

# Franet National contribution to the Fundamental Rights Report 2024

Greece

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Author's name: Vasiliki P. Karzi, Lawyer

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# 1. Impact of the cost-of-living crisis and rising poverty in the EU

## 1.1. Legal measures impacting on vulnerabilities of persons affected by the rising costs of living and energy.

In 2023, Greece introduced legal measures that address the impact of rising costs of living and energy on the fundamental rights of persons.

Following the national elections of May 2023 and the second round of June 2023, a new Ministry was established pursuant to Article 2 of Presidential Decree No. 77/2023,<sup>1</sup> the Ministry of Social Cohesion and Family. The General Secretariat for Social Solidarity and Combatting Poverty, the General Secretariat for Demographic and Housing Policy, the General Secretariat for Equality and Human Rights were established within the jurisdiction of the Ministry of Social Cohesion and Family and all prior competencies related to persons with disabilities, the integration of Roma, combatting poverty, gender equality, the rights of the child, human rights and non-discrimination were transferred from other ministries to the newly established aforementioned ministry.

### **Emergency Financial Support Measures**

In light of the rising costs of living and energy, during 2022-2023 the Greek State introduced emergency financial support measures to address the various needs of citizens.

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<sup>1</sup> Greece, Presidential Decree No. 77/2023 on the Establishment of a Ministry and renaming of Ministries - Establishment, abolition and renaming of General and Special Secretariats - Transfer of responsibilities, service units, staff positions and supervised bodies ([Σύσταση Υπουργείου και μετονομασία Υπουργείων – Σύσταση, κατάργηση και μετονομασία Γενικών και Ειδικών Γραμματειών – Μεταφορά αρμοδιοτήτων, υπηρεσιακών μονάδων, θέσεων προσωπικού και εποπτευόμενων φορέων](#))(O.G. A 130/27.06.2023)

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- Power pass<sup>2</sup>: emergency financial support to cover part of the rising electricity cost through electricity bills for households in Greece (applied in 2022 and discontinued in 2023). The financial support was awarded for electricity bills issued during the period of 01.12.2021-30.06.2022, covered up to 60% of the cost of the bills and was maximum €600. Beneficiaries included those with an annual income up to €45,000.<sup>3</sup>
- Market pass<sup>4</sup>: emergency financial support to help households cover part of the increased cost of purchases, especially of food, due to the significant increase in the consumer price index in Greece (applied in 2023). The first round covered the period of February 2023 to July 2023; the second August 2023 to October 2023; and a third period exclusively for beneficiaries from areas that suffered natural disasters, from November 2023 to December 2023.<sup>5</sup> The amount of the financial aid per household is ten percent (10%) of the monthly amount of purchases, which is set at two hundred and twenty (220) euros for a single-member household, plus one hundred (100) euros for each additional member of the household, up to a maximum of one thousand (1,000) euros of purchases. If the beneficiary opts for credit to a bank account, the amount of aid paid shall be eighty percent (80%) of the above amount. Beneficiaries of the Market Pass are Greek tax residents that have submitted without delay a tax return for 2022 with a total annual income which does not exceed: a) 16,000 euros for an unmarried applicant or a widowed or separated applicant, b) 24,000 euros for a married applicant or married couples or parties to a civil partnership agreement who submit a separate tax return without children (increased by 5,000 euros for each dependent child, other dependent member and guest member of the household), c) 24,000 euros for a single-parent family (increased by 5,000 euros

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<sup>2</sup> Greece, Law 4936/2022 on the National Climate Law Transition to climate neutrality and adaptation to climate change, urgent provisions to address the energy crisis and protect the environment ([Εθνικός Κλιματικός Νόμος Μετάβαση στην κλιματική ουδετερότητα και προσαρμογή στην κλιματική αλλαγή, επείγουσες διατάξεις για την αντιμετώπιση της ενεργειακής κρίσης και την προστασία του περιβάλλοντος](#))(O.G. A' 105/27.05.2022), Article 36 par. 1.

<sup>3</sup> Greece, Power Pass Platform, ([Πλατφόρμα του Power Pass](#)), last accessed on 28.01.2024.

<sup>4</sup> Greece, Law 5007/2022 on Integrated Palliative Care System Arrangements for the response to the COVID-19 pandemic and the protection of public health and other urgent arrangements ([Ολοκληρωμένο Σύστημα Παροχής Ανακουφιστικής Φροντίδας Ρυθμίσεις για την αντιμετώπιση της πανδημίας του κορωνοϊού COVID-19 και την προστασία της δημόσιας υγείας και άλλες επείγουσες ρυθμίσεις](#))(O.G. A' 241/23.12.2022), Article 115.

<sup>5</sup> Greece, Market Pass Platform, ([Πλατφόρμα του Market Pass](#)), last accessed on 28.01.2024.

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for each dependent child, other dependent member and guest member).<sup>6</sup> In addition to the above, the total value of the immovable property of applicants must not exceed 250,000 euros for single persons, widows or separated applicants and 400,000 euros for married couples or parties to a civil partnership agreement and single-parent families. During the third period of the Market Pass (November-December 2023), the beneficiaries did not need to meet any income related requirements but only had to prove that they were permanent residents of one of the areas affected by a natural disaster during 2023 (namely, Thessaly, Eastern Macedonia and Thrace, Viotia, Fthiotida, Evia).<sup>7</sup>

- Dentist pass<sup>8</sup>: emergency financial support for preventative dental care for children 6-12 years old (applied in 2023). It is part of the action "Implementation of the National Public Health Prevention Programme "Spyros Doxiadis" (Action code 16783) and is implemented in the framework of the "National Recovery and Resilience Plan Greece 2.0" with funding from the European Union-NextGenerationEU. The amount of the aid per beneficiary (child) is forty euros (40€). The financial support corresponding to each beneficiary is credited to the beneficiary in the form of a digital debit card (Dentist Pass). Each digital debit card may cover all or part of the actual cost of the dental care services provided for the beneficiary child or children up to the above amount. The amount of the aid may be used by the beneficiaries exclusively for the payment of preventive

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<sup>6</sup> Greece, Market Pass Platform, ([Πλατφόρμα του Market Pass](#)), last accessed on 28.01.2024.

<sup>7</sup> Greece, Common Ministerial Decision No. 332/6.11.2023 on Technical details of the organisation and implementation of the financial assistance referred to in Article 35 of Law no. 5058/2023 (A' 170) ([Τεχνικές λεπτομέρειες οργάνωσης και εφαρμογής της οικονομικής ενίσχυσης του άρθρου 35 του ν. 5058/2023 \(Α' 170\)](#))(O.G. B 6433/10.11.2023).

<sup>8</sup> Greece, Law 5015/2023 on Ratification: a) of the 22.11.2022 Individual Donation Contract Project XI, Annex 13 of the 6.9.2018 main Donation Contract between the "Stavros S. Niarchos Charitable Foundation" and the Greek State for the strengthening and upgrading of infrastructure in the health sector and b) of the 22. 11.2022 Amendment of the Donation Agreement of 6.9.2018 between the Foundation "Stavros S. Niarchos Charitable Foundation" and the Greek State for the strengthening and upgrading of infrastructure in the health sector and other provisions, ([Κύρωση: α\) της από 22.11.2022 Επιμέρους Σύμβασης Δωρεάς Έργο XI, Παράρτημα 13 της από 6.9.2018 κύριας Σύμβασης Δωρεάς μεταξύ του Ιδρύματος «Κοινωφελές Ίδρυμα Σταύρος Σ. Νιάρχος» και του Ελληνικού Δημοσίου για την ενίσχυση και αναβάθμιση των υποδομών στον τομέα της Υγείας και β\) της από 22.11.2022 Τροποποίησης της από 6.9.2018 Σύμβασης Δωρεάς μεταξύ του Ιδρύματος «Κοινωφελές Ίδρυμα Σταύρος Σ. Νιάρχος» και του Ελληνικού Δημοσίου για την ενίσχυση και αναβάθμιση των υποδομών στον τομέα της Υγείας και άλλες διατάξεις](#))(O.G. A' 20/2.2.2023), Article third.

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dental care operations for the specific beneficiaries for whom it was originally issued and intended. It may not be used for any other purpose, used by a third party, or withdrawn.

- North Evia Pass<sup>9</sup> and Samos Pass<sup>10</sup>: measure aimed to support tourism in areas that suffered natural disasters i.e. North Evia and Samos (Samos Pass applied in 2022 and North Evia Pass in 2023). For North Evia,<sup>11</sup> the financial aid amounts to one hundred (100) euros for those who choose the Municipality of Istiaia - Edipsos as their destination and one hundred and fifty (150) euros for those who choose the Municipality of Mantoudiou - Limni - Agia Anna as their destination. The amount is charged to a digital card, cannot be transferred to another account or withdrawn, and no other amount of money can be credited to the digital card. For Samos,<sup>12</sup> the financial assistance amounts to three hundred (300) euros for beneficiaries who will choose Samos as their destination (Municipalities of Eastern and Western Samos), except for the second phase of applications (August) which amounts to two hundred (200) euros. The North Evia Pass and Samos Pass had a dual aim: to support the local tourist businesses in the areas affected by natural disasters and provide financial support to low-income beneficiaries to go on vacation.
- Fuel Pass<sup>13</sup>: financial support to cover the rising cost in fuel which was caused by the rising cost in energy (applied in 2022 and discontinued in 2023).

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<sup>9</sup> Greece, Law 5045/2023 on Supporting incomes of employees, young people, families and work Pension arrangements and other urgent measures ([Ενίσχυση του εισοδήματος των μισθωτών, των νέων, της οικογένειας και της εργασίας Συνταξιοδοτικές ρυθμίσεις και άλλες επείγουσες διατάξεις](#))(O.G. Α' 136/29.7.2023), Article 53.

<sup>10</sup> Greece, Law 4934/2022 on the Inclusion of the areas of the Dodecanese Cadastral Regulation in the National Land Registry, application to them of the common national legislation Interconnection of the Registry Offices and the "Greek Land Registry" Registration of legal actions and applications in the cadastral sheets and other provisions. ([Ένταξη των περιοχών ισχύος του Κτηματολογικού Κανονισμού Δωδεκανήσου στο Εθνικό Κτηματολόγιο, εφαρμογή σε αυτές της κοινής εθνικής νομοθεσίας Διασύνδεση Ληξιαρχείων και «Ελληνικού Κτηματολογίου» Καταχώριση αγωγών και αιτήσεων στα κτηματολογικά φύλλα και λοιπές διατάξεις.](#)) (O.G. Α' 100/23.5.2022), Article 30.

<sup>11</sup> Greece, North Evia Pass Platform, ([Πλατφόρμα του North Evia Pass](#)), last accessed on 28.01.2024.

<sup>12</sup> Greece, Evia Samos Pass Platform, ([Πλατφόρμα του Evia Samos Pass](#)), last accessed on 28.01.2024.

<sup>13</sup> Greece, Law 4916/2022, Modernisation of the framework of the functioning of the Securities and Exchange Commission Public contribution programme for vulnerable debtors until the transfer of their residence to the acquisition and leaseback of the Chapter A' of Part Two

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- Youth Pass<sup>14</sup>: a financial support measure to which applies as of 2023 and thereon and aims to award young people ages 18 and 19, with €150 per year (total of 200,000 beneficiaries). The Programme's digital debit card can be used to make purchases or receive services from businesses operating in the fields of culture, tourism and transport.

It is important to highlight that the Greek Ombudsman notes<sup>15</sup> that even though the design of the above support measures and the management of procedures were carried out with the intention of utilising digital technologies, which are more modern and safe, the automatization of administrative procedures and control, in conjunction with existing gaps and omissions in the legislative framework, has caused issues, frequently unresolved, which lead to the unfair rejection of applications in many cases, unequal treatment and loss of rights for the beneficiaries.

For instance, as highlighted by the Greek Ombudsman, the awarding of financial support through an intangible digital card, sometimes even exclusively, without the alternative of having the money transferred to bank account (such as in the case of the dentist pass, Samos pass, North Evia pass), required access of the beneficiary to a mobile phone which supports contactless transactions. However, considering that the beneficiaries of the financial support come from a low-income background, their possible lack of access – financial and natural - to modern smartphones should have been taken into account (i.e. elder persons not acquainted with such technology).

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of the Third Book of Book Three of Law No. 4738/2020 Incorporation into Greek legislation of Directives (EU) 2020/1151 and (EU) 2021/1159, new reduced Single Real Estate Property Tax (EN.F.I.A.), urgent tax and customs regulations to address in particular the energy crisis and other provisions ([Εκσυγχρονισμός του πλαισίου λειτουργίας της Επιτροπής Κεφαλαιαγοράς Πρόγραμμα συνεισφοράς Δημοσίου σε ευάλωτους οφειλέτες μέχρι τη μεταβίβαση της κατοικίας τους στον φορέα απόκτησης και επαναμίσθωσης του κεφαλαίου Α΄ του μέρους δευτέρου του τρίτου βιβλίου του ν. 4738/2020 Ενσωμάτωση στην ελληνική νομοθεσία των Οδηγιών \(ΕΕ\) 2020/1151 και \(ΕΕ\) 2021/1159, νέος μειωμένος Ενιαίος Φόρος Ιδιο κτησίας Ακινήτων \(EN.Φ.Ι.Α.\), επείγουσες φορο λογικές και τελωνειακές ρυθμίσεις για την αντιμετώπιση ιδίως της ενεργειακής κρίσης και άλλες διατάξεις.](#)), Article 81.

<sup>14</sup> Greece, Law 5045/2023, on Supporting incomes of employees, young people, families and work Pension arrangements and other urgent measures ([Ενίσχυση του εισοδήματος των μισθωτών, των νέων, της οικογένειας και της εργασίας Συνταξιοδοτικές ρυθμίσεις και άλλες επείγουσες διατάξεις](#))(O.G. Α΄ 136/29.7.2023), Article 47.

<sup>15</sup> The information was provided by the Greek Ombudsman in its 21.11.2023 written contribution.

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On the other hand, the Greek Ombudsman noted that even in cases where there was an option to have the financial support transferred to a bank account, the amount was less than that awarded to those beneficiaries that opted for a digital card. This means that there was unequal treatment of those beneficiaries that were not able to access a smartphone supporting contactless transactions.

Finally, the Greek Ombudsman also reported that there was no available appeals or review procedure in place for the applications that are rejected. The automated electronic cross-examination procedure which verifies the criteria, *ipso facto*, blocks the examination of cases with particularities. Thus, according to the Greek Ombudsman, the legislative framework should have also foreseen an alternative application procedure or a supplementary administrative procedure where the examination can be reviewed by the Administration authority and any errors corrected by the applicant. In any case, the Greek Ombudsman states that the complete lack of a review or appeals procedure in administrative procedures of such a large scale, is unprecedented, sets a negative precedent and jeopardizes the rights of citizens.

It should be noted that there is no publicly available segregated data concerning the beneficiaries of the above emergency measures nor are there any evaluation reports on the effectiveness of these measures in addressing the negative impacts of the energy crisis and rise in cost-of-living.

### **“Exoikonomo 2023” Project**

In 2023, a Common Ministerial Decision was issued by the Ministries of Finance, Development and Investment and Environment and Energy (Decision ΥΠΕΝ/ΥΔΕΝ/55246/807) for the programme “Exoikonomo 2023” (*Εξοικονομώ 2023*).<sup>16</sup> The Programme is funded by the Recovery and Resilience Fund and provides incentives in the form of grants (direct aid) and loan interest subsidies. The total investment of the “Exoikonomo 2023” programmes will contribute to energy savings of at least 213 ktoe per year and the energy renovation of at least 105,000 homes by 2025. Particular care is taken to support poor and vulnerable households in the form of an increased grant rate and a separate budget of 60 million euros.<sup>17</sup>

Through the programme, owners of a primary residence can receive a subsidy for energy-saving interventions that enhance the energy autonomy of their home. The

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<sup>16</sup> Greece, Common Ministerial Decision ΥΠΕΝ/ΥΔΕΝ/55246/807/19.05.2023, Public Call for “Exoikonomo 2023” Programme ([ΚΥΑ ΥΠΕΝ/ΥΔΕΝ/55246/807/19.05.2023, Προκήρυξη του Προγράμματος «Εξοικονομώ 2023»](#))(O.G. Β’ 3323/19.05.2023).

<sup>17</sup> Greece, Ministry of Environment and Energy, Exoikonomo 2023, ([Εξοικονομώ 2023](#)), last accessed on 28.01.2024.

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eligible costs that can be subsidised cover: replacement of windows and doors, installation/upgrading of thermal insulation, installation of window coverings, installation of window frames, installation of new windows, heating/cooling system upgrades, other interventions for a smart home management system. The interventions to be made in the residences should meet the minimum energy requirements of the "Energy Performance of Buildings Regulation". According to the Ministry of Environment and Energy, this means that the proposal (combination of interventions) for energy upgrading submitted with the application should meet the minimum energy - environmental objective of the application, as follows: For each eligible residence (single-family house or apartment) mandatory upgrading by at least three (3) energy categories, in relation to the classification in the A' PEA (and mandatory minimum B' category when this includes a radical renovation), in order to ensure primary energy savings of more than 30%.<sup>18</sup>

### **“My Home” Project**

Articles 3 and 4 of Law 5006/2022 established the housing policy project “My Home” («Σπίτι μου») which consists of low interest or zero interest housing loans to young people ages 25-39. The purpose of the project was to promote under certain conditions the acquisition of a first home by unmarried individuals with an annual income from €10,000-€16,000 for single people, €24,000 for couples, with €3,000 added per child and as long as they do not own any real estate property. In 2023, Common Ministerial Decision No. 189/1.3.2023 regulated the specifics of the project such as the application procedure and necessary accompanying documents. The main condition for receiving the loan is acquisition of real estate property, which cannot exceed 150 square metres, must be located in a populated area and part of a building structure built at least 15 years before the date of purchase. Moreover, the loan may not exceed the total amount of €150,000 and should not exceed 30 years in duration. The loan may cover up to 90% of the property's acquisition value. The remaining amount should be covered by the buyer. 75% of the loan is financed by the Public Employment Service (Δημόσια Υπηρεσία Απασχόλησης – Δ.ΥΠ.Α). The total budget for this is set at €350,000,000 and the remaining loan covered is financed by a bank institution which operates lawfully in Greece. If the beneficiary is or becomes following the signing of the loan contract a parent to three or more children, the interest amount is covered by the Public Employment Service (making the loan zero interest).

Law 5045/2023 introduced amendments to the “My Home” project in relation to the income requirement. Article 58 of the law, states that for the calculation of the total

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<sup>18</sup> Greece, Ministry of Environment and Energy, Minimum Energy Requirements, ([Ελάχιστες Ενεργειακές Απαιτήσεις](#)), last accessed on 28.01.2024.

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annual income, both the real as well as presumed income will be taken into account, regardless of its origin. According to the Greek Ombudsman, in practice this means that, during the expected review by the partner bank institutions, to determine whether the applicant fulfills the income requirement for the project, the income declared to the tax authority (real income) as well as the income which is calculated based on the annual living expenses made by the applicant (presumed income) will be examined. In the end, if the presumed income does not match the real declared income and is higher, it will be the basis for the income requirement by the bank. This is potentially problematic because it may lead to the rejection of the application even if the individual's real income is within the criteria limit.

### **“Kalypsi” project**

A Common Ministerial Decision was issued for the project Kalypsi (*Κάλυψη*),<sup>19</sup> a housing project for beneficiaries between the ages of 25-39. The project aims to utilize private residencies for the housing of vulnerable youth which do not own real estate property, and which reside within a municipality-partner of the Ministry of Employment and Social Affairs. Beneficiaries include: Large families; Families with three children; Persons with Disabilities (67% or more); Households served with an eviction order from a rented house or an order for the restitution of rented accommodation; Single-parent families; Families with one or two children; Unemployed persons registered with the Public Employment Service; Persons or families accommodated in shelters for women-victims of violence; Persons or families hosted as members of households awarded with the Minimum Guaranteed Income. According to a point system (determined by the category of vulnerability), the competent Municipality contacts each applicant and offers them housing in a selection of homes within its jurisdiction (max. 3). The lease is signed between the beneficiary and the owner, and the Municipality provides a three-year guarantee in relation to the payment of the rent.

### **Gefyra III Programme**

In April 2023, a Ministerial Decision introduced the programme “Gefyra III” (*Γέφυρα III*), a housing and small business loan instalment subsidy scheme for vulnerable debtors with their primary residence declared as collateral (mortgage) in case of failure to pay

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<sup>19</sup> Greece, Common Ministerial Decision No. 24777/2023 On the terms and conditions for the implementation of the housing assistance programme "KALYPSI" ([Καθορισμός των όρων και των προϋποθέσεων υλοποίησης του προγράμματος στεγαστικής συνδρομής «ΚΑΛΥΨΗ»](#))(O.G. B 1315/7.03.2023).

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off a bank loan.<sup>20</sup> The programme is for adult vulnerable debtors who have taken out housing or small business loans with security over their primary home and granted until 30.06.2022. Under the scheme, 50% of the interest rate increase (with a reference date for calculating the increase being 30.06.2022) is subsidised for a period of 12 months. The Special Secretariat for Private Debt Management issues a vulnerable debtor certificate which verifies that the applicant is a beneficiary which meets mainly the following criteria: (a) the applicant is classified as vulnerable, according to the income and property criteria set in Article 3 Law 4472/2017 and Article 217 of Law 4738/2020 (housing benefit), (b) has an income from 9,100 euros to 27,300 euros (depending on the size of the household and number of dependent members), (c) his/her first home is covered by housing or small business loans (regardless of currency, indicatively EUR, CHF, USD), (d) the loans must have a variable interest rate with a regular maturity (amortization loan) at the time of application and (e) the loan must be up-to-date at the time of application, i.e. less than 30 days overdue.

According to a written response of the Greek Ministry of National Economy and Finance addressed to the Members of the Hellenic Parliament,<sup>21</sup> the programme was implemented by the Greek banks and was open for the first round of applications during the period of 1.2.2023-31.7.2023. As of September 30, 2023, a total of 89,316 applications had been submitted, 37,465 of which had been completed. Housing loan subsidies were granted for 5,151 applications. The Ministry notes that 70% of the completed applications were withdrawn by the applicants themselves and that the project had a low participation rate (40,000 loan debtors were the initial estimate). In fact by the end of September 2023 only 2,904 loans worth 131 million euros were included in the programme. The Ministry stated that vulnerable debtors opted to not be included in the subsidy scheme however it did not clarify the underlying reasons that discouraged vulnerable debtors from applying.

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<sup>20</sup> Greece, Ministerial Decision No. 60269 ΕΞ 2023/13.04.2023 on the Definition of criteria for determining the financially weaker debtors for inclusion in the voluntary support programme of credit and financial institutions for interest rate subsidies ([Καθορισμός κριτηρίων καθορισμού των οικονομικά ασθενέστερων οφειλετών για την ένταξή τους στο πρόγραμμα οικειοθελούς στήριξης πιστωτικών και χρηματοδοτικών ιδρυμάτων για την επιδότηση επιτοκίου](#))(O.G. B 2601/21.04.2023).

<sup>21</sup> Greece, Ministry of National Economy and Finance, Regarding Prot. No. 423/21.8.2023 Inquiry ([Σχετικά με την υπ' αριθμ. πρωτ. 423/21.9.2023 ερώτηση](#)), last accessed on 28.01.2024.

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## Social Protection measures

Law 5036/2023<sup>22</sup> contained provisions for the re-activation of social security protection that had been revoked due to overdue payments or partial payment of contributions owed to the social security protection authority e-EFKA (Articles 81 and 82). The law explicitly states that these legal provisions were introduced to address the impact of the energy crisis and high inflation in 2022. More specifically, individuals that had applied to pay their contributions in installments, were not able to continue paying the monthly installments due to the rise in inflation in 2022 and the costs of the energy crisis. After missing a number of payments, their social security protection was revoked. With the new measure, individuals that had missed all payments or some and had their social protection revoked, could apply for its reactivation by paying at the same time two installments no later than July 31, 2023. The same law contained a similar provision, i.e. gradual payment in installments, for debts owed by citizens to municipal authorities (Article 90, Law 5036/2023).

## Minimum Guaranteed Income

In November 2023, a Common Ministerial Decision was issued which amended the existing framework for the Minimum Guaranteed Income by introducing an 8% increase.<sup>23</sup> The Minimum Guaranteed Income is financial aid awarded to vulnerable social groups. The financial support guaranteed by the programme for each household, depends on the number and age of its members, following the payment of the income support, as follows: For a single person household: € 216 per month; For each additional adult member of the household €108 per month; For each minor member of the household € 54 per month. In a household consisting exclusively of a single-parent family, the eldest minor member is counted as an adult; In a household with unprotected child(ren), for the purposes of calculating the guaranteed amount, each

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<sup>22</sup> Greece, Law 5036/2023 on Debt adjustment framework and other tax and customs arrangements, protection of pensions against inflation and other provisions to support society and entrepreneurship ([Πλαίσιο ρύθμισης οφειλών και άλλες φορολογικές και τελωνειακές ρυθμίσεις, προστασία των συντάξεων από τον πληθωρισμό και άλλες διατάξεις για τη στήριξη της κοινωνίας και της επιχειρηματικότητας](#))(O.G. A. 77/28.03.2023)

<sup>23</sup> Greece, Common Ministerial Decision No. 97046/2023, "Amendment of the decision no. Δ13/οικ. 53923/23-7-2021 of the Common Ministerial Decision on "Modification of the terms and conditions for the implementation of the Minimum Guaranteed Income Programme" (B' 3359, error correction B' 3554)"([Τροποποίηση της υπό στοιχεία Δ13/οικ. 53923/ 23-7-2021 κοινής υπουργικής απόφασης με θέμα «Τροποποίηση των όρων και των προϋποθέσεων εφαρμογής του προγράμματος Ελάχιστο Εγγυημένο Εισόδημα» \(B' 3359, διόρθωση σφάλματος B'3554\)](#) (O.G. B' 6456/13.11.2023).

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unprotected child is counted as an adult. The maximum guaranteed amount is set at €972 per month, irrespective of the composition of the household.

### **Minimum Wages**

In 2023, a Ministerial Decision increased the minimum wages of employees and workers, from €713 to €780 for employees and from €31.85/day to €34.84/day for workers.<sup>24</sup> According to the Decision, the increase was decided by taking into account the state of the Greek economy and its prospects for growth in terms of productivity, prices, and competitiveness, the employment and unemployment rate, incomes and wages.

### **Operation of Community centres**

A Common Ministerial Decision (No. 49744) on the standards for the operation of Community Centres was introduced.<sup>25</sup> Community centres were first introduced by Article 4 of Law 4368/2016. The ministerial decision describes the role of the community centres, their working hours, their funding and working conditions. It states that the community centres will assist the Local Administration Organisations in the implementation of social protection policies and constitute focal points for receiving, providing services and connecting citizens with all social programmes, housing projects and other related services provided in each area (such as the Minimum Guaranteed Income, projects funded by ESF, etc.). Target groups of the services provided by the community centers include domestic abuse victims, persons with disabilities, Roma, asylum seekers and refugees, persons at risk of poverty or living in poverty, etc. The ministerial decision also refers to the creation of a volunteer network which will assist the community centre staff and also contribute to other facilities set up for addressing poverty (Articles 4 and 5 of the Common Ministerial Decision No. 49744).

More specifically, Community Centres are first reception facilities, which provide holistic support to the residents of the municipalities concerned, through the provision of a comprehensive range of services aimed at combating poverty and social exclusion, as well as promoting employment. They operate for 8 hours a day, from Monday to Friday, and the opening hours can be extended beyond 5 pm. During their opening hours they remain open to citizens, with at least two staff members present, one of whom is a social

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<sup>24</sup> Greece, Ministerial Decision No. 31986/28.03.2023, Determination of minimum wage and minimum daily wage for employees and workers throughout the country ([Καθορισμός κατώτατου μισθού και κατώτατου ημερομισθίου για τους υπαλλήλους και τους εργατοτεχνίτες όλης της χώρας](#))(O. G. B' 2003/28.03.2023).

<sup>25</sup> Greece, Common Ministerial Decision No. 49744/2023, Setting standards for the operation of Community Centres ([ΚΥΑ 49744 Καθορισμός προδιαγραφών λειτουργίας των Κέντρων Κοινότητας](#)) (O.G. B 3322/19.05.2023).

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worker. They are responsible for 1) the reception, information, registration, support of citizens in the process of joining social programs and 2) cooperation with services and facilities to link citizens and refer their requests, as well as cooperation with the local labor market to promote the employment of the unemployed. Moreover, they may also assist in the 1) Implementation of actions related to the improvement of citizens' living standards and 2) Social integration of citizens including counselling and psychosocial support.

Municipalities that have Roma populations have introduced community centres which are integrated with Roma Annexes - 51 in total - according to the National Strategy and Action Plan for the Social Integration of Roma 2021-2030,<sup>26</sup> to provide services such as counselling, liaison and referral to public services, support for women's empowerment, facilitation for welfare claims, judicial, civil and legal matters, health education, employment promotion services, primary health care.

### **Measures for vaccination of vulnerable groups**

The Minister of Health issued a Ministerial decision on the conditions and procedure for the approval of vaccinations and mass preventive medical procedures for populations on the move and vulnerable groups.<sup>27</sup> The purpose of this ministerial decision is to regulate the conditions and procedure for: the issuance of an approval decision of the Secretary General of Public Health of the Ministry of Health regarding requests to carry out vaccinations and mass preventive medical actions, which are not included in national, regional and/or local programmes; the institutions entitled to submit such a request; as well as the procedure for the coordination and monitoring of the execution of the above operations, the procedure for dealing with emergency and unforeseen health situations and any other relevant details. Target groups of the specific measure are vulnerable groups - i.e. those groups of the population whose smooth integration into social and economic life is hindered by economic, social and cultural factors, physical and mental disability - and populations on the move - i.e. groups of persons, adults and minors, who do not have permanent residence within the Greek territory and who are also considered a vulnerable group.

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<sup>26</sup> Greece, Ministry of Employment and Social Affairs, National Strategy and Action Plan for the Social Integration of Roma, 2021-2030, ([Εθνική Στρατηγική και Σχέδιο Δράσης για την Κοινωνική Ενταξη των Ρομά](#)), last accessed on 28.01.2024.

<sup>27</sup> Greece, Ministerial Decision No. Δ4γ/42/2023 Establishing the conditions and procedure for the approval of vaccinations and mass preventive medical procedures for populations on the move and vulnerable groups ([Καθορισμός όρων και διαδικασίας έγκρισης διενέργειας εμβολιασμών και μαζικών προληπτικών ιατρικών πράξεων σε μετακινούμενους πληθυσμούς και ευπαθείς ομάδες](#)) (O.G. B 465/2.02.2023).

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### **Inclusion of old programmes under the new NSRF**

Law 5041/2023<sup>28</sup> contained a provision for the continued functioning of co-funded facilities supporting the social inclusion of vulnerable groups. Article 101 of the law states that actions co-financed by the European Social Fund (ESF +) of the National Strategic Reference Framework (NSRF-ΕΣΠΑ) 2014-2020 Programming Period, which aim to strengthen the social inclusion of vulnerable groups of the population, through the establishment and operation of social facilities and the provision of related services and related employment contracts will continue their operation and be funded through the Programmes of the NSRF Programming Period for 2021-2027. The law does not specify which actions exactly are covered by the specific provision and given that the provision was introduced through a tabled amendment to the draft law, no explanatory report was prepared.

### **National Budget Proposal for 2024**

In October 2023, a draft of the National Budget for 2024 was submitted to the Permanent Committee of Financial Affairs of the Hellenic Parliament.<sup>29</sup> According to the draft, during 2023, a deceleration in energy prices was observed, while the rate of change of the general price index showed a deceleration compared to the previous year. However, the price level of food and other consumer goods remained high, continuing to put pressure on household budgets. During 2023, support for households and farmers on electricity prices continued, but to a lesser extent compared to 2022, as prices have decelerated.

The draft stated that new instruments were adopted such as the "market pass" (see above) to address the high costs in the food market in the short term, and permanent measures for raising the income of citizens were set to be adopted from January 2024. Furthermore, measures such as gross profit margin controls and the "household basket" have supported price moderation on a variety of essential goods. In order to support consumers and production in relation to fuel prices - which appear lower than in 2022 but remain higher than in 2021 - the implementation of an increased heating allowance

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<sup>28</sup> Greece, Law 5041/2023 on Pharmaceutical Associations Panhellenic Pharmaceutical Association Institute of Pharmaceutical Scientific Research and other urgent regulations ([Φαρμακευτικοί Σύλλογοι Πανελληνίος Φαρμακευτικός Σύλλογος Ινστιτούτο Φαρμακευτικών Επιστημονικών Ερευνών και άλλες επείγουσες ρυθμίσεις](#))(O.G. A 87/8.04.2023).

<sup>29</sup> Hellenic Parliament, Permanent Committee for Financial Affairs, 2024 National Budget Draft ([Προσχέδιο Κρατικού Προϋπολογισμού 2024](#)), last accessed on 28.01.2024.

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and the refund of the consumers' tax on diesel oil in the agriculture sector continued during 2023.

The draft mentions that the cost of the implementation of the inflation crisis interventions during 2023 amounts to 2,540 million euros, for the following main measures:

- the subsidies on electricity consumption of households and businesses with an estimated fiscal cost of 1,047 million euros, covered by the revenues of the Energy Transition Fund,
- the implementation from February 2023 to October 2023 of the financial support measure concerning 2,8 million households and to help cover part of the increased consumers expenses, in particular for food items, due to the significant price increase (i.e. market pass) at a cost of 754 million euros and its further extension until December 2023 for flood-affected areas and Evros at a cost of 35 million euros. The total budget for the measure amounts to 789 million euros for the year 2023,
- a heating allowance awarded with an extended income criteria for families with children at a cost of 237 million euros for the winter period of 2023 - 2024. It is noted that, taking into account the payments from last year's heating allowance in the first months of 2023, the cost for the year of 2023 is estimated at 280 million euros; and
- the refund of consumer tax imposed on diesel oil, which is awarded to farmers in 2023 at a budget of 76 million euros.

The draft also takes into account the fiscal interventions taken in 2023 to address the economic consequences of natural disasters (such as wildfires and floods), including the introduction of a supplementary budget, for a total amount of 600 million euros (450 million euros in the national part of the Public Investment Programme and 150 million euros in the regular budget). In 2024 the national Public Investment Programme is scheduled to cover on a permanent basis the costs of state aid for natural disasters (600 million euros total budget). The aim is to cover both the remaining compensations awarded for the natural disasters in 2023 and possible future disasters through a climate change impact fee to be imposed, in addition to the tax on tourist accommodation and short-term rentals.

On December 17, 2023 the Plenary of the Hellenic Parliament voted for the approval of the National Budget of 2024 which was adopted through Law 5077/2023.<sup>30</sup> The 2024

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<sup>30</sup> Greece, Law 5077/2023 on the Ratification of the National Budget for the fiscal year of 2024 ([Κύρωση του Κρατικού Προϋπολογισμού οικονομικού έτους 2024](#))(O.G. A 209/18.12.2023).

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budget foresees benefits of 1,6 billion euros to be implemented through increases in wages, pensions, allowances and tax relief of 2,137 billion euros, with the largest share absorbed by increases in civil servants' salaries as of 1.1.2024, averaging 6.5% and costing the state 906 million euros. Apart from civil servants, 3% increase in salaries will be awarded to pensioners, families with children - in order to cover the increase of the tax-free threshold by 1,000 euros - as well as vulnerable households.

In 2023, there were no other legislative measures having an impact on the fundamental rights of persons vulnerable to rising living costs or who live in poverty.

## 1.2. Policy measures impacting on vulnerabilities of persons affected by the rising costs of living and energy.

In 2023, Greece introduced new measures and continued to apply measures already in place from previous years which have an impact on fundamental rights of persons vulnerable to rising living costs or who live in poverty.

### **National Action Plan for the Preventing and Addressing Homelessness**

In February 2023, the Minister of Employment and Social Affairs announced the adoption of a National Action Plan for Preventing and Addressing Homelessness.<sup>31</sup> It includes actions with a total budget of €72 million over the next five years that are estimated to help around 5,700 households and will be implemented by the General Secretariat for Social Solidarity and the Fight against Poverty.

The Plan foresees interventions that on the one hand facilitate access to adequate and decent housing for vulnerable citizens and on the other hand aims at preventing the phenomenon of homelessness. The long-term objective is to permanently address housing problems for all Greeks, using national and European resources (NSRF, Recovery Fund). The main actions of the plan, include:

- The "Kalypsi" programme through which the existing stock of apartments of the "ESTIA" programme will be used to implement a social housing programme. The aim is to provide at least 1,000 apartments as social housing to young people

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<sup>31</sup> Greece, Ministry of Employment and Social Affairs, Press Release of 2.02.2023, What is included in the National Action Plan for the support of the homeless, ([Τι περιλαμβάνει το Εθνικό Σχέδιο Δράσης για τη στήριξη των αστέγων](#)), last accessed on 3.12.2023.

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aged 25-39 years old, beneficiaries of the Minimum Guaranteed Income, who do not own their first home. The programme, which has a budget of €21,5 million, will cover the cost of rent for three years and any repair costs where necessary. The first homes were scheduled to be offered in March 2023.

- The "Housing and Work for the Homeless" programme, which has been transformed from a pilot to a permanent social policy tool and operates in 43 municipalities across the country, providing rent subsidies to beneficiaries for two years. It covers basic expenses for household goods and payment of utility bills and subsidizes salary and insurance contributions for one year to find work in private enterprises or to set up a business. The aim is to reintegrate 800 beneficiaries.
- The pilot Social Housing Programme, which will be implemented in the Municipalities of Athens and Thessaloniki. It aims to prevent and address housing exclusion of vulnerable groups threatened or facing homelessness by making use of part of the unused private and public housing stock. It is even planned to be extended to other large municipalities in the country through its inclusion in the new NSRF 2021-2027.

The full text of the Action Plan has not been published and the Greek Ombudsman reported<sup>32</sup> that it sent in 2023 observations on the above parts of the Action Plan that were published by the Ministry of Employment and Social Affairs, emphasizing issues related to its methodology and the project "Kalypsi" and highlighting its previous observations made in relation to the Annex of the National Strategy for Social Inclusion and Combatting Poverty 2021-2027. In 2023 regular benefits aimed at supporting those at risk of poverty and introduced as measures in previous years, such as the child benefit, the Minimum Guaranteed Income (see above), child-birth benefit, and housing benefits were awarded based on income-related criteria. Some of these benefits are awarded twice or once a year. According to OPEKA, the organization that awards social welfare benefits on a monthly basis, on February 28, 2023 the following allowances were paid:<sup>33</sup>

-Housing allowance (beneficiaries 269,076 – total 32,466,478 euros)

-Minimum guaranteed income (beneficiaries 206,783 – total 43 179 073 euros)

-Disability benefits (beneficiaries 176,879 – total 64,265,188 euros)

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<sup>32</sup> The information was provided by the Greek Ombudsman through its 21.11.2023 written contribution.

<sup>33</sup> Greece, OPEKA, Press Release of 24.02.2023, Payment of Benefits – February 2023 (*Δελτίο Τύπου 24.02.2023, Καταβολή Επιδομάτων – Φεβρουάριος 2023*), last accessed on 28.01.2024.

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- Housing subsidy allowance (beneficiaries 757 – total 224,245 euros)
- Social Solidarity Allowance for older Persons (beneficiaries 18,847 – total 6,479,537 euros)
- Birth grant (beneficiaries 11,865 – total 11,909,000 euros)
- Gefyra programme – for those that cannot afford to pay of loans from banks (beneficiaries 319 – total 177,226 euros)
- Fostering allowance (beneficiaries 495 – total 242,639 euros)

On September 28, 2023 the following payments were made:<sup>34</sup>

- Child benefit (beneficiaries 635,103 – total 123,502,813 euros)
- Housing allowance (beneficiaries 257,481 – total 31,064,075 euros)
- Minimum guaranteed income (beneficiaries 204,959 – total 43,843,032 euros)
- Disability benefits (beneficiaries 180,622 – total 83,539,126 euros)
- Housing subsidy allowance (beneficiaries 718 – total 218,861 euros)
- Social Solidarity Allowance for older Persons (beneficiaries 17,776 – total 6,333,261 euros)
- Birth Allowance (beneficiaries 10,202 – total 10,244,000 euros)
- Gefyra programme (beneficiaries 133 – total 19,045 euros)
- Foster care allowance (beneficiaries 526 – total 66,785 euros)
- Personal assistant scheme – for persons with disabilities (beneficiaries 247 – total 185,950 euros)

It should be noted that in September 2023 payments started for the beneficiaries of the Personal Assistant Programme (aimed at persons with disabilities).

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<sup>34</sup> Greece, OPEKA, Press Release of 28.09.2023, Payment of 181,431,668 euros in benefits to 1,331,668 beneficiaries (*Δελτίο Τύπου 28.09.2023, [Καταβολή επιδομάτων 181.431.668 ευρώ σε 1.331.668 ωφελούμενους](#)*), last accessed on 28.01.2024.

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On December 23, 2023, OPEKA issued a press release<sup>35</sup> according to which regular benefits and emergency social solidarity benefits for vulnerable households (total amount of 507,005,217 euros) were awarded to 1,432,230 beneficiaries (regular benefits) and 1,142,777 beneficiaries (emergency benefits).

More specifically, the following regular benefits were awarded:

- Housing allowance (beneficiaries 244,976 – 29,704,339 euros)
- Minimum Guaranteed Income (beneficiaries 204,179 – 43,782,754 euros)
- Disability allowances (beneficiaries 183,173 - 83,560,063 euros)
- Housing subsidy allowance (beneficiaries 757- 228,201 euros)
- Greek Expat allowance (beneficiaries 5,687 – 200,296 euros)
- Uninsured dependent child allowance (beneficiaries 15,354 – 5,770,132 euros)
- Social solidarity allowance for older persons (beneficiaries 17,850 – 7,545,546 euros)
- Social Solidarity Allowance for the Greek minority in Albania (beneficiaries 10,209 – 2,549,654 euros)
- Funeral expenses (beneficiaries 115 – 91,275 euros)
- Birth Allowance (beneficiaries 11,521- 11,566,000 euros)
- Child benefit (beneficiaries 736,904 – 160,937,490 euros)
- Children dependent on persons killed in natural disasters (beneficiaries 10 - 10,000 euros)
- Fostering allowance (beneficiaries 553 - 274,893 euros)
- Personal assistant programme (beneficiaries 500 - 385,875 euros)

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<sup>35</sup> Greece, OPEKA, Press Release of 21.12.2023, 507,005,217 euros to be paid tomorrow, Friday 22 December 2023 for the regular and extraordinary December benefits of OPEKA - Ministry of Social Cohesion and Family (Δελτίο Τύπου 21.12.2023, [507.005.217 ευρώ καταβάλλονται αύριο, Παρασκευή 22 Δεκεμβρίου 2023 για τα τακτικά και τα έκτακτα επιδόματα του Δεκεμβρίου του ΟΠΕΚΑ – Υπουργείο Κοινωνικής Συνοχής και Οικογένειας](#)), last accessed on 28.01.2024.

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- Allowance for residents in mountainous and disadvantaged areas (beneficiaries 442 – 217, 800 euros)

Total number of beneficiaries: 1,432,230 and total payments for regular benefits 346,824,318 euros.

Moreover, the December 2023 emergency payments for the "Social Solidarity Allowance for Vulnerable Households", after the finalisation of the number of beneficiaries, were made for:

- Minimum Guaranteed Income (beneficiaries 204,329 -21,859,219 euros)
- Disability (beneficiaries 170,531 - 34,106,200 euros)
- Fostering (beneficiaries 95 – 20,200 euros)
- Uninsured (beneficiaries 13,927 – 2,089, 050 euros)
- Social Solidarity Allowance for Uninsured (beneficiaries 16,991 – 2,548,650 euros)
- Child benefit (beneficiaries 736,904 – 99,557,580 euros)

Total number of beneficiaries 1, 142,777 and total payments for the emergency benefits 160,180,899 euros.

According to the Ministry of Employment and Social Affairs' Annual Action Plan for 2023,<sup>36</sup> measures for the implementation of the National Action Plan for the rights of Persons with Disabilities, the National Action Plan for the Rights of Children, the National Action Plan of Gender Equality and consultation for a new Strategy for the Integration of Roma were scheduled for 2023.

No other policy measures were identified in 2023.

**Table 1 – Promising practice**

Promising practice	
Title (original language)	Γραφεία Αντιμετώπισης Ενεργειακής Φτώχειας
Title (EN)	Local Energy Poverty Alleviation offices

<sup>36</sup> Greece, Ministry of Employment and Social Affairs, Annual Action Plan 2023, Executive Summary, ([Υπουργείο Εργασίας και Κοινωνικών Υποθέσεων, Ετήσιο Σχέδιο Δράσης 2023 \(επιτελική σύνοψη\)](#)), 21.12.2022, last accessed on 28.01.2024.

Promising practice	
Organisation (original language)	Πρόγραμμα POWERPOOR με γραφεία σε 7 δήμους μέσω του Δικτύου «Βιώσιμη Πόλη»: Μεσσηνίας, Σουλίου, Αλμυρού, Τρίπολης, Ασπρόπυργου, Θεσσαλονίκης WeEnCoop, και Αθηνών INZEB
Organisation (EN)	POWERPOOR Project with offices in 7 Municipalities established through the “Sustainable City” Network: Messini, Souli, Almyros, Tripoli, Aspropyrgos, WeEnCoop Thessaloniki, INZEB Athens
Government / Civil society	The Network “Sustainable City” and Municipalities of Messini, Souli, Almyros, Tripoli, Aspropyrgos, WeEnCoop Thessaloniki, INZEB Athens
Funding body	Via the POWERPOOR project which has received funding from the European Union’s Horizon 2020 Research and Innovation Programme under grant agreement No 890437.
Reference (incl. URL, where available)	<a href="https://powerpoor.eu/stakeholders/municipalities">https://powerpoor.eu/stakeholders/municipalities</a>
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	Started in 2021 with the first office being established in the Municipality of Messini and ongoing (in 2023 offices were established in the Municipality of Tripoli and Aspropyrgo)
Type of initiative	Part of a consortium Project “POWERPOOR” consists of 14 partners, predominantly regional organisation’s and European associations from 11 European countries (Belgium, Bulgaria, Croatia, Estonia, Germany, Greece, Hungary, Latvia, Luxembourg, Portugal and Spain), across geographic regions of Europe (northern, southern, eastern and western Europe), representing different needs and characteristics.
Main target group	Local communities vulnerable to energy poverty
Indicate level of implementation: Local/Regional/National	Local: Municipalities of Messini, Souli, Almyros, Tripoli, Aspropyrgos, WeEnCoop Thessaloniki, INZEB Athens

Promising practice	
Brief description (max. 1000 chars)	<p>The Local Energy Poverty Offices act as a one stop shop of information on implementing the POWERPOOR approach in alleviating energy poverty. They can provide support to energy poor households both by directly proposing behavioural measures and no regret, low- cost energy efficiency interventions and by guiding them towards setting up or joining an existing energy community or cooperative and how to leverage innovative financing schemes. The mentors can use the <a href="#">POWERPOOR toolkit</a> and all the available materials to support the energy poor.</p> <p>Additionally, in the Energy Poverty Alleviation Offices, the benefits of implementing energy efficiency interventions and installing renewable energy sources are communicated, more energy efficient behaviours, practices and habits are encouraged, and the use of the Energy Poverty Mitigation toolkit</p>
Highlight any element of the actions that is transferable (max. 500 chars)	The operation of local offices which operate as a one-stop-shop are ideal for assisting citizens vulnerable to energy poverty and providing tailored energy alternatives.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The action is implemented on a local level by the municipalities which have better knowledge and awareness of the energy vulnerabilities of their communities and are better equipped through training provided by the POWERPOOR project in offering assistance and tailored options for energy efficiency.
Give reasons why you consider the practice as having concrete measurable impact	The project has developed a toolkit which can be easily implemented and integrated to the overall services provided by the local authorities. Municipalities are a direct access point for the communities and can better understand and adapt options provided by the toolkit to better suit the needs of their communities.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	The practice is already being implemented by the municipalities of other Member-States.

<b>Promising practice</b>	
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice	N/A
Explain, if applicable, how the practice provides for review and assessment	N/A

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## 2. Threats to democratic values - Protecting civic space, strengthening meaningful participation and the rights to freedom of association, peaceful assembly and expression

### 2.1. Major threats to democracy as reflected in national legal and political developments and the discourse at national level.

#### Table 2 – Challenges

Based on a scan of legislative and policy and other developments and the public discourse please identify **three major challenges** to democracy emerged in the course of 2023.

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
Attacks and threats to the safety of civil society organisations, human rights defenders and journalists	
Legal and administrative constraints, harassment,	<ul style="list-style-type: none"> <li>- Constraints on the work of Human Rights Defenders and Journalists</li> </ul>

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
<p>intimidation, and reprisals against civil society organisations, human rights defenders (including SLAPPs - strategic lawsuits against public participation)</p>	<p>In 2023, developments related to the restraints on the activities of human right defenders and journalists reporting on human rights'-related issues were recorded.</p> <p>In March 2023, the UN Special Rapporteur on the situation of human rights defenders submitted her report for Greece to the UN Human Rights Council.<sup>37</sup> The Special Rapporteur highlighted that the concept of human rights defenders is not sufficiently known, understood or recognised in Greek society. In Greece there are negative perceptions concerning the role and work of representatives of civil society and even a negative connotation is attached to the term "NGO". The Special Rapporteur, <b>recommended the adoption of a law recognising the important role played by human rights defenders in Greece</b>, including but not limited to those who defend the rights of migrants, women and children, investigative journalists, trade unionist, anti-corruption advocates and whistle-blowers. Indeed, in Greece, specific groups of human rights defenders are at risk.</p> <p>The UN Special Rapporteur, in the aforementioned report, the European Commission 2023 Rule of Law Report,<sup>38</sup> the 2023 Civic Space Report,<sup>39</sup> the 2023 Joint Civil Society Submission to the European Commission on the 2023 Rule of Law Report,<sup>40</sup> all highlight the challenges and risks faced by human rights defenders and journalists especially in the field of migration. Concerns mostly stem from a legal provision requiring the registration of NGOs with the Ministry of Migration pursuant to very strict conditions in order to gain access to refugee reception centres. The legal framework as it stands offers a wide discretion to competent authorities to refuse to register</p>

<sup>37</sup> UN, HRC, Visit to Greece - Report of the Special Rapporteur on the situation of human rights defenders, [A/HRC/52/29/Add.1](#), 2.03.2023, last accessed on 28.01.2024.

<sup>38</sup> European Commission, 2023 Rule of Law Report - Country Chapter Greece, [SWD\(2023\)808 final](#), 05.07.2023, last accessed on 28.01.2024.

<sup>39</sup> European Civic Forum & Civic Space Watch, [Civic Space Report 2023 – Greece](#), 2023, last accessed on 28.01.2024.

<sup>40</sup> RSA, [Rule of Law Backsliding Continues in Greece](#), Joint Civil Society Submission to the European Commission on the 2023 Rule of Law Report January 2023, last accessed on 28.01.2024.

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	<p>applicant NGOs or to remove them from the registry at any time without prior notification.<sup>41</sup> NGOs have challenged the legal measure before the Greek Council of State and a decision of the court was still pending in 2023. On an interesting note, in a similar case, where a registry for the registration of workers unions was introduced and challenged by the General Confederation for Greek Workers and the Athens Worker-employee Centre before the Council of State, a decision was issued in November 2022 which raised concerns on the constitutionality of the relevant provision and the respect for personal data.<sup>42</sup> The case was referred to the Plenary of the Council of State and a decision is still pending.</p> <p>On the other hand, there is an increasing trend of criminalising the work of human rights defenders providing assistance to migrants entering Greece.<sup>43</sup> As FRA reports, members of the NGO ERCI faced criminal charges including for espionage and migrant smuggling, while in 2022 the representative of the NGO Greek Helsinki Monitor (GHM) was also accused of migrant smuggling by the Prosecuting Authority of Kos.<sup>44</sup></p> <p>In 2023, the misdemeanour case on criminal charges against volunteers of ERCI was adjudicated and all defendants were set free due to procedural discrepancies related to the right to be informed of charges in a language that can be understood by the defendant, etc. The Supreme Court Prosecutor challenged the Three-Member North-Aegean Appeals Court Decision No. 3/2023 by filing an application for cassation and the contested decision was partially revoked for certain defendants (namely those that had filed complaints for the procedural discrepancies</p>

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<sup>41</sup> UN, HRC, Visit to Greece - Report of the Special Rapporteur on the situation of human rights defenders, [A/HRC/52/29/Add.1](#), 2.03.2023, last accessed on 28.01.2024, paras. 68-69.

<sup>42</sup> Greece, Council of State Decision No. 2175/2022, ([ΣτΕ 2175/2022](#)), last accessed on 28.01.2024.

<sup>43</sup> UN, HRC, Visit to Greece - Report of the Special Rapporteur on the situation of human rights defenders, [A/HRC/52/29/Add.1](#), 2.03.2023, last accessed on 28.01.2024, paras. 76-84; FRA, [Fundamental Rights Report 2023](#), last accessed on 28.01.2024, p. 154-155.

<sup>44</sup> FRA, [Fundamental Rights Report 2023](#), last accessed on 28.01.2024, p. 154-155

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Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	<p>before the appeals court).<sup>45</sup> The remainder of the case which concerns felony charges is still pending. In July 2023 the Prosecutor handling the case requested the direct indictment of the defendants to stand trial and submitted the request before the President of the Council of North-Aegean Appeals Court for his approval.<sup>46</sup></p> <p>As for the case of GHM, the NGO has submitted a large number of reports on pushback operations of Greek officials at sea and the representative claims that he was targeted in the criminal investigation as a form of reprisal.<sup>47</sup></p> <p>The Special Rapporteur for Human Rights Defenders also mentions incidents where some human rights defenders, including women have been stopped by the police, strip-searched and questioned for hours in police stations in a hostile and intimidating manner.<sup>48</sup></p> <p>Furthermore, as highlighted by both the EU Commission Report on the Rule of Law and the report of the Special Rapporteur for Human Rights defenders, journalists reporting on public interest issues are subject to physical aggression, verbal insults, arbitrary detainment, and even abusive lawsuits (SLAPPs).<sup>49</sup> In 2023, the Council of Europe Platform for the Safety of Journalists recorded 9 active alerts for attacks and lawsuits against journalists in Greece, while in 2022 a total of 16 incidents were recorded.<sup>50</sup></p>

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<sup>45</sup> Greece, Supreme Court Decision No. 1107/17.08.2023 (Criminal Branch). Information on the case was provided by the attorneys representing two defendants in the case.

<sup>46</sup> The information was provided by the attorneys representing two defendants in the case.

<sup>47</sup> Human Rights Watch, [Greece: Migrant Rights Defenders Face Charges](#), 26.01.2023, last accessed on 28.01.2024.

<sup>48</sup> UN, HRC, Visit to Greece - Report of the Special Rapporteur on the situation of human rights defenders, [A/HRC/52/29/Add.1](#), 2.03.2023, last accessed on 28.01.2024, para. 84

<sup>49</sup> UN, HRC, Visit to Greece - Report of the Special Rapporteur on the situation of human rights defenders, [A/HRC/52/29/Add.1](#), 2.03.2023, last accessed on 19.10.2023, paras. 105-113; European Commission, 2023 Rule of Law Report - Country Chapter Greece, [SWD\(2023\)808 final](#), 05.07.2023, last accessed on 28.01.2024, p. 21-22.

<sup>50</sup> Council of Europe, [Safety of Journalists Platform](#), Greece, 2023, last accessed on 28.01.2024.

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Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	<p>The rise in the number of SLAPPs in Greece led the Panhellenic Federation of Journalists' Unions (POESY) to establish in July 2023, a SLAPPs Observatory (<i>Παρατηρητήριο SLAPPs</i>).<sup>51</sup> Through the Observatory all journalists in Greece can submit a report on lawsuits or criminal complaints filed against them and receive support and guidance from POESY.</p> <p>Finally, on the issue of SLAPPs, it is important to highlight the abusive lawsuits filed against journalists investigating the wire-tapping scandal in Greece (see below). As reported by the organization 'Reporters without Borders-RSF', one of the allegedly key-individuals involved in the case, namely the nephew and former Secretary General of the Prime-minister, filed, on the same day he resigned from office in August 2022, a defamation lawsuit against two news' outlets and 6 reporters demanding 150,000 to 250,000 euros from each respondent as compensation.<sup>52</sup> In October 2022, the European Centre for Press and Media Freedom-ECPMF published a letter<sup>53</sup> signed by six European and International organizations which called on the former secretary-general to drop the legal claims against journalists that were a "clear attempt to muzzle professional investigative reporting on a matter of significant public interest and erase their revelations". The hearing of the case was set for January 25, 2024.</p> <p>In 2023 the same individual filed yet another defamation lawsuit demanding this time a total of €3.3 million for an investigative report on spyware messages. The lawsuits have been condemned as SLAPPs by the International Press Institute – IPI and the Journalists' Union of Athens' Daily Newspapers (ESIEA) which found them to be unfounded and solely aimed at</p>

<sup>51</sup> Greece, Panhellenic Federation of Journalists' Unions, SLAPPs Observatory, (ΠΟΕΣΥ, [Παρατηρητήριο SLAPPs](#)), last accessed on 28.01.2024; ESIEA, Press Release, POESY establishes lawsuit Observatory, ([Παρατηρητήριο για τις αγωγές ίδρυσε η ΠΟΕΣΥ](#)), 10.07.2023, last accessed on 28.01.2024.

<sup>52</sup> Euractiv, [Greek Prime Minister fights to avoid resigning over Watergate-type scandal](#), 09.08.2022, last accessed on 28.01.2024; RSF, [Abusive lawsuits against journalists amid political tension in Greece](#), 05.08.2022, last accessed on 28.01.2024.

<sup>53</sup> ECPMF, [Greece: SLAPP award winner Grigoris Dimitriadis urged to drop defamation lawsuits](#), 21.10.2022, last accessed on 28.01.2024.

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	"stifling watchdog reporting on a matter of clear public interest". <sup>54</sup>
Lack of media freedom a/o media pluralism; disinformation (incl. online)	
Foreign interference	
Lack of (processes for) transparent, accountable, democratic and pluralistic participation in law and policymaking; incl. access to information	<p>- Participation in law and policymaking</p> <p>In 2023, challenges related to the participation of civilians and civil society in law and policymaking continued to persist.</p> <p>An issue highlighted by the European Commission Rule of Law report,<sup>55</sup> as well as by the 2023 GovWatch Annual Report on the Rule of Law,<sup>56</sup> is that of omnibus laws which are used for the adoption of disparate provisions and which create legal uncertainty to both citizens and businesses. During 2022, GovWatch reported 30 cases, in which the competent ministries submitted amendments that were either late, or irrelevant to the main subject of the bill, in violation of the Constitution and the Rules of Procedure of the Parliament. In 58 cases the title of the bills included the phrases 'and other provisions', 'other urgent provisions' or similar wording, which indicates a circumvention or even a violation of the rules of good law-making, since such titles indicate either that the law</p>

<sup>54</sup> IPI, [Greece: Media and journalists targeted in second lawsuit by PM's nephew over spyware revelations](#), 21.12.2023, last accessed on 28.01.2024; Balkan Insight, [Greek Union Condemns Former Govt Official's Mass SLAPPs Against Media](#), 08.12.2023, last accessed on 28.01.2024; ESIEA, [The industry of lawsuits against journalists must stop, \(Να σταματήσει η βιομηχανία αγωγών κατά δημοσιογράφων\)](#), 07.12.2023, last accessed on 28.01.2024.

<sup>55</sup> European Commission, 2023 Rule of Law Report - Country Chapter Greece, [SWD\(2023\)808 final](#), 05.07.2023, last accessed on 28.01.2024, p. 23-24.

<sup>56</sup> Greece, GovWatch, [Annual Report On The State Of The Rule Of Law In Greece – 2022](#), last accessed on 28.01.2024.

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	<p>contains provisions unrelated to their main subject matter or that amendments unrelated to the main subject matter of the law were adopted into the bills.</p> <p>Moreover, both aforementioned reports highlight the insufficient time for public consultation of certain draft laws. For example, a draft bill on the Code on Migration lasted one week, an issue that was reported by both CSOs and the Ombudsman and the National Commission for Human Rights during the country visit of European Commission delegation for the rule of law report.</p> <p>GovWatch reported nine cases where the competent ministries unjustifiably shortened the consultation period on bills, limiting the timeframe in which members of civil society could exercise their right to express their views on the proposed regulations. These violations were found in bills emanating from the Ministry of Finance, the Ministry of Environment and Energy, the Ministry of Citizen Protection, the Ministry of Development and Investment, the Ministry of Justice, as well as the Ministry of Health and the Ministry of Interior. In 2023, GovWatch stated that on 14 March 2023 at 22:30, the Ministry of Finance submitted a bill for public consultation.<sup>57</sup> The bill consisted of 63 articles (Parts A-E) and regulated issues related to the management of assets derived from criminal acts and frozen/seized assets; provided for measures to implement or transpose EU regulations or directives and amended provisions of Laws No. 4557/2018 and 4972/2022 as well as Presidential Decree 237/1986. The consultation was set to close on 27 March 2023 at 20:00, i.e. 13 days later. The law on public consultation foresees a minimum of two weeks for the open consultation on draft bills and exceptionally in one week. Finally, it should be noted that 19 more articles were introduced through amendments during the parliamentary debate, all past the deadline and irrelevant to the subject matter of the bill.</p> <p>On December 20, 2023 the CSO "VouliWatch" reported that the final law to be passed in 2023, was a "heraldic" bill, which</p>

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<sup>57</sup> Greece, GovWatch, [Law 5042/2023 and the rules of good legislation](#), 06.04.2023, last accessed on 28.01.2024.

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Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	<p>included "last minute" provisions of 13 different Ministries.<sup>58</sup> At the same time, amendments with a number of provisions were incorporated into it.</p> <p>The bulk of the provisions concerned extensions to deadlines mainly related to the Recovery Fund programmes. Significantly, the draft law was comprised of 98 articles, each of which regulated a different issue. The number of amendments tabled (3 of which were beyond the legal deadline and 3 of which were irrelevant to the specific bill), led to a total of 123 articles in the adopted law (Law 5079/2023, O.G. A 215/22.12.2023).</p>
Lack of election integrity (incl. electoral process, political campaigning and party financing)	
Disproportionate use of law enforcement measures (surveillance, police violence, unlawful arrest etc.)	<p>- Surveillance</p> <p>In 2023, crucial challenges stemming from the unlawful surveillance of politicians, journalists and civilians still remained unresolved.</p> <p>During 2022, following the complaints of an opposition leader and journalist, it was revealed that the National Intelligence Service (EYP) was monitoring through wire-tapping journalists, politicians and even EYP employees.<sup>59</sup> The Media reported that the software "Predator" was purchased by the Greek Government and used in these surveillance operations. The scandal led to the resignation of the Prime-Minister's General Secretary and the head of the EYP. The case was examined by EU Parliament Committee of Inquiry to investigate the use of Pegasus and equivalent surveillance spyware (PEGA</p>

<sup>58</sup> Greece, VouliWatch, Multiple-provision Draft Law of the Ministry of Finance ([Πολυνομοσχέδιο Υπουργείου Οικονομικών](#)), 20.12.2023, last accessed on 28.01.2024.

<sup>59</sup> European Parliament, Committee of Inquiry to investigate the use of Pegasus and equivalent surveillance spyware, Rapporteur Sophie in 't Veld, Draft Report of the Investigation of alleged contraventions and maladministration in the application of Union law in relation to the use of Pegasus and equivalent surveillance spyware ([2022/2077\(INI\)](#)), last accessed on 28.01.2024, pp. 14-23.



Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	<p>Committee) and in May 2023 adopted its final report and recommendations following a year-long inquiry into the abuse of spyware in the EU.<sup>60</sup> MEPs condemned spyware abuses that aim to intimidate political opposition, silence critical media and manipulate elections. They noted that EU governance structures cannot effectively deal with such attacks and say reforms are needed.</p> <p>On Greece, the MEPs stated that spyware use “does not seem to be part of an integral authoritarian strategy, but rather a tool used on an ad hoc basis for political and financial gains”. Even though Greece has “a fairly robust legal framework in principle”, legislative amendments have weakened safeguards. As a result, spyware has been used against journalists, politicians and businesspersons, and exported to countries with poor human rights records.</p> <p>MEPs called on the government to “urgently restore and strengthen the institutional and legal safeguards”, repeal export licences that are not in line with EU export control legislation, and respect the independence of the Hellenic Authority for Communication Security and Privacy (ADAE).</p> <p>On a national level, investigations were also launched.<sup>61</sup> Following the aforementioned surveillance scandal, Greece in 2022 introduced a new legal framework for surveillance carried out by the competent public authorities, namely EYP. The draft law however, failed to take into account the objections of two constitutionally independent public bodies: the Hellenic Authority for Communication Security and Privacy (ADAE), which oversees surveillance powers, and the Data Protection Authority, which oversees the use of personal data. ADAE is also tasked with monitoring compliance with the terms and the procedures of legally permitted interception of communications, but lacks the power of review that competent</p>

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<sup>60</sup> European Parliament, Committee of Inquiry to investigate the use of Pegasus and equivalent surveillance spyware, Rapporteur Sophie in 't Veld, Draft Report of the Investigation of alleged contraventions and maladministration in the application of Union law in relation to the use of Pegasus and equivalent surveillance spyware, Plenary Sitting, [A9-0189/2023](#), May 2023, last accessed on 28.01.2024.

<sup>61</sup> FRA, Franet National contribution to the Fundamental Rights Report 2023, [Greece](#), last accessed on 28.01.2024, pp. 48-50.

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Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	<p>judicial authorities have. ADAE criticized the bill during the public consultation and said that the legislation effectively abolishes its oversight powers.<sup>62</sup> The Data Protection Authority raised concerns that the core of individual rights is affected by the bill.<sup>63</sup> The law was nevertheless adopted on December 9<sup>th</sup>, 2022 (Law 5002/2022).<sup>64</sup> In January 2023, the Opinion of the General Prosecutor of the Supreme Court and the reaction of the President of ADAE generated an intense debate between law professors, judges and legal practitioners regarding the role of ADAE, the competences of the Public Prosecutor and the constitutionality of Law 5002/2022.<sup>65</sup></p> <p>The issue of surveillance by means of wiretapping was also highlighted by the European Commission Rule of Law Report.<sup>66</sup> It should be noted that judicial authorities have launched investigations after reports by persons allegedly affected which are still pending. Moreover, journalists investigating the wiretapping scandal in Greece were subject to abusive lawsuits (SLAPPs) even in 2023, as analysed above (see section on SLAPPs).</p> <p>In October 2023, opposition parties, law professors and legal practitioners criticised the procedure for the selection of constitutionally independent authorities. The CSO “GovWatch” stated that on 28 September 2023, the Conference of Presidents of the Parliament met to select the members of two</p>

<sup>62</sup> Greece, ADAE, Press Release, ([Δελτίο Τύπου της ΑΔΑΕ](#)), 21.11.2022, last accessed on 28.01.2024.

<sup>63</sup> Greece, DPA, Recommendation No. 5/2022, ([Γνωμοδότηση 5/2022](#)), last accessed on 28.01.2024, p. 10-11.

<sup>64</sup> Greece, Law 5002/2022, Procedure for lifting communication privacy, cybersecurity and protection of personal data ([Διαδικασία άρσης του απορρήτου των επικοινωνιών, κυβερνοασφάλεια και προστασία προσωπικών δεδομένων πολιτών](#))(O.G. A 228/09-12-2022).

<sup>65</sup> European Commission, 2023 Rule of Law Report - Country Chapter Greece, [SWD\(2023\)808 final](#), 05.07.2023, last accessed on 28.01.2024, p. 26, fn. 234.

<sup>66</sup> European Commission, 2023 Rule of Law Report - Country Chapter Greece, [SWD\(2023\)808 final](#), 05.07.2023, last accessed on 28.01.2024, p. 26-27.

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	<p>of the constitutionally enshrined Independent Authorities, Hellenic Authority for Communication Security and Privacy (ADAE) and the Greek National Council for Radio and Television (NCRTV).<sup>67</sup> The procedure followed for the appointment of these members has, however, been the subject of much controversy from political and legal experts.</p> <p>The main issues that have emerged as causes for concern of lack of transparency according to GovWatch are as follows:</p> <ul style="list-style-type: none"> <li>- The fact that the decision of the Conference of Presidents was taken without the constitutionally required full majority of three-fifths of its members,</li> <li>- The fact that the selection of the new members took place without prior parliamentary consultation or consensus, and without the candidates being subject to a parliamentary hearing,</li> <li>- The fact that the Conference of Presidents was convened unexpectedly and hastily, as well as the fact that a decision was taken to change the members making up the Independent Authority for Public Revenue (IAPR) when this same authority was scheduled to meet the following day to discuss imposing a fine on the National Intelligence Service (EYP) due to its failure to cooperate with the investigation into the wiretapping scandal,</li> <li>- The ministerial decisions and the Official Gazette appointing the selected members were issued much more quickly than is usual practice,</li> <li>- The fact that the composition of the Conference of Presidents was enlarged just 20 days before the meeting in question,</li> <li>- The fact that the whole sequence of events calls into question the independence of the authorities and may be construed as interference (or attempted interference) in their work.</li> </ul>

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<sup>67</sup> Greece, GovWatch, [Reflections on the selection of members of ADAE and NCRTV: Was this an attempt to interfere in the functioning of these independent authorities?](#), 17.10.2023, last accessed on 28.01.2024.

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Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
	<p>On November 30, 2023 the Athens Bar Association announced that it had filed two annulment applications before the Greek Council of State against the decisions appointing the new members of ADAE and the NCRTV, claiming that they were in violation of article 101A of the Greek Constitution concerning the selection procedure of independent authority members.<sup>68</sup></p> <p>Finally, on December 12, 2023 the EU Commissioner for Justice responded (ref.Ares(2023)8507257) to the communication of the CSO “VouliWatch” raising concerns about the procedure leading to the selection of members for the National Council for Radio and Television (NCRTV) and the Hellenic Authority for the protection of confidentiality of communications (ADAE).<sup>69</sup> According to the response provided by the EU Commissioner for Justice <i>“The Commission will continue to follow closely developments in this area and will continue its dialogue with the independent authorities... The Commission also follows closely the developments relating to those independent authorities in Member States which are established on the basis of and/or subject to obligations under EU law. Under the Audiovisual Media Services Directive (AVMSD), Member States shall lay down in their national law the conditions and the procedures for the appointment and dismissal of the heads of national regulatory authorities and bodies or the members of the collegiate body fulfilling that function, including the duration of the mandate. The procedures shall be transparent, non-discriminatory and guarantee the requisite degree of independence. Under the ePrivacy Directive, the national supervisory authorities must have the necessary powers to enforce the national rules implementing the directive.”</i></p>

<sup>68</sup> Greece, Athens Bar Association, Press Announcement, The ABA appeals to the GCS for ADAE and NCRTV, ([Προσφυγή ΔΣΑ στο ΣτΕ για ΑΔΑΕ και ΕΣΡ](#)), 30.11.2023, last accessed on 28.01.2024.

<sup>69</sup> Greece, VouliWatch, The Commission responds to Vouliwatch on the the issue of the election of the members of the ADAE and the NCRTV, ([Η Κομισιόν ανταποκρίνεται στο Vouliwatch για το θέμα της εκλογής των μελών ΑΔΑΕ και ΕΣΡ](#)), last accessed on 28.01.2024.

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
Corruption, including misuse of EU funds	
Lack of (effective judicial protection by) independent and impartial courts	
Threats to (the independence of) the fundamental rights institutional landscape (NHRIs, equality bodies, data protection authorities and similar bodies), incl. closure of fundamental rights bodies, legal changes, budget cuts and harassment	
Institutional issues linked to checks and balances (lack of parliamentary oversight, lack of implementation of final court decisions by executive, etc.)	
Other major developments threatening democratic values	Please explain

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## 2.2. Legislative and policy measures having an impact on the freedom of assembly/association/expression of civil society actors.

In 2023, legal measures having an impact on the freedom of assembly/association/expression of civil society actors were introduced.

More specifically, Law 5053/2023<sup>70</sup> in Article 31 introduced a criminal offence for obstructing workers from accessing the workplace during an ongoing strike. As highlighted by the Greek National Commission for Human Rights (GNCHR) in the observations submitted on the draft law, the provision of Article 31 of the Bill provided for stricter punishment of a behaviour that occurs during the exercise of the internationally and constitutionally recognised right to strike – a vital element of the right of assembly and association- especially in comparison to the punishment afforded for criminal behaviour committed in other circumstances of social life, even in the context of domestic violence.<sup>71</sup> The GNCHR stated that the underlying purpose of the provision was to criminalise the right to strike and to discourage workers from exercising this right. This is even more apparent especially when considering that no criminal offence was introduced for employers that, inter alia, prevent workers from going on

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<sup>70</sup> Greece, Law 5053/2023 To strengthen employment - Implementation of Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 - Simplification of digital procedures and strengthening of the Labour Card - Upgrading the operational functioning of the Ministry of Labour and Social Security and the Labour Inspectorate ([Για την ενίσχυση της εργασίας - Ενσωμάτωση της Οδηγίας \(ΕΕ\) 2019/1152 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 20ής Ιουνίου 2019 - Απλοποίηση ψηφιακών διαδικασιών και ενίσχυση της Κάρτας Εργασίας - Αναβάθμιση της επιχειρησιακής λειτουργίας του Υ](#))(O.G.A 158/26.09.2023).

<sup>71</sup> Greece, GNCHR, Observations on the Draft Law of the Ministry of Labour and Social Security entitled "On Strengthening Labour - Implementation of Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 - Simplification of digital procedures and strengthening of the Labour Card - Upgrading the operational functioning of the Ministry of Labour and Social Security and the Labour Inspectorate", September 2023 ([Παρατηρήσεις στο Σχέδιο Νόμου του Υπουργείου Εργασίας και Κοινωνικής Ασφάλισης με τίτλο «Για την ενίσχυση της εργασίας -Ενσωμάτωση της Οδηγίας \(ΕΕ\) 2019/1152 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 20ής Ιουνίου 2019 - Απλοποίηση ψηφιακών διαδικ](#)), last accessed on 28.01.2024, p. 55-60.

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strike. GNCHR called for the removal of the provision from the draft bill. However the provision was maintained in the final text of the adopted law.

In 2023, two cases related to the registration of organisations on a Governmental registry were pending before the Council of State and challenged for being contrary to the Greek Constitution (right to assembly/association and right to protection of personal data). The first case concerned the registry for workers' unions and the second for the registry of NGOs at the Ministry of Migration.

In the first case, a registry for the registration of workers' unions was introduced and challenged by the General Confederation for Greek Workers and the Athens Worker-employee Centre before the Council of State. A decision was issued in November 2022 which raised concerns on the constitutionality of the relevant provision and the respect for personal data of members of the unions.<sup>72</sup> The case was referred due to its high importance to the Plenary of the Council of State and a decision is still pending.

In the second case, a legal provision requiring the registration of NGOs with the Ministry of Migration under very strict conditions in order to gain access to refugee reception centres was introduced initially in 2020. The legal framework as it stands offers a wide discretion to competent authorities to refuse to register applicant NGOs or to remove them from the registry at any time without prior notification.<sup>73</sup> NGOs have challenged the legal measure before the Greek Council of State and a decision of the court was expected in 2023 but was not issued by the end of the year.

Finally, according to the European Commission 2023 Report on the Rule of Law, in June 2023, the Government commissioned a study for the simplification and digitalisation of the administrative procedures relating to the functioning of the public database and the new central registry for CSOs and their interoperability with other existing public registries.<sup>74</sup> Contract 55/2023 was signed in the framework of the National Program for the Simplification of Administrative Procedures (EPAD). The study was expected to be delivered within 3 months after signature. The European Commission stated that even though the commissioning of the study on the simplification of the procedures is a positive first step, more concrete steps are needed to evaluate the current system, including by initiating a structured dialogue with CSOs, and reflect on the need to amend

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<sup>72</sup> Greece, Council of State Decision No. 2175/2022, ([ΣτΕ 2175/2022](#)), last accessed on 28.01.2024.

<sup>73</sup> UN, HRC, Visit to Greece - Report of the Special Rapporteur on the situation of human rights defenders, [A/HRC/52/29/Add.1](#), 2.03.2023, last accessed on 28.01.2024, paras. 68-69.

<sup>74</sup> European Commission, 2023 Rule of Law Report - Country Chapter Greece, [SWD\(2023\)808 final](#), 05.07.2023, last accessed on 28.01.2024, p.28.

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it. The report found that there has been some progress on the implementation of the recommendation made in the 2022 Rule of Law Report.

In 2023, there were no other legal or policy measures recorded that had an effect on the rights of freedom of assembly, association and expression of CSOs.

In 2023, no promising practice on the specific issue was recorded during the research for the present thematic area.

**Table 3 – Case law**

Case law	
Deciding body (in original language)	No case-law was identified.
Deciding body (in English)	
Case number (also European Case Law Identifier <a href="#">ECLI</a> , where applicable)	
Parties	
Decision date	
Web link to the decision (if available)	
Which fundamental freedoms of (peaceful assembly, association and/or expression) were referred to in the case?	
Key facts of the case (max. 250 words)	<p>Note that this executive summary needs to be <b>sufficiently comprehensive</b> for the reader to understand:</p> <ol style="list-style-type: none"> <li>1. the facts of the case (so the “real life story”) presented in a chronological, short, and concise way</li> <li>2. the legal background against which the case unfolded (what are the relevant legal norms that are applied)</li> </ol>



Case law	
The key legal question raised by the Court	Please describe in a <b>succinct</b> way the key legal problem/question
Result of the case in terms of factual outcome, and in terms of assessment of the legal question raised	Please make sure the reader understands the significance of the case in terms of how the application of the relevant legal provisions in the context of the freedom of association/assembly/expression expands or limits civil society space

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