010).

The duty of care of the employer obliges them to ensure the health protection of all of their employees. This also includes the appropriate response to the epidemic or pandemic spread of a notifiable illness, which serves in particular for prevention and, in the event of traceability (i.e., downstream prevention towards the contact persons). Of course, these measures must always be proportionate. The data must be treated confidentially and used exclusively for the intended purpose.

After the respective processing purpose ceases to exist (regularly at the end of the pandemic at the latest), the data collected must be deleted immediately.

However, the consent of those affected by the measures alone should only be considered as a basis for processing under data protection law, if the persons concerned are informed about the data processing and can voluntarily consent to the measure.

In addition to the existing legal basis for data processing on the part of the employer, civil service law and employment law for employees result in various ancillary obligations, including duties of consideration, conduct and cooperation towards their employer and third parties. For example, the obligation to inform the employer about the existence of a Covid-19 infection represents such an ancillary obligation to protect high-ranking interests of third parties, from which, under certain conditions, an authorization to disclose according to Art. 6 para 1 lit. c) and f) GDPR regarding personal data of the contact persons follows

2.4 Any other privacy and data protection concerns

In **Greece**, telework has been implemented for both public and private sector workers during the pandemic and created a need for both private companies and state bodies to ensure that no data breaches occur. The Hellenic Data Authority issued guidelines on data protection issues arising from telework.¹¹² Special reference is made to the use of online platforms for e-conferences and personal email accounts for work purposes. Use of firewalls and special virtual machines dedicated to work is strongly advised as precautions to safeguard workers' data.

Moreover, the Hellenic Data Protection issued guidelines on personal data processing within the framework of management of COVID -19 following its relevant Decision no 5/2020. These guidelines focus on the use of personal data including health data by both public and private bodies especially in the field of employment and in relation to media reporting and coverage.¹¹³

Finally, the Hellenic DPA gave a preliminary opinion on the relevant provision in law 4636/2019 regarding the possibility of live streaming of classes in secondary schools. The HDPa reviewed the legality of this provision in relation to the data protection legislation. Specifically the HDPa advised the Ministry of education on the necessity of conducting a data protection impact assessment prior to the implementation of the live streaming, on the transparent assignation of the role of data controller, the prohibition of recording and storing of the audio and video data in question and the provision of reasonable data retention for metadata. Moreover, following a meeting of the Board of the HDPa with stakeholders regarding the legislative provision in question the HDPa issued a press release where the basic points of the expressed – aforementioned opinion were delineated.¹¹⁴

¹¹² Greece, Hellenic Data Authority (*Αρχή Προστασίας Δεδομένων Προσωπικού Χαρακτήρα, Α.Α.Π.Δ.Π.Χ*) "Guidelines regarding data protection issues in the framework of telework", available in Greek at https://www.dpa.gr/pls/portal/docs/PAGE/APDPX/HOME/FILES/KATEFTHINTIRIES%20GRAMMES_TILERGASIA.PDF

¹¹³ <http://www.dpa.gr/APDPXPortlets/htdocs/documentSDisplay.jsp?docid=163,39,44,101,194,223,3,99>

¹¹⁴ http://www.dpa.gr/portal/page?_pageid=33,15131&_dad=portal&_schema=PORTAL