

Coronavirus pandemic in the EU – Fundamental Rights Implications

Country: Greece

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1 Measures taken by government/public authorities impacting on specific freedoms

Please briefly describe the main developments, between 1 September – 31 October 2020, in the legal framework and related measures adopted in your country in response to the Coronavirus pandemic with respect to emergency laws/state of emergency, freedom of assembly and freedom of movement.

1.1 Emergency laws/states of emergency

In Greece, according to the epidemiological data provided by the National Public Health Organization (Εθνικός Οργανισμός Δημόσιας Υγείας-ΕΟΔΥ), Coronavirus infection cases started increasing rapidly in August 2020 and have continued to increase since.¹ The spike in new infections in August gave way to new restrictions in the agenda of the Greek government at a time when most measures had been lifted and most economic activities had resumed. No state of emergency was declared in September or October 2020 by the Greek Government. There have not been any judgments concerning the legality of emergency measures, within the reporting period, according to the media, the Athens Bar Association, the Plenary of the Greek Bar Associations and legal forums.

More specifically, measures taken in August were renewed in the beginning of September and were to be assessed on a weekly or biweekly basis. The relevant Joint Ministerial Decisions included measures relating to maximum number of people allowed in public spaces and curfews. The Ministerial Decisions referred to specific areas in Greece. Universally applied measures were deemed disproportionate given the fact that certain areas were more affected than others. Periodically, certain regions in Greece were characterised as highly affected, based on the epidemiological data in correlation with the population of each region. Each region was classified in a colour-illustrated range including red, orange, yellow and green zones.² The colour classification started with four categories ranging from non-affected to highly affected regions. It has been announced that this stratification will be simplified from 3/11/2020 as follows: categories A (Yellow-Supervision), B (Red-Increased Risk) and C (Grey-Alarm). The classes are used to apply appropriate measures to equally affected areas, so that there is uniformity and monitoring results are more accurate.

1.2 Freedom of assembly

1.2.1 Emergency laws/declarations of states of emergency, relating to the protection or restriction of the:

aa) Right of association/demonstration/events impacting on both private and public life.

1) Pursuant to the decision of **28/08/2020**³, in the regions of Attica, Crete and Eastern Macedonia and Thrace, in the regional Units of Thessaloniki, Halkidiki, Larissa, Corfu,

¹ Greece, National Public Health Organization, COVID-19 Reports, 2020, Available in Greek at: <https://eody.gov.gr/epidimiologika-statistika-dedomena/ektheseis-covid-19/>

² Greece, Corvid Map, 2020, Available in Greek and illustrations at: <https://covid19.gov.gr/covid-map>

³ Greece, Ministries Of Finance-Development And Investment - Citizen Protection-Lab or And Social Affairs - Health - Culture And Sports , Joint Ministerial Decision on the Maximum number of participants in public or social events and special rules for the operation of health stores in specific Regions, Regional Units and Municipalities of the Country No D1a / G.P.oik.52973 / 28.8.2020 ,O.G B' 3583/28-08-2020, Available in Greek at: <https://www.taxheaven.gr/circulars/34061/d1a-g-p-oik-52973-28-8-2020>

Karditsa, Pella, Pieria, Lesvos and Imathia and the Municipalities of Mykonos, Paros, Thira, Volos, Katerini, Rhodes, Antiparos, Zakynthos and Kos, the maximum number of persons attending social events and private or public meetings **could not exceed 50**, bars, restaurants and cafes could operate only **between 7:00 or 5:00 am to midnight** and the **use of face masks is mandatory** both for customers and workers in all closed spaces.

- The fines imposed for violations related to the abovementioned limitations ranged from € **150,00 to € 5,000**, with the higher penalties provided for the organisers of illegal events and subjects of recurring violations.
 - The competent authorities to impose administrative penalties are the **Labor Inspectorate** (*Σ.Ε.Π.Ε*), the Health Services of local authorities A'and B', the Directorates of Development of the Regional Units, the Hellenic Police, the Municipal Police and the Port Authorities in their area of responsibility, the General Secretariat of Commerce and Consumer Protection, as well as the National Transparency Authority (*Ε.Α.Δ*).
- 2) These measures were initially renewed until **15/09/2020**, when they were further renewed until **30/09/2020**⁴, **4/10/2020**⁵ and **12/10/2020**⁶ respectively with slight changes relating to the regions and the curfew (bars, cafes and restaurants could open at 5:00 am according to the latest decisions).
 - 3) The mandatory use of face masks was extended for the outdoors -as it was already mandatory for closed spaces- on **22/10/2020** for the entire country this time.⁷
 - 4) The region of **Attica**, where Athens is, due to the high number of Coronavirus infections in comparison to the rest of affected regions was placed in the “orange” (Increased Risk) category from early on. Stricter measures were taken on 20/09/2020⁸, when the maximum number of persons at a private or public social gathering in Attica (indoors or outdoors) was set to 9, exceptions were prescribed for weddings and funerals where the limit is 20 attendees while several types of entertainment centres were ordered to close. Indoor cinemas and theatres were also ordered to close, while their operation was already

⁴ Greece, Ministries Of Finance-Development And Investment - Citizen Protection-Labor And Social Affairs - Health - Culture And Sports , Joint Ministerial Decision on the Maximum number of participants in public or social events and special rules for the operation of health stores in specific Regions, Regional Units and Municipalities of the Country No D1a/G.P.oik.56425/2020, O.G B' 3949/15.9.2020, Available in Greek at: <https://www.taxheaven.gr/circulars/34197/d1a-g-p-oik-56425-14-9-2020>

⁵ Greece, Ministries Of Finance-Development And Investment - Citizen Protection-Labor And Social Affairs - Health - Culture And Sports , Joint Ministerial Decision on the Maximum number of participants in public or social events and special rules for the operation of health stores in specific Regions, Regional Units and Municipalities of the Country No D1a/G.P.oik.59634/25.9.2020, O.G B' 4133/25-09-2020, Available in Greek at:<https://www.taxheaven.gr/circulars/34302/d1a-g-p-oik-59634-25-9-2020>

⁶ Greece, Ministries Of Finance-Development And Investment - Citizen Protection-Labor And Social Affairs - Health - Culture And Sports , Joint Ministerial Decision on the Maximum number of participants in public or social events and special rules for the operation of health stores in specific Regions, Regional Units and Municipalities of the Country No D1a/G.P.oik. 61940/2020, O.G B' 4326/02-10-2020, Available in Greek at:<https://www.taxheaven.gr/circulars/34396/d1a-g-p-oik-61940-2-10-2020>

⁷ Greece, Prime Minister's Office, Press Release, 22/10/2020, Available in Greek at: <https://primeminister.gr/2020/10/22/25107>

⁸ Greece,Ministries Of Finance-Development And Investment - Citizen Protection-Labor And Social Affairs - Health - Culture And Sports ,Joint Ministerian Decision on the Replacement [...] Emergency measures to protect against the spread of coronavirus COVID-19 in the Region of Attica (B '3957), NoD1a/G.P.oik. 55821 – O.G B' 4019/20.09.2020, Available in Greek at: <https://bit.ly/2HLtim8>

limited to 60%, or less, of their capacity⁹. Semi-lock down was announced for Northern Greece and Attica region, which are considered of high risk, on **31/10/2020** beginning on 03/11/2020 with sports centres, museums, bars, cafes, restaurants, theatres and cinemas completely closed for the public. Take-away and delivery services are still allowed to operate. Only persons who work at night will be allowed to move between midnight and 5:00 am- a curfew is established for the rest of the population until the end of November.¹⁰

- 5) As far as work in Attica region is concerned, all private businesses are required to have 40% of their staff¹¹ work remotely until 31/10/2020¹². This measure started out as a strong recommendation in June throughout summer and became an obligation in September. The new announcement of the Prime Minister on 31/10/2020 made reference to the increase of the percentage of mandatory telework to 50%. . The new announcement of the Prime Minister on 31/10/2020 made reference to the increase of the percentage of mandatory telework to 50%.from November 2nd 2020.
- 6) Kozani, Serres, Thessaloniki, Ioannina have also been placed under special restrictions due to the high number of infections recorded in September and October. Ioannina and Serres were placed under complete lockdown on 28/10/2020 for a period beginning on 29/10 until 6 November 2020¹³, while Thessaloniki is to follow on 3/11/2020.

bb) Cases of differential treatment of different types of gatherings by different groups (for example, religious gatherings versus other gatherings)Religious ceremonies such as baptisms, weddings and funerals were indeed treated in a different way from other social gatherings in **Greece**. The maximum number of persons at a private or public social gathering in Attica (indoors or outdoors) was set to 9, while particular exceptions were prescribed for the above ceremonies where the limit was 20 attendees.More specifically, this exception applies to the ceremonies or procedures of either religious or non religious weddings and wedding parties, to baptism masses and the traditional celebration after it and finally, to all events related to a funeral¹⁴The exception is however still subject to the limit of 20 persons initially until the 30th of September which was further renewed until the end of October.

⁹ Greece, Joint Ministerial Decision on Emergency Measures from the spread of Coronaviruses-COVID 19 in Attica, No D11/GP.oik. 56924, O.G 3957 B'/15-09-2020, Article 6, Available in Greek at: <https://www.enomothesia.gr/law-news/demosieutheke-phek-kua-ektakta-metra-stin-attiki.html>

¹⁰ Greece, Prime Minister's Office, Press Release, 31/10/2020, Available in Greek at: <https://primeminister.gr/2020/10/31/25151>

¹¹ Greece, Law 4727/2020, O.G A' 184/23-09-2020, Art. 235, Available in Greek at: https://www.kodiko.gr/nomologia/document_navigation/640620/nomos-4727-2020

¹² This measure was initially adopted until 4 October but was then renewed until 31/10/2020 pursuant to the Joint Ministerial Decision of the Ministers Of Finance -Development And Investment -Of Labor And Social Affairs -Health No 40000/1269, O.G B'4316/02-10-2020, Available in Greek at: <https://bit.ly/2HYABq0>

¹³ Greece, Joint Ministerial Decision on Rules for keeping distance and other protection measures throughout the Territory, to limit the spread of COVID-19 coronavirus, No D1a/GP.oik. 68952/2020, O.G. B' 4757/28-10-2020, Art 1.2.d , Available in Greek at:

https://www.dsioan.gr/files/document/filename/epidemiologikes_ktastases_pek_b_4709_23_10_2020.pdf

¹⁴Greece, Ministries Of Finance-Development And Investment - Citizen Protection-Labor And Social Affairs - Health - Culture And Sports ,Joint Ministerian Decision on the Replacement [...] Emergency measures to protect against the spread of coronavirus COVID-19 in the Region of Attica (B '3957), No D1a/G.P.oik. 55821 – O.G B' 4019/20.09.2020, Art. 3, Available in Greek at: <https://bit.ly/2HLtim8>

1.2.2 Actions taken by the police in view of the above measures

In Greece, September and October 2020 were marked by intense organising of demonstrations in light of the final judgment of the Golden Dawn Trial on 7 October 2020. The organisation of the demonstration was not hindered due to Coronavirus restrictions, but it was reported that there were attempts to suppress the demonstration from the side of the Hellenic Police on the day of the verdict.¹⁵ The Ministry of Health also reacted by expressing concerns regarding the health and safety measures during the protests.¹⁶ The Ministry of Citizen Protection commented, on 16/10/2020, that the reactions of the police against the demonstrators were minimal and defensive.¹⁷

From the time the schools opened in the beginning of September, it has been reported in the news¹⁸ and acknowledged by the state, that many Student Unions and independent student groups, throughout Greece, have organised protests and have occupied their school buildings to show their discontent with the inadequate measures against Coronavirus in their schools. Reporting around such demonstrations does not make reference to the compliance of the protestors with the health and safety measures imposed at that time, but rather focuses on the reaction of the police force. Students have been complaining, according to news articles¹⁹, about the lack of medical staff in the school premises, the size of the masks distributed by the Ministry of Education and Religious Affairs (masks originally distributed were too big for school children's faces) and the overcrowding in the classrooms. What has sparked public debate, is the reported suppression of school students' demonstrations throughout October. Namely, a rally was organised outside the facilities of the Ministry of Education and Religious Affairs on 09/10/2020. The Board of the Federation of Parents in the Region of Attica (Ομοσπονδία Γονέων Περιφέρειας Αττικής), issued multiple press releases denouncing the reported police brutality against school students, teachers and parents at the protest.²⁰ At a later organised protest on 15/10/2020, five underage students were arrested and detained for more than 5 days without having any communication with their families, according to the Federation of Parents²¹ and the Greek Federation of Secondary Education

¹⁵ Euronews, "Violent clashes after landmark Golden Dawn Verdict in Athens", 07/10/2020 Available in English at: <https://www.euronews.com/2020/10/07/watch-violent-clashes-after-landmark-golden-dawn-verdict-in-athens>

¹⁶ Greece, NewsBeast, "The vice president of EODY is worried about the increase of cases and intubations", 09/10/2020, Available in Greek at: <https://www.newsbeast.gr/greece/arthro/6709251/anisychos-gia-tin-ayxiston-kroysmaton-kai-ton-diasolinomenon-o-antiproedros-toy-eody>

¹⁷ Greece, Ministry of Citizen Protection, "Here's what happened at the Court of Appeal", Press Release, 16/10/2020, Available in Greek at: http://www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=7204&Itemid=705

¹⁸ World Socialist Website, "700 Greek schools occupied by students protesting unsafe return to classes", 30/09/2020, Available in English at: <https://www.wsws.org/en/articles/2020/09/30/gree-s30.html>

¹⁹ The World, "We don't want another lost school year': Widespread protests in Greece over lack of coronavirus safety in schools", 07/10/2020, Available in English at: <https://www.pri.org/stories/2020-10-07/we-dont-want-another-lost-school-year-widespread-protests-greece-over-lack>

²⁰ Greece, Federation of Parents in the Region of Attica, "KAISARIANI PARENTS UNION: Comment on the MAT attack on our children, parents and teachers (09/10/2020)" Press Release, 11/10/2020 Available in Greek at: <https://bit.ly/3eiadUp>

²¹ Greece, Federation of Parents in the Region of Attica, "Complaint of the Federation of Parents of the Attica Region for the arrest of students who participated in the general education rally", Press Release, 19/10/2020, Available in Greek at: <https://bit.ly/328pylw>

State School Teachers (O.A.M.E).²² Members of the opposition parties denounced the reported suppression policies and all violent incidents regarding children from the side of the Hellenic Police.²³The Ministry of Citizen Protection has failed to comment on these reports. It is noted that the Greek government had already passed a law related to the regulation of public outdoor assemblies²⁴including provisions regarding the restriction of public assemblies in case they are deemed as disruptive of the socioeconomic activity in the area they take place or pose a threat to public security. According to the Explanatory Memorandum (Αιτιολογική Έκθεση) attached to the draft law, it is possible that the degree of disruption caused by the assembly results in substantial obstacles in the use of public spaces by the general public, the use of means of transport and public benefit facilities or can even lead to the temporary exclusion from these amenities. So if the freedom of assembly is exercised at the expense of socioeconomic life it is deemed abusive.It is noted that the bill in question has not been explicitly associated with the pandemic by government officials as the first draft was published on 25 February 2020 for public consultation.²⁵The Panhellenic Federation of Workers in Public Hospitals (Π.Ο.Ε.Δ.Η.Ν.) reported tha the attempted demonstration of medical doctors protesting against their short-term contracts for long-term healthcare needs on 30/09/2020 was not permitted by the Hellenic Police, on the basis of the abovementioned law.²⁶

1.2.3 Court rulings concerning the legality

There have not been any Court Rulings made known to the public through the press or legal forums during the rereporting period.

²² Greece, Greek Federation of Secondary Education State School Teachers, "We demand that the arrested students be released immediately and that they be released from all charges!" Press Release, 19/1-/2020, Available in Greek at: <https://bit.ly/3291kHQ>

²³ Greece, Alfavita, "OLME [...] denouncing the police repression against students who participated in today's rally at the Ministry of Education", 09/10/2020, Available in Greek at: <https://www.alfavita.gr/ekpaideysi/anakoinoseis/334508-orgio-katastolis-kata-mathiton-diamartyria-sto-ypoyrgeio-prostasias>

²⁴ Greece, Law on Public outdoor assemblies and other provisions, No 4703/2020, O.G A'131/10-07-2020, Available in Greek at: https://www.kodiko.gr/nomologia/document_navigation/631833/nomos-4703-2020

²⁵ Greece, SofokleousIn, "Demonstrations put on hold with new policy-a new bill is coming, 21/06/2020, available in Greek at <https://www.sofokleousin.gr/freno-stis-diadiloseis-kai-tis-poreies-prosexos-to-nomosxedio>

²⁶ Greece, Panhellenic Federation of Workers in Public Hospitals, "POEDIN denounces the police violence against the Public Health Contractors in application of the new anti-union law.", Press Release, 30/09/2020, Available in Greek at: <https://www.poedhn.gr/deltia-typoy/item/5617-i-poedin-kataggellei-tin-astynomiki-via-se-varos-ton-symvasioyxon-tis-dimosias-ygeias-se-efarmogi-tou-neou-antisyndikalistikoy-nomou>

1.3 Freedom of movement

In Greece, the Civil Aviation Authority issues regulations, following Common Ministerial Decisions²⁷, regarding the movement of aviation passengers from and to Greece. The restrictions continued throughout September and October as follows:²⁸

- 1) The aviation directive (notam) regarding the suspension of flights between Greece and Turkey was first extended until 15/9/2020 and further until 25/10/2020.
- 2) The air directive which stipulates that all flights to and from Greece from Albania and North Macedonia will arrive and depart only at the Athens airport, "Eleftherios Venizelos", was initially extended until 15/9/2020 and then further until 25/10/2020.
- 3) The notam which stipulates that those traveling to Greece by air from Bulgaria, Romania, the United Arab Emirates, Malta, Sweden, Belgium, Spain, Albania and North Macedonia will enter Greece only with a negative Covid-19 test which must have been concluded at least 72 hours before their arrival, was also extended until September 15 and then further until 25/10/2020.
- 4) The aviation directive which provides for a ban on entry of Non-European Citizens (Non EU Citizens) was initially extended until 15/9/2020 and then further until 25/10/2020. The following 11 countries are excluded from this note: Australia, Canada, Georgia, Japan, New Zealand, Rwanda, South Korea, Thailand, Tunisia, Uruguay and the United Arab Emirates.
- 5) As for the air directive concerning travelers from Israel, it was also initially extended until 15/9/2020 and then further until 25/10/2020. Those traveling to Greece by air connection from Israel may enter Greece only with a negative Covid-19 test, which will have been performed by PCR (oral or nasopharyngeal smear), up to 72 hours before arrival. Also, permanent residents of Israel who come to Greece will retake the test for covid-19 while a maximum limit of 1,200 travelers from Israel per week is set and only through the airports of Athens, Thessaloniki, Heraklion, Corfu and Kos.
- 6) All passenger flights from Greece and the Region of Catalonia in Spain are temporarily suspended until 25/10/2020.
- 7) The mandatory completion of the Passenger Locator Form (PLF) by all passengers of international flights to Greece is also extended until 25/10/2020
- 8) Those traveling to Greece by air from Russia, until 25/10/2020, will enter Greece only with a negative Covid-19 test, which must have been performed by PCR method (oral or nasopharyngeal smear), up to 72 hours before their arrival. Permanent residents of Russia coming to Greece will only undergo sampling laboratory medical tests for covid-19. Until the results of the laboratory tests are issued, passengers remain confined to their place of temporary residence. Also, all passengers must bring a hotel booking receipt or other appropriate documents, which indicate their place of temporary residence in Greece. At the same time, the aviation directive stipulates a maximum entry of 500 people per week from Russia and only at the airports of Athens, Thessaloniki and Heraklion. Greek

²⁷ Official Gazette B' 3557/27-08-2020, B' 3572/28-08-2020, B' 3582/28-08-2020, B' 3638/01-09-2020, B' 3667/02-09-2020, B' 3920/14-09-2020, B' 3928/14-09-2020, B' 3950/15-09-2020, B' 3951/15-09-2020, B' 4018/20-09-2020, B' 4097/23-09-2020, B' 4098/23-09-2020, B' 4219/30-09-2020, B' 4257/30-09-2020, B' 4260/30-09-2020,

²⁸Greece, Ministry of Transport and Infrastructure, Civil Aviation Authority, "Aviation guidelines (NOTAMS) until 15 September 2020", Press Release, 30/08/2020, Available in Greek at: <http://www.ypa.gr/news/oi-aeroporikes-odhgies-notams-poy-8a-isxyoyn-ews-15-septembrioy>

repatriation programs are excluded from this directive. Persons who violate the measure of Controlled.²⁹

- 9) From 18 September until 30 September, those traveling to Greece by air connection from Hungary will enter Greece only with a negative Covid-19 test which will be performed up to 72 hours prior to their arrival.³⁰
- 10) Passengers traveling to Greece by air from the Czech Republic will enter Greece only with a negative Covid-19 test, which will be performed by PCR method (taking oral or nasopharyngeal smear), up to 72 hours prior to their arrival from 28/09/2020 until 12/10/2020.³¹The same measure applies to passengers flying from Poland from 03/10/2020 until 12/10/2020.

It is noted that Greek citizens or permanent residents and their dependents are excluded from the measures in case they wish to return to their home from abroad and can also take part in repatriation schemes. All violations of the above regulations are subject to an administrative fine of € 5,000, without prejudice to the criminal sanctions potentially applicable.

According to the latest announcement of the Prime Minister on 31/10/2020, movement between different regions in Greece are still allowed. However this is subject to revision on a daily basis and the possibility of the reinstatement of the SMS permissions is not ruled out for the near future.

2 Implications of Covid-19 and measures to contain it on specific social rights

Please provide information on legislation/measures taken by the government/public authorities, between 1 September – 31 October 2020, in response to COVID-19 that have impacted negatively on relevant social rights with respect to two of the following areas of life: education, work, health care and housing.

EDUCATION

In **Greece**, schools started on the 14th of September 2020 after summer holidays, while normally, classes start on the 11th. The school students were invited to participate in person at the opening ceremony of the school year where:

1. The students were informed about all the protection and prevention measures according to the guidelines of the National Organization of Public Health (*E.O.A.Y.*)

²⁹Greece, Ministry of Transport and Infrastructure, Civil Aviation Authority, "Aviation directive (notam) for Russia. Entrance only with negative covid-19 test from the airports of Athens, Thessaloniki and Heraklion. Maximum 500 passengers per week.", Press Release 02/09/2020, Available in Greek at: <http://www.ypa.gr/news/aeroporkh-odhgia-notam-gia-rwsia-eisodos-mono-me-arnhtiko-test-covid-19-apo-ta-aerodromia-a8hnas-8essalonikhs-kai-hrakleioy-anwtato-orio-500-epibates-thn-ebdomada>

³⁰Greece, Ministry of Transport and Infrastructure, Civil Aviation Authority, "Aviation guidelines (NOTAMS) until 30 September 2020", Press Release, 16/09/2020, Available in Greek at: <http://www.ypa.gr/news/oi-aeroporikes-odhgies-notams-poy-8a-isxyoyn-ews-30-septembrioy>

³¹Greece, Ministry of Transport and Infrastructure, Civil Aviation Authority, "SUBJECT: Extension of the air directive (notam) for the Czech Republic until 12 October.", Press Release, 01/10/2020, Available in Greek at: <http://www.ypa.gr/news/paratash-ews-12-oktwbrioy-ths-aeroporkhs-odhgias-notam-gia-tsexia>

2. Face masks, water bottles and school books were distributed free of charge to all students.
3. Students were informed about the possibility of distance learning in case their entire class has to close due to a Coronavirus infection. Distance learning is an option for the students bound to stay at home for COVID-19 related reasons (those who belong to a vulnerable group, or the ones who live with an infected person etc). No further measures were announced to support home schooling, given that equipment was distributed during the previous months, when distance learning launched. According to the decision of the Ministry of Education, the pupils will either be using their own electronic devices or equipment provided by their school. It is noted that pupils can also use their landline telephone devices to take part in the e-classes.³²The privacy of the children participating in the e-classes is addressed in the same decision.³³The data of the students is shared with the school unit for the purposes of communication and dissemination of information among teachers-students and parents/caregivers. The data produced is not saved or processed by third parties contracted by the state to deliver the designated platform, but the metadata is. If another electronic platform is used -other than the free one designated by the Ministry of Education-, then the school using the different platform automatically assumed the responsibility of complying with all the provisions of the GDPR. It is prescribed, in the abovementioned decision, that the data subjects are secured their rights to correction of their metadata, access to it and objection to the data processing. No reference to the erasure of their data and/or metadata is made in this decision. The Hellenic Data Protection Authority (Α.Π.Δ.Π.Χ) found in its opinion issued on 7 September 2020, that distance learning through live-streaming is fully compatible with the mission of the State regarding the provision of education and is by no means contrary to the legislation on the protection of personal data. The authority also considered that e-learning through live-streaming is an appropriate measure aiming to maintain the teacher-student relationship and is deemed necessary in the midst of a health crisis, as the use of different methods, such as pre-recorded sessions, may not bring the same results.³⁴

Post-secondary education does not follow the work schedule of schools as universities and higher education institutions start in October, depending on the exams held in September.

Even from the first weeks at school, some educational units did not open due to Coronavirus infections. Shortly after the commencement of the school year, pupils started protesting against the conditions they came across in the school classroom. Student unions and independent students groups started organising demonstrations and sit-ins in their school buildings complaining about overcrowded classrooms, inadequate teaching staff and lack of books and other equipment. In light of these sit-ins, the Ministry of Education and Religious Affairs issued a decision aiming to limit the occupation of school buildings by protesting students and to promote the unhindered progress of the school year. The decision laid down alternatives to on-site classes in case the school building is closed

³²Greece, Ministry of Education and Religious Affairs, Ministerial Decision on the Provision of live distance learning for the school year 2020-2021,, No120126/GD4, O.G 3882/12-09-2020, Art. 1. Para. 5, Available in Greek at: https://www.esos.gr/sites/default/files/articles-legacy/parohi_syghronis_ex_apostaseos_ekpaideysis_gia_to_sholiko_etos_2020-2021.pdf

³³ Ibid, Art 1 para. 8.

³⁴ Greece, Ministry of Education and Religious Affairs, "Comments of the Press Office of the Ministry of Education and Religions on the current decisions of the Personal Data Protection Authority (APDPH) "Legal, appropriate and necessary e-learning", Press Release, 07/09/2020, Available in Greek at: <https://bit.ly/358fN8Q>

or the access of students and staff is obstructed by other students in protest.³⁵ More specifically, this decision provides for the obligation of the teachers to proceed to live online classes if the school they teach in is inaccessible due to an occupation or other kind of physical obstacle posed by a student of the school or other individuals. Further, attendance to these online live classes is mandatory for all students, while students responsible for or taking part in obstructing access to the school building for any reason, will not be allowed to participate in the online lesson and will be recorded as absent from class for the entire day. The Greek Federation of Secondary Education State School Teachers (*O.A.M.E*) and the Senior Administration Of Civil Servants Associations (*A.Δ.Ε.ΔΥ*) denounced this decision.³⁶ The two organisations noted that this decision:

- 1) de facto excludes some students from their education;
- 2) invokes punitive methods against all educational principles;
- 3) imposes excessive pressure on teachers and staff, making the working environment stressful and counter-productive;
- 4) disrupts the school environment by creating polarisation among the students;
- 5) is directly unconstitutional as it places restrictions to social rights.

On the basis of the above, the Senior Administration Of Civil Servants Associations served the Minister of Education and Religious Affairs with an official letter of complaint, requesting the revocation of the decision in question and giving notice for the strike of teaching staff.³⁷ The Ministry has not yet replied publicly to the complaint.

As far as other measures are concerned, the Ministry of Education and Religious Affairs took the following actions:

1. Provision of hot lunch to all students in primary schools, aiming to support the most disadvantaged,³⁸
2. Establishment of the “all-day school” for primary school students. Students can be enrolled to this program and benefit from the extended schedule of the school (until 16:00). No admission requirements are applied – all families can benefit from the extended schedule. This measure is provided as a form of support for the families whose work schedule does not allow them to pick up their children from school and had to rely on external assistance.³⁹

³⁵ Greece, Ministry of Education and Religious Affairs, “Decision regarding the e-learning option in case of obstruction of the educational procedure”, Press Release, 01/10/2020, Available in Greek at: <https://www.minedu.gov.gr/rss/46574-01-10-20-apofasi-gia-tin-tilekpaidefsi-se-periptosi-parempodisis-tou-ekpaideftikoy-ergou>

³⁶ Greece, Greek Federation of Secondary Education State School Teachers, “Strike - abstention from distance education and taking absences of students in occupied schools”, Press Release, 07/10/2020, , Available in Greek at: <https://bit.ly/34SR8EU>

³⁷ Greece, Senior Administration Of Civil Servants Associations, “Letter to OLME - Sending letters of complaint - abstention”, Press Release, 07/10/2020, Available in Greek at: <https://adedy.gr/olmeapostoliejvdiwkwn/>

³⁸ Greece, Ministry of Education and Religious Affairs, “Implementation of the School Meals program in primary school units for the year 2020-21 ”, Press Release, 08/09/2020, Available in Greek at: <https://bit.ly/326kjTn>

³⁹ Greece, Deputy Minister of Education and Religious Affairs, Ministerial Decision on the Enrollment and attendance of students at the all-day school program of primary schools, No F7/118139/FD/D1, O.G B’3858/09-10-2020, Available in Greek at: <https://bit.ly/3ejF9n0>

3. Local Medical Associations offered training to teaching staff and parents' association through teleconference to ensure that all prevention measures are properly communicated in schools.⁴⁰
4. Delegated the responsibility of the organisation of remote support for the parents of children with disabilities as well as to teaching staff to the local Educational and Counselling Support Units (Κέντρα εκπαιδευτικής και συμβουλευτικής υποστήριξηςΚ.Ε.Σ.Υ.)⁴¹
5. All teaching materials are also transcribed into Braille code and sound archives to ensure the accessibility of distance learning for students with vision impairments.⁴²
6. Special attention was given to the operation of Reception Classes for students with diverse cultural and religious backgrounds in the time of the pandemic. The operation of these classes was ensured with funding from the European Union.⁴³ This program targets to benefit children lacking the necessary language skills needed to attend the basic school program.
7. The enrolment of the first-year university students was entirely conducted electronically.⁴⁴
8. Universities can hold classes both in the graduate and in the post-graduate level via distance learning except for the clinical classes requiring physical presence.⁴⁵
9. 44,034 new teaching staff was hired to cater for the increased needs of education in the time of the pandemic and 2,800 psychologists and social workers were recruited in schools specifically for the counteraction of the negative impact of COVID-19.⁴⁶

WORK

It is true that new teaching and medical staff have been hired in **Greece** during the pandemic, but the protection of employment as a social right for the general population has been limited. The private

⁴⁰ Greece, Ministry of Education and Religious Affairs, "21-09-20 The Medical Associations of the country near the schools in the fight against the coronavirus ", Press Release, 21/09/2020, Available in Greek at: <https://www.minedu.gov.gr/rss/46427-21-09-20-oi-iatrikoi-sylogoi-tis-xoras-konta-sta-sxoleia-sti-maxi-kata-tou-koronoioy-2>

⁴¹ Greece, Ministry of Education and Religious Affairs, Circular on the Remote support for students with disabilities and / or special educational needs, No 12695/GD4/23-09-2020, Available in Greek at: <https://bit.ly/2JzTrox>

⁴² Greece, Ministry of Education and Religious Affairs, Circular on the Remote support for students with disabilities and / or special educational needs, No 12695/GD4/23-09-2020, Available in Greek at: <https://bit.ly/2JzTrox>

⁴³ European Union, European Social Fund, "Integration of Vulnerable Social Groups in schools-Reception Classes, school year 2020-2021 ", Code OPS 5069864 in the Operational Program" Human Development Resources, Education and Lifelong Learning 2014-2020, Available in Greek at: <https://www.minedu.gov.gr/publications/docs2020/%CE%95%CE%93%CE%9A%CE%A5%CE%9A%CE%9B %CE%96%CE%95%CE%A0 signed.pdf>

⁴⁴ Greece, Ministry of Education and Religious Affairs "Online registration of successful students in higher education", Press Release, 22/09/2020, Available in Greek at: <https://www.minedu.gov.gr/rss/46435-22-09-20-ilektroniki-eggrafi-epityxonton-stin-tritovathmia-ekpaidefsi>

⁴⁵ Greece, Ministry of Education and Religious Affairs, "Possibility in universities for distance learning of postgraduate courses", Press Release, 05/10/2020, Available in Greek at: <https://www.minedu.gov.gr/rss/46621-05-10-20-dynatotita-sta-aei-gia-eks-apostaseos-dieksagogi-ton-metaptyxiakon-mathimaton-2>

⁴⁶ Greece, Ministry of Education and Religious Affairs, "In addition to the 44,034 recruitments, 2,800 psychologists and social workers in the country's schools", Press Release, 08/10/2020, Available in Greek at: <https://www.minedu.gov.gr/rss/46670-08-10-20-epibleon-ton-44-034-proslipseon-2-800-psyxologoi-kai-koinonikoi-leitourgoi-sta-sxoleia-tis-xoras-2>

businesses were given incentives not to sack any staff through subsidies of the insurance costs for the workers, or through cuts in taxation. However, this does not seem to have been effective in terms of the unemployment rates. In **Greece**, September 2020 ended with a negative record on unemployment in comparison with September 2019; more specifically, the total number of unemployed people in September 2020 reached 1,030,411 increasing the rate at 12.83% (117,129 people) in comparison with September 2019 where the total of unemployed people was 913,282.⁴⁷The General Confederation of Greek Workers (*Γ.Σ.Ε.Ε.*) notes in its report of 22/10/2020, that more than 200,000 workers have seen their income decrease more than 50% and that the continuous employment and revenue instability lead to the impoverishment of the workers in Greece.⁴⁸ In the same report, it is stated that the average monthly pay dropped 10% in the second semester of 2020 compared to 2019, even though the minimum salary did not suffer any further cuts. This drop is interpreted through the prism of flexible working hours, part-time employment and short-term contracts.

State teaching staff with disabilities or with families with persons with disabilities and/or chronic illnesses and other vulnerabilities can request to be transferred before the lapse of two years from their appointment. This measure promotes the reconciliation of family and work life and aims to show solidarity with workers.⁴⁹Further, the state teaching staff have been receiving regular training on the use of the distance learning platforms and on how to communicate all the necessary preventive measures with school children.

It has been reported by the Panhellenic Federation of Workers in Public Hospitals that medical staff have been asked to continue working even in cases of close contact with Coronavirus infected individuals while waiting for the results of the COVID-19 test.⁵⁰ This tactic is reportedly employed due to the limited number of doctors per specialisation. There is no official data for Greece as to the percentage of the healthcare staff affected by COVID-19. It was reported by the Panhellenic Federation of Workers in Public Hospitals, that, on 13 October 2020, 150 members of Greece's medical staff was on sick leave due to COVID-19, while it is estimated that 80,000 people work in public hospitals in Greece.⁵¹

⁴⁷ Greece, Manpower Employment Organization, Summary Report: Numbers registered in The Register of the organization- September 2020, Available in Greek at: <https://bit.ly/327iJAC>

⁴⁸ Greece, Labor Institute of the General Confederation of Greek Workers, "Annual Report 2020 for the Greek Economy and Employment", 22/10/2020, Available in Greek at: <https://gsee.gr/?p=37072>

⁴⁹ Greece, Ministry of Education and Religious Affairs, "Disability, serious illness, multi-member families: Practical support measures for newly appointed teachers and teaching staff", Press Release, 14/09/2020, Available in Greek at: <https://bit.ly/3jRDXIR>

⁵⁰ Greece, Panhellenic Federation of Workers in Public Hospitals, "Dissemination of coronavirus at the ATTICO Hospital to staff and patients from omissions of the Administration", Press Release, 15/09/2020, Available in Greek at: <https://www.poedhn.gr/deltia-typoy/item/5556-diaspora-tou-koronoioy-sto-attiko-nosokomeio-se-prosopiko-kai-astheneis-apo-paralipseis-tis-dioikisis>

⁵¹ Greece, Enikos.gr, "Coronavirus: Cases on the rise in healthcare professionals - How many are on sick leave", 13/10/2020, Available in Greek at: <https://www.enikos.gr/society/744190/koronoios-afxanontai-ta-kroumata-se-ygeionomikous-posoi-leipoun->

3 Negative impact on social rights for vulnerable groups including measures to address this

Please select and provide information concerning two groups whose social rights were particularly negatively impacted with respect to developments/measures adopted in relation to COVID-19, between 1 September – 31 October 2020. For each of the two groups selected – highlight which social rights were most impacted. Also, identify any government and related measures that were introduced to alleviate the negative impact on these groups.

REFUGEES (Negative impact on: housing, freedom of movement, protection from poverty and social exclusion)

Refugee camps and reception facilities have been in the forefront of media attention since the beginning of the pandemic in **Greece**, while there hasn't been a complete lift of restriction measures at any moment since the Agnodiki scheme⁵² was put in practice in mid-March. Refugee camps all over Greece have been placed under quarantine for selected periods of time.⁵³

1. Moria camp on Lesbos was placed under complete lockdown on 2 September until the 15th. However, the Reception and Identification Centre in Moria caught fire on 9 September 2020, leaving more than 13,000 asylum seekers without accommodation. Human Rights Watch and other human rights organisations reported that since the camp's first pandemic-related lockdown, put in place in March, authorities had not provided sufficient access to medical care, hygiene products, running water, and testing.⁵⁴
2. Camps in Oinofyta, Schisto, Malakassa, Elaionas⁵⁵, Skaramagkas⁵⁶, Thiva, Serres,⁵⁷ Koutsochero, Chios⁵⁸ and Ritsona have all been periodically placed under complete lockdown in September and October 2020 due to COVID-19 infections. The residents of the camps are bound to move within the camp. There have been some efforts to install units for testing and isolating potentially infected individuals, but there is still no proper COVID-19 related medical infrastructure (healthcare units) built within the camps-infected individuals are transferred to local hospitals.
3. 778 residents of the Malakassa, Schisto and Elaionas camps were transferred to a closed stadium to be protected from the bad weather.⁵⁹

⁵² Greece, Minister of Migration and Asylum, "Joint Ministerial Decision on the restriction of movement in asylumseekers' hostingfacilities" ("ΚΥΑ Περιορισμού Κυκλοφορίας στις Δομές Φιλοξενίας Αιτούντων Άσυλο"), Press Release, 23/03/ 2020, Available in Greek at: <https://www.mitarakis.gr/gov/migration/1962-dt-yma-kya-periorismou>

⁵³ Source: Press Releases of the Ministry of Migration Policy and Asylum, Available at: <https://migration.gov.gr/tag/covid-19/>

⁵⁴ Human Rights Watch, "Greece's Moria Camp Fire: What's Next?" Press Release, 12/09/2020, Available in English at: <https://www.hrw.org/news/2020/09/12/greeces-moria-camp-fire-whats-next>

⁵⁵ Greece, Ministry of Migration Policy and Asylum ,Available in Greek at: <https://migration.gov.gr/ygeionomikos-apokleismos-se-schisto-malakasa-kai-elaiona/>

⁵⁶ Greece, Ministry of Migration Policy and Asylum ,Available in Greek at: <https://migration.gov.gr/ygeionomikos-apokleismos-domis-skaramagka/>

⁵⁷ Greece, Ministry of Migration Policy and Asylum ,Available in Greek at: <https://migration.gov.gr/ygeionomikos-apokleismos-stis-domes-filoxenias-se-thiva-kai-serres/>

⁵⁸ Greece, Ministry of Migration Policy and Asylum ,Available in Greek at: <https://migration.gov.gr/paratasi-ygeionomikoy-apokleismoy-toy-kyt-chioy/>

⁵⁹ Greece, Ministry of Migration Policy and Asylum ,Available in Greek at: <https://migration.gov.gr/metafora-778-epofeloymenon-sto-tae-kwon-do/>

4. Due to the pandemic, all residence permits have been automatically renewed⁶⁰ in order to avoid overcrowding at the Asylum Offices, which also suspended their operations from time to time in September and October, depending on the reported COVID-19 cases.⁶¹

The General Secretariat for Civil Protection has published information concerning the protection against and the treatment of Covid-19 in 6 languages other than Greek (English, French, Albanian, Russian, Arabic and Farsi) on its official website.⁶² The Social Integration Directorate (SID) has forwarded these guidelines to the Migrant Integration Centres (MICs) in order for them to be used by state staff when informing migrants and refugees about the basic protection measures to be taken, as well as on the need to remain calm and avoid the spread of misinformation.

YOUNG PEOPLE (labor rights, right to assembly, education)

1. According to the most recent EUROSTAT data, the unemployment rate of individuals under the age of 25 in Greece reached 39,3% in August 2020.⁶³
2. The decision of the Ministry of Education and Religious Affairs regarding school protests⁶⁴ is found counter-productive and imposing a disproportionate burden on the freedom of assembly and education of young people by several Teachers and Parents Unions and Associations.⁶⁵ This decision is seen as penalising children for practising their right to assembly as it prescribes the recording of absences for the organisers of the occupations/protests and the restriction of their participation to their classes in case they are found to be obstructing the smooth operation of their school building.
3. According to the reports and complaint letters sent by Parents' Unions and Students' Associations to the Ministry of Education and Religious Affairs, school classes routinely function with more than 20-25 students in a classroom, irrespective of their capacity and the

⁶⁰ Greece, Ministry of Migration Policy and Asylum ,Available in Greek at: <https://migration.gov.gr/ananeoseis-deltion-aitoynton-diethnoys-prostasias/>

⁶¹ Greece, Ministry of Migration Policy and Asylum ,Available in Greek at: <https://migration.gov.gr/paratasi-anastolis-leitoyrgias-grafeion-asyloy-stin-attiki/>

⁶² Greece, General Secretariat for Civil Protection, "The information of the General Secretariat of Civil Protection with protection instructions from coronavirus in six languages: "We are not afraid - We are protected / Our Shield, knowledge" Press Release", 27/02/2020, Available in Greek at: <https://www.civilprotection.gr/el/simantika-themata/se-exi-glosses-i-enimerosi-tis-genikis-grammateias-politikis-prostasias-me-odigies>

⁶³ Source: EUROSTAT, illustrated charts in Trade Economics, Available in English at: <https://tradingeconomics.com/greece/youth-unemployment-rate>

⁶⁴ Greece, Ministry of Education and Religious Affairs, "Decision regarding the e-learning option in case of obstruction of the educational procedure", Press Release, 01/10/2020, Available in Greek at: <https://www.minedu.gov.gr/rss/46574-01-10-20-apofasi-gia-tin-tilekpaidefsi-se-periptosi-parempodisis-tou-ekpaideftikoy-ergou>

⁶⁵ Greece, Greek Federation of Secondary Education State School Teachers , "Strike - abstention from distance education and taking absences of students in occupied schools", Press Release, 07/10/2020, , Available in Greek at: <https://bit.ly/34SR8EU>

⁶⁶ Greece, Federation of Parents in the Region of Attica, "KAISARIANI PARENTS UNION: Comment on the MAT attack on our children, parents and teachers (09/10/2020)" Press Release, 11/10/2020 Available in Greek at: <https://bit.ly/3eiadUp>

school staff is not adequate in terms of numbers and specialisation.⁶⁷ Students and their guardians report that there are not enough teachers to cater to the needs of the new arrangements especially those of distance learning, while at the same time there are still students who do not have access to electronic devices and thus are excluded from e-learning possibilities. Still no regular testing is happening within school units, even though bars, restaurants, cafes, theatres and museums are closed as they are considered of high risk for spreading Coronavirus.⁶⁸ There has been some progress and measures taken by the Ministry of Education and Religious affairs, such as recruitment of teaching staff and staff training on new technologies and precaution measures.⁶⁹

⁶⁷ Greece, Alfavita, “Explosive situation in schools: Overcrowded classes, shortage of teachers, insufficient cleanliness”, 06/10/2020, Available in Greek at: https://www.alfavita.gr/ekpaideysi/334172_ekriktiki-i-katastasi-sta-sholeia-polyplithi-tmimata-elleipseis-kathigiton

⁶⁸ Greece, Greek Federation of Secondary Education State School Teachers, “ANNOUNCEMENT – COMPLAINT- For the orchestrated plan to terrorize the student movement”, Press Release, 25/09/2020, Available in Greek at: <https://www.olme.gr/2020/09/25/25-09-2020/>

⁶⁹ Greece, Ministry of Education and Religious Affairs, “A total of 49,214 appointments and recruitments so far, along with 2,380 new recruitments of teachers to meet new needs arising in the context of coronavirus prevention”, Press Release, 06/10/2020, Available in Greek at: <https://www.minedu.gov.gr/news/46731-16-10-20-2-380-nees-proslipseis-ekpaideftikon-gia-kalypsi-neon-anagkon-pou-proklyptoun-sto-plaisio-prolipsis-apoton-koronoio-2>