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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

**Greece**

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\* The present document is being issued without formal editing.



## **I. Process for the preparation of the report – General framework**

1. The present report focuses on the implementation of the recommendations accepted by Greece during the second UPR cycle. An overview of the state of play was provided in our voluntary mid-term progress report, submitted in 2018.
2. The drafting of the report was coordinated by the Ministry of Foreign Affairs, in close cooperation with all Ministries involved in the promotion and protection of human rights. Account was taken of the Stakeholder Report submitted by the National Commission for Human Rights (GNCHR), the national human rights institution, in which are represented forty-one organizations (in particular NGOs and workers' and disabled persons' confederations). In addition, the final draft of the report was submitted to the GNCHR. The Commission's views were taken into consideration in the finalization of the report.
3. In August 2018, Greece successfully concluded the European Stability Mechanism (ESM) economic adjustment programme and was integrated into the normal cycle of the EU economic and social policy coordination.
4. A decade of austerity has left its mark on structures and institutions tasked with ensuring respect, protection and fulfillment of economic, social and cultural rights. The Government has set as its priorities the promotion of employment, the fight against social exclusion, the protection of the family and in particular children, the universal and equal access of citizens to quality health care and education services as well as the practical support of vulnerable groups<sup>1</sup>.
5. The COVID-19 pandemic has exacted a heavy toll, also in Greece, with thirteen thousand lives lost (120 deaths per 100,000). The country managed to avert the worst consequences of the sanitary crisis, as shown by the relevant data, seen, in particular, through a comparative lens. This was achieved by the timely response to the health emergency, the improvements in the capacity of diagnostics<sup>2</sup>, the hard work of medical doctors and all personnel of the national health system, the perseverance of "essential workers", the resilience of the population and the trust placed by the public on the role and the advice of medical and other scientific experts. The authorities imposed a number of restrictive measures, in particular on economic activities and freedom of movement, but without resorting to derogations to the relevant European and international human rights treaties. At the same time, economic relief measures were adopted, addressed to all those affected, to mitigate the adverse social and economic effects of the pandemic<sup>3</sup>. The vaccination campaign is unfolding smoothly, with a prioritization policy especially for those considered at high risk<sup>4</sup>, based on scientific criteria, without any exclusion or discrimination, by using innovative digital tools to facilitate all those willing to be vaccinated. As of 3.8.2021, almost half of the entire population were fully vaccinated.
6. In accordance with the EU Recovery and Resilience Facility and the Next Generation EU plan of financial support to member states to address the economic and social impact of the pandemic, Greece has submitted its National Recovery and Resilience Plan Greece 2.0. The plan, endorsed by the European Commission on 17 June 2021, is structured around four pillars: (a) green transition, (b) digital transformation, (c) employment, skill and social cohesion and (d) private investment and transformation of the economy. The third pillar is comprised in particular of the following components: improving resilience, accessibility and sustainability of healthcare (primary health care system, mental health, digital transformation), increasing access to effective and inclusive social policies (with regard, in particular, to child protection, disability, social integration, digital transformation of the social support system, social benefits optimization, diversity awareness, creation of childcare units within larger companies, promotion of the integration of the refugee population into the labour market, digital transformation of the immigration and asylum system).
7. In June 2021, the Ministry of Labour and Social Affairs launched a public consultation on the National Strategy for Social Integration and Poverty Reduction.

8. During the reporting period, the Greek Ombudsman's responsibilities were further strengthened, as it will be shown in the relevant parts of this report.

9. Law 4780/2021 proceeded to an important overhaul of the legislative framework governing the GNCHR. The GNCHR has acquired legal personality and its functional independence and administrative and financial autonomy have been strengthened. The composition of the Commission has been amended so as to become even more pluralistic and to encompass all human rights fields<sup>5</sup>.

10. During the pandemic, the Commission held online meetings in plenary on a weekly basis, with the participation, *inter alia*, of high level officials involved in the decision-making process. The issues discussed were reflected in two reports published in June 2020 and June 2021. The Commission has also adopted a comprehensive reference report on the refugee and migrant issue as well as numerous statements, press releases, submissions to UN and Council of Europe bodies, etc.

## **II. Implementation of recommendations from the previous cycles**

### **Ratification of international instruments<sup>6</sup>**

11. Parliament ratified, by Law 4359/2016, the Council of Europe European Social Charter (revised).

12. Parliament also ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by Law 4531/2018<sup>7</sup>.

13. More recently, the ILO Violence and Harassment Convention (C190) and the Promotional Framework for Occupational Safety and Health Convention (C187) were ratified by Law 4808/2021. The ratification of the other international instruments referred to in the relevant recommendations is still under consideration.

### **National Action Plans<sup>8</sup> (NAPs)**

14. During the reporting period, three National Action Plans of major importance have been adopted.

15. The first National Action Plan on the rights of Persons with Disabilities was adopted in 2020. Building upon an extensive preparatory work, in the light, in particular, of the concluding observations of the CRPD Committee, and with the participation of the National Confederation of the Disabled People in Greece and other actors of the disability movement, a working group comprised of more than a hundred members, including the newly appointed focal points in all Ministries, Regional Administrations and Municipalities, completed the elaboration of the NAP.

16. The Action Plan is a comprehensive policy document, setting clear and measurable targets, with horizontal actions, indicators and benchmarks and is structured around six pillars and thirty objectives. These pillars are the following: the State at the service of persons with disabilities; protection of the rights of persons with disabilities; accessibility; participation in all aspects of life; awareness-raising of society and public administration; synergies and development, including accessible tourism.

17. The National Council against Racism and Intolerance adopted, in December 2020, the first National Action Plan against Racism and Intolerance, covering the period 2020-2023<sup>9</sup>.

18. The National Action Plan on the Rights of the Child was adopted in June 2021. It was drafted by the "National Mechanism for the Elaboration, Monitoring and Assessment of Action Plans on the Rights of the Child", a collective body attached to the General Secretariat for Justice and Human Rights of the Ministry of Justice, composed of representatives of different Ministries, the General Secretariat for Coordination of the

governmental work, the GNCHR, the Greek Ombudsman (without the right to vote), the Institute of Child Health and, since the adoption of Law 4786/2021, the UNICEF Country Office in Greece.

19. The Law specifies that all agencies involved in the elaboration of the Action Plan are bound to take into consideration the relevant decisions and recommendations of national and international human rights and children's rights bodies. Furthermore, the Mechanism will monitor the implementation of the Action Plan and will elaborate, in this respect, interim reports, on the basis of updated information.

20. In the Action Plan, the following high priority axes have been identified: combating child poverty and its effects on children, a child-friendly justice, protecting children in the context of migration and refugee flows, ensuring children's right to health, children's rights to education, protection of the family and children in the community – deinstitutionalization, elimination of existing discrimination – promotion of rights (with a focus on LGBTIQ+ persons), horizontal action for children with disabilities and promotion of the rights of the child at the international level, strengthening of child protection in audiovisual contents.

### **Combating racism, racial discrimination, xenophobia and related intolerance<sup>10</sup>**

21. The Greek authorities continued, during the period of reference, to implement Law 4285/2014, which punishes, *inter alia*, public incitement to acts or activities which may result to discrimination, hatred or violence against individuals or groups of individuals defined by reference to race, colour, religion, descent, national or ethnic origin, sexual orientation, gender identity or disability, in a manner which endangers public order or threatens life, liberty or physical integrity of the abovementioned persons.

22. Under Article 82A of the Penal Code, the minimum penalties to be imposed are raised in case a crime presents racist characteristics. To this effect, it is not required to prove that the offender was motivated by hatred against the victim. It is sufficient to establish that the victim has been targeted by the offender on the basis of his/her characteristics (race, colour, national or ethnic origin, descent, religion, disability, sexual orientation, gender identity or gender characteristics).

23. Moreover, according to article 137A of the Penal Code, as amended in 2019, torture is punished even in the absence of the specific purposes set out in the definition of that crime, where the choice of the victim is made on account of the abovementioned characteristics.

24. Concerning support to victims, Law 4478/2017 incorporated Directive 2012/29/EU, establishing minimum standards on the rights, support and protection of victims of crime (among which, hate crimes) and strengthened substantially the relevant legislative framework.

25. Police authorities produce annual reports reflecting the number of incidents reported as presenting racist characteristics as well as the alleged motivation of such acts.

26. In 2020, 222 incidents potentially involving racist motives were recorded<sup>11</sup>. The main motive for the commission of racist acts was the race, colour or origin of the victim (69%), followed by religion (13%), disability (5%), sexual orientation (10%) and gender identity. Most victims were male (80%) and foreign nationals (65%).

27. The Racist Violence Recording Network (RVRN), one of the most active civil society actors in the field of the fight against racism, established on the initiative of the GNCHR and the UNHCR and comprised of 51 NGOs and civil society bodies, recorded, in its latest report published in April 2021, an increase in incidents of racist violence against refugees, migrants and supporters and noticed that the incidents where the perpetrators were citizens and/or members of extremist groups, took place in areas where refugees and migrants gathered, mainly in areas with accommodation and reception facilities. The RVRN also recorded incidents against LGBTIQ+ individuals, many of which took place

inside the victims' residence, combining domestic violence with the racist motive, as well as a significant number of incidents due to gender identity.

28. In a landmark judgment delivered on 7 October 2020, the Athens Court of Appeals found the seven members of the leadership of the extremist far-right "Golden Dawn" party guilty of directing a criminal organization. The other former MPs on trial, members of the party's political council as well as the heads of two local chapters were found guilty of joining and participating in a criminal organization. The electoral support for the Golden Dawn party had already progressively decreased. In the last parliamentary elections, held in July 2019, that party was voted out of Parliament, as it obtained 2.93% of the popular vote, falling below the electoral threshold of 3%.

29. A number of judgments have been delivered in the last years by the competent criminal courts convicting the defendants for racist crimes and incitement to racist violence or hate.

30. Data collection with regard to racist crimes has significantly improved and is expected to further improve following the operation of the new computerization system of the courts. Files related to a hate-motivated offence are marked with the initials RV ("racist violence"), so as to identify the relevant cases.

31. There is also a general case recording form of the internal network "Police On-Line", which allows to flag racially motivated crime and to record bias motivation.

32. The National Council against Racism and Intolerance, an inter-ministerial body with the participation of independent bodies (such as the GNCHR and the Greek Ombudsman), the RVRN and other civil society stakeholders adopted, in December 2020, the first National Action Plan against Racism and Intolerance, covering the period 2020-2023. All members of the Council expressed their satisfaction about the thorough consultations held and the strengthening of the lines of action against racism, while some members expressed their reservations, related to the need for the adoption of further concrete policies and actions.

33. The lines of action included in the Action Plan are the following: (1) forms of discrimination, stereotypes and prejudice, (2) addressing racist crimes, with a special emphasis on reporting and recording such crimes, (3) awareness-raising and information activities, (4) integration and empowerment and (5) horizontal/cross-sectoral actions. Under each heading, the National Action Plan describes the specific activities to be undertaken by the competent authorities. The Council will also monitor the implementation of the Action Plan. Finally, specific dissemination and information and training activities are also envisaged.

34. In the framework of its awareness-raising activities, the Council issued a social message on the integration of refugee children into the education system, a brochure to inform civil servants about racist crimes and a Guide on the rights of victims of racist crimes.

35. Training activities and workshops are organized with the participation of judges, prosecutors and law enforcement personnel. The Ministry of Justice cooperates closely in this field with international organizations, including the OSCE/ODIHR, and actively participates in EU fora, *inter alia* on countering hate speech online.

### **Discrimination on the grounds of sexual orientation<sup>12</sup>**

36. An important development since the 2<sup>nd</sup> cycle was the adoption of Law 4491/2017 on the legal recognition of gender identity, which, *inter alia*, allows for the change of the registered gender information with no requirement to undergo a medical procedure, examination or treatment. This also applies to minors, with their parents' or legal guardians' explicit consent and, for minors aged 15–17 years, with the opinion of a medical board.

37. Law 4538/2018 allows persons who have entered a civil partnership pact, including same-sex couples, to become foster parents. Gender identity and gender characteristics (in

addition to sexual orientation) were added to the prohibited grounds of discrimination under Law 4443/2016.

38. The application of the law on the civil partnership pact has contributed to the elimination of stereotypes and prejudices. However, challenges remain in many areas, requiring cross-sectoral actions and policies.

39. In March 2021, by decision of the Prime Minister, a committee was set up, with the aim of drafting a National Strategy for the Equality of LGBTIQ+ persons in Greece, chaired by the former CERD Vice-Chairman and former President of the ECHR Prof. Linos-Alexandre Sicilianos and composed of representatives of the academic community, NGOs defending the rights of LGBTIQ+ persons, the Secretary General of the Ministry of Justice and the Chief Economic Adviser to the Prime Minister. The report was presented on 29 June 2021. Furthermore, training activities of police officers, judges and public prosecutors on hate-motivated crimes, based, *inter alia*, on sexual orientation and gender identity, are undertaken.

### **Protection of the Roma<sup>13</sup>**

40. The National Strategy for Roma Social Inclusion 2011-2020 and Action Plan 2017-2021 include four pillars: housing, health, employment, education, to which a set of horizontal-supportive and sectoral actions have been added.

41. Relevant actions include: improvement of living conditions in Roma settlements; elimination of intergenerationally divided settlements / camps and integration into the wider urban fabric; measures for combating poverty and early school leaving; promoting access to healthcare services, strengthening active social participation, social dialogue development and consensus-building, through social mediation and empowerment of Roma and especially young people and women; combating discrimination and stereotypes; eliminating the causes of delinquency and criminal gang activity in areas inhabited by Roma, as well as emergency actions to prevent COVID-19 spread in Roma settlements and promote Roma COVID-19 vaccination. The impact of the Covid-19 pandemic on the Roma population, including in the field of remote learning, has been highlighted in the relevant GNCHR reports.

42. Within the framework of the EU Council Recommendation of 12 March 2021 on Roma equality, inclusion and participation, the new National Strategy for Roma Social Inclusion 2021-2030 is being elaborated under the responsibility of the national focal point, the General Secretariat for Social Solidarity and Fight Against Poverty of the Ministry of Labour and Social Affairs. Prevention and fight against antigypsyism and discrimination as well as strengthening Roma participation and empowerment will form the main pillars of the new National Strategy.

### **Rights of persons belonging to minorities<sup>14</sup>**

43. In Greece, one group of persons is qualified as a “minority”, namely the Muslim minority in Thrace, the status of which was established by the 1923 Treaty of Lausanne. The minority consists of three distinct groups, whose members are of Turkish, Pomak and Roma origin. Each of these groups has its own spoken language and cultural traditions, which are fully respected by the Greek state. Their common denominator is the Muslim faith, and this objective fact explains why the minority is recognized as a religious one.

44. At the same time, Greece fully respects the principle of individual self-identification. Persons living in Greece are free to declare their origin, speak their language, exercise their religion and observe their particular customs and traditions. What is not acceptable is the attempt to establish a single ethnic identity for the entire Muslim minority in Thrace.

45. Persons belonging to the Muslim minority in Thrace actively participate in all aspects of everyday, public, civil and political life at the regional as well as the national level. There are approximately 260 mosques operating in Thrace. 240 positions of Islamic religion teachers have been created and allocated in the Muftiates in the region. Their

primary task is to teach the Quran in the mosques, but also in public schools of primary and secondary education in Thrace to Muslim pupils who have been exempted from the Greek Orthodox religious classes and wish to attend Quran classes. There are also two religious (Koranic) schools in Thrace. Law 4713/2020 upgraded the status of the Religious Schools' Committees.

46. One of the most important developments since the 2<sup>nd</sup> cycle was the adoption of Law 4511/2018, which provided that Greek Muslims, members of the Muslim minority in Thrace, have the option between civil law (implemented by civil courts) and Islamic law, in matters of family and/or inheritance law.

47. More specifically, matters of family law of members of the Muslim minority in Thrace are regulated by the ordinary Civil Law provisions and only exceptionally may fall under the jurisdiction of the Muftis, under the condition that both parties agree to submit their case to the latter.

48. Matters of inheritance are also ruled by the provisions of the Civil Code, unless the testator draws a declaration of last will, of which the sole content would be the expression of his wish to submit his succession to the Islamic law.

49. Furthermore, judgments of the Muftis are not enforceable unless they are declared so by local Civil Courts. The latter shall, first, examine whether the judgment falls within the jurisdiction of the Mufti and, second, whether the provisions applied violate the Greek Constitution, and especially Article 4 (2) (gender equality), as well as the European Convention on Human Rights.

50. The Grand Chamber of the European Court of Human Rights, in its judgment in the case of *Molla Sali v. Greece* delivered on 19 December 2018 found that the compulsory application of the Islamic law to the abovementioned matters constituted a violation of the European Convention of Human Rights and explicitly welcomed the new law.

51. Presidential Decree 52/2019 sets out all the necessary procedural rules on the exercise by the Muftis of their judicial tasks, ensuring transparency of the procedure and respect for the rights of the parties. The same Presidential Decree aligns the conditions for the conclusion of a marriage before the Mufti with the general provisions of the Civil Code.

52. The State continues to provide strong support to minority schools, while, at the same time, it accommodates appropriately the increasing preference of Muslim minority students for the public educational system. In fact, the number of minority students who prefer to attend public schools at all levels has tripled since 1996. Moreover, the number of Muslim minority girls graduating from high school has significantly increased. There are 115 minority elementary schools in Thrace hosting 4,103 students, while 2,024 minority students attend public primary schools. There are also two secondary and two religious (Koranic) schools. A 0.5% quota of the general admission to Universities and Higher Technical Educational Institutes is reserved to Muslim minority students from Thrace. This has led to an equally significant increase of the number of Muslim minority undergraduate students.

53. In order to implement three judgments of the European Court of Human Rights finding a violation of Article 11 of the ECHR (freedom of association), in October 2017, the Greek Parliament adopted a legislative provision which allows the reopening of non-contentious judicial procedures, including those related to the registration of associations, following a judgment of the European Court of Human Rights finding a violation of the Convention. Reference is made in the above provision to the conditions and restrictions set out in the relevant articles of the ECHR. In addition, a transitional provision covers cases in which a judgment of the European Court has already been delivered and makes reference to the conditions set out in Article 11 ECHR, to other provisions of the ECHR, as well as to international treaties.

54. On the case of the so-called "Tourkiki Enosi Xanthis", on 29.6.2021 the Supreme Court rejected the latter's application. As for the two other cases<sup>15</sup>, the hearing before the Supreme Court has been expedited from 18.3.2022 to 1.10.2021.

55. It is to be noted that the final decision on the registration of associations lies with the competent courts, and not with the administrative authorities.

56. The Greek authorities have long used the case-law of ECtHR as a benchmark for State practice and the same also applies to the cases in question.

57. It should be stressed that freedom of association is duly protected by the Greek Constitution and, as such, is enjoyed by all citizens, irrespective of ethnic origin, culture or religion.

58. Especially, in the region of Thrace, there is a thriving civil society consisting of associations (and NGOs) established by and comprised of Greek citizens that are members of the Muslim minority, as foreseen by the relevant provisions of the Civil Code which apply to all associations in Greece. In fact, over the last 10 years, more than 50 such associations have been registered with local courts in Thrace, all of which freely pursue and promote their various activities.

59. Finally, it should be clarified that the registration by the competent courts of an association does not imply the existence or official recognition by a State of a particular group as a “minority”.

### **Combating domestic violence<sup>16</sup>**

60. Since the 2<sup>nd</sup> review cycle, Greece has ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by Law 4531/2018 which, in addition, adjusted domestic legislation, in particular in the field of criminal law, with the provisions of the latter. The new law, among others, strengthens the criminal provisions punishing female genital mutilation, criminalizes stalking, enhances the rights of victims of domestic violence, facilitates the implementation of the Convention and designates the General Secretariat for Demography and Family Policy and Gender Equality of the Ministry of Labour and Social Affairs as “co-ordinating body”, in accordance with Article 10 of the Convention.

61. An integrated network of 63 structures has been set up and operates across the country for the prevention and treatment of all forms of violence against women. The Network includes a 24-hour SOS 15900 helpline, 43 Counseling Centers and 19 Safe Shelters.

62. In November 2019, 73 regional domestic violence response units were created within the Hellenic Police. Furthermore, the Hellenic Police has issued specific Orders on the handling of sexual offences, following a victim-centered approach, preventing secondary victimization, making best use of the work of all competent Departments and informing without delay the Public Prosecutors and other relevant Services.

63. A relevant Action Guide addressed to police officers was elaborated and disseminated. Instructions addressed to victims were compiled and posted online so as to encourage the latter to contact the competent Services. Related courses have been included in the curricula of the Police Academy Schools<sup>17</sup>.

64. The abovementioned instructions were updated and enriched during the pandemic, a period where cases of domestic violence increased significantly as shown by the number of incidents reported to the SOS 15900 hotline. The GNCHR has placed strong emphasis on the impact of the pandemic and the measures to address it on vulnerable categories of women with regard to domestic violence.

### **Trafficking in human beings (THB)<sup>18</sup>**

65. The new Criminal Code<sup>19</sup> amended Article 323A, consolidating the relevant criminal law provisions and stiffening the penalties for those who receive the services of trafficking victims.

66. On 1.1.2019, the National Referral Mechanism (NRM) was launched as a formal national identification and referral system for inter-agency cooperation on issues of first level identification and support for victims (and presumed/potential victims) of trafficking in Greece. The Mechanism is supervised by the Office of the National Rapporteur (ONR) at the Ministry of Foreign Affairs and managed by the National Centre for Social Solidarity (EKKA).

67. The ONR has drafted a National Action Plan (NAP) on human trafficking, for the period 2019 – 2023, incorporating a broad range of policy-making projects, *inter alia*: prevention of THB; early detection of potential THB victims; victims' protection and assistance; prosecution and punishment of the perpetrators; coordination and effective co-operation of all the national and international stakeholders; ensuring a victim-centred approach; integrating the gender aspect of the phenomenon and the special needs of minors; promotion and support of research in the field. On 30 July 2021, the Minister of Citizen Protection and the National Rapporteur launched the Ministry's "Strategy against Trafficking in Human Beings 2021-2025". The Strategy includes targeted victim-centered actions against THB and will be implemented within the framework of the abovementioned NAP.

68. As regards prosecution of THB offences, the Public Prosecutor at the Supreme Court transmitted to all the Public Prosecutor's Offices relevant guidelines and a Memorandum drafted by the ONR and requested them to report every four months on the number of officially recognized THB victims. Public Prosecutors have been appointed to handle exclusively and to prioritize THB cases, while the Hellenic Police maintain Anti-Trafficking Units and sub-units<sup>20</sup>.

69. In 2020, 167 presumed THB-victims were referred to the NRM, among which 21 adults for labour exploitation and 73 children for forced begging.

70. Students of the National School of Judges, Public Prosecutors and law enforcement officers receive regularly training on THB issues. In addition, the parliamentary sub-committee against THB has stepped up its activities.

71. All services involved in managing the Reception and Identification Centres (RICs) for migrants and refugees have made considerable progress in identifying potential victims of THB. Human trafficking indicators are applied to the unified vulnerability assessment of migrants registered in the RICs. The NRM, in cooperation with IOM Greece and the Special Secretariat for the Protection of Unaccompanied Minors of the Ministry of Migration and Asylum play a crucial role in training personnel in the RICs to identify victims of trafficking.

72. Trafficking in human beings for the purposes of labour exploitation has been identified as an issue of concern, in particular following the judgment of the ECHR in the case *Chowdury and others v. Greece*, (the Manolada case), concerning 42 irregular migrants who were the victims of trafficking for agricultural labour, in which the Court found a violation of the ECHR. The GNCHR has been monitoring closely this issue and has made a number of proposals to address it.

73. In the new article 323A of the Criminal Code punishing THB, the definition of "exploitation" is extended to include the subjection of the victim to servitude or servitude-like practices, or to slavery or slavery-like practices.

74. The establishment of the THB offence is disconnected from the victim's "consent" or the use of coercive or deceptive means by the perpetrator to obtain such "consent". Such interpretation has been confirmed by the case-law of the Supreme Court.

75. The Labour Inspectorate (SEPE) carries out inspections at all workplaces to detect violations of the labour regulations and identify possible victims of trafficking. However, it should be noted that monitoring of the agricultural sector presents a number of challenges.

76. In 2018, the Anti-trafficking Unit of the Hellenic Police conducted 1,426 joint inspections with Labour Inspectors and social workers from the National Social Solidarity Centre on 5,984 individuals leading to 46 cases of various offenses<sup>21</sup>.

77. In 2019, the Hellenic Police brought before the Public Prosecutor 3 cases and 8 perpetrators of THB for forced begging and rescued 18 victims of THB. During the same year, Greek judicial authorities conducted 13 criminal prosecutions for THB for labour exploitation and begging and delivered 4 convictions in first instance and 6 in second instance and 6 acquittal judgments for the same offences.

78. A number of training activities have been organized, with the participation of prosecutors, judges, police officers, agents of the Labour Inspectorate and of social security institutions, while relevant publications have been widely disseminated.

79. Furthermore, much attention has been devoted by the ONR, in cooperation with Regional Authorities, Municipalities and international organizations, including the OSCE, to the issue of due diligence in supply chains and public procurement.

## **Gender equality<sup>22</sup>**

80. Law 4604/2019, on “Promotion of substantive gender equality, prevention and combating of gender-based violence” introduced a comprehensive legal framework on gender equality and the elimination of discrimination against women, which applies horizontally to all sectors of life and covers legal relations of both public and private law.

81. The National Action Plan on Gender Equality for the period 2021–2025 is currently under consultation, coordinated by the General Secretariat for Demography and Family Policy and Gender Equality, in alignment with the priorities of the European Union and the United Nations on Gender Equality.

82. Data collection and impact assessments are foreseen during the implementation of all the objectives, through a Monitoring Mechanism (Observatory).

83. Strong emphasis is placed on combating multiple discrimination, i.e. gender discrimination against persons belonging to vulnerable social groups (migrant women, refugee women, single parent families, Roma women, etc.).

84. Law 4555/2018 raised the gender quota on the total number of candidate regional, municipal and community counselors from 33% to 40%. Law 4604/2019 increased the existing gender quota for parliamentary elections to at least 40% of the total number of candidates. In 2020, for the first time, a woman was elected by the Parliament as President of the Hellenic Republic.

85. The General Secretariat has developed long-term cooperation and partnerships with other public stakeholders, international organizations (such as the UNHCR) and NGOs to contribute to the needs of refugee women and their children. The provision of relevant services is made, in particular, through the national network of structures for preventing and combating violence against women<sup>23</sup>.

86. Greece has finalized its first National Action Plan on Women, Peace and Security (2020-2024), in implementation of UN Security Council Resolution 1325/2000 and subsequent ones, under the coordination of the Ministry of Foreign Affairs and in cooperation with all competent Ministries, agencies and other competent stakeholders.

## **Accountability of law enforcement personnel<sup>24</sup>**

87. Article 56 of Law 4443/2016 designated the Greek Ombudsman as the National Investigation Mechanism of incidents of arbitrariness by law enforcement personnel and prison officers, with the main responsibility of collecting, recording, evaluating, investigating and forwarding to the competent disciplinary authorities complaints about alleged incidents of torture or other violations of human dignity as provided for in Article 137A of the Penal Code, incidents relating to unlawful and intentional violations of life or physical integrity or health or personal or sexual freedom, incidents relating to unlawful use of firearms, unlawful behavior for which there is evidence of racist motivation or other discriminatory treatment.

88. The Greek Ombudsman may investigate a case (a) following the filing of a complaint, (b) *ex officio*, (c) following the referral of a case from the competent Minister or Secretary General (d) following a judgment of the European Court of Human Rights against Greece. Once the Ombudsman conducts an investigation, the competent disciplinary bodies are bound to suspend their decision until a report has been issued by the Ombudsman.

89. Law 4662/2020 further enhanced the relevant legislative framework and granted additional and wider powers to the Ombudsman.

90. In 2020, 263 cases were submitted to the Mechanism (an increase of 26% compared to 2019), out of which 53 by individuals, 209 by the Hellenic Police, 1 by the Legal Council of the State (as the Office of the Agent before the European Court of Human Rights and related to the execution of judgments of the ECtHR). 37 investigations were referred back by the Ombudsman to the Administration with a view to complete the investigation while 53 investigations were deemed complete, data which suggest that internal investigations increasingly correspond to the standards of a thorough disciplinary review.

91. Most cases of alleged arbitrary incidents (45%) concern physical integrity or health infringement and 25% infringement of personal freedom. In many of the reported incidents of arbitrariness, persons belonging to vulnerable groups were involved (young persons, migrants), while a smaller number of cases concern allegations of discrimination on the grounds of origin (affecting Roma persons), sexual orientation, gender identity or characteristics.

92. Finally, Presidential Decree 111/2019 contains important provisions on strengthening and accelerating the disciplinary procedures concerning police personnel.

### **Conditions of detention<sup>25</sup>**

93. In 2019, the General Secretariat for Anti-Crime Policy, responsible for the country's penitentiary system, was transferred to the Ministry of Citizen Protection. The strategic planning of the Ministry focuses on security issues, respect for human rights and upgrading the penitentiary system.

94. The Penal Code and the Code of Criminal Procedure were amended in 2019. The main amendments with an important impact on the issue of overcrowding of detention facilities are the following: abolition of petty offences, suspension, under certain conditions, of the execution of sentences for criminal offences that are punished by imprisonment of up to three years, possibility for persons who have reached 70 years of age, mothers with children younger than seven years and persons suffering from some very serious diseases to serve some sentences at home, introduction of community service as individual penalty, abolition of provisions on recidivism, refraining from prosecuting some misdemeanors and specific crimes, on the condition that the offender provides full redress, introduction of plea bargaining.

95. The General Secretariat for Anti-Crime Policy is considering to further extending the use of alternative measures of community work and electronic monitoring.

96. The competent authorities are closely following the capacity of penitentiary institutions in the country. The relevant data are posted on the website of the Ministry of Citizen Protection, and are updated twice a month. An issue of concern is that the occupancy rate of some detention centres is higher than their official capacity. To address this serious matter, the authorities are investing significant funds and resources to ensure rapid and long-term improvement of general conditions of detention. The most important steps undertaken or planned are the following:

- priority examination of requests for transfer to the Agricultural Detention Establishments, the Central Warehouse of Prison Material or facilities with special rehabilitation programmes;
- construction of new detention centers or new prison wings in existing facilities<sup>26</sup>;

- improvement of the efficiency of the distribution of inmates among the existing facilities;
- renovation and/or maintenance of penitentiary institutions.

97. At the same time, efforts are made to improve the living conditions of detained persons, such as allowing more time for outdoor facilities, organizing educational/vocational programmes and facilitating communication with the outside world.

### **Right to a fair trial<sup>27</sup>**

98. A speedier and more efficient administration of justice is among the main priorities, as Greece lags behind other EU countries in this field. A wide range of measures to accelerate and improve the quality of the system of the administration of justice, in particular through designing and implementing an “e-justice strategy”, based on the promotion of the use of new digital technologies, are under implementation.

99. In this framework, the Integrated Civil and Penal Justice Case Management System will be developed, aiming at the digitization of the files and data kept in the country’s courts, as well as of the whole judicial procedure before the civil and political courts and the Prosecutors’ Offices across the country.

100. Other actions include the electronic submission of claims and other court documents and the use of electronic means for the service and notification of documents as well as the issuance and delivery of certificates by the courts.

### **Freedom of religion<sup>28</sup>**

101. In November 2020, the Mosque of Athens began its operation. The Mosque was constructed on land, the use of which was granted by the State, which also subsidizes its operation and maintenance. The costs for the construction of the Mosque were covered by the Public Investment Program. The Management Board as well as a Muslim religious minister (imam) are appointed by Ministerial Decree. The Board’s members have recently been increased<sup>29</sup> from seven to nine, among whom four (instead of two originally) representatives of the Muslims residing in the Attica region.

102. An updated joint Circular was issued in July 2016 on the implementation of the legislation on granting a permit to establish and operate places of worship of religious communities other than the Orthodox Church<sup>30</sup>.

103. So far, there are 524 licensed worship places of other religious communities, both Christian and non-Christian, including fourteen Islamic houses of prayer in areas other than Thrace<sup>31</sup>. There have not been any administrative or other obstacles, concerning the licensing of locations which conform to all applicable urban-planning, safety (e.g. against fire, earthquake etc.) and health regulations.

104. It is also noteworthy that the Greek Government has been providing sheltered athletic installations, such as the Olympic Stadium of Athens and other municipal installations, free of charge, so that Muslims may perform their religious duties during Ramadan and other religious occasions.

105. The Secretariat General for Religious Affairs of the Ministry of Education and Religious Affairs is monitoring, collecting and evaluating data on incidents of vandalism and desecration of religious sites of all religious communities in Greece, by networking with the religious communities themselves as well as other State authorities.

106. In 2016, 215 cases were recorded, in 2017, 556, in 2018, 591 and in 2019, 524. This increase can be explained by the strengthening of the reporting network, the response of the Hellenic Police to the related complaints as well as the effort of the religious communities themselves to compile relevant data. The acts against religious sites of the Greek Orthodox Church represent the vast majority, followed by acts against other religious communities. The incidents recorded in 2019, broken down by religion, are as follows: Christianity: 514

incidents (98.08%), among which 504 cases concerned the Orthodox Church (96.18%), Judaism: 5 incidents (0.95%), Islam: 5 incidents (0.95%).

107. While Greek Jews represent 0.05% of the total population, a disproportional number of acts against Jewish religious sites is regularly noted (e.g. 3.38% for the year 2018). There were however no violent attacks against members of the Jewish community or their property. It is clear that further efforts are needed to fight anti-Semitism and the culture accompanying it.

108. The data compiled and, in particular, the specific circumstances of the incidents recorded, confirm that Greece has maintained so far religious peace and avoided controversies of a religious nature.

109. Among the main objectives of the Secretariat General is planning and implementing policies, especially for students and teachers, countering racism, religious intolerance, anti-Semitism etc.

110. To this effect, a wide variety of actions have been undertaken so far, such as: cooperation with Jewish cultural and historical Institutions both in Greece and abroad, students' contests on the topic of the Holocaust, teachers' seminars, joint seminars for Christian and Muslim Theologians in Thrace, educational programs for students of Ecclesiastical Schools, in cooperation with Muslim religious schools in Thrace and with Orthodox Ecclesiastical Schools abroad, as well as participation of Ecclesiastical Schools in awareness-raising programs concerning human rights and refugees. In June 2021, in cooperation with Yad Vashem, the first webinar on Holocaust and anti-Semitism was organized for Clerics of the Orthodox Church of Greece.

111. On 8 November 2019, the Prime Minister officially announced the adoption by Greece of the Working Definition of the International Holocaust Remembrance Alliance (IHRA) on Anti-Semitism as well as the Working Definition of Holocaust Denial and Distortion. Such definition had already been adopted by the General Secretariat for Religious Affairs. A Special Envoy on Combating Anti-Semitism and preserving Holocaust Remembrance was appointed at the Ministry of Foreign Affairs, also acting as the head of the Greek delegation at the IHRA. In April 2021, Greece assumed the Chairmanship of the Alliance for one year and, in this context, the Government will promote a network of academic, educational and cultural activities.

112. Law 4619/2019, introducing the new Penal Code, abolished the provisions criminalizing blasphemy.

### **Human rights education, training and awareness-raising<sup>32</sup>**

113. The Ministry of Education and Religious Affairs has been adjusting its curricula, action frameworks, educational programmes, school textbooks and in-class practice standards to disseminate the values and principles of democratic and responsible active citizenship, human rights and intercultural / interreligious respect across the entire spectrum of subjects, modules, projects and programmes through a cross-scientific and cross-thematic approach. Since February 2020, the Ministry, in collaboration with the Institute of Educational Policy, has designed and implemented in a pilot phase<sup>33</sup> a compulsory education module called "Skills Labs.", with the aim to deeply cultivate a democratic culture and prepare students to become critical thinkers and global active citizens<sup>34</sup>.

114. The Ministry of Education develops and participates in many national and international educational programmes, through mainstream and special education primary and secondary schools, aiming, among others, at raising human rights awareness, preventing all forms of discrimination and eliminating negative attitudes, school violence, prejudice and/ or inequalities.

115. As explained in various parts of this report, various and multi-faceted training, further training and awareness-raising activities are implemented, addressed to the general public, judges and prosecutors, law enforcement personnel, civil servants and practitioners, etc., covering a wide variety of fields, such as racism, racial discrimination, xenophobia and

related intolerance, refugees' and migrants' rights, identification and protection of the rights of victims of trafficking in human beings, domestic violence, etc. Comprehensive human rights curricula are offered to students of the National School of Judges and Police Academies. In addition, the GNCHR has increased its activities in this field.

### **Rights of migrants<sup>35</sup>**

116. Since 2015, Greece has been faced with the arrival of an unprecedented high number of asylum seekers and irregular migrants, coming to Europe through Turkey, as a result of Greece's geographical proximity with the latter. Due to unceasing arrivals, despite the EU – Turkey Statement of March 2016, pressure on the reception and asylum applications processing capacity, as well as the social structure of everyday life in the islands, remained high for a number of years. In 2019, the apprehensions for illegal entry and stay amounted to 123,710 third-country nationals, compared to 93,367 in 2018 (i.e. an increase of 32.5%).

117. In 2020, there was a considerable reduction, by 80%, of new arrivals, a decline of the number of residents in all structures of the country, important decongestion of the Aegean islands, a considerable number of returns, relocations and transfers, in spite of the pandemic, and acceleration of asylum procedures.

118. Greece has been complying, and will continue to do so, with its obligations under international law, including all relevant human rights treaties to which is a Party, also mindful of its obligations under the borders, migration and asylum EU legal framework. International cooperation and solidarity is crucial in dealing with unprecedented mass influx of persons, along with burden and responsibility sharing. In this spirit, Greece has lent its support to both the Global Compact on Refugees and the Global Compact on Safe, Orderly and Regular Migration.

119. During the last days of February and throughout March 2020, Greece was faced with orchestrated and coordinated mass movements of thousands of third country nationals at its land borders with Turkey, trying to violently penetrate into its territory. Those persons, who had already been residing in Turkey, were misinformed that the borders with Greece, and subsequently with other European countries, were open, despite repeated public clarifications by Greek and European Union officials to the contrary. In the meantime, boats carrying third country nationals had once again been pushed massively towards Greek islands in the Aegean.

120. From 28 February 2020 until 9 March 2020, the competent Greek authorities managed to prevent around 41,000 illegal crossings into Greece, almost 5,000 per day. The intentional creation of chaotic conditions at the borders, if not addressed, would have overwhelmed the capacity of Greece, a State at the external borders of the European Union and the Schengen area, to address in an orderly and efficient manner the influx of such a large number of persons.

121. Moreover, the above situation constituted not only a clear instrumentalization of migration flows, but also an active, grave, exceptional and asymmetric threat against the national security of the country, which was further aggravated by the health emergency due to the COVID-19 pandemic.

122. For all the above-mentioned reasons, it was decided to temporarily suspend, for one month, the submission of new asylum applications, a measure fully proportionate to the gravity of the situation at the border, which was lifted, as already envisaged, on April 1<sup>st</sup>, 2020.

123. Greece fully subscribes to the principle that States have the right and obligation to protect their national, which are also European, borders, while fully respecting human rights. The surveillance activities which are conducted at the land borders have as objective the early detection of an illegal border crossing activity, and the application of prevention and deterrence measures, according to the Schengen Borders Code. The competent border surveillance teams implementing patrolling activities inside the Hellenic territory conduct national and EU Joint Border Operations, in cooperation with the EU Border and Coast Guard Agency (Frontex). Both the national authorities and Frontex follow a strict Code of

Conduct and every accusation of ill-treatment, including alleged unprocessed returns, on behalf of the border personnel, taking place in these activities, is investigated at internal and/or EU level.

124. The principle of non-refoulement is enshrined in Law 4636/2019. Allegations about violations of that principle do not correspond to the operational activities which are implemented. It is recalled that the police staff have saved hundreds of irregular immigrants and refugees at risk at the land borders.

125. In addition, the Police Services are in close cooperation both with the Greek Ombudsman<sup>36</sup> and Frontex, in order to address any alleged violation of human rights at the borders, by officials participating in Border Surveillance Operations. Until October 2020, administrative investigations were ordered in five cases. Three of the cases were filed/closed from a disciplinary point of view, while the remaining two cases are pending at the stage of an opinion to be formulated. In addition, the cases investigated by the Public Prosecutor concerning the use of violence at the borders amount to four for the year 2019 and another four for the year 2020. Four out of these cases, two per year, were closed by entering in the file of unknown perpetrators.

126. During the period 2015–2020, the Hellenic Coast Guard has rescued more than 319,000 migrants in search and rescue incidents. In 2020, the Hellenic Coast Guard handled 1,358 incidents, which occurred both inside and outside the Athinai FIR, in which provided their valuable services to 27,334 people at risk at sea. In the first semester of 2021, JRCC<sup>37</sup> Piraeus provided assistance to 9,599 people, in 490 search and rescue incidents.

127. The operational goals of the Hellenic Coast Guard (HCG) focus first on the timely identification of boats carrying migrants within the Turkish territorial waters just before entering the EU territory. Following that, communication with Turkish Authorities is established in order for Turkey to act in accordance with its commitments deriving from the EU-Turkey Statement of 2016 and international law. However, Turkey does not respond in a timely manner, as it should, in particular since the end of March 2020. Furthermore, the Turkish Coast Guard not only refrains from deterring boats carrying irregular migrants, but very often fails to act until the boats approach the sea border line. In addition, sometimes Turkish Coast Guard's vessels accompany the boats of migrants in the Greek territorial waters.

128. The actions taken by the Greek authorities at the sea borders are carried out in full compliance with the country's international obligations as provided for in the UNCLOS, the International Convention for Safety of Life at Sea and the International Convention on Maritime Search and Rescue, and in accordance with EU legislation, including Regulation 656/2014. Frontex, through the "Poseidon" operation, in the Aegean Sea, contributes to the efficient management of border crossings, in particular through surveillance activities.

129. The HCG has strengthened the training of its personnel deployed at the external sea borders in order for them to be able to identify people who might be part of vulnerable groups or in need of international protection and refer them to the competent authorities. Furthermore, the HCG cooperates with the UNHCR in the context of a Memorandum of Understanding concluded between the two sides in 2015, as well as with other healthcare providers and NGOs, aiming at facilitating the access of vulnerable individuals and groups to necessary medical and legal services.

130. Allegations about so called "push-backs" refer to conduct which has never been a part of the operational practices implemented by the Hellenic Coast Guard, nor reflect the applied procedures and practices, which consist in the referral of those concerned, including asylum seekers, to the competent national authorities.

131. An internal disciplinary control mechanism is well in place within the Hellenic Coast Guard to ensure that complaints for violations of fundamental rights allegedly committed by its personnel are adequately investigated. In addition, the Hellenic Coast Guard cooperates directly with the competent national authorities, in particular the Greek Ombudsman.

132. The Hellenic Coast Guard has recently completed a series of educational training courses relevant to the duties and obligations of Hellenic Coast Guard officers at the external border of the EU.

133. Initiatives undertaken to decongest structures hosting migrants and refugees in the islands include the voluntary relocation of unaccompanied minors, families of vulnerable applicants and beneficiaries of international protection to other European States and the enhancement of assisted voluntary returns to countries of origin. Despite the challenges posed by the pandemic, Greek authorities are moving forward with the relocation of unaccompanied children and have achieved, for the first time after a long period, a decrease in the numbers of those located at the islands.

134. The new Multipurpose Reception and Identification Centres to be constructed will meet the appropriate standards and will provide higher accommodation capacity. The freedom of movement of the residents will be safeguarded, with the obvious exception of the pre-removal centre. In addition, there will be various pre-defined areas for the accommodation of the vulnerable migrants (e.g., unaccompanied minors, single mother families, persons with disabilities etc.).

135. In the first half of 2021, the total number of third country nationals staying in Reception and Identification Centers (RICs) in the Aegean islands amounted to 6,804 persons, reduced approximately 54% compared to 2020<sup>38</sup>.

136. Under the “Estia” program (run by the Ministry of Migration and Asylum and the UNHCR and co-funded by the EU), in September 2020, 21,762 persons were accommodated in 4,648 apartments across the country. The UNHCR has been providing cash assistance to almost 100,000 eligible refugees and asylum-seekers. During their stay, beneficiaries receive accompanying services upon availability.

137. According to the latest data, on 30.6.2021, 21,666 persons were accommodated in open reception facilities run by the state. 1,781 persons were accommodated in rent apartments and hotels, while 6,794 persons were residing in hotels and facilities run by the IOM.

138. The IOM, with its partners, implements the so-called “HELIOS” programme, which is funded directly by the European Commission and monitored by the Ministry of Migration and Asylum. The scope of the programme is to promote the integration of beneficiaries of international protection into Greek society through: a) housing subsidies; b) integration courses, that is, Greek language courses and elements of the Greek culture, as well as soft skills training; c) facilitating access to the labour market and d) local community awareness activities and promotion of social cohesion.

139. According to the latest data, 31,964 beneficiaries have enrolled in HELIOS Program, while 14,914 individuals benefited from HELIOS rental. At the same time, 5,609 beneficiaries of international protection have enrolled in the integration courses and 3,333 persons are attending counseling seminars on work orientation issues.

140. Greece ranks fourth among the EU Member States as far as the number of first-time asylum applicants registered is concerned. 40,559 asylum requests were registered in 2020 (a significant decrease in comparison to 2019, when 77,282 requests were registered). 76,335 cases were pending on 31/12/2020 (including pending pre-registrations and registrations), a decrease of 43% in comparison to 2019. In 2020, 81,052 applications were examined. 32% of the applicants were granted refugee status, 9.8% of applicants were granted subsidiary protection, 28.15% of the applications were rejected as ill-founded and 3.6% of the applications were rejected as inadmissible. In 2019, the average processing time between pre-registration and issuance of a first instance on the merits decision was 189 days (110 days for inadmissibility decisions).

141. With regard to the second instance asylum authorities, 21 Committees of three professional judges are hearing appeals against decisions rejecting asylum applications at first instance. 12,931 appeals were lodged in 2020 (down from 25,013 in 2019). 20,316 decisions were issued, with a recognition rate of 5.15% in total and 16.73% in the islands (refugee status and subsidiary protection). The average time from the filing of the appeal to the issuance of the decision was 92 days in 2020.

142. Law 4636/2019 “On International Protection and other provisions” resolved a number of legal issues regarding the possibility to detain applicants for international protection (through the full transposition of Directive 2013/33/EU) and the examination of appeals against relevant return decisions, while the relevant judicial procedures have been accelerated.

143. No third-country national in detention, who seeks international protection, is returned until his or her request has been examined. The Police Authorities make every possible effort not to detain third-country nationals subject to return procedures in police holding cells, but, as soon as possible, to refer them to one of the eight Pre-Departure Detention Centers. Priority has been given to ensuring decent reception and accommodation conditions in the Centers, including through refurbishment and reconstruction of the facilities. Alternatives to detention include the stay of third-country nationals in the open or semi-open RICs on the islands of the Eastern Aegean, until their return to Turkey is achieved, after instructions which allow voluntary returns (through IOM programs) are provided.

144. A detention order may be issued for the absolutely necessary period required for the completion of the return procedure, with a maximum period of six months, which can be extended for an additional twelve months. For the imposition or continuation of the detention measure, the availability of detention facilities and the possibility of ensuring decent living conditions for the detainees are taken into account.

145. A Special Secretariat for the Protection of Unaccompanied Minors has been established within the Ministry of Migration and Asylum as the competent national authority for the development, implementation and supervision of the National Strategy for the protection of the unaccompanied and separated minors living in Greece. The Secretariat manages accommodation and relocation requests, supports social integration of unaccompanied minors residing in Greece and, generally, safeguards that adequate institutional protection is provided to them.

146. Unaccompanied minors arriving to the Greek islands are staying in the RICs only for the time period which is necessary for the completion of their identification procedures and as long as required by the health protocols against the pandemic. They are staying in specially designed areas, separate from adult detention facilities, until they are accompanied to more suitable places, with the support of the Special Secretariat.

147. Law 4554/2018 establishes the regulatory framework for the guardianship of unaccompanied minors. Law 4636/2019 as amended, assigned the responsibility for their placement in appropriate accommodation centers to the Special Secretariat<sup>39</sup>. In this context, the Special Secretariat defines quality standards of operation for accommodation facilities, as well as supervised apartments<sup>40</sup>.

148. The Special Secretariat has implemented, in collaboration with UNHCR, IOM, EASO and EU member states and with the financial support of the European Commission, a relocation scheme for Unaccompanied Children and Accompanied Minors with severe medical conditions or other vulnerabilities. Since the launch of the EU-funded initiative in April 2020 and until the end of June 2021, 4,008 individuals were relocated from Greece, including 849 unaccompanied children. Moreover, under an emergency transfer plan implemented by the Special Secretariat, all unaccompanied minors were transferred from all RICs to safe accommodation facilities in the mainland.

149. The so-called ‘protective custody’ of unaccompanied minors (a temporary precautionary measure involving their stay in structures of the Hellenic Police or other facilities) was abolished in December 2020 by Law 4760/2020, which also stipulates that the Special Secretariat has the responsibility to ensure that the minors are immediately referred to an appropriate accommodation facility. For cases where unaccompanied minors are in immediate need of protection and accommodation, an emergency response mechanism for unaccompanied minors living in precarious conditions, coordinated by the Special Secretariat, was established in April 2021 comprising a tracing and referral mechanism, emergency accommodation and a comprehensive case management framework.

150. By the end of June 2021, the accommodation facilities available for placing unaccompanied minors throughout the country were the following: 64 shelters with the capacity to accommodate 1,672 persons; 97 SIL (Supported Independent Living) apartments for semi-independent living of unaccompanied minors older than 16 years of age, with a total capacity of 388 persons; 11 safe zones in reception facilities in the mainland, run by the state, with a total capacity of 330 persons; 7 Hotels for UAM with total capacity of 359 places, including 1 acting as a transit hub for UAM relocation.

151. Greek authorities are taking all possible measures to contain the spread of the pandemic in the RICs. In June 2021, specialized medical teams were dispatched to the RICs in three Eastern Aegean Islands for the vaccination of interested asylum seekers. Facilities in other islands and in the mainland will follow soon.

### **Rights of persons with disabilities<sup>41</sup>**

152. Article 60 of Law 4488/2017 introduced into national legislation a clear and comprehensive definition of the concept of disability, harmonized with the Preamble of the CRPD. The Law, *inter alia*, provides for the mainstreaming of disability in all areas of public policy and regulates issues related to reasonable accommodation, which constitutes a priority for the GNCHR, and to accessibility.

153. In accordance with article 31 CPRD, the State Minister has been designated as the “coordination mechanism within government” and the General Secretariat for Justice and Human Rights of the Ministry of Justice as the central focal point, with focal points within each Ministry. Furthermore, the Greek Ombudsman has been designated as the national framework for the promotion of the implementation of the abovementioned Convention, in cooperation with the National Confederation of Disabled People in Greece. Finally, Focal Points have been created in each of the municipalities and regions of the country.

154. Law 4443/2016 establishes a single and comprehensive regulatory framework for the implementation of the principle of non-discrimination and defines the bodies responsible for protecting, promoting and monitoring compliance with the abovementioned principle, expanding, in this regard, the tasks assigned to the Greek Ombudsman. Disability and chronic condition are included among the prohibited grounds of discrimination.

155. The Ministry of Labour and Social Affairs has developed targeted policies and programs for Independent Living, among which “Supported Living Homes”, providing support to persons with physical, psychosocial, intellectual and/or sensorial disabilities, with various needs. Also, it has designed policies and programs enhancing independent living<sup>42</sup>.

156. As far as education is concerned, there are coeducation programs in mainstream and special education schools. Inclusive education has been defined by Law. A strategic Action Plan for the Equal Access of Persons with Disabilities to Education has been drawn up and is currently being implemented. Support structures within the mainstream school system and the recruitment of permanent staff members in general and special education have been promoted and enhanced.

157. Other measures taken to promote the rights of persons with disabilities include subsidy programs for the employment of persons with disabilities, a quota of 15% for the recruitment of persons with disabilities and chronic illnesses in posts of indefinite duration in the public and the wider public sector, as well as in posts of temporary employment, pilot programs of deinstitutionalization of persons with disabilities, disability benefits, Centers of Creative Occupation for Children with Disabilities, Camping Programme for Persons with Disabilities (including children with disabilities) and free-of-charge or reduced fare tickets for public transportation.

158. Law 4780/2021 established a National Accessibility Authority subject to the Prime Minister, as a consultative body tasked with monitoring all issues related to the right to accessibility of persons with disabilities and elaborating proposals on the designing of public policies in this field. The Authority is composed of scientific experts, representatives of the National Confederation of Disabled Persons in Greece, the GNCHR, the Greek

Ombudsman, the Regional Administration and the Municipalities; senior government representatives<sup>43</sup> participate without the right to vote.

### **Rights of the child<sup>44</sup>**

159. Law 4538/2018 aims at coordinating institutions implementing foster care and adoptions, through the National Foster Care and Adoption Council (ESANY). It also aims at speeding up procedures, collecting valid national data, updating and enriching regulations concerning relevant National Registers<sup>45</sup>.

160. Since April 2019, all those who wish to become foster parents or to adopt, must apply online through the Information System of Fosterages and Adoptions<sup>46</sup>. For the first time, same sex couples having signed a civil partnership are allowed to become foster parents.

161. The Ministry of Labour and Social Affairs launched on 30 June 2021 a “National Deinstitutionalization Strategy” which aims at developing the framework of social care support systems, with the involvement of relevant stakeholders. It has also designed an Early Childhood Intervention, 0-6 years old, program covering the needs of both children and their families for special support<sup>47</sup>.

162. A wide range of actions have already been taken in order to promote deinstitutionalization and develop alternative, family-based care placements, such as a 2017 “Deinstitutionalization Program for Persons with Disabilities”, focusing on person-centered support systems and services in the community, at home and in the form of personal assistance where needed<sup>48</sup>.

### **Conclusion**

163. The Greek authorities are fully aware of the challenges lying ahead and are determined to spare no effort to address the enormous impact of the pandemic, to protect all those in vulnerable situations, to effectively manage the mixed migration flows with full respect for human rights, to further gender equality, to fight against trafficking in human beings and domestic violence, and to promote the digital transformation and green transition of the country. The recommendations of the UPR process will provide valuable guidance to this effect.

#### *Notes*

<sup>1</sup> Recommendations 134.97, 134.98, 134.99, 134.100, 134.101, 134.102, 134.103, 134.104, 134.105, 134.106, 134.107, 134.108.

<sup>2</sup> This was achieved through the operation, at national level, of “mobile health teams of specific purpose” (KOMY).

<sup>3</sup> Furthermore, considerate measures were imposed in public and private sector workplaces for those employees with underlying diseases, such as back office work or working from home or special leaves.

<sup>4</sup> In particular, health personnel, the elderly, people with underlying diseases and other vulnerable groups.

<sup>5</sup> Recommendation 134.9.

<sup>6</sup> Recommendations 134.1, 134.2, 134.3, 134.4, 134.5, 134.6, 134.7, 136.1, 136.2.

<sup>7</sup> For more details, see para. 60.

<sup>8</sup> Recommendations 134.8, 134.10, 134.11, 134.12, 134.13, 134.14, 134.15, 134.16, 134.17, 134.18, 134.19.

<sup>9</sup> For more details, see paras. 32–33.

<sup>10</sup> Recommendations 134.35, 134.36, 134.37, 134.38, 134.39, 134.40, 134.41, 134.42, 134.43, 134.44, 134.45, 134.46, 134.47, 134.48, 134.49, 134.50, 134.51, 134.52, 134.53, 134.54, 134.55, 134.56, 134.57, 134.58, 134.59, 134.60, 134.61, 134.62, 136.8, 136.9, 136.10, 136.22.

<sup>11</sup> 100 incidents were recorded in 2016, 184 in 2017, 226 in 2018, 282 in 2019.

<sup>12</sup> Recommendations 134.64, 134.65, 134.66, 136.11.

- <sup>13</sup> Recommendations 134.116, 134.117, 134.118, 134.119, 134.20, 134.121, 134.122, 136.19, 136.23.
- <sup>14</sup> Recommendations 134.94, 134.123, 136.18.
- <sup>15</sup> Cases “Bekir-Ousta and others” and “Emin and others”.
- <sup>16</sup> Recommendations 134.5, 134.6, 134.7, 134.25, 134.79, 134.80, 134.81, 134.82, 134.83.
- <sup>17</sup> Courses on sexual violence crimes (trafficking in human beings, rape, sexual assault etc) have been included in the curricula of the Police Academy Schools (basic, postgraduate education, retraining). These subjects may take either the form of a course of study or of lectures, training and further training. A key objective is to effectively train learners on these issues and optimize their skills in investigating and dealing with such cases, in fully grasping the meaning of a gender-sensitive approach while dealing with victims, in promoting the cooperation with other bodies and services active in providing assistance and protection to victims.
- <sup>18</sup> Recommendations 134.84, 134.85, 134.86, 134.87.
- <sup>19</sup> The new Criminal Code entered into force on 1.7.2019 (Law 4619/2019).
- <sup>20</sup> More specifically, at the Athens and Thessaloniki First Instance Courts, Public Prosecutors have been appointed to handle exclusively and to prioritize THB cases. The Hellenic Police maintain an Anti-Trafficking Unit (ATU) within the Organized Crime Division comprised of two sub-units in Athens and Thessaloniki, and twelve smaller sub-units across municipalities all over the country.
- <sup>21</sup> The results referred to in this paragraph were achieved in the context of an Operational Action Plan, within the framework of EU’s policy cycle on serious and organized transnational crime, having as main priority dismantling organized crime networks active in human trafficking and labour exploitation of the victims. For the implementation of the above mentioned actions, Common Action Days were organized, coordinated by Europol, aiming at enhancing cooperation while promoting coordination of actions carried out by the prosecuting authorities of the EU member states active in combating trafficking in human beings. Greece participated for the year 2018 in the action “OAP 4.1” of the priority «EMPACT THB». The relevant actions were positively assessed, given the fact that, on one hand, a substantial number of infringements related to labour exploitation were confirmed and on the other, the Hellenic Police cooperated closely with the most competent Service on the matter, namely the Labour Inspectorate.
- <sup>22</sup> Recommendations 134.26, 134.27, 134.28, 134.29, 134.30, 134.31, 134.32, 134.33, 134.34, 134.63, 134.95, 134.96, 134.109, 136.20.
- <sup>23</sup> See supra, para. 61.
- <sup>24</sup> Recommendations 134.67, 134.68, 134.69, 134.70, 134.71, 134.72, 134.73, 134.74, 136.12.
- <sup>25</sup> Recommendations 134.75, 134.76, 134.77, 134.78.
- <sup>26</sup> In particular, steps have been taken to relocate the Korydallos prison in the greater Athens area. The site of the new prison, which will have a capacity of 2,000 persons, has been identified, and the relevant programme contract has been concluded.
- <sup>27</sup> Recommendations 134.88, 134.89.
- <sup>28</sup> Recommendations 134.93, 136.14.
- <sup>29</sup> Law 4777/2021.
- <sup>30</sup> The complete text of the Circular and a list of the documentation required are available in English on the website of the Ministry of Education and Religious Affairs.
- <sup>31</sup> For Thrace specifically, see para. 45 above.
- <sup>32</sup> Recommendations 134.20, 134.21, 134.22, 134.23, 134.24, 134.25.
- <sup>33</sup> The policy is going to be implemented nationwide in September 2021.
- <sup>34</sup> This initiative has been awarded with the GENE Global Education Award 2020-2021 for Quality and good practice in Global Education across Europe.
- <sup>35</sup> Recommendations 134.124, 134.125, 134.126, 134.127, 134.128, 134.129, 134.130, 134.131, 134.132, 134.133, 134.134, 134.135, 134.136, 134.137, 134.138, 134.139, 134.140, 134.141, 134.142, 134.143, 134.144, 134.145, 134.146, 134.147, 134.148, 134.149, 134.150, 134.151, 134.152, 134.153, 134.154, 136.26, 134.142, 134.149, 136.24, 136.25.
- <sup>36</sup> In its capacity as the National Investigation Mechanism of incidents of arbitrariness by law enforcement personnel and prison officers (see para. 87 above).
- <sup>37</sup> Joint Rescue Coordination Center.
- <sup>38</sup> On 31.12.2020, the total number of third country nationals staying in Reception and Identification Centers (RICs) in the Aegean islands amounted to 14,688 persons, having decreased by approximately 60% compared to 2019.
- <sup>39</sup> In this context, the Special Secretariat defines quality standards of operation for accommodation facilities, as well as supervised apartments.
- <sup>40</sup> See infra, para. 150.
- <sup>41</sup> Recommendations 134.110, 134.111, 134.112, 134.113, 134.114, 134.115.
- <sup>42</sup> (i) Personal Assistant in order to support beneficiaries in their routine and help them develop the necessary skills for their daily needs, depending on their functionality, social, personal factors and

employment status -the programme has been submitted for funding by the EU RRF as part of the National Plan for Recovery and Resilience “Greece 2.0”.; (ii) a specialized employment program for persons with Autism Spectrum Disorder (ASD).

<sup>43</sup> At the level of the Secretary General of the competent Ministries.

<sup>44</sup> Recommendations 134.90, 134.91, 134.92, 136.6. On the National Action Plan on the Rights of the Child, see paras. 18–20. On the situation of unaccompanied minors and the activities of the Special Secretariat for the Protection of Unaccompanied Minors of the Ministry of Migration and Asylum, see paras. 145–150.

<sup>45</sup> Registers of children in institutional care, foster care, adoption, as well as of prospective foster parents.

<sup>46</sup> The procedure is completely digitalized, except for the home study report.

<sup>47</sup> Indeed, with the involvement of stakeholders, including those representing the users, an implementation plan can lead to a successful and sustainable framework of support systems meeting human rights standards and individual needs. The Early Childhood Intervention program covers the needs of both children and their families for special support in order to ensure and enhance personal development and promote social inclusion.

<sup>48</sup> The program includes the transition of individuals living in institutional settings to settings based in the community where individualization of support and inclusion in society is made possible.

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