

# Franel National contribution to the Fundamental Rights Report 2022

GREECE

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

**Authors' name:** Vasiliki P. Karzi, Lawyer

**Disclaimer:** This document was commissioned under contract by the European Union Agency for Fundamental Rights (FRA) as background material for the project 'FRA Fundamental Rights Report 2022'. The information and views contained in the document do not necessarily reflect the views or the official position of the FRA. The document is made publicly available for transparency and information purposes only and does not constitute legal advice or legal opinion.

## Contents

Franet country study: policy and legal highlights 2021 .....	3
Chapter 1. Equality and non-discrimination .....	5
Chapter 2. Racism, xenophobia and related intolerance .....	13
Chapter 3. Roma equality and inclusion .....	24
Chapter 4. Asylum, visas, migration, borders and integration .....	31
Chapter 5. Information society, privacy and data protection .....	35
Chapter 6. Rights of the child.....	43
Chapter 7. Access to justice .....	47
Chapter 8. Developments in the implementation of the Convention on the Rights of Persons with Disabilities .....	56

## Franet country study: policy and legal highlights 2021

Issues in the fundamental rights institutional landscape	No development in 2021.
EU Charter of Fundamental Rights	<p><b>The EU Charter in the Greek legislative process:</b> From 1st January 2021 to 30 November 2021, 51 laws were adopted by the Hellenic Parliament. Out of these, 13 make reference to the Charter of Fundamental Rights in its text, 13 were accompanied by an impact assessment making explicit reference to the Charter of Fundamental Rights while only 3 were accompanied by legal scrutinies making explicit reference to the Charter of Fundamental Rights.</p> <p>With regards to the national case law the use of the Charter remained limited although some progress in the extensiveness of its use is noted in the judgements of the Court of Auditors (Supreme Administrative Court for public expenditure).</p>
Equality and non-discrimination	<p><b>National Strategy for the Equality of LGBTI:</b> In 2021, Greece adopted within the framework of the EU Gender Equality Strategy (2020-2025) and the LGBTIQ+ Equality Strategy (2020-2025) a <a href="#">National Strategy for the Equality of LGBTI</a>.</p>
Racism, xenophobia & Roma integration	<p><b>Launching of Greek National Council against Racism and Intolerance website:</b> A separate <a href="#">website</a> was created and launched in 2021 for the Greek National Council against Racism and Intolerance (Εθνικό Συμβούλιο κατά του Ρατσισμού και της Μισαλλοδοξίας) which includes all the actions implemented by the National Council, with the aim of promoting the reporting of racist crimes, providing information on the rights of the victims of relevant crimes, to raise awareness and to assist in the effective prosecution of racist crimes.</p>
Asylum & migration	No developments in 2021.
Data protection and digital society	<p><b>Greek National Commission for Bioethics and Techno-ethics:</b> Articles 30-39 of <a href="#">Law 4780/2021</a> established the National Commission for Bioethics and Techno-ethics (Εθνική Επιτροπή Βιοηθικής και Τεχνοηθικής). The new national commission will cover issues related to the recent advances of technology such as Artificial Intelligence, advanced algorithms and robotics. It is an independent advisory body of experts addressed to public authorities either by its own initiative or upon request.</p>
Rights of the child	<p><b>Legislation for addressing child abuse in child protection services:</b> <a href="#">Law 4837/2021</a> introduced measures for the prevention and combatting of child abuse, especially within the framework of child protection structures. Indicatively, each structure will be appointed with a Child Protection Supervisor and a National System for the recording of all abuse cases submitted to child protection stakeholders will be set</p>

	up. prevention and combatting child abuse, especially within the framework of child protection structures
Access to justice, including victims of crime	<b><u>Ratification of ILO Convention no. 190 on violence and harassment in the work area and Greek "Me-too":</u></b> <a href="#">Law 4808/2021</a> ratified ILO Convention no. 190 on violence and harassment in the work area. The adoption of this legal instrument recognizes the right of everyone to a work environment free of violence and harassment, including gender-based violence and harassment (articles 1-23). In 2021 there were significant developments concerning violence against women and namely a rise in reports of cases of violence against women signifying the year Greek "Me too" movement.
Convention on the Rights of Persons with Disability	<b><u>National Authority for Accessibility:</u></b> Articles 1-9 of <a href="#">Law 4780/2021</a> established the National Authority for Accessibility, an independent national consultative body to the State on all matters concerning the rights of persons with disability. It will monitor the application of EU and international law concerning the rights of persons with disabilities and draft proposals for actions aimed at promoting these rights. In May 2021, the body was set up and consisted of 12 members.

# 1 Equality and non-discrimination

## 1.1 Legal and policy developments or measures relevant to fostering equality and combating discrimination against EU citizens based on their nationality and against LGBTI people

In 2021 there were legal developments relevant to fostering equality and combating discrimination against EU citizens based on their nationality and against LGBTI people. There have been no policy developments relevant to fostering equality and combating discrimination against EU citizens based on their nationality.

It should be noted that in October 2021 the European Commission sent a reasoned opinion to Greece concerning discrimination on grounds of nationality.<sup>1</sup> According to the European Commission Greece has failed to EU law when it comes to access to high-level posts in public service. "Greek law restricts access to high-level posts in the Greek public administration and in a number of public entities to Greek nationals. This concerns the posts of Director-General, Director and Head of Department. This legislation breaches EU rules on the freedom of movement for workers and on the prohibition of discrimination based on nationality between workers in the EU". Greece was granted a deadline of two months to take the necessary measures to comply with the reasoned opinion, otherwise, the Commission may refer the matter to the Court of Justice of the European Union. As of November 30, 2021 no legislative amendment has taken place.

Furthermore, on October 20<sup>th</sup>, 2021, the trial for the death of a LGBTQ activist in Athens, in September 2018 finally began.<sup>2</sup> The activist's death was first presented as an accident, however videos from the activist's arrest showed the extreme violence perpetrated against him. Once the identity of the victim was revealed the LGBTI community in Greece protested against the activist's negative representation through the media, which they viewed as discrimination against the LGBTI community itself. Six individuals, among them four police officers, stand accused for deadly bodily harm. Ten LGBTI organisations signed a joint statement on October 18, 2020, stating that they would monitor the progress of the trial.<sup>3</sup> To this end, the ZackieOh Justice Watch<sup>4</sup> was established which includes a website

---

<sup>1</sup> European Commission, [October Infringements packages](#), last accessed on 25-01-2022.

<sup>2</sup> Greece, Efsyn, The trial for the murder of Zak begins, ([Ξεκινά η δίκη για την υπόθεση δολοφονίας του Ζακ](#)) 20-10-2021, last accessed on 25-01-2022; Ethnos, Zak Kostopoulos: The trial for the death of the 33year old activist begins ([Ζακ Κωστόπουλος: Ξεκινά η δίκη για τον θάνατο του 33χρονου ακτιβιστή](#)), 20-10-2021, last accessed on 27-01-2022; Proto Thema, Zak Kostopoulos: Today the trial for his death – Six stand accused ([Ζακ Κωστόπουλος: Σήμερα η δίκη για τον θάνατό του - Έξι κατηγορούμενοι στο εδώλιο](#)), 20-10-2021, last accessed on 25-01-2022.

<sup>3</sup> Greece, Colour Youth, The beginning of the trial for the murder of Zak Kostopoulos, ([Εναρξη της δίκης για την δολοφονία του Ζακ Κωστόπουλου](#)), 18-10-2020, last accessed on 25-01-2022.

<sup>4</sup> The official website for the [ZackieOh Justice Watch](#), last accessed on 25-01-2022.

where the daily recordings of the ongoing trial are posted. The trial has not been concluded as of December 2021 and will continue in January 2022.

### New Independent Labour Inspectorate Body

Law 4808/2021<sup>5</sup> established an Independent Labour Inspectorate Body which replaced the previous Labour Inspectorate Body (*Σώμα Επιθεώρησης Εργασίας – Σ.Ε.Π.Ε.*). The Independent Labour Inspectorate Body is responsible for the promotion and application of the legal provisions for equal treatment including that based on sexual orientation, gender identity or characteristics and nationality or ethnic origin in the field of employment and occupation. It continues to be competent for the examination of complaints of discrimination in the workplace and can impose sanctions, namely fines to employers. According to Article 104 of the above law, the director and council members of the Labour Inspectorate Body shall enjoy functional and personal independence.

### National Strategy for the Equality of LGBTI

Within the framework of the EU Gender Equality Strategy (2020-2025) and the LGBTIQ+ Equality Strategy (2020-2025), the Greek Prime-Minister established a committee with the aim of drafting a National Strategy for the Equality of LGBTIQ+ persons in Greece, as a response to the European Commission's first ever strategy at an EU level. On June 29, 2021 the Strategy was submitted to the Prime-minister and published online.<sup>6</sup> Prior to its drafting various stakeholders such as the Greek National Commission for Human Rights and the NGO Colour Youth submitted memos with their proposals.<sup>7</sup> It should be noted that important and long-term claims of the LGBTI community for fundamental rights, such as marriage, recognition of children and neutral gender on official documents have not been included in the strategy.

---

<sup>5</sup> Greece, Law 4808/2021 for the Protection of Labour – Establishment of an independent Labour Inspectorate – Ratification of ILO Convention No. 190 on the eradication of violence in the area of work *et al.* (*Για την προστασία της Εργασίας Για την Προστασία της Εργασίας - Σύσταση Ανεξάρτητης Αρχής «Επιθεώρηση Εργασίας» - Κύρωση της Σύμβασης 190 της Διεθνούς Οργάνωσης Εργασίας για την εξάλειψη της βίας και παρενόχλησης στον κόσμο της εργασίας - Κύρωση της Σύμβασης 187 της Διεθνούς Οργάνωσης Εργασίας για το Πλαίσιο Προώθησης της Ασφάλειας και της Υγείας στην Εργασία - Ενσωμάτωση της Οδηγίας (ΕΕ) 2019/1158 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 20ής Ιουνίου 2019 για την ισορροπία μεταξύ της επαγγελματικής και της ιδιωτικής ζωής, άλλες διατάξεις του Υπουργείου Εργασίας και Κοινωνικών Υποθέσεων και λοιπές επείγουσες ρυθμίσεις, κωδικοποιημένος με τον 4826/2021)(Ο.Γ. Α' 101/19-06-2021)*

<sup>6</sup> Greece, National Strategy for the Equality of LGBTI+, ([Εθνική Στρατηγική για την Ισότητα των ΛΟΑΤΚΙ+](#)), June 2021, last accessed on 25-01-2022.

<sup>7</sup> GNCHR, Memo to the Committee for the Drafting of the National Strategy for the Equality of LGBTI, ([Υπόμνημα προς την Επιτροπή για τη Σύνταξη της Εθνικής Στρατηγικής για την Ισότητα των ΛΟΑΤΚΙ+ προσώπων](#)), 2021, last accessed on 25-01-2022; Colour Youth, Memo related to the National Strategy for the Equality of LGBTI+, ([Υπόμνημα σχετικά με την Εθνική Στρατηγική για την Ισότητα των ΛΟΑΤΚΙ+](#)), 2021, last accessed on 25-01-2022.

As pointed out by the GNCHR,<sup>8</sup> legal protection against discrimination based on *inter alia* sexual orientation, gender identity and/or sex characteristics is explicitly recognised only in the field of employment and underlines the urgent need to extend legal protection against discrimination beyond employment and vocational training, to also cover the fields of education, healthcare and access to goods and services in general. To this end, the GNCHR has recommended the amendment of Law 4443/2016,<sup>9</sup> to extend its scope of application in the areas of: (a) education (not just vocational training), at all levels and in all forms of education services provided, (b) access to healthcare services, (c) social security system, as well as (d) access to goods and services provided to the public so as to cover more grounds of discrimination.

Moreover, regarding the civil partnership agreement, the GNCHR recalled the adoption of Law 4356/2015,<sup>10</sup> noting with emphasis that the inclusion of same-sex couples in the civil partnership agreement restored a blatant discrimination of the past. However, the GNCHR points out the existence of a significant legislative gap regarding LGBTQI+ couples who have entered a civil partnership in Greece, which consists in the complete lack of any recognition of parenthood on children born during the civil partnership.

## Guide for the Legal Recognition of Gender Identity

In December 2021, the NGO “Symbiosis” issued a guide for the legal recognition of gender identity. The guide presents the both the Greek as well as European legal framework for the protection of gender identity. It also analyses the procedure for gaining legal recognition of gender identity before the Greek courts

---

<sup>8</sup> GNCHR, [Observations on Greece’s combined 23rd and 24th periodic report to the Committee on the Elimination of Racial Discrimination \(CERD\) of the International Convention on the Elimination of All Forms of Racial Discrimination](#), July 2021, last accessed on 25-01-2022.

<sup>9</sup> Greece, Law 4443/2016 ‘On the transposition of Directive 43/2000/EC on the application of the principle of equal treatment irrespective of race and ethnic origin, and the transposition of Directive 78/2000/EC on the configuration of the general framework of equal treatment in employment and work and Directive 54/2014/EU on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers and other provisions’ (Ενσωμάτωση της Οδηγίας 2000/43/ΕΚ περί εφαρμογής της αρχής της ίσης μεταχείρισης προσώπων ασχέτως φυλετικής ή εθνοτικής τους καταγωγής, της Οδηγίας 2000/78/ΕΚ για τη διαμόρφωση γενικού πλαισίου για την ίση μεταχείριση στην απασχόληση και την εργασία και της Οδηγίας 2014/54/ΕΕ περί μέτρων που διευκολύνουν την άσκηση των εργαζομένων στο πλαίσιο της ελεύθερης κυκλοφορίας των εργαζομένων και λοιπές διατάξεις). Abbreviation: Equal Treatment Law (O.G.A 232/ 09-12-2016).

<sup>10</sup> Greece, Law 4356/2015 on civil partnership, exercise of rights, penal and other provisions (Νόμος 4356/2015 «Σύμφωνο συμβίωσης, άσκηση δικαιωμάτων, ποινικές και άλλες διατάξεις») (O.G. 181 Α/24-12-2015).

as it was first introduced through Law 4491/2017<sup>11</sup> including the rights of the applicant as well as the obligations of the judicial and administrative authorities.

## **1.2 Findings and methodology of research, studies, or surveys on experiences of discrimination against EU citizens on the grounds of nationality and against LGBTI people**

Findings of the Greek Ombudsman – Equality Body

Law 4443/2016,<sup>12</sup> which incorporated Directives 78/2000/EC and 43/2000/EC, established the Greek Ombudsman as the equality body responsible for monitoring and promoting in the private and public sector the principle of equal opportunities and equal treatment irrespective of gender, race, colour, nationality, or ethnic origin, religious or other beliefs, disability or chronic illness, age, family or social status, sexual orientation, gender identity or characteristics. Furthermore, according to Article 14 of Law 4443/2016, the Ombudsman is also the body designated under Article 4 of Directive 2014/54/EU to promote equal treatment and to support Union workers and members of their family. Therefore, it is competent to deal with discrimination in employment, education and in the access and supply of goods and services. Within this context, the Ombudsman drafts and publishes on an annual basis a Special Report on discrimination, which is included in its Annual Report and is submitted to Parliament before the end of March each year.

In mid-2021 the Greek Ombudsman published its Equal Treatment-2020 Special Report.<sup>13</sup> According to the report, in 2020 out a total of 951 new complaints submitted to the equality body (note that in 2019, the Greek Ombudsman received 1,176 complaints), 5% concerned grounds of national or ethnic origin and 1% grounds of social status, sexual orientation, identity, or gender characteristics. Below are the cases investigated by the Ombudsman in 2020 concerning sexual orientation and gender identity. The Ombudsman notes that in the field of same-

---

<sup>11</sup> Greece, Law 4491/2017 on the Legal Recognition of Gender Identity – National Mechanism for carrying out, monitoring and evaluating National Action Plans for the Rights of the Children and other provisions (*Νόμος 4491/2017 Νομική αναγνώριση της ταυτότητας φύλου – Εθνικός Μηχανισμός Εκπόνησης, Παρακολούθησης και Αξιολόγησης Εθνικών Σχεδίων Δράσης για τα Δικαιώματα του Παιδιού και άλλες διατάξεις*)(O.G.A152/13-10-2017).

<sup>12</sup> Greece, Law 4443/2016 ‘On the transposition of Directive 43/2000/EC on the application of the principle of equal treatment irrespective of race and ethnic origin, and the transposition of Directive 78/2000/EC on the configuration of the general framework of equal treatment in employment and work and Directive 54/2014/EU on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers and other provisions’ (*Ενσωμάτωση της Οδηγίας 2000/43/ΕΚ περί εφαρμογής της αρχής της ίσης μεταχείρισης προσώπων ασχέτως φυλετικής ή εθνοτικής τους καταγωγής, της Οδηγίας 2000/78/ΕΚ για τη διαμόρφωση γενικού πλαισίου για την ίση μεταχείριση στην απασχόληση και την εργασία και της Οδηγίας 2014/54/ΕΕ περί μέτρων που διευκολύνουν την άσκηση των εργαζομένων στο πλαίσιο της ελεύθερης κυκλοφορίας των εργαζομένων και λοιπές διατάξεις*). Abbreviation: Equal Treatment Law (O.G.A 232/ 09-12-2016).

<sup>13</sup> Greek Ombudsman, [Equal Treatment-2020 Special Report](#), last accessed on 25-01-2022.

sex relationships, following the recognition of the possibility to enter a civil partnership agreement, there remain administrative obstacles and delays which affected the persons concerned, particularly when they need to prove the existence of such an agreement and the family relationship between partners.

As can be derived from the report, the Ombudsman received complaints in 2020 alleging harassment in the workplace due to the sexual orientation of persons, which are mainly manifested as behaviours in the context of exercising managerial rights or control by a hierarchical supervisor. The complaints concern repeated insults to the victim's dignity and humiliating treatment, through ironic or defamatory comments or through intimidation and disciplinary threats or retaliation on instances of non-response to sexual harassment. Below is a list of complaints:

- A private employee working in a store submitted a complaint to the competent Labour Inspectorate Body claiming sexual harassment, which was later forwarded to the Ombudsman,<sup>14</sup> as provided by Law 4443/2016. During the labour dispute and the discussion of the case, where the employee, the employer and the Ombudsman representative were present, the employee stated that she was a homosexual woman and claimed that the reason for her dismissal was her sexual orientation and her lack of response to the sexual harassment of her supervisor. In particular, she stated that in the last months she was sexually harassed by the store manager, who is also her supervisor. Following her negative response to the manager's sexual advances, the latter recommended her dismissal. The employer stated that he was not aware of the supervisor's behaviour and that the employee had not informed him about the sexual harassment that had taken place against her. He also claimed that the dismissal of the employee was done following the recommendation of the supervisor, but for financial reasons. In the context of his responsibility, the Ombudsman asked the employer to take the necessary actions to examine the employee's allegation, as well as to consider the possibility of re-hiring her. The discussion of the case was postponed, and a new date was set. Due to the emergency measures adopted for the pandemic, the Labour Inspectorate informed the Ombudsman that the parties declared their inability to appear in person during the discussion of the case and that they would instead send written statements. By the date of publication of its report, the Ombudsman was still waiting for the case file to be forwarded by SEPE (the Greek Labour Inspectorate Body), to further investigate the issue and record its findings (case 273367).

---

<sup>14</sup> Greek Ombudsman, [Equal Treatment-2020 Special Report](#), last accessed on 25-01-2022, p. 78.

- The Ombudsman in 2020 received a complaint from a same-sex couple, which had been married in another EU country.<sup>15</sup> It examined the refusal of the competent service of the Directorate of Foreigners and Immigration of the Decentralized Administration of Attica to receive the application of one of the spouses, a third country national, to grant him a residence permit as a family member of an EU citizen. The service claimed that their same-sex marriage was not valid in Greece. In his letter to the service, the Ombudsman pointed out that under current European legislation, for the issuance of a residence permit to a family member of an EU citizen, it is sufficient to provide, by any appropriate means, proof of the existence of a cohabitation relationship. The Ombudsman was subsequently informed that the spouse had been granted a residence permit (case 285984).
- A mother of a transgender student complained to the Ombudsman about the refusal of most teachers to accept her child's gender identity.<sup>16</sup> The Authority cooperated with the teaching staff at the school to properly inform teachers and students regarding the best interest of the underage student and for the protection of his rights (case 268928).

According to its 2020 Report, discrimination on the grounds of national or ethnic origin is manifested, directly or indirectly, in several regulatory or legislative provisions, making it difficult to ensure equal access to rights and goods not only for third-country nationals, but also for EU or Greek citizens. Below are the cases investigated by the Ombudsman on grounds of national or ethnic origin:

- The Ombudsman has been repeatedly called upon to intervene in matters of the differential treatment of Greek citizens who acquired Greek citizenship through the process of naturalization.<sup>17</sup> In fact, despite the abolition of the provision of the Civil Service Code that set as a necessary precondition, the lapse of at least one year from the acquisition of citizenship before being appointed in a position with the public sector (article 47 para. 1 Law 4604/2019), several job announcements by public and wider public sector bodies (to which the provisions of the Civil Service Code do not directly apply) still include conditions that impose unfair time limits for naturalized Greek candidates. The Ombudsman has consistently stressed that Greek citizens cannot be treated differently based on the way they acquired Greek citizenship, as far as the exercise of a right or the enjoyment of a good is concerned. Apart from the fact that such a practice

---

<sup>15</sup> Greek Ombudsman, [Equal Treatment-2020 Special Report](#), last accessed on 25-01-2022p. 80.

<sup>16</sup> Greek Ombudsman, [Equal Treatment-2020 Special Report](#), last accessed on 25-01-2022, p. 39.

<sup>17</sup> Greek Ombudsman, [Equal Treatment-2020 Special Report](#), last accessed on 25-01-2022, p. 30.

is contrary to the principle of equal treatment, according to Law 4443/2016, it also conflicts directly with the principle of equal treatment of all Greek citizens according to article 4 para. 1 of the Hellenic Constitution. This provision prohibits any differentiation as to the treatment of Greek citizens based on the manner or the time in which they acquired Greek citizenship. This is, after all, an issue that the Ombudsman has highlighted in its Special Reports on Equal Treatment since 2017. It is worth noting that provisions of the Military Academies that set a similar criterion of Greek national origin as a prerequisite for the admission of students, have already been declared unconstitutional based on article 4 of the Constitution by the Council of State, the Supreme Administrative Court in Greece. Indicatively, according to its decision No. 3317/2014 "*... with the acquisition of Greek citizenship a new international legal status is created for the naturalized person, who is treated on equal terms with the person who has Greek citizenship by birth and, as a result, enjoys all the rights and bears all obligations determined by the legal status of the Greek citizen... In this context...it is not constitutionally permissible to discriminate against Greek citizens according to their national origin*". Thus, the Ombudsman called upon the Ministry of Interior to consider the possibility of issuing a relevant ministerial circular, addressed to all bodies and stating that "*it is prohibited to distinguish between Greek citizens depending on whether they have acquired Greek citizenship by birth or through naturalization, and they should not introduce time constraints, in order to avoid, as far as possible, similar phenomena of discrimination in the future,*" (indicatively, case 277103).

- The provisions of Law 4659/2020 introduced a birth allowance of 2,000 euros for every child born in Greece, provided that specific conditions are met. According to the law, the beneficiary of the allowance is the mother or the father of the child, or any other person exercising custody of the child, who resides legally and permanently in the country and has one of the following characteristics: a) is Greek citizen, b) is an expatriate, who has a Special Identity Card for Expatriates, c) is a citizen of an EU Member State, d) is a citizen of a country belonging to the European Economic Area or a citizen of the Swiss Confederation and e) is a citizen of a third country national residing in Greece for the last twelve years before the year of the birth of the child. At the same time, the relevant provisions state that exceptionally for children born in the country in the years 2020 to 2023 the allowance is granted provided that their mother, as a third country citizen, resides permanently in Greece from 2012 onward. The twelve years period of permanent residence in the country of third-country nationals could be proven through the submission of their income tax return or their spouses for each of the prescribed tax years or, if they are not required to file tax return form, through the tax return certificate in which they appear as dependent family members. Finally, based on the provision of article 8 of Law 4659/2020, the beneficiary of the allowance is also the mother who, although she does not belong to one of the above categories, resides legally

and permanently in the country and the father of the child falls under one of these categories. The Ombudsman examined a case where an application for a maternity allowance was submitted to OPEKA (Organisation for Benefits and Social Solidarity) by a third country mother whose child was conceived with her Greek partner and which was rejected on the grounds that she did not meet the legal and permanent residence criteria in the country.<sup>18</sup> Regarding the rejection of the application on the grounds that the required time of residence in the country had not been proven by the applicant, the Ombudsman called on OPEKA to avoid a restrictive interpretation of the relevant provision for proof of permanent residence because it would lead to the unjustified exclusion of those foreign mothers who are not obliged to file a tax return (due to studies, age or lack of income). Finally, the Ombudsman, requesting the review of the mother's application by OPEKA, underlined the fact that even if the mother was not eligible due to lack of proof of the aforementioned condition of legal stay in the country for the specified period, OPEKA should have examined whether the father was eligible for the birth allowance. The mother's request was finally granted (Case 280546). Following this successful intervention, the Ombudsman states in the Report that it had received additional complaints with similar content, pertaining to the rejection of applications for childbirth allowance to EU nationals or third country citizens, whose partner and father of their child was a Greek citizen. These cases constitute a typical example of a restrictive interpretation of a beneficial law provision, which may lead to the indirect exclusion of beneficiaries who, due to their national origin, are not able to prove for formal reasons that they meet the relevant requirements. These cases were also successfully resolved, following the Ombudsman's recommendations to OPEKA for a review of the rejected applications.

---

<sup>18</sup> Greek Ombudsman, [Equal Treatment-2020 Special Report](#), last accessed on 25-01-2022, p. 40.

## Chapter 2. Racism, xenophobia and related intolerance

### 2.1 Findings and methodology of research, studies, or surveys on experiences of ethnic discrimination, racism and hate crime

A significant development took place through the adoption of Law 4780/2021 on the National Accessibility Authority, National Commission for Human Rights and National Bioethics and Techno-ethics Committee,<sup>19</sup> which reformed the statutory law of the Greek National Commission for Human Rights, the national human rights institution, and the independent advisory body to the State on matters pertaining to human rights protection and promotion. According to the new statute, GNCHR has a legal personality and enjoys functional independency and administrative autonomy. The GNCHR, inter alia, reports on issues related to equal treatment and non-discrimination.

#### Findings of the Greek National Commission for Human Rights

Since its establishment in 1998 as an independent advisory body according to the Paris Principles adopted with UN General Assembly Resolution no. 48/148, the GNCHR has been reporting to the relevant human rights bodies of the UN. In 2021 the GNCHR submitted its Observations on Greece's combined 23rd and 24th periodic report to the Committee on the Elimination of Racial Discrimination (CERD) of the International Convention on the Elimination of All Forms of Racial Discrimination.<sup>20</sup>

According the aforementioned report of the GNCHR and with regard to the CERD's concern about the lack of statistical data on the enjoyment of the ICERD rights by all ethnic groups and religious minorities in the Greece and its relevant recommendation, according to which reliable, detailed socioeconomic information is necessary for the monitoring and evaluation of policies in favour of minorities, there is a need to enhance the capacity of the Hellenic Statistical Authority in order to play an important role, in synergy with all the involved stakeholders, towards the development of national statistics under a human rights based approach. The GNCHR has repeatedly expressed its serious concerns at the general lack of available and updated data and statistics on various areas of human rights protection, disaggregated by gender, age, race, ethnicity, geographical location,

---

<sup>19</sup> Greece, Law 4780/2021 on the National Authority for Accessibility, the National Commission for Human Rights and the National Commission for Bioethics and Technoethics (Εθνική Αρχή Προσβασιμότητας, Εθνική Επιτροπή για τα Δικαιώματα του Ανθρώπου και Εθνική Επιτροπή Βιοηθικής και Τεχνηθικής)(O.G. Α' 30/28-02-2021).

<sup>20</sup> GNCHR, , [Observations on Greece's combined 23rd and 24th periodic report to the Committee on the Elimination of Racial Discrimination \(CERD\) of the International Convention on the Elimination of All Forms of Racial Discrimination](#), July 2021, last accessed on 25-01-2022.

and socioeconomic background, which are necessary for the systematic monitoring and evaluation of progress towards the realisation of human rights, as well as for informed and targeted policymaking.

The GNCHR in relation to Anti-discrimination law, states that "bearing in mind that at the level of both the European Union and the national legal order, legal protection against discrimination is explicitly recognised only in the field of employment, the GNCHR highlights the urgent need to extend legal protection against discrimination beyond employment and vocational training, in order to cover the fields of education, healthcare and access to goods and services in general".<sup>21</sup>

More specifically, the GNCHR recommended in its report the amendment of Law 4443/2016,<sup>22</sup> which introduced in the Greek legal system, among others, Directives 2000/43/EC and 2014/54/EU regarding the prohibition of any form of direct or indirect discrimination, so that its scope is not limited to the areas of employment and occupation. In order to include all grounds of discrimination included in article 1 of Law 4443/2016 (namely racial or ethnic origin, family or social status, religion or belief, disability or chronic disease, age, sexual orientation, gender identity or gender characteristics), the GNCHR recommends that the scope of application of Article 3 of Law 4443/2016 regarding the legislation's scope in the areas of: (a) education (not just vocational training), at all levels and in all forms of education services provided. (b) access to healthcare services, including voluntary activities, such as voluntary blood donation, as well as the voluntary (non-remunerated) donation of other biological material, (c) social security system, (d) access to goods and services provided to the public should be amended to cover all grounds of discrimination and not be limited to those grounds of race and ethnic origin.

The GNCHR continues and adds that regarding the most significant measure taken by the Greek Government, Article 81A of the Criminal Code on "racist crime", confirms that, undoubtedly, the establishment of a general aggravating circumstance for crimes with bias motivation under the aforementioned Article 81A is a clear and positive message to organised groups of racist violence perpetrators. However, the actual impact of Article 81A on pending criminal cases

---

<sup>21</sup> GNCHR, [Observations on Greece's combined 23rd and 24th periodic report to the Committee on the Elimination of Racial Discrimination \(CERD\) of the International Convention on the Elimination of All Forms of Racial Discrimination](#), July 2021, last accessed on 25-01-2022, p. 15.

<sup>22</sup> Greece, Law 4443/2016 'On the transposition of Directive 43/2000/EC on the application of the principle of equal treatment irrespective of race and ethnic origin, and the transposition of Directive 78/2000/EC on the configuration of the general framework of equal treatment in employment and work and Directive 54/2014/EU on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers and other provisions' (Ενσωμάτωση της Οδηγίας 2000/43/ΕΚ περί εφαρμογής της αρχής της ίσης μεταχείρισης προσώπων ασχέτως φυλετικής ή εθνοτικής τους καταγωγής, της Οδηγίας 2000/78/ΕΚ για τη διαμόρφωση γενικού πλαισίου για την ίση μεταχείριση στην απασχόληση και την εργασία και της Οδηγίας 2014/54/ΕΕ περί μέτρων που διευκολύνουν την άσκηση των εργαζομένων στο πλαίσιο της ελεύθερης κυκλοφορίας των εργαζομένων και λοιπές διατάξεις). Abbreviation: Equal Treatment Law (O.G.A 232/ 09-12-2016).

has been quite limited, given that the application of the Article does not have a retroactive effect and applies only to cases taking place after its adoption.

The GNCHR also expressed its concern about the absence of a unified national system for monitoring the procedural steps from the time of the recording by the Police until the relevant procedures at the prosecutors' level and the Courts, but also the access of the victims to supporting services. The introduction of such a system and the analysis of the relevant qualitative and quantitative trends would allow the Authorities to have comprehensive findings regarding the implementation of the legal framework for both the investigation of hate crimes and the support of the victims, resulting in the adoption of more targeted initiatives for the improvement of the protective framework for the victims. According to the GNCHR, establishing trust in a unified and effective national system remains a key aim, despite the already positive developments in this area. Establishing trust in an effective national monitoring system will contribute to enhancing trust in the Police and Justice system which is one of the main CERD recommendations.

According to the GNCHR the COVID-19 pandemic sparked a rise in discrimination and racism coming from public officers especially against vulnerable groups, including women, children, Roma, refugees, asylum-seekers and migrants, detainees and LGBTQI+ people.<sup>23</sup>

#### Report of the Racist Violence Recording Network

The initiative for the establishment of the Racist Violence Recording Network (RVRN) was taken in mid-2011 by the Greek National Commission for Human Rights (GNCHR) and the Office of the UN High Commissioner for Refugees in Greece (UNHCR) following two major findings: a) the absence of an official and effective data collection system and b) the need for coordination among organizations which recorded, on their own initiative, incidents of racist violence against people who seek recourse to their services. Apart from the coordinators, UNHCR and GNCHR, RVRN is comprised of 51 Non-Governmental Organisations and civil society bodies, as well as the Greek Ombudsman and the Migrant Integration Council of the Municipality of Athens, as observers.

In pursuit of the common goal of its members, RVRN: i) submits recommendations to the Greek authorities in compliance with Greek and international law on the protection of human rights, ii) promotes public information and awareness raising on combating racist violence, iii) consults with various actors on issues pertaining to racist violence, iv) strengthens collaboration with other actors in pursuit of combating racist violence, v) organizes and participates in training programs held

---

<sup>23</sup> GNCHR, Recommendations to the State regarding the impact of the pandemic and the measures taken to address it on human rights. Extraordinary times call for extraordinary responses, ([Οι εξαιρετικοί καιροί απαιτούν εξαιρετικές απαντήσεις: Έκθεση αναφοράς της ΕΕΔΑ για τις επιπτώσεις της πανδημίας και των μέτρων για την αντιμετώπισή της στα δικαιώματα του ανθρώπου και συστάσεις προς την Πολιτεία](#)), May 2021, last accessed on 25-01-2022, p. 9, 11-27.

by civil society and other competent institutional bodies in relation to issues that refer to the identification, recording, and combating of hate crimes. RVRN applies a strict methodology by recording cases exclusively on the basis of interviews conducted with the victims. All members of RVRN have agreed on a cooperation agreement which sets out the rights and obligations of participants, and have adopted the consolidated recording form of RVRN. Each RVRN organisation member appoints focal points which record the incidents, i.e. social workers, lawyers, or other professionals or volunteers, who are trained by RVRN. The appointed focal points are named and bear the responsibility of their recording. Recording forms are completed anonymously, forwarded to RVRN and used exclusively for the purpose of recording racism and hate crimes.

The Racist Violence Recording Network - RVRN in its 2020 Annual Report published in April 2021 recorded incidents which either directly or indirectly relate to the pandemic.<sup>24</sup> More specifically, during January-December 2020, it recorded, through interviews with victims, 107 cases of racist violence. In 74 incidents the targets were migrants, refugees or asylum-seekers due to their ethnic origin, religion or colour, human rights defenders due to their association with refugees and migrants, as well as shelters or other services for unaccompanied children or asylum-seekers. In 3 incidents the victims were Greek citizens who were targeted due to ethnic origin. In 30 incidents, the victims were LGBTQI+ individuals, while among LGBTQI+ victims there were also four third-country nationals, either asylum-seekers or recognized refugees. In 50 incidents the targets were more than one victim, whereas in 77 incidents the assault was committed by a group (of at least 2 persons).

According to the RVRN, the pandemic and the consequent restriction measures of individual freedoms shaped a new context in which aspects of racism have taken a new dimension. Refugees and asylum seekers were perceived not only as a threat to national sovereignty but also to public health, while RVRN noted that discrimination against specific target groups in terms of their access to services, was on the rise. Racially motivated incidents of harassment, arbitrariness, and violence by police representatives, during checks on movement restriction measures, affected almost all targeted groups.

#### Findings of the Greek Ombudsman – Equality Body

Law 4443/2016,<sup>25</sup> which incorporated Directives 78/2000/EC and 43/2000/EC, established the Greek Ombudsman as the equality body responsible for monitoring

---

<sup>24</sup> Greece, RVRN, [Annual Report 2020](#), 2021, last accessed on 25-01-2022.

<sup>25</sup> Greece, Law 4443/2016 'On the transposition of Directive 43/2000/EC on the application of the principle of equal treatment irrespective of race and ethnic origin, and the transposition of Directive 78/2000/EC on the configuration of the general framework of equal treatment in employment and work and Directive 54/2014/EU on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers and other provisions'

and promoting in the private and public sector the principle of equal opportunities and equal treatment irrespective of gender, race, colour, nationality, or ethnic origin, religious or other beliefs, disability or chronic illness, age, family or social status, sexual orientation, gender identity or characteristics. It is competent to deal with discrimination in the areas of employment, education and in the access and supply of goods and services. Within this context, the Ombudsman drafts and publishes on an annual basis a Special Report on equal treatment, which is included in its Annual Report and is submitted to Parliament before the end of March each year.

In mid-2021 the Greek Ombudsman published its Equal Treatment-2020 Special Report.<sup>26</sup> According to the Report, in 2020 it received a total of 951 new complaints (note that there was a decrease in comparison, to 2019, where the Greek Ombudsman received 1,176 complaints). Out of these complaints 4% were based on grounds of race or colour.

The cases related to race or colour and included in the report are the following:

- The Ombudsman examined a complaint submitted by the lawyer of a house owner who was selling her property, and the buyer, complaining that the Municipality of Fili refused to grant the seller with a Certificate of Property Fee (TAP certificate), even though the conditions for its issuance were met.<sup>27</sup> Although both the lawyer and buyer had submitted all the necessary supporting documents requested, the municipality did not issue the certificate and thus the sale could not proceed. According to the complaint, the refusal of the Municipality to issue the TAP certificate was because the buyer was of Roma descent, a fact that constitutes discrimination on grounds of ethnic/racial origin. The Ombudsman repeatedly addressed the Municipality in writing, emphasizing the applicable provisions of current legislation both for the issuance of the TAP certificate and for the prohibition of discrimination based on race. The response of the Municipality was still pending by the publication of the report (case 273377).
- EFKA (National Authority for Social Insurance) refused to grant an AMKA (social security registration number) to third country nationals residing in Greece with permanent residence permits and adult family members of a Greek citizen, because they had not provided proof of work in the country. The Ombudsman recalled that the condition of proof of work was included in a 2019 circular of EFKA, yet not in the relevant law for the issuance of

---

(Ενσωμάτωση της Οδηγίας 2000/43/ΕΚ περί εφαρμογής της αρχής της ίσης μεταχείρισης προσώπων ασχέτως φυλετικής ή εθνοτικής τους καταγωγής, της Οδηγίας 2000/78/ΕΚ για τη διαμόρφωση γενικού πλαισίου για την ίση μεταχείριση στην απασχόληση και την εργασία και της Οδηγίας 2014/54/ΕΕ περί μέτρων που διευκολύνουν την άσκηση των εργαζομένων στο πλαίσιο της ελεύθερης κυκλοφορίας των εργαζομένων και λοιπές διατάξεις). Abbreviation: Equal Treatment Law (O.G.A 232/ 09-12-2016).

<sup>26</sup> Greek Ombudsman, [Equal Treatment-2020 Special Report](#), last accessed on 25-01-2022.

<sup>27</sup> Greek Ombudsman, [Equal Treatment-2020 Special Report](#), last accessed on 25-01-2022, p. 54.

AMKA.<sup>28</sup> The Ombudsman addressed the Ministry of Labour which oversees EFKA, emphasizing that there was an issue of proper application of the law pertaining to the granting of AMKA to third country nationals who have a legal residence permit and requested the resolution of the matter and to generally eliminate the gaps that exist in the process of granting AMKA (case 284016).

#### National Mechanism for the Investigation of Arbitrary Incidents

Article 56 of Law 4443/2016, established the Ombudsman as the National Investigation Mechanism for Arbitrary Incidents. According to Article 56(1) (d) the Ombudsman is responsible for investigating complaints on the unlawful behaviour of police officers or officers of the coastguard or the fire department, which appears to have been perpetrated with a racist motivation, or any other type of discriminatory treatment on grounds of race, colour, ethnic origin, descent, religion, disability, sexual orientation, gender identity or characteristics. The Ombudsman prepares a file which is forwarded to the relevant authorities responsible for carrying out disciplinary actions.

According to the Ombudsman's Report for 2020 and published in 2021,<sup>29</sup> of the two hundred and sixty-three (263) cases brought to the National Mechanism in 2020, ten (10) fell outside its competence, either because they were outside the subject matter of the competence at hand, or because no complaint had been filed by the victim or a proxy, as required by law.

The majority of the two hundred and fifty-three (253) cases within the Ombudsman's competence in 2020 concerned complaints about alleged arbitrary incidents conducted by Police officers (248 cases), three (3) reports by prisoners concerned prison facilities, and two (2) reports concerned the members of the Hellenic Coastguard. The large number of cases concerning policies is linked to the large number of cases for which the Hellenic Police itself initiated internal investigations and forwarded to the Ombudsman. According to its relevant report, 24 cases examined by the Ombudsman in 2020 concerned arbitrary instances with racist motive or discrimination.

Complaints submitted by foreign nationals reported beatings as the most common cases; however, complaints of offensive behaviour with a racist motive were also recorded in identity checks (stops and checks on the street). In both situations, the common denominator is that the foreigner's fundamental rights were undermined. Typically, allegations of racist treatment by police officers were also filed by Greek nationals on grounds of their ethnic origin (F. 277107). It is also worth noting that complaints reporting racial bias perpetrated against foreign

---

<sup>28</sup> Greek Ombudsman, [Equal Treatment-2020 Special Report](#), last accessed on 25-01-2022, p. 30.

<sup>29</sup> Greek Ombudsman, [National Mechanism for the Investigation of Arbitrary Incidents – Special Report for 2020](#), 2021, last accessed on 25-01-2022.

nationals also include tourists (F. 259976), students (F. 286188) as well as asylum seekers living in reception centres (F. 275300) or foreigners under administrative detention (F. 277945, F. 277727) considered vulnerable because of their detention. In these cases, the Ombudsman pointed out that every measure must be taken to protect both the complainant and witnesses, due to their being asylum seekers, from retaliatory behaviour during the investigation of the incident for which the right of petition has been exercised (F. 275300).

Moreover, the Ombudsman in its report highlights the need for necessary measures to be taken for the protection of complainants and witnesses who are administratively detained, to consider their transfer to another place of detention (F. 278315), or protective custody, in the case of unaccompanied minors (F.278283, F. 273984). Those who are both young and foreign citizens are at a double risk of being targeted.

The report even examined the effect of the pandemic on the examination of arbitrary incidents. Complaints of violence that arose during the monitoring of compliance to COVID-19 measures, which largely concerned vulnerable groups, were added to the above group of incidents. For most cases that were under investigation, the review by the competent disciplinary bodies had yet to be finalised by the presentation of the Ombudsman's report. These incidents primarily took place during the first days of the curfew imposed due to COVID 19 and were investigated by the Ombudsman on the basis of racist behaviour.

The Mechanism examined these incidents following the reports of NGOs, which provided legal support to the specific groups, information on movement restrictions and assisted in their lawful movement. Especially for refugees and migrants, the observance of the restrictions was unbearable because, among other things, they were forced to be enclosed in a very small space, with many people, 24 hours a day.

Finally, the Ombudsman noted that in some cases of arbitrary incidents recorded in 2020 the relevant disciplinary authorities of the Hellenic Police and Coastguard had failed to investigate racist motive.

In relation to arbitrary incidents perpetrated by the police, it should be noted that in 2021 the Roma Human Rights Advocacy and Defense Observatory (*Παρατηρητήριο Συνηγορίας και Υπεράσπισης Ανθρωπίνων Δικαιωμάτων Ρομά*), established through the Rom-Project and which collects, processes and forwards Roma complaints to be resolved by competent bodies, reported its concern for the death of an 18-year-old Roma during a police chase in the area of Perama on October 22<sup>nd</sup>, 2021.<sup>30</sup> The observatory called on the Greek authorities to carry out a thorough investigation into the incident in order to investigate any bias motive

---

<sup>30</sup> Greece, Roma Human Rights Advocacy and Defense Observatory, Intervention of the Roma Human Rights Advocacy and Defense Observatory on the death at Perama, ([Παρέμβαση: Παρατηρητήριο Συνηγορίας & Προάσπισης Ανθρωπίνων Δικαιωμάτων Ρομά για την ανθρωποκτονία στο Πέραμα](#)), last accessed on 25-01-2022.

behind the police officers' excessive use of force. Seven police officers were arrested and the case is still pending in the investigation phase by the judicial authorities.<sup>31</sup> Following the incident, the Deputy Minister of Citizen Protection announced that 2,000 police officers of the special motorcycle unit "DIAS", would go through additional special training on how to carry out arrests and respect human rights.<sup>32</sup>

#### OSCE-ODHIR Hate crime reporting

The Greek Ministry of Justice, Transparency and Human Rights, the Greek Public Prosecutor's Office and the State Security headquarters of the Greek Police collect hate crime data which is forwarded to the OSCE-ODHIR within the framework of a relevant 2018 agreement on inter-agency co-operation on addressing racist crimes in Greece, designed as part of the "Building a Comprehensive Criminal Justice Response to Hate Crime" project.

According to official data published on the Hate crime reporting website in November 2021, 171 hate crimes were recorded by the Hellenic Police in 2020, 34 of which were prosecuted by the relevant judicial authorities. Out of the total 171 recorded hate crimes, 103 concerned racist and xenophobic crimes (i.e. bias concerning racial or ethnic origin) and out of these cases, 48 consisted of violent attacks against individuals, 26 threats, 6 crimes against property, while the remainder concerned hate speech.

## **2.2 Legal and policy developments or measures relating to the application of the Framework Decision on Racism and Xenophobia and the Racial Equality Directive**

In 2021 there were no recorded legal developments relating to the application of the Framework Decision on Racism and Xenophobia and the Racial Equality Directive.

---

<sup>31</sup> Greece, NGO 'Solomon', [Young Roma shot dead by Greek police. Yet another case of police impunity? — Part 1](#), 27-10-2021, last accessed on 25-01-2022; HuffPost Greece, Perama: Were the police officers in danger or did they exaggerate? The charges they are facing ([Πέραμα: Κινδύνευσαν ή υπερέβαλαν οι αστυνομικοί; Οι κατηγορίες που αντιμετωπίζουν](#)), 24-10-2021, last accessed on 25-01-2022; Efsyn, 7 police officers at the prosecutor – Contradictions by the defendants ([Στην εισαγγελία οι 7 αστυνομικοί - Αντιφάσεις από τους κατηγορούμενους](#)), 27-10-2021, last accessed on 25-01-2022; Ekathimerini, [Seven officers arrested for homicide in Perama shootout](#), 23-10-2021, last accessed on 25-01-2022.

<sup>32</sup> Greece, Ethnos, DIAS Unit: Back to school for 2,000 police officers, ([Ομάδα ΔΙΑΣ: Επιστροφή στα θρανία για 2.000 αστυνομικούς](#)), 28-11-2021, last accessed on 25-01-2022; CNN Greece, Economou to CNN Greece: Changes in the training of DIAS – "Safety everywhere the target" ([Οικονόμου στο CNN Greece: Αλλαγές στην εκπαίδευση της ΔΙΑΣ - «Στόχος η ασφάλεια παντού»](#)), 25-11-2021, last accessed on 25-01-2022.

In June 2021 the European Commission decided to send a letter of formal notice to Greece in relation to the transposition EU law criminalising hate speech and hate crimes.<sup>33</sup> According to the European Commission, the Greek legal system criminalises hate speech only when public incitement to violence or hatred endangers public order or poses a threat to life, freedom, or physical integrity of persons. Greece was given a deadline of two months to take the necessary measures to address the shortcomings identified by the Commission. Failing this, the Commission may decide to take the infringement procedure to the next step, by sending a reasoned opinion. Greece has responded to the European Commission providing clarifications on the existing relevant national legal framework<sup>34</sup> and no legislative amendment has been introduced as of November 30, 2021.

### Policy developments in 2021

In 2021, the Ministry of Justice continued the implementation of the programme for the Development of a Comprehensive Strategy against racism, intolerance and hate crimes and the information and awareness-raising campaign against racism and intolerance 2019-2021 (funded by the EU programme "Rights, Equality, Citizenship" (REC)).<sup>35</sup> In this regard, a separate website was created and launched in 2021 for the Greek National Council against Racism and Intolerance (*Εθνικό Συμβούλιο κατά του Ρατσισμού και της Μισαλλοδοξίας*) which includes all the actions implemented by the National Council, with the aim of promoting the reporting of racist crimes, providing information on the rights of the victims of relevant crimes, to raise awareness and to assist in the effective prosecution of racist crimes.<sup>36</sup> The National Council against Racism and Intolerance was established by Law 4356/2015 (O.G. A' 181/24-12-2015). It is a collective body with an advisory role and is subject to the jurisdiction of the General Secretariat for Human Rights of the Ministry of Justice, Transparency and Human Rights.

In September 2021, the Ministry of Justice within the framework of the aforementioned programme, concluded the preparation and publication of a guide,<sup>37</sup> distributed in 9 languages and which contains information on the legal framework for the rights of victims of racist crimes, the necessary steps for

---

<sup>33</sup> European Commission, [June Infringements packages](#), last accessed on 25-01-2022.

<sup>34</sup> According to information provided by the Greek Ministry of Justice a letter was sent to the European Commission on 05-10-2021

<sup>35</sup> The information in this section was provided by the Ministry of Justice in its Protocol No. 52292/5-10-2021 Letter of Communication.

<sup>36</sup> Greece, National Council against Racism and Intolerance, official website: <https://moj.gov.gr/ncri/>, last accessed on 25-01-2022.

<sup>37</sup> Greece, Ministry of Justice, [Guide for the rights of hate crime victims](#), September 2021, last accessed on 25-01-2022.

stakeholders as well as a list of services that offer support to victims of racist crimes.

On May 24 and 28, 2021 two online training courses for prosecutors were carried out by the Ministry of Justice. Forty prosecutors received training on racist characteristics and motives.

The Ministry of Justice in collaboration with the Centre of Political Research of the Panteion University organized three workshops for skills and trust building. The first two took place on February 12, 2021 and March 23, 2021. During these two-online meeting the Guide for the rights of victims of racist crimes was presented and extensively analysed before a total of 75 NGOs. The third workshop took place on June 8, 2021 with the participation of civil servants, members of the National Council against Racism and Intolerance, the RVRN, Amnesty International and other civil society representatives (32 participants in total).<sup>38</sup>

The Ministry of Justice considering its cooperation with the OSCE (mentioned earlier) also monitors and record cases of racist violence filed with the Hellenic Police. During 2020 it recorded a total of 222 incidents with possible racial motivation<sup>39</sup> (171 hate-crime cases however, were included on the OSCE-ODHIR hate crime website).

#### National Action Plan Against Racism and Intolerance

The National Council against Racism and Intolerance adopted on December 8, 2020 the first National Action Plan Against Racism and Intolerance 2020-2023.<sup>40</sup>

In relation to this Action Plan it is important to note that according to the GNCHR observations on the report of Greece submitted for the periodic review by CERD, there are still key issues remaining to be addressed.<sup>41</sup> In particular, as far as the analysis of the conceptual framework is concerned, the GNCHR underlined the serious lack of effective integration policies, despite the inclusion of some actions in this direction. Furthermore, with regard to addressing the widespread underreporting, while there is a satisfactory analysis of the phenomenon and the need to address it through increasing trust in the Authorities, as well as through providing for relevant policies and actions both in terms of information as well as at the level of training of the Authorities, the GNCHR holds that the actions

---

<sup>38</sup> The information in this section was provided by the Ministry of Justice in its Protocol No. 52292/5-10-2021 Letter of Communication.

<sup>39</sup> The information in this section was provided by the Ministry of Justice in its Protocol No. 52292/5-10-2021 Letter of Communication.

<sup>40</sup> Greece, National Council against Racism and Intolerance, [National Action Plan against Racism and Intolerance](#), 2020, last accessed on 25-01-2022.

<sup>41</sup> GNCHR, [Observations on Greece's combined 23rd and 24th periodic report to the Committee on the Elimination of Racial Discrimination \(CERD\) of the International Convention on the Elimination of All Forms of Racial Discrimination](#), July 2021, last accessed on 25-01-2022, last accessed on 25-01-2022.

envisaged by the Action Plan are not efficient in terms of scope and frequency, while at the same time structural issues of access to filing complaints have not been resolved, such as for instance the absence of interpretation services for the operation of the Special Telephone Line "11414" for reporting hate crimes, which essentially excludes non-native Greek speakers from the relevant possibility.

In addition, the GNCHR agreed with the RVRN's observations, according to which the Action Plan did not contain actions which would allow for a deeper understanding of the phenomenon of underreporting to address it more effectively (for instance, victimization survey). This is why, among others, both the GNCHR and the RVRN, have urged the Greek authorities to publish quantitative and qualitative analysis of the recorded incidents of racist violence, as well as their development, given that such a procedure not only highlights the trends which need to be considered in order to effectively combat the aspects of racist crime, but also enhances the transparency of procedures and the trust in an effective national mechanism for recording incidents of racist violence.

Moreover, regarding the access of victims of racist crimes to services and protection, the GNCHR highlighted the absence of actions by specific Ministries which are decisively involved in supporting victims of racist violence, directly or indirectly, such as the Ministry of Health, as well as coordination actions for optimal protection and support of victims of racist violence, such as the creation of a protocol or guide for the coordination of support services for victims of racist violence based on Law 4478/2017, as well as for their protection from secondary victimisation.

Finally, while actions on combating discrimination were included in the action plan, the GNCHR expressed serious concerns over the fact that these actions were not comprehensive interventions aiming at effectively addressing discrimination and promoting equal and unhindered access to education, health and housing services, while the new reality of limited access to these services due to the spread of the coronavirus and containment measures have not been taken into account.

## Chapter 3. Roma equality and inclusion

### 3.1 Policy developments in regards to the application of the EU Roma strategic Framework for equality, inclusion and participation for 2020-2030

Please put down the name of the national Roma framework/Roma strategy/integrated set of policy measures and the link	<a href="#">(Draft) Strategy and Action Plan for the Social Integration of Roma 2021-2030</a> , last accessed on 25-01-2022.
Please add a hyperlink if the strategy is publicly available.	The draft was published for consultation on December 23, 2021. The consultation will end on January 14, 2022.
Did an evaluation of the previous Roma inclusion strategy take place? If yes, please provide reference	No
Does the strategy use the (headline) indicators as suggested in the new portfolio of indicators?	Yes
Was Roma civil society involved in the development of the strategy? Please provide examples?	No
Were NHRIs and/or equality bodies involved in the strategy development? Please provide example?	Yes, the Greek National Commission for Human Rights submitted a contribution to the draft strategy. <sup>42</sup>
Does the new strategy link to the operational programmes for the new EU funding period 2021-2027?	Yes

In 2021, the General Secretariat for Social Solidarity and Combatting Poverty of the Ministry for Labour and Social Affairs (GSSSCP) will finalise the New Strategy and Action Plan for the Social Integration of Roma 2021-2030.<sup>43</sup> The strategy will

<sup>42</sup> Greece, GNCHR, Contribution in the framework of drafting a New Strategy for the Social Inclusion of Roma for 2021-2027), ([Συνεισφορά της ΕΕΔΑ στο στο πλαίσιο εκπόνησης της Νέας Εθνικής Στρατηγικής για την Κοινωνική Ενταξη των Ρομά για την περίοδο 2021-2027](#)), March 2021, last accessed on 25-01-2022.

<sup>43</sup> The information in this section was provided by the Ministry of Labour and Social Affairs in its 04-10-2021 Letter of Communication.

consist of 4 pillars: 1) Prevention and combatting poverty and social exclusion of Roma, 2) Ensuring equal access for Roma in social services (education, employment, health, social care and housing), 3) Prevention and combatting anti-gypsyism and 4) Promoting the participation of Roma.<sup>44</sup>

In March 2021, the Greek National Commission for Human Rights presented its contribution to the draft strategy,<sup>45</sup> welcoming the initiative and recommended, *inter alia*, the inclusion of indicators in the strategy to evaluate the programmes and monitor their progress, such as those proposed by the European Commission in the EU Roma strategic Framework for equality, inclusion and participation 2020-2030.

### **3.2 Legal and policy developments or measures directly or indirectly addressing Roma/Travellers inclusion**

In 2021 there were no legal developments addressing Roma/Travellers inclusion.

#### Housing of Roma<sup>46</sup>

In 2021 the GSSSCP aimed to promote the actions for raising awareness and motivating local authorities to carry out interventions in the field of housing and to submit proposals aiming to ensure decent living conditions.

To this end, the Committee for the Temporary Relocation of Special Social Groups established by the Ministry of Labour and Social Affairs has been examining the requests of municipal authorities for the relocation of Roma populations to appropriately organized areas to ensure their decent living conditions. Within this framework the incorporation in the Programme for Public Investment has already taken place and a pilot project for the temporary relocation according to the model of social housing is already underway for 56 Roma families from the settlement of Peleka in the Municipality of Katerini.<sup>47</sup> The budget for the pilot project is set at

---

<sup>44</sup> The information in this section was provided by the Ministry of Labour and Social Affairs in its 04-10-2021 Letter of Communication.

<sup>45</sup> Greece, GNCHR, Contribution in the framework of drafting a New Strategy for the Social Inclusion of Roma for 2021-2027), ([Συνεισφορά της ΕΕΔΑ στο στο πλαίσιο εκπόνησης της Νέας Εθνικής Στρατηγικής για την Κοινωνική Ένταξη των Ρομά για την περίοδο 2021-2027](#)), March 2021, last accessed on 25-01-2022.

<sup>46</sup> The information in this section was provided by the Ministry of Labour and Social Affairs in its 04-10-2021 Letter of Communication.

<sup>47</sup> Greece, Municipality of Katerini, Press Release on Speeding up the procedures for the creation of an organized settlement for the temporary relocation of Roma ([Επιταχύνονται οι διαδικασίες δημιουργίας οργανωμένου οικισμού προσωρινής μετεγκατάστασης των Ρομά](#)), 02-06-2021, last accessed on 25-01-2022.

5,000,000 euros (co-funded through the EEA grant for Roma Inclusion and Empowerment<sup>48</sup>).

Currently and within the same project above a similar pilot project for temporary relocation is being examined following the request of the Municipality of Ampelokipoi-Menemeni, as well as for the Roma population located in Kamilovrysi.<sup>49</sup>

At the same time, in 2021 the GSSSCP continued to carry out on-site visits at Roma settlements to record living conditions therein and help promote interventions for the improvement of living conditions or relocation to better accommodation.

From July 2021 till September 2021 the GSSSCP also updated the map with Roma settlements (354) and included its findings within the new strategy for Roma integration.<sup>50</sup> The mapping of Roma settlements was first carried out within the framework of the previous strategy for the integration of Roma.<sup>51</sup>

### Strategic Collaborations<sup>52</sup>

The GSSSCP proceeded to collaborate with various stakeholders to promote the integration of Roma:

- Hellenic Statistics Authority: a census of the Roma population is scheduled to take place for the first time during the period 23-10-2021 and 23-11-2021 as part of the general population census carried out in 2021.<sup>53</sup> To this end on September 3<sup>rd</sup>, 2021, a meeting was held by the GSSSCP with the Hellenic Statistic Authority (ELSTAT), representatives of the Pan-Hellenic Confederation of Greek Roma (ELLAN-PASSE) and the Union of Greek Roma Mediators and Partners. During the meeting the Roma representatives were informed of the procedure for the 2021 Census to be carried out by ELSTAT. For the first time the Roma population itself, their housing and living conditions were be included in the National census. During the meeting the necessary actions and cooperation of all stakeholders was

---

<sup>48</sup> Greece, EEA grants, [Roma Inclusion and Empowerment, Enhanced Inclusion and Empowerment of Roma](#), last accessed on 25-01-2022.

<sup>49</sup> The information was provided by the Ministry of Labour and Social Affairs and its 04-10-2021 Letter of Communication.

<sup>50</sup> Greece, Interactive Map with Roma Settlements, ([Χάρτης Οικισμών Ρομά](#)), last accessed on 25-01-2022. See also: [\(Draft\) Strategy and Action Plan for the Social Integration of Roma 2021-2030](#), last accessed on 25-01-2022.

<sup>51</sup> Greece, Special Secretariat for the Integration of Roma, Activities National Report of 2017, ([Εθνική Έκθεση Πεπραγμένων 2017](#)), 2018, last accessed on 25-01-2022.

<sup>52</sup> The information in this section was provided by the Ministry of Labour and Social Affairs in its 04-10-2021 Letter of Communication.

<sup>53</sup> Greece, Greek Roma Information and Consultation Platform, Announcement on the Cooperation of ELSTAT - General Secretariat for Social Solidarity and Roma stakeholders in the Framework of the population-housing census of 2021, 22-09-2021, ([Συνεργασία ΕΛΣΤΑΤ – Γενικής Γραμματείας Κοινωνικής Αλληλεγγύης & Φορέων Ρομά στο πλαίσιο της Απογραφής Πληθυσμού-Κατοικιών 2021](#)), last accessed on 25-01-2022.

thoroughly discussed in order to establish the best way of informing Roma throughout the country as well as to provide them with support through specialized census workers and translators-interpreters. For the census mediators, specialized workers of ELSTAT and translators-interpreters were sent to all recorded settlements in order to record the population and living conditions therein.<sup>54</sup> As of December 31, 2021 the general population census was still ongoing and no results have been published. The online census for the general population had to be extended till December 17, 2021 and individuals that could not fill in the survey online had to be interviewed in person.<sup>55</sup> The census for the Roma population was also extended till the end of December 2022.<sup>56</sup>

- UNICEF: Cooperation with the Greek Office of UNICEF<sup>57</sup> for 1) the creation of a platform for the networking, consultation and exchange of views (SEE-Roma Platform), with a duration of nine months to address discrimination faced by women and children Roma, 2) exchanging data within the framework of mapping the stakeholders, unions and organisations for the Roma in order to monitor the implementation of projects for Roma integration, 3) promoting the pilot initiative of the Child Guarantee and 4) promote the development of skills and equal access of Roma youth within the framework of the "Generation Unlimited" programme.

- Cooperation Protocol with the Greek Open University and the granting of 35 scholarships to vulnerable groups, including Roma students for the academic year of 2021-2022. The scholarships are intended for high-school graduates for undergraduate studies and university graduates for post-graduate studies.<sup>58</sup> Roma mediators may also participate in the programme. According to the relevant call for applications published on the Greek Open University, Roma applicants should apply through the Roma Annexes or Community Centres,<sup>59</sup> by submitting proof of permanent residency issued by their municipality and in the case of mediators, proof of their work position issued by the authority where they provide mediation

---

<sup>54</sup> The information in this section was also provided by the Ministry of Labour and Social Affairs in its 22-12-2021 Letter of Communication.

<sup>55</sup> Greece, Hellenic Statistics Authority, Announcement on the Continuation of the Census, ([Ανακοίνωση, Η απογραφή συνεχίζεται](#)), last accessed on 25-01-2022.

<sup>56</sup> The information in this section was also provided by the Ministry of Labour and Social Affairs in its 22-12-2021 Letter of Communication.

<sup>57</sup> Greece, Greek Roma Information and Consultation Platform, Announcement on Thematic Webinars for Roma within the Framework of the GS and UNICEF, ([Θεματικά Webinars για τους Ρομά στο πλαίσιο συνεργασίας ΓΓ και UNICEF, 24-03-2021](#)), last accessed on 27-01-2022.

<sup>58</sup> The information in this section was also provided by the Ministry of Labour and Social Affairs in its 22-12-2021 Letter of Communication.

<sup>59</sup> Greece, Greek Open University, Call for 35 scholarship positions from the Greek Open University in collaboration with the General Secretariat of Social Solidarity of the Ministry of Labour & Social Affairs for the academic year 2021-2022, ([Προσφορά 35 θέσεων με υποτροφία από το Ελληνικό Ανοικτό Πανεπιστήμιο σε συνεργασία με τη Γενική Γραμματεία Κοινωνικής Αλληλεγγύης του Υπουργείου Εργασίας & Κοινωνικών Υποθέσεων για συμμετοχή στα Προγράμματα Σπουδών του Ε.Α.Π. για το ακαδημαϊκό έτος 2021-2](#)), last accessed on 25-01-2022.

services. The scholarships covered the selection and free study of 2 thematic areas per year or per semester, according to the academic programme offered by the Open University. The scholarship is renewed each year or semester (for post-graduate studies) as long as the beneficiary passes at least one thematic area per year or semester. Out of the 34 scholarships awarded for the academic year of 2020-2021, 13 were awarded to Roma and Roma mediators. 22 new scholarships were awarded for the academic year of 2021-2022, 12 of which were awarded to Roma and Roma mediators.

- Cooperation with the National Centre for Public Administration to implement 5 educational programmes (April 2021-June 2022) for the promotion of Roma integration targeted at employees of municipal authorities.
- Cooperation Protocol with the Union of Greek Roma Mediators to help in the implementation of the Roma strategy 2021-2030.

#### Roma Social Integration and Empowerment 2014-2021<sup>60</sup>

The Roma Social Integration and Empowerment<sup>61</sup> (EEA grants) is being implemented by the GSSSCP in 2021, namely:

- Establishment of a Task-force in four Greek districts with Roma populations (Attica, Central Macedonia, East Macedonia-Thrace and Western Greece)
- Pilot project for the temporary relocation of Roma populations to social housing
- Three small funding projects for Roma youth and female empowerment, participation of Roma children in summer camps and small-scale local interventions.

#### Roma Platform 2020<sup>62</sup>

The implementation of the Roma Platform started on 01-02-2021 with duration of 24 months and an allocated budget of 200,000 euros<sup>63</sup>:

- Organisation of 2 national meetings for the consultation of the new national strategy for Roma integration

---

<sup>60</sup> The information in this section was provided by the Ministry of Labour and Social Affairs in its 04-10-2021 Letter of Communication.

<sup>61</sup> Greece, EEA grants, [Roma Inclusion and Empowerment, Enhanced Inclusion and Empowerment of Roma](#), last accessed on 25-01-2022.

<sup>62</sup> The information in this section was provided by the Ministry of Labour and Social Affairs in its 04-10-2021 Letter of Communication.

<sup>63</sup> Greece, Greek Roma Information and Consultation Platform, Announcement on the Conference for the ROMPlat2019 - Development of a National Contact Point for the Integration of Roma, Friday 25 June 2021 13:00-15:00, 24-06-2021, ([Συνέδριο έργου "ROMplat2019 – Ανάπτυξη του Εθνικού Σημείου Επαφής για την Κοινωνική Ένταξη των Ρομά" Παρασκευή 25 Ιουνίου 2021 13:00μ.μ. -15:00μ.μ.](#)). last accessed on 25-01-2022.

- Training of 20 young Roma experts and the funding of internships programmes for 2 individuals thereof
- Methodology plan for the census/recording of Roma populations and its pilot execution in one selected Municipality
- Stakeholders' mapping

### Rom Project

In an attempt to address the under-reporting of discrimination cases against Roma, the "ROM" initiative<sup>64</sup> was put forward in March 2021 with coordinating partner the Equal Society Organization and partners Ellan Passe - Panhellenic Confederation of Greek Roma and the Union of Greek Roma Mediators which created the first "Roma Human Rights Advocacy and Defense Observatory", which collects, processes and forwards Roma complaints to be resolved by competent bodies. The project is funded by the Active Citizens Fund with the budget of 12 million Euros.

In 2021 the Observatory published its first report covering the first six months of the year.<sup>65</sup> The report highlights the additional challenges faced by the Roma community due to the Covid-19 pandemic and presents certain complaints it received or recorded through news reports during the period of March 2021-August 2021.

The project will also educate communities and local Roma Associations, including Women's Associations, on human rights and how they can exercise them. It will organize workshops aimed at raising awareness and providing information to representatives of institutions, professionals and the general public.

Finally, the project will organize seminars for journalists and students of Media university departments on how the Media can contribute to improving society's attitude towards Roma and the fight against anti-Gypsyism.

### Covid-19<sup>66</sup>

In 2021, the GSSSCP assisted the National Organisation for Public Health in carrying out information campaigns to promote and implement the national programme for Covid-19 vaccinations among Roma populations. To this end, on

---

<sup>64</sup> Greece, [Rom Project](#), last accessed on 25-01-2022.

<sup>65</sup> Greece, Roma Human Rights Advocacy and Defense Observatory, Six-month Report of the Observatory, March-August 2021, ([Εξαμηνιαία Έκθεση Παρατηρητηρίου Μάρτιος-Αύγουστος 2021](#)), last accessed on 25-01-2022.

<sup>66</sup> The information in this section was provided by the Ministry of Labour and Social Affairs in its 04-10-2021 Letter of Communication.

November 16<sup>th</sup>, 2021 Covid-19 vaccinations were carried out the “Kiafa” Roma settlement of the Municipality of Spata-Artemida.<sup>67</sup>

---

<sup>67</sup> Greece, Greek Roma Information and Consultation Platform , Announcement on the Vaccination Action against the corona virus at the Roma camp of the Municipality of Spata-Artemida, ([Δράση εμβολιασμού κατά του κορωνοϊού στον καταυλισμό Ρομά στο Δήμο Σπάτων-Αρτέμιδας](#)), 16-11-2021, last accessed on 25-01-2022.

## Chapter 4. Asylum, visas, migration, borders and integration

### 4.1 Number of beneficiaries of international protection whose protection status was revoked in 2021

Country	Cessation of refugee status		Cessation of subsidiary protection	
	Number of refugee status revoked	Main reasons	Number of subsidiary protection status revoked	Main reasons
GREECE	11 <sup>68</sup>	<ul style="list-style-type: none"> <li>- Three decisions of revocation were based on grounds of danger to the Greek society (Article 14 para. 4b of Law 4636/2019<sup>69</sup>)</li> <li>- Two decisions of revocation were based on grounds of protection being ensured by the country of nationality (Article 14 para. 1a of Law 4636/2019)</li> <li>- One decision was based on grounds of falsifying personal information (Article 14 para. 3b of Law 4636/2019)</li> </ul>	0	N/A

<sup>68</sup> Information in this section was provided by the Directorate of Returns and Revocations of the Greek Asylum Service in their 14-09-2021 Letter of Communication.

<sup>69</sup> Greece, Law 4636/2019 on International Protection and other provisions (Περί Διεθνούς Προστασίας και άλλες διατάξεις)(O.G. A' 169/01-11-2019).

		<ul style="list-style-type: none"> <li>- One decision was based on grounds of being awarded citizenship (Article 11 para. 1c of Law 4636/2019)</li> <li>- Four cases were based on grounds of risk to national security (Article 14 para. 4a of Law 4636/2019)</li> </ul>		
--	--	---	--	--

## 4.2 National border monitoring mechanisms

Country	Legal source providing for border monitoring	Organisation(s) responsible for monitoring	Is the monitoring body at the same time the National Preventative Mechanism? (Y/N)	Are reports publicly available? [if yes, please add hyperlink]	Number of monitoring operations in 2021	Is monitoring (at least partially) funded by the EU? If so, under which modalities?
GREECE	No specific legal provision in national law. Based on own initiative and overall mandate of the body	Office of the Greek Ombudsman ( <i>Συνήγορος του Πολίτη</i> ). The Greek Ombudsman as part of its	YES	Greek Ombudsman , <a href="#">Interim Report - Own initiative investigation by the Greek Ombudsman</a>	Due to Covid-19 restrictions, the Greek Ombudsman visited migrant detention	No

		mandate as the NPM started on its own initiative an investigation into human rights violations at the borders.		<a href="#">on alleged pushbacks to Turkey of foreign nationals who had arrived in Greece seeking international protection,</a> 2021.	centres at Evros (borders between Greece and Turkey) from November 8 to November 10, 2021. The Ombudsman plans to carry out more visits in the final months of 2021 and possibly the beginning of 2022. <sup>70</sup>	
GREECE	No specific legal provision in national law. Based on own initiative and overall mandate of the body	Greek National Commission for Human Rights – GNCHR ( <i>Εθνική Επιτροπή για τα Δικαιώματα του Ανθρώπου - ΕΕΔΑ</i> ). The reporting of	NO	GNCHR, <a href="#">National Report on the situation of human rights of migrants at borders,</a> 2021.	In 2021 the GNCHR was not able to Covid-19 measures to carry on-site visits at border detention facilities,	No

<sup>70</sup> The information in this field was provided by the Greek Ombudsman in its follow-up communication of 23-11-2021.

		<p>human rights violations at the borders was put forward by the national human rights institutions of ENNHRI.<sup>71</sup> It should be highlighted that the GNCHR together with UNHCR plans to introduce a reporting network like that of the Racist Violence Recording Network, which has been applauded as a good practice.</p>		<p>See also: <a href="#">Contribution by the Greek National Commission for Human Rights (GNCHR) to the UN Special Rapporteur on the Human Rights of Migrants in reply to the Questionnaire on pushback practices and their impact on the human rights of migrants, 2021.</a></p>	<p>however it continued to monitor the situation remotely by conducting hearings with state authorities and grassroots organisations with strong presence on the ground.<sup>72</sup></p>	
--	--	---	--	--	---	--

---

<sup>71</sup> The European Network of National Human Rights Institutions (ENNHRI) brings together over 40 National Human Rights Institutions (NHRIs) across wider Europe. One of ENNHRI’s thematic priorities is its work on “asylum and migration”, which is facilitated through their Asylum and Migration Working Group, which brings together over 30 European NHRIs including GNCHR. See ENNHRI, [Asylum and Migration](#), last accessed on 25-01-2022.

<sup>72</sup> The information was provided by the GNCHR through an interview conducted on 25-11-2021. See also, Greece, GNCHR, [National Report on the situation of the human rights of migrants at borders](#), 2021, last accessed on 25-01-2022, p. 21.

## Chapter 5. Information society, privacy and data protection

### 5.1 Legal and policy developments or measures that have been implemented related to data protection and private life with regards to security issues

In 2021 there were no legislative or policy developments concerning the use of Big Data, Artificial Intelligence (AI) (apart from the development mentioned below) and the ePrivacy Directive.<sup>73</sup>

In 2021 there were developments regarding data protection and private life.

Articles 30-39 of Law 4780/2021<sup>74</sup> established the National Commission for Bioethics and Techno-ethics (*Εθνική Επιτροπή Βιοηθικής και Τεχνοηθικής*).<sup>75</sup> The new national commission constitutes a reform of the previous National Commission of Bioethics which was carried out to cover issues related to the recent advances of technology such as Artificial Intelligence, advanced algorithms and robotics. It is an independent advisory body of experts addressed to public authorities either by its own initiative or upon request.

#### The Data Protection Authority

The Hellenic Data Protection Authority (DPA) is a constitutionally established independent public authority, which has as its mission the supervision of the application of the General Data Protection Regulation (GDPR), national laws 4624/2019 and 3471/2006, as well as other regulations concerning the protection of the individual from the processing of personal data. In 2021, the DPA addressed several data protection issues including those related to the vaccination certificates for COVID-19.

---

<sup>73</sup> The information was provided by the Hellenic Data Protection Authority in Protocol No. 29/05-01-2022 Letter of Communication.

<sup>74</sup> Greece, Law 4780/2021 on the National Authority for Accessibility, the National Commission for Human Rights and the National Commission for Bioethics and Technoethics (*Εθνική Αρχή Προσβασιμότητας, Εθνική Επιτροπή για τα Δικαιώματα του Ανθρώπου και Εθνική Επιτροπή Βιοηθικής και Τεχνοηθικής*)(O.G. A' 30/28-02-2021).

<sup>75</sup> The official website of the Hellenic National Commission for Bioethics and Technoethics is <https://bioethics.gr/en>, last accessed on 25-01-2022.

After receiving a large number of questions from parents and guardians, the DPA issued a Press Release on May 21, 2021 in relation to self-testing certificates for COVID-19, clarifying that the certificates which verify a negative self-test result can be presented to the relevant school authorities by students and educators without concerns of GDPR violation, because the relevant Circular (No. Δ1α/ΓΠ.οικ.27707, O.G. Β' 185/05-05-2021) does not refer to storage of the data, nor is there an automated processing of data and therefore, the measure is not covered by the GDPR.<sup>76</sup>

On September 1, 2021 the DPA issued an opinion on the Ministry of Citizen's Protection Draft Presidential Decree on measures for the application of Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime (Opinion No. 6/2021<sup>77</sup>). In its opinion the DPA found that several articles were contrary both to the GDPR as well as the EU Charter of Fundamental Rights and presented modifications to bring them in line with the previous legal instruments.

On August 11, 2021 the DPA issued another Opinion on the Ministry of Finance Draft Law for the introduction of Directive (EU) 2019/1153 of the European Parliament and of the Council of 20 June 2019 laying down rules facilitating the use of financial and other information for the prevention, detection, investigation or prosecution of certain criminal offences (Opinion No. 4/2021),<sup>78</sup> recommending the amendment of the draft law in order to bring it in line with the GDPR.

Considering the measures adopted for the COVID-19 pandemic, the DPA through its Decision No. 32/2021<sup>79</sup> issued guidelines for the processing of personal data through technological applications during distance working, irrespective of the type of employment, for both the private as well as the public employment field. The aforementioned decision aims to specify on the

---

<sup>76</sup> Greece, DPA, Processing of personal data within the framework of carrying out self-testing, Press Release of 21-05-2021 ([Επεξεργασία δεδομένων προσωπικού χαρακτήρα στο πλαίσιο της διενέργειας αυτοδιαγνωστικών ελέγχων \(self test\)](#)), last accessed on 25-01-2022.

<sup>77</sup> Greece, DPA, Opinion 6/2021 on draft presidential decree on measures for the application of Council Decision 2008/615/JHA, ([Γνωμοδότηση 6/2021 επί σχεδίου προεδρικού διατάγματος για την εφαρμογή της απόφασης 2008/615/ΔΕΥ του Συμβουλίου της 23ης Ιουνίου 2008](#)), last accessed on 25-01-2022.

<sup>78</sup> Greece, DPA, Opinion 4/2021 on Draft Law for the introduction of Directive (EU) 2019/1153, ([Γνωμοδότηση επί Σχεδίου Νόμου του Υπουργείου Οικονομικών για την ενσωμάτωση της Οδηγίας \(ΕΕ\) 2019/1153](#)),

last accessed on 25-01-2022.

<sup>79</sup> Greece, DPA, Decision No. 32/2021, Guidelines for Distance Working, ([Κατευθυντήριες γραμμές σχετικά με την εφαρμογή των κανόνων προστασίας δεδομένων προσωπικού χαρακτήρα στο πλαίσιο της τηλεργασίας](#)), last accessed on 25-01-2022.

one hand the dangers, rules, guarantees for the rights of data subjects, and on the other hand the obligations of public and private bodies as data processors by complying with the institutional framework for the protection of personal data.

Furthermore, and related to measures adopted for COVID-19, the DPA delivered an important decision, no. 50/16-11-2021 concerning the distance learning programme implemented by the Ministry of Education.<sup>80</sup> The DPA considered possible violations of the GDPR and namely, Articles 5(1)(a), 6(1)(e), 12, 13, 25 (1), 35, 37 (as well as article 6 of Law 4624/2019) 46 and Article 4(5) of Law 3471/2006. The DPA distinguished certain discrepancies related to how distance learning was implemented by the Ministry of Education: a) the Ministry did not carry out an extensive examination for the lawfulness of the purposes for processing data, especially concerning the provision of consent for accessing data stored on the terminal equipment of users, when this is not necessary for the provision services requested by the user, b) the information provided to the subjects of processed data was less than those required under the GDPR, and the information was not provided in a comprehensible and easily accessible form with clear and simple wording, especially since the information was intended for children as well, c) the safety measures applied, even though in the right direction, should be amended so as to render them available for every educator, while at the same time it should ensure that all educators involved in the distance learning have received the necessary information, d) the Ministry violated its obligation under Article 36 para. 9 of the GDPR concerning the views of data subjects or their representatives on the intended processing e) the has been no correct evaluation of the transmission of data to countries outside the EU, especially in light of CJEU Judgment in the case C-311/18 (Schrems II). For these violations, the DPA reprimanded the Ministry of Justice and ordered it to address the above according to the method provided in the Decision and within two months (four months from when the data was transmitted) in order to reverse the violations.

Finally, through Opinion No. 2/2021,<sup>81</sup> issued on July 9, 2021, the DPA recorded gaps in the legislative proposal for the digital vaccination certificates. The relevant law, which was adopted by Parliament before the DPA was able to issue its opinion, incorrectly identified the main issues related to the entity responsible for processing the data collected, who performs the processing and what their status is; did not provide for contracts between these parties and the State services and structures,

---

<sup>80</sup> Greece, DPA, Decision No. 50/2021, Procedure for the modern distance learning carried out by the Ministry of Education, ([Διαδικασία σύγχρονης εξ αποστάσεως εκπαίδευσης από το Υπουργείο Παιδείας](#)), last accessed on 25-01-2022.

<sup>81</sup> Greece, DPA, Opinion No. 2/2021, Opinion on the draft provisions with the title “Facilitations for the functioning of businesses and other areas for gatherings”, ([Γνωμοδότηση για το σχέδιο διατάξεων με τίτλο «Διευκολύνσεις ως προς τη λειτουργία επιχειρήσεων ή άλλων χώρων συνάθροισης»](#)), last accessed on 25-01-2022.

in order to clarify who is carrying out the processing and who bears responsibility for such processing; no impact assessment was conducted for the processing of the relevant app (for issuance of the certificate), in order to determine if there are risks in the processing of personal data and how they will be resolved; and the conclusion of the use and operation of the app (expiration date of the measure) was not explicitly determined on the basis of criteria and conditions related to the specific purpose it serves, apart from a general reference to public health risks. The DPA recommended the amendment of the draft law and stated that the app should be open source for reasons of transparency and to support the trust of citizens in the measure.

The DPA also carried out various activities online in order to inform the public and raise awareness on the protection of personal data. Indicatively, on January 28, 2021 and in light of the European Day for Data Protection, the DPA organised an online event on "Data Protection within the framework of measures addressing the pandemic".<sup>82</sup> Representatives of the DPA participated in informative events by presenting the aspects of data protection and especially concerning Artificial Intelligence and regulatory challenges;<sup>83</sup> distance-working in the public sector, legal aspects of distance-working, digital certificates for free movement, video-monitoring systems and facial recognition technologies;<sup>84</sup> as well as cyber-security.<sup>85</sup>

### Relevant work of the Greek Ministries

In December 2020, the National Authority for Cybersecurity began the process of upgrading the strategic planning for Greece with the approval of the National Strategy for Cybersecurity 2020-2025.<sup>86</sup> The text of the strategy is included in the relevant ministerial decision and measures to address, artificial intelligence, big data, cloud computing and the IoT. The National

---

<sup>82</sup> Greece, DPA, 15<sup>th</sup> European Data Protection Day – Basic issues of the information event , Press Release 01-02-2021, ([15η Ευρωπαϊκή Ημέρα Προστασίας Δεδομένων - Βασικά σημεία της ενημερωτικής ημερίδας](#)), last accessed on 25-01-2022.

<sup>83</sup> Greece, DPA, e-Newsletter April 2021, ([Απρίλιος 2021 e-Newsletter](#)), last accessed on 25-01-2022.

<sup>84</sup> Greece, DPA, e-Newsletter July 2021, ([Ιούλιος 2021 e-Newsletter](#)), last accessed on 25-01-2022.

<sup>85</sup> The information was provided by the Hellenic Data Protection Authority in Protocol No. 29/05-01-2022 Letter of Communication.

<sup>86</sup> Greece, Minister of State Decision, 7-12-2020, published on the Ministry of Digital Governance (Έγκριση της Εθνικής Στρατηγικής Κυβερνοασφάλειας 2020 – 2025 <https://mindigital.gr/wp-content/uploads/2020/12/ΕΘΝΙΚΗ-ΣΤΡΑΤΗΓΙΚΗ-ΚΥΒΕΡΝΟΑΣΦΑΛΕΙΑΣ-2020-2025.pdf>), last accessed on 25-01-2022.

Strategy for Cybersecurity is being implemented in 2021<sup>87</sup> and in relation to Action 1.A.2 of the Strategy “Development of a Cybersecurity Excellence Framework” a Cybersecurity Handbook was published in June 2021 by the National Authority which contains the best practices for the protection and durability of information systems.<sup>88</sup>

Finally, in 2021 the Ministry of Justice extended the operation of the Permanent Scientific Committee for the examination of consequences of the introduction of AI to the judicial system, first establish with Ministerial Decision 8056/2019 (O.G. B’ 431/14-02-2019).<sup>89</sup>

### NGO Initiatives

On December 28, 2021 the NGO Homo Digitalis expressed its concern for the introduction of surveillance systems (including thermal cameras, drones, monitoring of entry and exits through key-cards, use of AI behavioral analytics, facial recognition, etc) at refugee camps throughout Greece and how it would affect the personal data rights of asylum seekers.<sup>90</sup> Homo Digitalis and the European Digital Rights organisation launched an investigation into the issue in the summer of 2021 and given that it could not access any information on the surveillance project, it contacted in October 2021 the Ministry of Migration Policy requesting access to information on mainly two surveillance systems, Υperion (*Υπερίων*) and Centaur (*Κένταυρος*).<sup>91</sup> According

---

<sup>87</sup> The information was provided by the Department of Strategic Planning of the Greek Ministry of Digital Governance in the Protocol No. 33303/22-09-2021 Letter of Communication.

<sup>88</sup> Greece, National Authority for Cybersecurity, Cybersecurity Handbook, June 2021, ([Εγχειρίδιο Κυβερνοασφάλειας](#)). last accessed on 25-01-2022.

<sup>89</sup> Greece, Ministry of Justice, Permanent Committee for the consequences of AI, ([Διαρκής Επιστημονική Επιτροπή Του ΥΔ Για Την Τεχνητή Νοημοσύνη](#)), last accessed on 25-01-2022.

<sup>90</sup> Greece, Homo Digitalis, International Interest for the work of Homo Digitalis and the surveillance systems in the new closed refugee camps ([Διεθνές ενδιαφέρον για τις δράσεις της Homo Digitalis και τα συστήματα παρακολούθησης στις νέες κλειστές δομές προσφύγων](#)), last accessed on 25-01-2022; Aljazeera, [With drones and thermal cameras, Greek officials monitor refugees](#), last accessed on 25-01-2022.

<sup>91</sup> C. Petridi, Algorithm Watch Organisation, [Greek camps for asylum seekers to introduce partly automated surveillance systems,27-04-2021](#), last accessed on 25-01-2022.

to Homo Digitalis, by the end of 2021 it had not received any response to its request, which was also forwarded to the Greek DPA.<sup>92</sup>

## 5.2 Artificial intelligence and big data

Actor*	Type**	Description	Are Human Rights issues mentioned? (yes/no)	Reference
Government	National Draft Acts	Greece is currently developing its national AI strategy. The Greek Ministry of Digital Governance is coordinating the development of the national AI strategy, involving major stakeholders in Greece, as well as experts from within the country and the EU. Towards this direction, Greece has already initiated the mapping of AI initiatives across sectors on a national level, as well as open dialogue discussions with all relevant stakeholders at academic, research and operational level,	N/A (as of December 31 <sup>st</sup> , 2021, the strategy has not been published <sup>94</sup> )	European Commission, AI Watch, Greece, <a href="#">AI Strategy Report</a> , 2021

<sup>92</sup> Greece, Homo Digitalis, International Interest for the work of Homo Digitalis and the surveillance systems in the new closed refugee camps ([Διεθνές ενδιαφέρον για τις δράσεις της Homo Digitalis και τα συστήματα παρακολούθησης στις νέες κλειστές δομές προσφύγων](#)), last accessed on 25-01-2022.

<sup>94</sup> The Greek Ministry of Digital Governance through a telephone communication on 22-12-2021 stated that the report would be published in early 2022.

		<p>towards the effective combination of knowledge-research-production pillars.</p> <p>Within the framework of the AI strategy, there are several issues that need to be addressed, such as the necessary legislative interventions that need to take place, the ethical dimension of AI, the issue of Data collection and quality, the advanced skills required as well as the AI for the Public Sector. The Greek Ministry of Digital Governance has stated that it shall consider human rights considerations especially for the ethical use of AI.<sup>93</sup></p>		
Academia	Other (Article)	The article examines the use of AI and its implication for legal sciences and human rights, namely the protection of personal data. By referring to European and International legal texts and practice, it displays ways to address violation of personal data through the application of the principle of algorithmic transparency for AI and accountability as that envisioned in the GDPR.	Yes  Protection of Personal Data during judicial procedures	E. Androulaki, <a href="#">Artificial Intelligence and Personal Data (in Greek)</a> , (Τεχνητή Νοημοσύνη και Προσωπικά Δεδομένα), Crimetimes, 16-06-2021.
Academia	Other (Article)	The article examines the use of AI for distance biometrics identification which entails the processing and use of personal biometric data. The article examines the effect these methods have on the fundamental rights of	Yes  The article examines the effects of AI on the	E. Androulaki, <a href="#">Artificial intelligence and personal data: the case of distance biometric identification</a> , (Τεχνητή νοημοσύνη και προσωπικά δεδομένα: η περίπτωση της εξ αποστάσεως

<sup>93</sup> Information provided by the Greek Ministry of Digital Governance in their Protocol No. 34075/28-09-2021 Letter of Communication.

		individuals namely, the protection of personal data, human dignity, protection of personal and family life and freedom of expression. The article, drawing from basic principles enshrined in the GDPR, proposes in relation to the use of AI in biometrics identification, namely those of proportionality (balancing of purpose v. rights), transparency and accountability in cases of violations.	protection of personal data, human dignity, protection of personal and family life and freedom of expression	βιομετρικής ταυτοποίησης), Review of Information Law (Επιθεώρηση Δικαίου Πληροφορικής), Vol. 1, No. 1, 2021
Greek National Commission for Human Rights - Independent Body	Other projects (Seminar)	The GNCHR organised as part of its third seminar cycle titled: Human rights in the (post) pandemic era, a special seminar on Rights and Freedoms in the Era of Artificial Intelligence. The seminar, which was open to everyone, took place on April 5, 2021. A section of the seminar examined the need to promote the education of citizens in relation to their rights and the use of AI especially in light of a post-pandemic era.	Yes  The entire seminar was dedicated to implications of AI on human rights and freedoms	GNCHR, <a href="#">Rights and Freedoms in the Era of Artificial Intelligence (Video in Greek)</a> , (Δικαιώματα και Ελευθερίες στην εποχή της τεχνητής νοημοσύνης), 05-04-2021.

## Chapter 6. Rights of the child

### 6.1 Measures taken during the COVID 19 to ensure the well-being of children living in poverty and the protection of children from violence

<p>Measures to address the specific vulnerabilities of children living in poverty</p>	<p>Ministerial Decision No. 47790oik./08-06-2021 re-established the National Mechanism for the Preparation, Monitoring and Evaluation of Action Plans for the Rights of the Child (<i>Εθνικός Μηχανισμός Εκπόνηση, Παρακολούθησης και Αξιολόγησης Σχεδίων Δράσης για τα Δικαιώματα του Παιδιού</i>), first introduced by Article 8 of Law 4491/2017 (O.G. A' 152/ 13-10-2017). The first meeting took place on June 17, 2021 with the participation of UNICEF and under the presidency of the General Secretary of Justice and Human Rights with the purpose of updating the National Action Plan for the Rights of Children.<sup>95</sup> The following axes were recorded as high-priority issues for the rights of children:</p> <ul style="list-style-type: none"><li>- Combatting child poverty and its consequences for children</li><li>- Child-friendly justice</li><li>- Protection of children within the migration and asylum framework</li><li>- Ensuring children's right to health</li><li>- Right of children to education</li><li>- Protection of family and children within the community – deinstitutionalization</li><li>- Horizontal action for the rights of children with disabilities and international promotion of children's rights</li></ul> <p>In addition to the above, actions for the abolition of discrimination as well as the fortification of minors' protection in the digital environment are also to be included.</p> <p>Regarding the implementation of the EU Child Guarantee the following projects have been scheduled with RRF funding<sup>96</sup>:</p> <ul style="list-style-type: none"><li>- Development of a comprehensive studies programme to promote the cognitive development of infants 4months to 4 years old, in order to prepare them for a smooth integration to primary education. This is the project "Hive" (<i>Κυψέλη</i>)<sup>97</sup> which includes: a) an analysed hourly every-day schedule for</li></ul>
---	---

<sup>95</sup> The information in this section was provided by the Ministry of Justice in its Protocol No. 52292/5-10-2021 Letter of Communication.

<sup>96</sup> The information in this section was provided by the Ministry of Labour and Social Affairs in its 04-10-2021 Letter of Communication.

<sup>97</sup> Greece, Ministry of Labour and Social Affairs and Dianeosis, The New Framework for the pre-school education of children 0-4 in Greece, ([Το νέο πλαίσιο για την προσχολική αγωγή των παιδιών 0-4 στην Ελλάδα](#)), July 2021, last accessed on 25-01-2022.

	<p>nurseries and kindergartens, b) early detection and timely referral of infants to examine learning difficulties, disabilities or other disorders c) training and support of nursery and kindergarten staff by introducing experts (mentors)</p> <ul style="list-style-type: none"> <li>- Funding the launch/creating new facilities for early childcare or new positions in existing structures for infants 2months-2,5 years old.</li> <li>- Placing children with severe disabilities (over 67%) and/or severe mental health issues under the care of professional guardians</li> <li>- Transfer of teenagers from child protection structures to semi-independent living facilities to achieve their deinstitutionalization, develop skills and improve their employability</li> <li>- Creation of Recreational Employment Centres through Technology – “STEM” (Science, Technology, Engineering and Mathematics) for children</li> </ul> <p>Moreover, UNICEF in cooperation with the European Commission (DG EMPL) is implementing a two-year pilot project<sup>98</sup> for the support in implementing the EU Child Guarantee in Greece aiming to try new approaches for the application of national action plans for combatting child poverty and addressing systemic disadvantages of particularly vulnerable groups.</p> <p>Finally, Article 53 of Law 4837/2021 (O.G. A’ 178/01-10-2021) regulates procedural matters for the implementation of the EU Child Guarantee and appoints the National Centre for Social Solidarity (<i>Εθνικό Κέντρο Κοινωνικής Αλληλεγγύης - ΕΚΚΑ</i>) as the Greek National Coordinator for the EU Child Guarantee tasked with submitting to the European Commission an Action Plan by 15-03-2022.</p> <p><b>Covid-19</b></p> <p>The Directorate of Child Protection and Family of the Ministry of Labour and Social Affairs took all necessary measures to ensure the regular and safe operation of child protection facilities, nurseries, kindergartens etc. by issuing circulars after close cooperation with the National Commission for the Protection of Public Health.<sup>99</sup> Regular benefits such as the child benefit, the Minimum Guaranteed Income, child-birth benefit, and housing benefits were awarded in 2021. The budget for the child benefit and child-birth benefit was set at 1,070,000,000 euros. In contrast to 2020 where emergency benefits were awarded to vulnerable families that normally qualify for the aforementioned benefits, no</p>
--	--

<sup>98</sup> Greece, UNICEF, [Press Release](#), UNICEF and MoLSA announce pilot programme in Greece to fight child poverty and social exclusion, supported by the European Commission, 24-03-2021, last accessed on 25-01-2022.

<sup>99</sup> The information in this section was provided by the Ministry of Labour and Social Affairs in its 04-10-2021 Letter of Communication.

	<p>other emergency benefits were awarded in 2021 in relation to COVID-19.</p> <p>Finally, through the programme “Harmonising Family and Work Life”, a new programme was introduced for the financial support of families which raised the number of beneficiaries-parents eligible for placements in child-care centres/nurseries/kindergartens run by the municipalities.<sup>100</sup> The relevant budget was set at 30,000,000 euros.</p>
<p>Measures to protect children from violence</p>	<p>In 2021, the Ministry of Justice is planning to finalise the operation of the “Home of the Child” (see below Chapter 7). In cooperation with Central Scientific Council for Child Victims &amp; Juvenile Delinquents<sup>101</sup> (ΚΕΣΑΘΕΑ) the ministry will carry out training programmes for new employees on the Protocol of judicial examination of children victims of sexual crimes during the criminal procedure, which was published and prepared by the Scientific Council in 2019.<sup>102</sup> Continuous training of Child Curators on specialized issues and good practices will also be carried out in 2021.<sup>103</sup> Law 4800/2021 (O.G. A’ 81/21-05-2021) on Family Law also introduces in Article 17 the obligation of Judges to take part in educational seminars carried out by judges, professors and social workers covering, <i>inter alia</i>, the CRC and the Istanbul Convention, in order to try family law cases.</p> <p>Finally, Law 4837/2021 (O.G. A’ 178/01-10-2021) introduces measures for the prevention and combatting of child abuse, especially within the framework of child protection structures. Indicatively, each structure will be appointed with a Child Protection Supervisor and a National System for the recording of all abuse cases submitted to child protection stakeholders will be set up.</p>

<sup>100</sup> The information in this section was provided by the Ministry of Labour and Social Affairs in its 04-10-2021 Letter of Communication.

<sup>101</sup> Established in 2010, the Scientific Committee operates under the Greek Ministry of Justice and focuses on issues related to juvenile delinquency and its prevention—through studies and proposals to the Ministry, see: <https://www.snf.org/en/grants/grantees/c/central-scientific-council-for-child-victims-juvenile-delinquents/program-support/>, last accessed on 25-01-2022.

<sup>102</sup> The Protocol was included in the Greek Ministerial Decision 7320/2019 (O.G. B’ 2238/10-6-2019) concerning the operation of the Home of the Child (Σπίτι του Παιδιού).

<sup>103</sup> The information in this section was provided by the Ministry of Justice in its Protocol No. 52292/5-10-2021 Letter of Communication.

## 6.2 Legal and policy developments or measures relating to criminal proceedings

Legislative changes	<p>There were no legislative changes in 2021. Law 4689/2020 (O.G. A' 103/27-5-2020) transposed, <i>inter alia</i>, EU Directive 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings. The law introduced provisions related to certain rights of children that are suspects or accused within the criminal procedure framework, or that are subject to a European Arrest Warrant procedure pursuant to Law 3251/2004. It contained provisions on the rights enshrined in Articles 4, 5, 6, 7, 8, 10, 11, 13 and 14 of the above Directive.</p> <p>It should be added that Presidential Decree 141/1991,<sup>104</sup> "Bodies and Service Responsibilities of the Ministry of Public Order and Services Organization Issues", first adopted in 1991 and applied till this day, includes specific provisions on the behaviour of police officers when minors are involved and in particular:</p> <ul style="list-style-type: none"><li>i. During any contact with minors, they should show affection and understanding and should avoid any action that can humiliate them and leave them with negative psychological experiences concerning the Police (Article 97 et seq.).</li><li>ii. Minors should be brought into custody in exceptional circumstances and for the necessary time when he or she is deprived of evidence of identity, or because of his place, time, circumstances and behaviour, creates suspicions of criminal activity (Article 74 (15)). Also, if an offense is committed by a minor the Greek Police may invite or bring before the court for trial only those individuals who are seriously suspected of being involved in the commission of the crime (Article 95 (1)),</li><li>iii. It is imperative that the officers carrying out the arrests of minors adhere to specific rules, treat them with courtesy and respect for their honour, refrain from resorting to violence and not to bind them in restraints unless they resist or are suspected of fleeing (96 paragraphs 4, 97 para. 1, 119, d and 120 of the presidential decree, in conjunction with Article 278 of the Greek Criminal Procedure Code and article 77 paragraph 1 of Law 2776/99 "Correctional Code")</li><li>iv. Minors are allowed to board police cars only following the order of the Director or Commander of the Competent Police Office when they are surrendered, transferred, or placed under Protective Custody (Art. 77, 97 and 118).</li></ul> <p>For any issue arising under the aforementioned procedures, the Minors' Prosecutor who is responsible for juvenile cases is informed and the further handling of the case is carried out under his / her</p>
---------------------	---

<sup>104</sup> Greece, Presidential Decree 141/1991 on the Duties of bodies and service activities of the staff of the Ministry of Public Order and issues of Services organisation (Αρμοδιότητες οργάνων και υπηρεσιακές ενέργειες του προσωπικού του Υπουργείου Δημόσιας Τάξης και θέματα οργάνωσης Υπηρεσιών)(O.G. A 51/1991).

	orders - instructions and supervision. Usually, for minor offenses, given the relevant provision of paragraph 4 of article 242 of the Criminal Procedure Code (Offenses committed by minors are not prosecuted through the fast-track procedures – <i>αυτόφωρα εγκλήματα</i> ), the juvenile offender who has been arrested by order of the competent Prosecutor is not brought before him/her but is released and delivered to his or her parent or guardian and in case of their absence, through the National Centre for Social Solidarity (EKKA), to a housing structure of the Child Protection System which is appointed to accommodate the minor. <sup>105</sup>
Policy developments	There were no policy developments
Other measures or initiatives	There were no other measures or initiatives

## Chapter 7. Access to justice

### 7.1 Legal and policy developments or measures relevant to the implementation of the Victims’ Rights Directive and the EU strategy for Victims’ Rights 2020-2025

In 2021 there were no legal or policy developments or measures in Greece concerning the rights of victims of crime. There were no developments concerning the implementation of the Victims’ Rights Directive and the EU Strategy for Victims’ Rights 2020-2023.

#### National Authority for the Compensation of Victims of Crimes

In 2020, Article 54 of Law 4689/2020<sup>106</sup> amended Law 3811/2009 (OG A’ 231/2009) on the compensation of victims of crimes and established a new Greek Authority for the Compensation of Victims of Crimes (*Ελληνική Αρχή Αποζημίωσης Θυμάτων Εγκληματικών Πράξεων*) which operates under the auspices of the Ministry of Justice and decides on applications for compensation submitted by victims of crimes.

<sup>105</sup> Information in this section was provided by the Minors’ Protection Division of the Hellenic Police in their 04-10-2021 Letter of Communication.

<sup>106</sup> Greece, Law 4689/2020 Transposition of EU Directives 2016/800, 2017/1371, 2017/541, 2016/1919, 2014/57/EE and other provisions (*Ενσωμάτωση στην ελληνική νομοθεσία των Οδηγιών (ΕΕ) 2016/800, 2017/1371, 2017/541, 2016/1919, 2014/57/ΕΕ, κύρωση του Μνημονίου Διοικητικής Συνεργασίας μεταξύ του Υπουργείου Δικαιοσύνης της Ελληνικής Δημοκρατίας και του Υπουργείου Δικαιοσύνης και Δημόσιας Τάξεως της Κυπριακής Δημοκρατίας, τροποποιήσεις του ν. 3663/2008 (Α’99) προς εφαρμογή του Κανονισμού (ΕΕ) 2018/1727 και άλλες διατάξεις*)(O.G. A’ 103/27-5-2020)

According to the Ministry of Justice,<sup>107</sup> the Greek Authority for Compensation received in 2020 and 2021 a total of six applications (two of which were transboundary requests). One application was rejected and the remaining five are still pending.

#### Victim Information Unit

A special unit for Victim Information (METHE) first established by a decision of the Mayor of Peireus, on May 25, 2021, started operating on November 25, 2021 in the Municipality of Piraeus.<sup>108</sup> The Unit was established within the framework of the BeSecure-FeelSecure (BSFS) project aiming to reinforce urban security and promote positive perception of urban safety by providing strategies and tools to link the main urban security stakeholders and facilitate their collaboration in physical-and-cyber space.<sup>109</sup> The Victim Information Unit is staffed by an interdisciplinary team consisting of two (2) Social Workers, one (1) Psychologist and one (1) Lawyer. The action of METHE is also supported by two volunteers. The services provided include a) the individual evaluation by a social worker, b) sessions with a psychologist or social worker, c) referrals to competent bodies, d) legal advice, information and guidance on rights, procedures, laws, as well as any other useful information about the framework of the criminal justice system (legal services will not be provided).

#### The “Home of the Child”

It should be noted that in March 2021, three NGOs, the Children’s SOS Villages, the Network for the Rights of the Child and Terres des Hommes Greece together with the Ombudsman for the Rights of the Child called for the operation of the institution “Home of the Child” (*Σπίτι του Παιδιού*) in order to put a stop to the practice of children being transferred to various inquiry or police authorities in order to testify, a process significantly traumatic which leads to the revictimization of child victims.<sup>110</sup> On October 1<sup>st</sup>, 2020 the Greek Ombudsman had repeated a similar call, asking the Minister of Justice to take measures to deal with the

---

<sup>107</sup> The information in this section was provided by the Ministry of Justice in its Protocol No. 52292/5-10-2021 Letter of Communication.

<sup>108</sup> Greece, Municipality of Peireus, Press Release on the establishment and operation of the Victim Information Unit (METHE) of the Municipality of Peireus, ([Ίδρυση και λειτουργία της Μονάδας Ενημέρωσης Θυμάτων Εγκληματικότητας \(Μ.Ε.Θ.Ε\) του Δήμου Πειραιά](#)), last accessed on 25-01-2022.

<sup>109</sup> Greece, [BeSecure-FeelSecure \(BSFS\) project](#), last accessed on 25-01-2022.

<sup>110</sup> Kathimerini, Appeal for the “Homes of the Child” ([Εκκλήση για «Σπίτια του Παιδιού»](#)), 03-03-2021, last accessed on 25-01-2022.

prolonged delay of the operation of the structure Independent Offices for the Protection of Child Victims "Home of the Child" (*Σπίτι του Παιδιού*).<sup>111</sup>

The "Home of the Child" was first established by Law 4478/2017 (OG A 91/ 23-06-17)<sup>112</sup> for the judicial examination of child victims of abuse, with the aim of their appropriate treatment and protection from secondary victimization within the criminal justice system. The Ministry of Justice has scheduled the operation of the "Home of the Child" in 2021.<sup>113</sup>

### Covid-19 and the rights of victims of crimes

It should be noted that the outbreak of Covid-19 affected the awarding of justice up until mid-2021. Due to measures for social-distancing and avoiding large gatherings the examination of many criminal cases by the Greek courts were postponed and introduced to court dockets months into the future and after the summer of 2021. Cases nearing the statute of limitations and with defendants under pre-trial detention were examined exceptionally. The suspension of court hearings has led to a significant backlog of cases to be tried and delayed the awarding of justice for victims of crimes.

## 7.2 Measures addressing violence against women

In 2021 there were significant developments concerning violence against women. It was dubbed by the Greek Media as the year of the Greek "Me too" movement,<sup>114</sup> which began with case of a Greek Olympic Medallist who in late 2020 had reported she had been sexually harassed by a high-level official of the Hellenic Sailing Federation in 1998. The victim filed a criminal complaint which was archived in 2021 because the statute of limitations had expired. From then on multiple cases of sexual harassment, violence and rape have been reported by the Greek Media in 2021 concerning the fields of sports, theatre and television, the armed forces as well as the Media industry and the justice system, with victims both female and

---

<sup>111</sup> Greece, Press Release of the Greek Ombudsman, Delays in the operation of the child protection structure "Home of the Child", 1-10-2020 ([Καθυστέρηση λειτουργίας της δομής προστασίας ανήλικων θυμάτων "Σπίτι του Παιδιού"](#)), last accessed on 25-01-2022.

<sup>112</sup> Greece, Law 4478/2017 (IV) Implementation of Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime and replacing Council Framework Decision 2001/220/JHA and other provisions (IV) *Ενσωμάτωση της Οδηγίας 2012/29/ΕΕ για τη θέσπιση ελάχιστων προτύπων σχετικά με τα δικαιώματα, την υποστήριξη και την προστασία θυμάτων της εγκληματικότητας και για την αντικατάσταση της Απόφασης - Πλαίσιο 2001/220/ΔΕΥ του Συμβουλίου και λοιπές διατάξεις* (O.G. A91/23-06-2017).

<sup>113</sup> The information in this section was provided by the Ministry of Justice in its Protocol No. 52292/5-10-2021 Letter of Communication.

<sup>114</sup> The World, [Greece 'finally' has its #MeToo moment](#), 11-02-2021, last accessed on 25-01-2022; Greece, Efsyn.gr, In the vortex of harassment, ([Στη δίνη των παρενοχλήσεων](#)), 02-03-2021, last accessed on 25-01-2022; Kathimerini, #Metoo appears in Greece, ([Το #Metoo εμφανίζεται στην Ελλάδα](#)), 08-02-2021, last accessed on 25-01-2022.

male. The same year there was a rise in femicides<sup>115</sup> which reignited the issue of gender violence and domestic abuse.

Statistics show that domestic violence has been on the rise in Greece in recent years.<sup>116</sup> In 2018 3,815 adult women were domestic violence victims. The number in 2019 rose to 4,171 women. There were 13 femicides in 2018, eight in 2019 and ten in 2020. All of them were family or boyfriend related. As of December 2021, the number of femicides was 17.<sup>117</sup> After reports that the majority of femicide victims had reported domestic abuse against their partners/spouses and in an effort to protect victims from re-victimisation by the perpetrators of domestic violence, the Prosecutor of the Supreme Court (Areios Pagos) issued Circular No. 12/03-11-2021<sup>118</sup> addressed to all prosecutors. The Circular states that though the legal framework is sufficient for the criminalisation and prosecution of domestic violence, there is a rise in the number of domestic violence and especially gender-based violence. The Supreme Court Prosecutor called all prosecutors to exhaust every possible legal mechanism in order to successfully address domestic abuse in its early stages and presented guidelines for prosecutors when they are investigating domestic abuse.

On January 25<sup>th</sup>, 2021 with the emergence of the «Metoo» movement in Greece analysed above, a governmental specialized e-platform <https://metoogreece.gr/> was created with information and supportive material on violence, sexual harassment and abuse aiming to protect all citizens and children, both women and men/girls and boys, from domestic violence, sexual harassment and rape. Its creation is an initiative taken by the General Secretary for Demographic and Family Policy and Gender Equality (GSDFPGE), however the website is currently available only in Greek. The platform includes all Greek main hotlines for immediate help and support:

i) 15900 – [www.womensos.gr](http://www.womensos.gr) for cases of violence against women (this hotline is operated by the GSDFPGE)

---

<sup>115</sup> Greece, Ethnos, Femicides: The “black” diary of 2021 – The women killed by their partners ([Γυναικοκτονίες: Το «μαύρο» ημερολόγιο του 2021 - Οι γυναίκες που έπεσαν νεκρές από τους συντρόφους τους](#)), 30-07-2021, last accessed on 25-01-2022; Kathimerini, New femicide, the ninth in Greece 2021 ([Νέα γυναικοκτονία, η ένατη στην Ελλάδα μέσα στο 2021](#)), 24-08-2021, last accessed on 25-01-2022; Iefimerida, 11 femicides in 2021: the crimes that shocked, from Caroline, Garyffalia to Dora ([11 γυναικοκτονίες μέσα στο 2021: Τα εγκλήματα που σοκάραν, από την Καρολίν, τη Γαρυφαλλιά, ως τη Δώρα](#)), 23-09-2021, last accessed on 25-01-2022; Greek Reporter, [Twelve Femicides in Greece in Less than A Year: Experts Respond](#), 05-10-2021, last accessed on 25-01-2022.

<sup>116</sup> Greece, Greek Reporter, [Twelve Femicides in Greece in Less than A Year: Experts Respond](#), 05-10-2021, last accessed on 25-01-2022.

<sup>117</sup> Greece, Efsyn, Demonstration of the Initiative against Femicides ([Συγκέντρωση μνήμης από τη Πρωτοβουλία Κατά των Γυναικοκτονιών](#)), 16-12-2021, last accessed on 25-01-2022; Ethnos, Femicides in Greece: Demonstration outside Parliament ([Γυναικοκτονίες στην Ελλάδα: Μεγάλη συγκέντρωση έξω από τη Βουλή](#)), 17-12-2021, last accessed on 25-01-2022.

<sup>118</sup> Greece, Prosecutor of the Supreme Court, Circular No. 12/2021, Domestic Abuse, ([Εγκύκλιος 12/2021, Ενδοοικογενειακή Βία](#)), last accessed on 25-01-2022.

- ii) 100 Police
- iii) 15512 General Inspectorate for Labour
- iv) 11188 Cybercrime Prosecution
- v) 1056 Hotline for Children, Adolescents and Parents.

It should be highlighted that Law 4808/2021<sup>119</sup> ratified ILO Convention no. 190 on violence and harassment in the work area. The adoption of this legal instrument recognizes the right of everyone to a work environment free of violence and harassment, including gender-based violence and harassment (articles 1-23).

The Greek Criminal Code was amended in 2021 and provisions concerning rape and work harassment inter alia were affected. Namely, Law 4855/2021<sup>120</sup> in relation to the statute of limitations for sexual offences committed against a minor amends the provision and the relevant period for its expiration shall now begin one year after reaching the majority age, for misdemeanours and three years for felonies. Violations of sexual dignity, when committed in the workplace, is now punishable exclusively through imprisonment and prosecuted ex officio. Rape perpetrated against a minor is punishable with a sentence of life imprisonment and the overall framework concerning sexual offences against minors was made stricter with the amendments.

On the other hand, the reform of the provisions of Greek family law in 2021 and especially the introduction of the presumption of shared custody of 1/3 of the time caused the outrage of women's rights organisations, which addressed a letter to the Greek Prime-minister,<sup>121</sup> especially since the reversal of the presumption could only be achieved following the final and irreversible conviction of the perpetrator of domestic abuse i.e. when the case has been heard by the Supreme Court, which might even take up to 8 years.<sup>122</sup> On May 17, 2021 the Chair-Rapporteur of the

---

<sup>119</sup> Greece, Law 4808/2021 for the Protection of Labour – Establishment of an independent Labour Inspectorate – Ratification of ILO Convention No. 190 on the eradication of violence in the area of work *et al.* (Για την προστασία της Εργασίας Για την Προστασία της Εργασίας - Σύσταση Ανεξάρτητης Αρχής «Επιθεώρηση Εργασίας» - Κύρωση της Σύμβασης 190 της Διεθνούς Οργάνωσης Εργασίας για την εξάλειψη της βίας και παρενόχλησης στον κόσμο της εργασίας - Κύρωση της Σύμβασης 187 της Διεθνούς Οργάνωσης Εργασίας για το Πλαίσιο Προώθησης της Ασφάλειας και της Υγείας στην Εργασία - Ενσωμάτωση της Οδηγίας (ΕΕ) 2019/1158 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 20ής Ιουνίου 2019 για την ισορροπία μεταξύ της επαγγελματικής και της ιδιωτικής ζωής, άλλες διατάξεις του Υπουργείου Εργασίας και Κοινωνικών Υποθέσεων και λοιπές επείγουσες ρυθμίσεις, κωδικοποιημένος με τον 4826/2021)(Ο.Γ. Α' 101/19-06-2021).

<sup>120</sup> Greece, Law 4855/2021 Amendments of the Criminal Code, the Code of Criminal Procedure and other measures (Τροποποιήσεις του Ποινικού Κώδικα, του Κώδικα Ποινικής Δικονομίας και άλλες επείγουσες διατάξεις)(Ο.Γ. Α' 215/12-11-2021).

<sup>121</sup> See the letter signed by 81 organisations on the website of the Greek NGO Diotima, [Call to withdraw the Bill for mandatory shared custody for ALL children in Greece](#), last accessed on 25-01-2022.

<sup>122</sup> See the Kathimerini, Objections to the changes to family law ([Ενστάσεις για τις αλλαγές στο οικογενειακό δίκαιο](#)), 07-04-2021, last accessed on 25-01-2022; In.gr, Objections of the Equality Committee of the Regional Union of Attica Municipalities to mandatory shared-custody ([Ενστάσεις της Επιτροπής Ισότητας της ΠΕΔΑ για την «υποχρεωτική](#)

UN Working Group on discrimination against women and girls and the UN Special Rapporteur on violence against women, its causes and consequences, addressed a joint letter to the government calling for the withdrawal of the draft law stating that *“This Bill, if enacted, could facilitate the exposure to heightened risks for victims of domestic violence in the context of shared custody. The Bill intends to redefine the “best interest of the child” under Greek law and presumes equal shared custody of children in cases of separation or divorce as a principle. Any exception, such as in cases of violence against women including domestic violence, would require a potentially lengthy court process and would potentially expose women and children to gender-based discrimination in judicial procedures”*.<sup>123</sup>

The draft law was not withdrawn and finally adopted by the Greek Parliament with a majority vote. Law 4800/2021 introduced mandatory shared custody which entered into force on September 15, 2021 (a final decision on conviction for domestic abuse of the child is now included as a means to override shared custody). The implementation of the law by the Greek courts remains to be seen especially in light of European Parliament Resolution of 6 October 2021 on the impact of intimate partner violence and custody rights on women and children,<sup>124</sup> according to which *“[...] shared custody in situations of intimate partner violence exposes women to a continuum of preventable violence, by forcing them to stay in geographical proximity to their abusers, and subjecting them to further exposure to physical and psychological violence, as well as emotional abuse, which can have a direct or indirect impact on their children; whereas in cases of intimate partner violence, the right of women and children to be protected and live a life free of physical and psychological violence should take precedence over the preference for shared custody;[...]”*.

Work of the General Secretariat for Demographic and Family Policy and Gender Equality

a) National Action Plan for Gender Equality 2021-2025

The Greek General Secretariat for Demographic and Family Policy and Gender Equality of the Ministry of Labour and Social Affairs (GSDFPGE) is the governmental authority charged with eradicating gender inequality by

---

[συνεπιμέλεια»](#)), 29-04-2021, last accessed on 25-01-2022; Efsyn, Family law – women’s organisations: Fight for defending democracy ([Οικογενειακό δίκαιο - γυναικείες οργανώσεις: Αγώνας για την υπεράσπιση της δημοκρατίας](#)), 24-05-2021, last accessed on 25-01-2022; Efsyn, The League for the rights women also calls for the withdrawal of the draft law for shared-custody, ([Απόσυρση του ν/σ για τη συνεπιμέλεια ζητά και ο Σύνδεσμος για τα δικαιώματα της γυναίκας](#)), 03-04-2021, last accessed on 25-01-2022.

<sup>123</sup> OHCHR, [Mandates of the Working Group on discrimination against women and girls; and the Special Rapporteur on violence against women, its causes and consequences](#), REFERENCE: OL GRC 2/2021, 17-05-2021, last accessed on 25-01-2022.

<sup>124</sup> European Parliament, [Resolution on The impact of intimate partner violence and custody rights on women and children, Procedure 2019/2166\(INI\)](#), last accessed on 25-01-2022.

implementing policies through the drafting and implementation of National Action Plans and the overarching collaboration with relevant authorities. In 2021 the GSDFPGE prepared the National Action Plan for Gender Equality 2021-2025 (not yet published), which incorporates the basic principles and strategic goals of previous national programmes as well as international obligations of Greece related to gender equality.<sup>125</sup> The National Action Plan was prepared on the basis of 4 priority axes:

- Prevention and combatting of gender and domestic violence
- Equal participation of women in decision-making/leadership roles
- Equal participation of women in the field of employment
- Implementing the mainstreaming of gender equality in sectoral policies (sports, culture, Media, education, etc)

Under the axis on Violence against women of the new National Action Plan on Gender Equality 2021-2025, the following initiatives and actions are included regarding the implementation of the Istanbul Convention:

- Legislative interventions: the proposal of a horizontal single Law on violence against women and on the protection from violence and exploitation from prostitution
- Development of new tools such as:
  - The preparation of a Study on the profile of domestic violence perpetrators, evaluation of perpetrator programmes, proposals to improve perpetrator programmes for the prevention of domestic violence
  - The establishment of a horizontal risk assessment tool for women-victims of gender-based violence and domestic violence in order to assess the level of risk of re-victimisation. The tool will be applied and utilized horizontally by all the reception services of women victims of gender-based and domestic violence, such as the Police, Health Care services and Justice System.
  - The recording of the special needs of the children hosted at the GSDFPGE Network's Shelters and creating a relevant tool.
- Monitoring the implementation of the Istanbul Convention
- Coordination of all relevant national stakeholders
- Reporting to the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) of the Istanbul Convention.
- Collecting, analysing and disseminating data according to the GREVIO questionnaire and the 13 EIGE indicators on intimate partner violence in order to monitor the implementation of the Istanbul Convention
- Preventing and combating stalking and female genital mutilation (FGM)

---

<sup>125</sup> Information in the section was provided by the GSDFPGE in its 08-10-2021 Letter of Communication.

- Awareness-raising campaigns for each form of violence
- Information on sexual and reproductive rights for women refugees, migrants, asylum seekers and their children
- Information on forced and early marriages for the Roma communities
- Information material on stalking
- Legislative proposals for the introduction of the term “femicide” to the national criminal law and for a stricter legal framework for stalking

b) National Programme for Preventing and Combatting Violence against Women

The GSDFPGE has developed and continues to implement the “National Programme on Preventing and Combatting Violence against Women” since 2010. A comprehensive Network of Shelters and Facilities for preventing and tackling all forms of violence against women has been created, including a national SOS 15900 24-hour helpline, 43 Counselling Centres throughout the country and 19 Shelters for Women also throughout the country that provide accommodation and food to women, victims of gender-based violence and their children<sup>126</sup>.

From 2011 until October 1<sup>st</sup>, 2021, approximately 39,800 women have been assisted by the Counselling Centres and the Shelters and more than 55,000 women have consulted the SOS Helpline. From November 2019-November 2020, 270 children were accommodated by the Shelters together with their mothers. As of October 1<sup>st</sup>, 2021, 68 women and 83 children were residing at the Shelters.

c) Evaluation procedure for the implementation of the Istanbul Convention

The GSDFPGE in response to the relevant questionnaire sent by GREVIO in September 2021 will submit a report on the progress achieved in specific areas set out by the Istanbul Convention in February 2022.<sup>127</sup> An evaluation visit in Greece will follow, during which the GREVIO delegation will meet with governmental officials, relevant professionals (social workers, health care staff, police officers, prosecutors and judges etc.), representatives of NGOs and other civil society representatives and whenever possible/necessary visits will be carried out to relevant facilities (for example, women's shelters, police stations, hospital facilities). An inter-ministerial working group will be responsible for coordinating the collection of responses to the GREVIO questionnaire.

It should be highlighted that, as pointed out by the GNCHR, the law ratifying the Istanbul Convention remains inactive, since crucial penal provisions were not included in the Criminal Code, while the issuance of joint ministerial decisions

---

<sup>126</sup> Information in the section was provided by the GSDFPGE in its 08-10-2021 Letter of Communication.

<sup>127</sup> Information in the section was provided by the GSDFPGE in its 08-10-2021 Letter of Communication.

ensuring that victims can claim compensation is still pending.<sup>128</sup> Even though the provisions were included in the previous criminal code, following a reform in 2019, the New Criminal Code does not include these provisions.

Finally, the GSDFPGE published on November 25, 2021 and in light of its activities for the elimination of gender violence its second National Report on gender violence, which includes statistical data and information on the measures implemented for the period 2020-2021.<sup>129</sup> According to the report, the number of reports of domestic violence in 2020 were 4,264 (in 2019 the number was 4,171). 64,1% of the victims were women in a relationship with the abusers either during the commission of the crime or in the past. Specifically, 1,859 victims were married to the perpetrator, 481 were ex-spouses, 459 were partners with the perpetrator, 238 were ex-partners and 9 women had entered a civil partnership agreement with the abuser.

For 2020, 2,350 cases concerned physical domestic violence and 2,494 psychological domestic violence. For the same year, 1,638 women over 18-years reported financial extortion/violence by a male in their family environment. Finally, in 2020 the report recorded 202 cases of rape (217 were recorded in 2019).

#### Covid-19 pandemic responses

In reference to the pandemic and Greece's response in terms of gender-based violence, as part of the emergency measures to address and prevent the further spread of the COVID-19 (from March 2020 onwards),<sup>130</sup> the GSDFPGE sent instructions to all shelters on operational procedures that should be applied in the current situation in order to protect the health of both employees and women victims addressed there. All shelters and relevant support facilities continued in 2021 to offer their services adapted to the emergency restrictive measures in force due to the coronavirus, while distance-working and telephone or SKYPE support sessions were ensured and implemented. The measures were finally lifted in May 2021.

---

<sup>128</sup> Greece, GNCHR, [Observations on Greece's combined 23rd and 24th periodic report to the Committee on the Elimination of Racial Discrimination \(CERD\) of the International Convention on the Elimination of All Forms of Racial Discrimination](#), July 2021, last accessed on 25-01-2022.

<sup>129</sup> Greece, GSDFPGE, Second Report for Violence against Women, November 2021, ([2η Ετήσια Έκθεση για τη Βία κατά των Γυναικών](#)), last accessed on 25-01-2022.

<sup>130</sup> Information in the section was provided by the GSDFPGE in its 08-10-2021 Letter of Communication.

# Chapter 8. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

## 8.1 CRPD policy & legal developments

Implementation of the National Action Plan for the Rights of Persons with Disabilities

In December 2020, the Greek Government adopted a National Action Plan for the Rights of Persons with Disability.<sup>131</sup> The Action Plan horizontally defined the strategy, objectives and actions of Ministries and bodies responsible for the implementation of the United Nations Convention on the Rights of Persons with Disabilities and concerned the period 2020-2023.

For the implementation of the aforementioned National Action Plan in 2021 the Ministry of Justice<sup>132</sup> proceeded to record data concerning the accessibility of buildings under its jurisdiction such as Court establishments, child protection services, forensic offices as well as registries of mortgages. The purpose of the recording was to determine any deficiencies or structural issues. As of September 2021, most of the recording was finalized and construction had already begun at the Forensic Service of Athens, the First Instance Courts of Livadeia, Corinthos and Lasithio. The Ministry of Justice also set up a Working Group for the updated of the Criminal, Civil, Administrative Procedure and Procedure Codes as part of the implementation of Action 16 of the National Action Plan (equal access to justice), to ensure that these legal texts include provisions for persons of disability. Educational seminars for both students as well as members of the judiciary (judges and prosecutors) were organized for October 7 and 8, 2021 to raise awareness on the rights of persons with disabilities (pillar 5 of the action plan in raising awareness). Finally, the Ministry of Justice also collaborated with the National Centre for Public Administration (*Εθνικό Κέντρο Δημόσιας Διοίκησης και Αυτοδιοίκησης*) for the preparation of similar seminars and the conclusion of a memorandum of cooperation.

On the other hand, the Ministry of Labour and Social Affairs<sup>133</sup> has scheduled, within the framework for the implementation of the National Action Plan, a pilot programme for the introduction of a personal assistant for persons with disabilities (*προσωπικός βοηθός για άτομα με αναπηρία*). The pilot programme, set to be

---

<sup>131</sup> Greece, National Action Plan on the Rights of Persons with Disabilities, 2020, ([Εθνικό Σχέδιο Δράσης για τα Δικαιώματα Ατόμων με Αναπηρία](#)), last accessed on 25-01-2022.

<sup>132</sup> The information in this section was provided by the Ministry of Justice in its Protocol No. 52292/5-10-2021 Letter of Communication.

<sup>133</sup> The information in this section was provided by the Ministry of Labour and Social Affairs in its 04-10-2021 Letter of Communication.

implemented in the first three months of 2022 and for 2,000 beneficiaries, aims to promote the deinstitutionalization of persons with disabilities and combat the marginalization of the specific group. The Ministry will also implement a programme for the funding of private and public infrastructure renovations to make buildings accessible for persons with disabilities. 4,000 private homes, 700 private working areas as well as 300 public workspaces will undergo reconstruction. The Ministry has also planned for the introduction of a disability card to combat bureaucratic obstacles and mainly the need to present a variety of certificates and papers to different authorities during the everyday life of persons with disabilities. Deinstitutionalisation projects were also put forward in 2021 by the relevant ministry which included a) the development of accommodation facilities, professional fostering and adoption programmes for children living in institutions in Attica and Western Greece, b) the development of short-term care facilities for persons with disabilities, c) the creation of a mobile unit which will offer support to families of persons with disabilities and the creation of Centres for Creative Occupation and Centres of Residential Care, d) as part of the SRSS and EASPD Agreement,<sup>134</sup> a National Strategy for Deinstitutionalisation was prepared. In June 2021, the Ministry of Labour and the Ministry of Migration and Asylum signed a cooperation protocol for the creation of a pilot programme for a Supported Living Home (*Στέγη Υποστηριζόμενης Διαβίωσης*), initially for nine recognized refugees with disabilities.

#### COVID-19 Measures

During the Covid-19 outbreak, the Centres for Awarding Disability Status - KEPA (*Κέντρα Πιστοποίησης Αναπηρίας – ΚΕ.Π.Α*) suspended their services meaning that persons with disabilities whose disability recognition certificate was about to expire could not issue new certificates, which are necessary for claiming disability benefits and pensions. Successive extensions to the awarding of benefits were granted to beneficiaries with the latest given up until September 30<sup>th</sup>, 2021.

#### National Authority for Accessibility

Articles 1-9 of Law 4780/2021<sup>135</sup> established the National Authority for Accessibility, an independent national consultative body to the State on all matters concerning the rights of persons with disability. It will monitor the application of EU and international law concerning the rights of persons with disabilities and draft proposals for actions aimed at promoting these rights. In May 2021, the body was

---

<sup>134</sup> For the Structural Reform Support System and European Association of Service Providers for Persons with Disabilities project see: EASPD, DI Greece: [Technical Support on deinstitutionalisation \(DI\) process in Greece](#), last accessed on 25-01-2022.

<sup>135</sup> Greece, Law 4780/2021 on the National Authority for Accessibility, the National Commission for Human Rights and the National Commission for Bioethics and Tecnoethics (*Εθνική Αρχή Προσβασιμότητας, Εθνική Επιτροπή για τα Δικαιώματα του Ανθρώπου και Εθνική Επιτροπή Βιοηθικής και Τεχνοηθικής*)(O.G. Α' 30/28-02-2021).

set up and consisted of 12 members.<sup>136</sup> Representatives from the Greek Ombudsman, the Greek National Commission for Human Rights as well as from national unions representing persons with disabilities are included in the members.

### Implementation of European Accessibility Act

Finally, for the implementation of Directive 882/2019 (European Accessibility Act),<sup>137</sup> a working group with representatives from all relevant ministries was set up under the auspices and directive of the General Secretariat for Social Solidarity and Combatting Poverty of the Ministry of Labour and Social Affairs. A first draft of the law which will implement the EU directive has already been prepared and distributed among the competent ministries for comments.

## 8.2 CRPD monitoring at national level

In 2021, there were no developments or changes relating to the structures established under Article 33 of the CRPD.

In 2017, the Greek State enacted a mechanism for the external, independent monitoring of the implementation of the UN Convention on the rights of persons with disabilities and assigned this responsibility, which it proclaimed a “promotional framework”, to the constitutionally established Independent Authority of the Greek Ombudsman (Article 72 Law 4488/2017).

In 2021, the Greek Ombudsman published its second report on the rights of persons with disabilities.<sup>138</sup> The report presents the issues arising from the Ombudsman’s interventions in 2020, showcases the activities of the Ombudsman for the rights of persons with disabilities in the light of COVID-19 as well as comments on the National Action Plan presented by the Greek State.

The Ombudsman’s report highlights issues related to the accessibility to structured and digital environments, the serious delays in the deinstitutionalization process, the challenges for equal access to education and employment, issues with the implementation of positive measures in the field of employment, issues involving the procedures for receiving a disability certificate and access to health services, as well as being excluded or limited when participating in political and cultural life. Finally, the report also highlights the exceptional vulnerability of persons with disabilities under special circumstances such as those in detention facilities,

---

<sup>136</sup> Greece, Ertnews, The National Authority for Accessibility for persons with disabilities is set up according to the decision of the Prime-Minister ([Συγκροτείται Εθνική Αρχή Προσβασιμότητας για άτομα με αναπηρία με απόφαση του πρωθυπουργού](#)), 28-05-2021, last accessed on 25-01-2022.

<sup>137</sup> The information in this section was provided by the Ministry of Labour and Social Affairs in its 04-10-2021 Letter of Communication.

<sup>138</sup> Greek Ombudsman, 2020 Special Report: Rights of Persons with Disabilities, ([Ειδική Έκθεση 2020: Δικαιώματα των ατόμων με αναπηρίες](#)), 2021, last accessed on 25-01-2022.

residing in care units or at reception and accommodations facilities for migrants and refugees.

The chronic issues and deficiencies faced by persons with disabilities were further exacerbated by the COVID-19 outbreak. The Ombudsman recorded difficulties in adopting measures for social distancing especially in closed-care-centres, mental health centres, for children living in institutions, for workers with disabilities, for the caretakers of persons with disabilities, in the access to healthcare and information for the protection of public health, the need to use electronic and digital means without securing accessibility for persons with disabilities. All these issues according to the Ombudsman highlighted the importance of mainstreaming the rights of persons with disabilities during the overall designing of implemented policies. Finally, the Ombudsman welcomed the National Action Plan considering it an important step in the promotion of the rights of persons with disabilities and recalled its role as the promotional framework maintaining that it shall remain vigilant in monitoring the policies to be implemented as well as make recommendations for improvements.

Finally, it should be noted that the GNCHR sent an official letter to the Minister for Education expressing its concern for the education of children with disabilities.<sup>139</sup> The letter noted that there were significant deficiencies concerning the number of teachers as well as the sizes of classes for children in special educational facilities. Deficiencies were also reported in mainstream education in relation to the teaching staff available for children with disabilities in integration classes. The GNCHR called on the Minister to ensure the respect of the fundamental rights of children with disabilities stating that it would offer any assistance needed.

---

<sup>139</sup> Greece, GNCHR, The GNCHR expresses its concern for the problems in the education of children with disabilities and/or special education, ([Η ΕΕΔΑ εκφράζει την ανησυχία της για τα προβλήματα στην εκπαίδευση των παιδιών με αναπηρία και/ή ΕΕΑ](#)), 25-10-2021, last accessed on 25-01-2022.

## Annex 1 – Promising Practices

Thematic area	<p style="text-align: center;"><b>EQUALITY AND NON-DISCRIMINATION</b></p> <p style="text-align: center;"><b>Please provide one example of a practice to tackle nationality-based discrimination, or discrimination against LGBTI people, such as awareness raising campaigns or training for relevant professionals. Where no such examples are available, please provide an example of an awareness raising campaign held in your country in 2021 relevant to equality and non-discrimination of EU citizens or LGBTI people, preferably one conducted by a national equality body.</b></p>
<b>Title (original language)</b>	FAROS - FEATURE A PROTECTIVE ENVIRONMENT FOR LGBTI+ PERSONS
<b>Title (EN)</b>	FAROS - FEATURE A PROTECTIVE ENVIRONMENT FOR LGBTI+ PERSONS
<b>Organisation (original language)</b>	6 partners: ΚΜΟΠ – Κέντρο Κοινωνικής Δράσης και Καινοτομίας, Colour Youth, Orlando LGBT+, Positive Voice, Οικογένειες Ουράνιο Τόξο, Υπουργείο Δικαιοσύνης
<b>Organisation (EN)</b>	Centre for Social Action and Innovation, Colour Youth, Orlando LGBT+, Positive Voice, Rainbow Families, Greek Ministry of Justice
<b>Government / Civil society</b>	Both
<b>Funding body</b>	EU Commission (REC), Budget of 283,405.55 Euros
<b>Reference (incl. URL, where available)</b>	<a href="https://www.faros2020.eu/">https://www.faros2020.eu/</a>

<b>Indicate the start date of the promising practice and the finishing date if it has ceased to exist</b>	Started 31-01-2020 and will last for 24 months
<b>Type of initiative</b>	FAROS is a European initiative aiming to strengthen protection, monitoring and prevention mechanisms as well as combat hate crimes and homophobic, biphobic and transphobic discrimination and violence, by enhancing the skills of public servants to better understand and respond to the needs of LGBTI+ people and by developing a network of stakeholders and interested parties which will serve as a safety net for LGBTI+.
<b>Main target group</b>	LGBTI+
<b>Indicate level of implementation: Local/Regional/National</b>	National
<b>Brief description (max. 1000 chars)</b>	<p>FAROS is a European initiative aiming to strengthen protection, monitoring and prevention mechanisms as well as combat hate crimes and homophobic, biphobic and transphobic discrimination and violence, by enhancing the skills of public servants to better understand and respond to the needs of LGBTI+ people and by developing a network of stakeholders and interested parties which will serve as a safety net for LGBTI+.</p> <p>Aimed at:</p> <ul style="list-style-type: none"> <li>- PUBLIC SERVANTS (educators, administrative officers, health professionals, police officers and professionals working in justice and psychosocial support services</li> <li>- LGBTI+ and organisations representing LGBTI+</li> <li>- KEY STAKEHOLDERS from civil society organisations working with/for LGBTI+</li> <li>- DECISION AND POLICY MAKERS</li> <li>- WIDER PUBLIC</li> </ul>
<b>Highlight any element of the</b>	<ul style="list-style-type: none"> <li>- As a part of the project a publication with the stories of LBGTI+ themselves was published in April 2021: Stories of anti-LGBTQI+ discrimination and violence, available at:</li> </ul>

<p><b>actions that is transferable (max. 500 chars)</b></p>	<p><a href="https://www.faros2020.eu/wp-content/uploads/2021/04/D2.5_LGBTQI_stories_EN.pdf">https://www.faros2020.eu/wp-content/uploads/2021/04/D2.5 LGBTQI stories EN.pdf</a>, last accessed on 10-10-2021. The basic aim of the publication is to strengthen the protection, monitoring and prevention mechanisms of anti-LGBTQI+ hate crimes, violence and discrimination, and to improve access to public services for LGBTQI+ people, by sensitising and enhancing the skills of public servants as well as developing a network of stakeholders and interested parties.</p> <ul style="list-style-type: none"> <li>- The Ministry of Justice has scheduled a total of 20 seminars for public servants in order to raise awareness on the issue of homophobia.</li> <li>- At the end of the project the Ministry of Justice will prepare a memorandum of understanding to promote the results of the project in the Media. The memorandum will be published in Greek and English.</li> </ul>
<p><b>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</b></p>	<p>The project involves both governmental as well as non-governmental partners and aims to expose the personal experiences of the LGBTI+ community itself.</p>
<p><b>Give reasons why you consider the practice as having concrete measurable impact</b></p>	<p>In the end the relevant ministry will draft a memorandum of understanding in relation to the challenges the LGBTI+ community faces at the same time pledging to promote it in the Media, hold press conferences etc. This will give the results of the project added gravitas because it will be under the auspices of an official governmental authority.</p>

<p><b>Give reasons why you consider the practice as transferable to other settings and/or Member States?</b></p>	<p>It is very simple and easily adjustable for implementation by other MS.</p>
<p><b>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</b></p>	<p>LBGTI+ NGOs as well as LBGTIs themselves play a central role in the project.</p>
<p><b>Explain, if applicable, how the practice provides for review and assessment.</b></p>	<p>n/a</p>

<b>Thematic area</b>	<p style="text-align: center;"><b>RACISM, XENOPHOBIA AND RELATED INTOLERANCE</b></p> <p style="text-align: center;"><b>Please provide one example of a promising practice to address racism and xenophobia. Please give preference to a promising practice about either: active cooperation with CSOs in addressing racism and hate crime; or combating racism and unequal treatment in the context of the COVID-19 pandemic. Where no such practice exists, please provide one example of a promising practice related more generally to combating racism, xenophobia, and related intolerances.</b></p>
<b>Title (original language)</b>	<p style="text-align: center;"><b><u>No promising practice has been identified for the thematic area.</u></b></p>

<b>Thematic area</b>	<b>ROMA EQUALITY AND INCLUSION</b> <b>Please provide one example of promising practice related to the two topics addressed in the chapter. Please make the link between the selected practice and the topics explicit.</b>
<b>Title (original language)</b>	Rom Project
<b>Title (EN)</b>	Rom Project
<b>Organisation (original language)</b>	Συντονιστής φορέας Equal Society - εταίροι είναι η ΕΛΛΑΝ ΠΑΣΣΕ και η Ένωση Ελλήνων Ρομά Διαμεσολαβητών
<b>Organisation (EN)</b>	Coordinating partner the Equal Society Organization and partners Ellan Passe - Panhellenic Confederation of Greek Roma and the Union of Greek Roma Mediators
<b>Government / Civil society</b>	Civil Society
<b>Funding body</b>	Active Citizens Fund, Bodossaki Foundation and Solidarity Now
<b>Reference (incl. URL, where available)</b>	<a href="https://www.romproject.gr/taftotita/perigrifi-ergou">https://www.romproject.gr/taftotita/perigrifi-ergou</a>

<p><b>Indicate the start date of the promising practice and the finishing date if it has ceased to exist</b></p>	<p>March 2021-ongoing</p>
<p><b>Type of initiative</b></p>	<p>Multi-level project which created an Observatory, will offer training to Roma organisations and raise-awareness amongst Media professionals in order to combat Anti-gypsism.</p>
<p><b>Main target group</b></p>	<p>Roma population in Greece</p>
<p><b>Indicate level of implementation: Local/Regional/National</b></p>	<p>National</p>
<p><b>Brief description (max. 1000 chars)</b></p>	<p>The "ROM" initiative was put forward in March 2021 and created the first "Roma Human Rights Advocacy and Defense Observatory", which collects, processes and forwards Roma complaints to be resolved by competent bodies. The Observatory will also prepare relevant reports. The coordinating body is the organisation "Equal Society" and the implementing bodies are the Roma organisation ELLAN-PASSE and the Hellenic Union of Roma Mediators. The project will also educate communities and local Roma Associations, including Women's Associations, on human rights and how they can exercise them. It will organize workshops aimed at raising awareness and providing information to representatives of institutions, professionals and the general public. Finally, the project will organize seminars for journalists and students of Media university departments on how the Media can contribute to improving society's attitude towards Roma and the fight against anti-Gypsyism. The project will also include an impact assessment in order to examine its impact on the social integration of Roma.</p>

<p><b>Highlight any element of the actions that is transferable (max. 500 chars)</b></p>	<p>The creation of the Observatory is a significant step in the promotion of rights of the Roma community in Greece since it is a body consisted of Roma representatives - and thus the Roma will feel better motivated to report discrimination or racist violence against them- which will also assist other bodies in the reporting of discrimination against Roma (such as the Equality Body and judicial/police authorities).</p>
<p><b>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</b></p>	<p>Representatives of the Roma community itself are involved in the implementation of the project and therefore their participation is guaranteed.</p>
<p><b>Give reasons why you consider the practice as having concrete measurable impact</b></p>	<p>It involves the community itself directly.</p>
<p><b>Give reasons why you consider the practice as transferable to other settings and/or Member States?</b></p>	<p>The measure is easily transferrable because as pointed out in various reports of relevant EU and International bodies, the situation in Greece is very similar to that of other countries. More efforts into promoting the participation of the Roma in various projects is crucial for their effective integration.</p>

<p><b>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</b></p>	<p>The partners of the project are Ellan Passe - Panhellenic Confederation of Greek Roma and the Union of Greek Roma Mediators, therefore organisations that are directly linked to the Roma community. Furthermore, the project includes training for local Roma associations and organisations, meaning that the Roma community is directly involved in the project.</p>
<p><b>Explain, if applicable, how the practice provides for review and assessment.</b></p>	<p>There is an obligation for regular reporting in relation to the operation of the Observatory as well as an impact assessment of the project in order to examine the impact on the social integration of Roma. The Observatory has been publishing so far trimester reports on its operation.</p>

<b>Thematic area</b>	<p style="text-align: center;"><b>INFORMATION SOCIETY, PRIVACY AND DATA PROTECTION</b></p> <p style="text-align: center;"><b>Please provide one example of a promising practice related to the topics addressed in the chapter, i.e. data protection, and/or artificial intelligence systems.</b></p>
<b>Title (original language)</b>	<p><b><u>No promising practice has been identified for the thematic area.</u></b></p>

<b>Thematic area</b>	<p style="text-align: center;"><b>RIGHTS OF THE CHILD</b></p> <p style="text-align: center;"><b>Please provide a promising practice related to the topics addressed in the chapter.</b></p>
<b>Title (original language)</b>	<p><b><u>No promising practice has been identified for the thematic area.</u></b></p>

Thematic area	<p style="text-align: center;"><b>ACCESS TO JUSTICE</b></p> <p style="text-align: center;"><b>Please provide one example of a promising practice related to the topics addressed in the chapter.</b></p>
<b>Title (original language)</b>	Μονάδα Ενημέρωσης Θυμάτων Εγκληματικότητας του έργου BeSecure-FeelSecure (BSFS)
<b>Title (EN)</b>	Victim Information Unit of the BeSecure-FeelSecure (BSFS) project
<b>Organisation (original language)</b>	Δήμος Πειραιά
<b>Organisation (EN)</b>	Municipality of Peireus
<b>Government / Civil society</b>	Local Government
<b>Funding body</b>	EU Funding through the BeSecure-FeelSecure (BSFS) project
<b>Reference (incl. URL, where available)</b>	<a href="https://www.bsfs-piraeus.eu/press-releases/press-release-the-establishment-of-the-crime-victims-information-unit-of-the-municipality-of-piraeus/">https://www.bsfs-piraeus.eu/press-releases/press-release-the-establishment-of-the-crime-victims-information-unit-of-the-municipality-of-piraeus/</a>

<b>Indicate the start date of the promising practice and the finishing date if it has ceased to exist</b>	Launched in 2021 – permanent
<b>Type of initiative</b>	A Unit operating at the Municipality of Peireus aimed to provide holistic support to victims of any type of crime and their relatives.
<b>Main target group</b>	Victims of any type of crime and their relatives.
<b>Indicate level of implementation: Local/Regional/National</b>	Municipality of Peireus
<b>Brief description (max. 1000 chars)</b>	<p>One of the most important milestones of the BeSecure-FeelSecure(BSFS) project was successfully completed in May 2021 with the establishment of the Crime Victims Information Unit (METHE) in the Municipality of Piraeus. The Unit’s purpose is to provide holistic support to victims of any type of crime and their relatives. The provided services include a) individual evaluations by a social worker, b) sessions with a psychologist and / or a social worker, c) referrals to competent local bodies, d) legal advice, information and guidance on rights, procedures, laws, as well as useful information about the context of the criminal justice system. The Unit was established under the guidance of the Laboratory of Urban Criminology of Panteion University and provides the expertise of an experienced interdisciplinary team of: (2) Social Workers, (1) Psychologist and (1) Lawyer. The Unit will also be supported by (2) volunteers. At the same time, the effective operation of the Unit is based on a stable network of synergies of important stakeholders – both institutional and social – of the Municipality of Piraeus.</p>

<p><b>Highlight any element of the actions that is transferable (max. 500 chars)</b></p>	<p>All elements are transferable.</p>
<p><b>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</b></p>	<p>It is an independent 'front line' service set up based on the special design of the Laboratory of Urban Criminology of Panteion University and under its scientific responsibility, in order to provide psychological support, legal advice and networking with competent bodies to victims of all types of crime and their immediate environment, if they have also suffered the consequences of victimization. Its operation is an innovation for Greece and in line with Directive 2012/29 / EU of the European Parliament and of the European Council establishing minimum standards on the rights, support and protection of victims of crime.</p>
<p><b>Give reasons why you consider the practice as having concrete measurable impact</b></p>	<p>The Unit provides a holistic approach to the support of victims, meaning that not only does it offer support and guidance but also legal and psychological support. It is the first time such an initiative is being implemented by a municipality/local government.</p>
<p><b>Give reasons why you consider the practice as transferable to other settings and/or Member States?</b></p>	<p>It is very simple and easily adjusted to any given national setting of MS.</p>

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

<b>Thematic area</b>	<p style="text-align: center;"><b>Developments in the implementation of the Convention on the Rights of Persons with Disabilities (CRPD)</b></p> <p style="text-align: center;"><b>Please provide one example of a promising practice related to projects or programmes implementing the CRPD or promoting the rights of persons with disabilities.</b></p>
<b>Title (original language)</b>	<p style="text-align: center;"><u><i>No promising practice has been identified for the thematic area.</i></u></p>

## Annex 2 – Case Law

<b>Thematic area</b>	<b>EQUALITY AND NON-DISCRIMINATION</b> Please provide one high court decision addressing discrimination against EU citizens based on nationality or against LGBTI people. Where relevant, always highlight any relevance or reference to multiple or intersectional discrimination in the case you report.
<b>Decision date</b>	<i><b><u>No case has been identified for this thematic area.</u></b></i>

<b>Thematic area</b>	<b>RACISM, XENOPHOBIA AND RELATED INTOLERANCE</b> Please provide the most relevant <u>high court</u> decision concerning the application of <u>either</u> the Racial Equality Directive or the Framework Decision on racism and xenophobia, addressing racism, xenophobia, and other forms of intolerance more generally.
<b>Decision date</b>	<i><b><u>No case has been identified for this thematic area.</u></b></i>

<b>Thematic area</b>	<b>ROMA EQUALITY AND INCLUSION</b> Please provide the most relevant high court decision addressing violations of fundamental rights of Roma and Travellers.
<b>Decision date</b>	<i><b><u>No case has been identified for this thematic area.</u></b></i>

<b>Thematic area</b>	<b>ASYLUM, VISAS, MIGRATION, BORDERS AND INTEGRATION</b> Please provide the most relevant high court decision – or any court ruling – relating to the implementation of the <u>right to an effective remedy</u> in the context of storing data in national large-scale databases and in EU IT systems (Eurodac, VIS, SIS) delivered in 2021.
<b>Decision date</b>	<b><i>No case has been identified for this thematic area.</i></b>

<b>Thematic area</b>	<b>INFORMATION SOCIETY, PRIVACY AND DATA PROTECTION</b> <b>Please provide the most relevant high court decision related to the topics addressed in the chapter, i.e. data protection, and/or artificial intelligence systems.</b>
<b>Decision date</b>	08-03-2021
<b>Reference details</b>	Greek Council of State <a href="#">Decision No. 316/2021</a> , last accessed on 25-01-2022
<b>Key facts of the case</b>  <b>(max. 500 chars)</b>	The Council of State examined in relation to the protection of personal data when the consent of the subject is not required. It found that the processing of sensitive personal data, such as that relating to personal health, is prohibited, but may permitted, exceptionally, with the permission of the Greek Data Protection Authority under certain conditions. The Council of State found that there was a violation Data Protection Law, due to the lack of prior notification of the first applicant of the decision to disclose the findings of a inquiry report containing sensitive health data on her son (the second applicant) to her employer, notwithstanding the approval of the DPA.

<p style="text-align: center;"><b>Main reasoning/argumentation</b></p> <p style="text-align: center;"><b>(max. 500 chars)</b></p>	<p>The processing of personal data of personnel members is permitted when the subject provides their consent, however, under exceptional circumstances when the processing is necessary for public interest reasons. In relations to sensitive personal data (such as those related to the health of a person), the processing of data is forbidden, but can be permitted following the permission of the National DPA and as long as one of the following applies: a) The data subject has given his/her written consent, unless such consent has been extracted in a manner contrary to the law or bonos mores or if law provides that any consent given may not lift the relevant prohibition, b) Processing is necessary to protect the vital interests of the data subject or the interests provided for by the law of a third party, if s/he is physically or legally incapable of giving his/her consent, c) Processing relates to data made public by the data subject or is necessary for the recognition, exercise or defence of rights in a court of justice or before a disciplinary body, d) Processing relates to health matters and is carried out by a health professional subject to the obligation of professional secrecy or relevant codes of conduct, provided that such processing is necessary for the purposes of preventive medicine, medical diagnosis, the provision of care or treatment or the management of health-care services, e) Processing is carried out by a Public Authority and is necessary for the purposes of aa) national security, bb) criminal or correctional policy and pertains to the detection of offences, criminal convictions or security measures, cc) protection of public health or dd) the exercise of public control on fiscal or social services, f) Processing is carried out exclusively for research and scientific purposes provided that anonymity is maintained and all necessary measures for the protection of the persons involved are taken, g) Processing concerns data pertaining to public figures, provided that such data are in connection with the holding of public office or the management of third parties' interests, and is carried out solely for journalistic purposes. The Authority may grant a permit only if such processing is absolutely necessary in order to ensure the right to information on matters of public interest, as well as within the framework of literary expression and provided that the right to protection of private and family life is not violated in any way whatsoever. In any case the subject should be notified of the processing of their data before it is shared with third-parties.</p>
<p style="text-align: center;"><b>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</b></p>	<p>The Council of State clarified the conditions under which sensitive personal data may be processed and shared with third-parties.</p>

<p><b>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</b></p>	<p>The application was partially accepted and the case was returned for adjudication by the DPA and called for it to amend its decision on granting permission for the processing of sensitive data.</p>
<p><b>Key quotation in original language and translated into English with reference details (max. 500 chars)</b></p>	<p>“Τούτο δε διότι, η εν λόγω διαβίβαση του πορίσματος της ΕΔΕ, στο οποίο ανεφέροντο τα προβλήματα υγείας που αντιμετώπιζε ο δεύτερος εκ των αιτούντων, συνιστούσε επεξεργασία ευαίσθητων προσωπικών δεδομένων του, η οποία, κατ’ αρχήν, απαγορεύετο, σύμφωνα με την διάταξη του άρθρου 7 παρ. 1 του ν. 2472/1997, στην προκειμένη δε περίπτωση, δεν συνέτρεχε κάποια από τις προβλεπόμενες στην διάταξη του άρθρου 7 παρ. 2 του ίδιου νόμου προϋποθέσεις, ώστε να καθίστατο θεμιτή η ένδικη επεξεργασία κατόπιν χορηγήσεως αδείας από την Αρχή Προστασίας Δεδομένων Προσωπικού Χαρακτήρα. Συνεπώς, εφόσον τα ευαίσθητα προσωπικά δεδομένα του δευτέρου εκ των αιτούντων δεν ηδύναντο να τύχουν επεξεργασίας, έστω και κατόπιν λήψεως αδείας από την Αρχή Προστασίας Δεδομένων Προσωπικού Χαρακτήρα, δεν συνέτρεχε περίπτωση εφαρμογής της διατάξεως του άρθρου 7Α παρ. 1 του ν. 2472/1997.”</p> <p>And this because the transfer of the inquiry case file, which referred to the health issues faced by the second applicant constituted processing of sensitive personal data which in principle is forbidden according to article 7 par. 1 of Law 2472/1997, in the present though case, none of the preconditions of article 7 par. 2 of the same case apply for the legitimacy of the current processing following an authorization of the Data Protection Authority. Thus, given that the second applicant’s sensitive personal data could not be processed even following the authorization of the Data Protection Authority , because article 7A par. 1 of Law 2472/1997 is not applicable.”</p>

<b>Thematic area</b>	<b>RIGHTS OF THE CHILD</b> Please provide the most relevant high court decision related to the topics addressed in the chapter.
<b>Decision date</b>	<i><u>No case has been identified for this thematic area.</u></i>

<b>Thematic area</b>	<b>ACCESS TO JUSTICE</b> Please provide the most relevant high court decision related to the topics addressed in the chapter.
<b>Decision date</b>	<i><u>No case has been identified for this thematic area.</u></i>

<b>Thematic area</b>	<b>DEVELOPMENTS IN THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (CRPD)</b> Please provide the most relevant court judgment, which quoted the CRPD or prominently referred to the CRPD in the reasoning.
<b>Decision date</b>	<i><u>No case has been identified for this thematic area.</u></i>