

# *Council of Europe contribution for the 39<sup>th</sup> UPR session (Apr-May 2021) regarding Greece*

## **Contents**

<i>Prevention of torture (CPT).....</i>	<i>2</i>
<i>Council of Europe Commissioner for Human Rights.....</i>	<i>3</i>
<i>Fight against racism and intolerance (ECRI).....</i>	<i>5</i>
<i>Steering Committee on Anti-Discrimination Diversity and Inclusion (CDADI).....</i>	<i>5</i>
<i>Protection of minorities.....</i>	<i>6</i>
<i>Framework Convention for the Protection of National Minorities.....</i>	<i>6</i>
<i>European Charter for Regional or Minority Languages.....</i>	<i>6</i>
<i>Ad hoc Committee of Experts on Roma and Traveller Issues (CAHROM).....</i>	<i>6</i>
<i>Action against trafficking in human beings (GRETA).....</i>	<i>7</i>
<i>Preventing and combating violence against women and domestic violence (GREVIO).....</i>	<i>7</i>
<i>Protection of children against sexual abuse (Lanzarote Convention).....</i>	<i>8</i>
<i>Fight against corruption (GRECO).....</i>	<i>13</i>
<i>Execution of judgments and decisions of the European Court of Human Rights.....</i>	<i>13</i>
<i>Statistical data.....</i>	<i>13</i>
<i>Main cases / groups of cases under the Committee of Ministers' supervision.....</i>	<i>13</i>
<i>Important cases closed in 2020.....</i>	<i>15</i>
<i>Social and Economic Rights (ECSR).....</i>	<i>15</i>
<i>Venice Commission.....</i>	<i>16</i>

## Prevention of torture (CPT)

*The 'European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment' organises country visits in order to visit places of detention to assess how persons deprived of their liberty are treated. After each visit, the CPT sends a detailed report to the State concerned. This report includes the CPT's findings, and its recommendations, comments and requests for information.*

The CPT's report on the 2018 ad hoc visit to Greece focussed on immigration detention and psychiatric establishments:



**CPT\_Inf\_2019\_4\_Greec  
e.pdf**

The objective of the visit was to examine the treatment, living conditions and safeguards offered to civil and forensic patients in psychiatric establishments; and to look into the situation of foreign nationals deprived of their liberty under aliens' legislation.

The CPT delegation's Preliminary Observations:



**CPT\_Inf\_2018\_20\_Gree  
ce.pdf**

The corresponding Government response:



**CPT\_Inf\_2019\_5\_Greec  
e.pdf**

The CPT's report on the 2019 periodic visit to Greece:



**CPT\_Inf\_2020\_15\_Gree  
ce.pdf**

The report reviewed the progress in the implementation of the Committee's recommendations since its previous visits in 2013 and 2015 in relation to prison matters. Particular attention was also paid to the treatment and conditions of detention of persons deprived of their liberty by the police, the transport of prisoners around the country, the situation of prisoners held in transfer establishments managed by the Hellenic Police and to the way in which investigations into allegations of ill-treatment by police officers are carried out.

The corresponding Government response:



**CPT\_Inf\_2020\_16\_Gree  
ce.pdf**

The CPT held high-level talks with the Greek authorities in 2019; further information is available at: <https://www.coe.int/en/web/cpt/-/council-of-europe-anti-torture-committee-holds-talks-in-greece-1> .

The objective was to discuss the long-standing concerns of the CPT regarding prison, police and immigration detention issues. In particular, the need to tackle the crisis in the prison system and to improve the treatment of persons detained by the police, including as regards investigating allegations of ill-treatment by law enforcement officials.

The CPT's report on the 2020 ad hoc visit to Greece:



This rapid-reaction visit report examined the way in which persons attempting to enter Greece and apprehended by the Hellenic Police or Coast Guard have been treated, notably since 1 March 2020, when inter alia the processing of asylum requests was suspended.

The corresponding Government response:



### **Council of Europe Commissioner for Human Rights**

*The Commissioner for Human Rights is an independent and impartial non-judicial institution established by Council of Europe to promote awareness of and respect for human rights in the 47 Council of Europe member States.*

On 9 September 2020, further to the fire that destroyed most of the Moria Registration and Identification Centre and the informal settlements surrounding it on the Greek island of Lesbos, the Commissioner published a [statement](#) calling on the Greek authorities to provide adequate assistance to all those affected by the fire as a matter of urgency, protect asylum seekers and migrants from attacks and refrain from rhetoric that could heighten tensions. The Commissioner also invited the authorities in Greece and other Council of Europe member states to fundamentally rethink their approach and address the structural problems of a migratory policy that has caused so much unnecessary human suffering. In this connection, she pointed to the containment of asylum seekers and migrants on the Aegean islands, the lack of reception capacity on the islands and the mainland, and the lack of European solidarity.

On 3 March 2020, the Commissioner published a [statement](#) on the human rights situation at the border between Turkey and Greece, where thousands of people were trapped without access to assistance or the possibility to seek international protection. She called for urgent action to prevent the situation from getting worse, including by de-escalating violence and ensuring law enforcement authorities refrained from using force. She called for measures to assess the protection needs of those trapped and ensure access to asylum for those in need. She called for refraining from further action that would lead to vulnerable people ending up in a human rights emergency, expressing concern about the complete closure of borders by Greece, and Turkey's actions in encouraging people to move to the border. Regarding the situation in the Aegean Sea and on the Aegean islands, the Commissioner expressed alarm over reports of pushbacks at sea, and vigilantism on the islands. She noted the clear duty of the authorities to prevent violence and intimidation against refugees and

migrants, those providing them assistance, and journalists covering the situation. The Commissioner also called for more structural action, including by increasing resettlement from Turkey and relocation of asylum seekers from Greece, especially from the Aegean islands, which needed to take place in substantial numbers.

On 3 December 2019, the Commissioner published a [letter](#) she addressed to the Minister of Citizen Protection of Greece and the Alternate Minister for Migration Policy of Greece concerning the Greek government's plans to transfer migrants from the Aegean islands to the mainland and set up closed reception centres on those islands. The Commissioner requested information, inter alia, about the deprivation of liberty regime that would be applicable to the new facilities, the safeguards that the Greek government intended to put in place in order to ensure that detention would be used as a measure of last resort and details about the government's plans as regards alternatives to detention on the islands, notably for vulnerable people, including children.

At the end of a visit to Greece (Lesvos, Samos, Corinth and Athens) from 26 to 31 October 2019, devoted to issues pertaining to the human rights of migrants, including asylum seekers, with a special focus on reception conditions, the Commissioner published a [press release](#), in which she observed a dramatic worsening of the situation of migrants, including asylum seekers, in the Greek Aegean islands since her June 2018 visit to Greece. Appalled by the desperate conditions prevailing in the islands' camps, which have turned into a struggle for survival, she called on the Greek authorities to take urgent measures to meet the vital needs of all these people and safeguard their human rights. The Commissioner praised the strength of the asylum seekers and the solidarity of humanitarian staff and local communities who are trying to bring some measure of dignity to the camps and welcomed the Greek government's decision to transfer 20,000 migrants from the islands to the mainland by the end of 2019. However, she stressed that without lifting the geographical restriction, this plan was unlikely to significantly reduce overcrowding on the islands. Commenting on the law then discussed by Parliament which aimed to speed up asylum procedures and returns, the Commissioner underlined that this law and its implementation should not lead to more and longer detention and must ensure that all asylum seekers have their claims assessed in an individual way, with effective remedies available to challenge rejections. The Commissioner commended the financial support provided by the European Union, but underscored that funds alone will not solve the problem. She urged the Greek authorities to overcome all the bureaucratic obstacles that are hindering the effective use of these funds and the other European countries to take more responsibility in providing ways for relocating people from Greece to other member states, starting with unaccompanied minors. Lastly, the Commissioner stressed that Greece and the EU should also promptly consider how services for local communities can be better supported.

On 6 November 2018, the Commissioner published a [report](#) following her visit to Greece, which took place from 24 to 29 June 2018 and focused on issues pertaining to the human rights of migrants, in particular their reception and integration, and to the impact of the austerity measures on the rights to health and to education. Noting that commendable efforts were made by Greece's people and authorities to welcome migrants, the Commissioner warned that the reception conditions remain well below acceptable standards, especially on the islands, and urged the authorities to urgently address the poor hygiene conditions, the psychological distress and the uncertainty that are threatening the health of migrants and asylum seekers on the islands. She stressed that they should in particular accelerate transfers to the mainland and improve migrant reception capacities there too, and invited Greece's European partners to demonstrate their solidarity by supporting Greece's efforts to improve reception conditions. The Commissioner also expressed deep concern about the reported poor shelter conditions, the lack of social support that most unaccompanied migrant children experience in Greece, and the deprivation of liberty of those detained under the "protective custody" regime. She called on the Greek authorities to immediately stop the detention of unaccompanied migrant children and to give migrant children access to inclusive education, in order to increase their chances of integration. The Commissioner also underscored the need to invest in integration through a comprehensive and long term policy focused in particular on family

reunification, long term residence and citizenship, education, vocational training, language and integration courses, and the fight against racism and discrimination against migrants. As regards the impact of austerity measures packages on the human rights of people in Greece, the Commissioner stressed that shortages in staff and equipment and disruptions in the Greek healthcare system coupled with budget cuts in patients' wages and pensions have hampered access to health care. She urged the authorities to increase their efforts to recruit medical staff, remove obstacles to universal medical coverage, and support the mental health sector and the inclusion of persons with disabilities. In the education sector, the Commissioner noted that budget cuts have led to a marked deterioration in pupils' well-being, teachers' working conditions and school equipment, and called on the authorities to lift all barriers to effective access to education, including through targeted policies to include vulnerable children, children with disabilities and Roma children.



CommDH\_2018\_24\_G  
reece.pdf

### ***Fight against racism and intolerance (ECRI)***

*The European Commission against Racism and Intolerance (ECRI) is a human rights body of the Council of Europe, composed of independent experts, which monitors problems of racism, xenophobia, antisemitism, intolerance and discrimination on grounds such as "race", national/ethnic origin, colour, citizenship, religion and language. It prepares reports and issues recommendations to member States, in which its findings, along with recommendations are published. These reports are drawn up after a contact visit to the country in question and a confidential dialogue with the national authorities. The country monitoring takes place in five-year cycles. As part of the fourth round of ECRI's monitoring work, a new process of interim follow-up has been introduced with respect to a small number of specific recommendations made in each of ECRI's country reports.*

Conclusions on Greece (adopted on 5 December 2017 / published on 27 February 2018)



ECRI\_2018\_4\_Greece.p  
df

### ***Steering Committee on Anti-Discrimination Diversity and Inclusion (CDADI)***

*Under the authority of the Committee of Ministers and bearing in mind the Council of Europe's legal standards, the jurisprudence of the European Court of Human Rights and the findings and recommendations of the relevant monitoring mechanisms, the CDADI steers the Council of Europe's intergovernmental work to promote equality for all and build more inclusive societies, offering effective protection from discrimination and hate and where diversity is respected. The work of the CDADI shall take into account the work of the European Commission against Racism and Intolerance (ECRI), without prejudice to the latter's mandate.*

*The CDADI advises the Committee of Ministers on all questions within its mandate, including preventing and combating hate speech and discrimination on the grounds covered by ECRI, with a particular focus on fighting anti-Gypsyism and improving the active participation and inclusion of Roma and Travellers in society, safeguarding the rights of persons belonging to national minorities and the use of regional or minority languages, and promoting intercultural integration.*

*The CDADI promotes and facilitates thematic exchanges and peer reviews of experience and good practice among Council of Europe member States to develop common policy responses, analyse implementation and*

fulfil any other task assigned to it by the Committee of Ministers.

Based on the study "[COVID-19: An analysis of the anti-discrimination, diversity and inclusion dimensions in Council of Europe member states](#)" adopted in 2020, Committee formed a working group with a task to compile promising and good practices and draft Guidelines of the Committee of Ministers of the Council of Europe on upholding equality and protecting against discrimination and hate during the COVID-19 and similar crises, which is expected to be adopted by the Committee of Ministers during 2021.



## Protection of minorities

### Framework Convention for the Protection of National Minorities

The monitoring procedure for this convention requires each state party to submit a report within one year following the entry into force of the Framework Convention and additional reports every five subsequent years. State reports are examined by the [Advisory Committee](#), a body composed of 18 independent experts responsible for adopting country-specific opinions. These opinions, on which States Parties have an opportunity to comment, are meant to advise the Committee of Ministers in the preparation of its resolutions, containing conclusions and recommendations to the State concerned.

n/a

### European Charter for Regional or Minority Languages

The [Charter's monitoring procedure](#) is based on state reports, as each State Party is required to present its first report within the year following the entry into force of the Charter with respect to the Party concerned. Since the entry into force, in July 2019, of the reform of the monitoring mechanism, the subsequent reports are presented at five-yearly intervals. A committee of independent experts examines the state's periodical report and addresses an evaluation report to the Committee of Ministers, including proposals for recommendations.

n/a

### Ad hoc Committee of Experts on Roma and Traveller Issues (CAHROM)

Following the High-Level meeting, intergovernmental work on Roma issues has been upgraded: on 16 February 2011 the Ministers Deputies adopted terms of reference for a new Committee of Experts (CAHROM) to be answerable directly to the Committee of Ministers. The [terms of reference](#) - which have been renewed by the Ministers Deputies for the years 2018-2019 - place emphasis on the analysis and evaluation of the

implementation of national policies and thematic exchanges of experience and good practices. European Union institutions, international organisations, the European Roma and Travellers Forum and other relevant (Roma and Traveller) organisations are associated as observers to the CAHROM.

### Action against trafficking in human beings (GRETA)

The Council of Europe Convention on Action against Trafficking in Human Beings was adopted by the Committee of Ministers of the Council of Europe on 3 May 2005, following a series of other initiatives by the Council of Europe in the field of combating trafficking in human beings. The Convention entered into force on 1 February 2008, following its 10th ratification. While building on existing international instruments, the Convention goes beyond the minimum standards agreed upon in them and strengthens the protection afforded to victims.

The Convention has a comprehensive scope of application, encompassing all forms of trafficking (whether national or transnational, linked or not linked to organised crime) and taking in all persons who are victims of trafficking (women, men or children). The forms of exploitation covered by the Convention are, at a minimum, sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude and the removal of organs.

The main added value of the Convention is its human rights perspective and focus on victim protection. Its Preamble defines trafficking in human beings as a violation of human rights and an offence to the dignity and integrity of the human being. The Convention provides for a series of rights for victims of trafficking, in particular the right to be identified as a victim, to be protected and assisted, to be given a recovery and reflection period of at least 30 days, to be granted a renewable residence permit, and to receive compensation for the damages suffered.

Another important added value of the Convention is the monitoring system set up to supervise the implementation of the obligations contained in it, which consists of two pillars: the Group of Experts on Action against Trafficking in Human Beings (GRETA) and the Committee of the Parties.

The Convention is not restricted to Council of Europe member states; non-members states and the European Union also have the possibility of becoming Party to the Convention.

GRETA evaluation report (1<sup>st</sup> evaluation round):



GRETA\_2017\_27\_Greece.pdf

[Press release](#)

### Preventing and combating violence against women and domestic violence (GREVIO)

The Council of Europe Convention on preventing and combating violence against women and Domestic violence ([Istanbul Convention](#), CETS No. 210) is the most far-reaching international treaty to tackle this serious violation of human rights. It aims at zero tolerance for such violence and is a major step forward in making Europe and beyond safer. Preventing violence, protecting victims and prosecuting the perpetrators are the cornerstones of the convention. It also seeks to change the hearts and minds of individuals by calling on all members of society,

*in particular men and boys, to change their attitudes. In essence, it is a renewed call for greater equality between women and men, because violence against women is deeply rooted in the inequality between women and men in society and is perpetuated by a culture of intolerance and denial.*

*The Council of Europe Istanbul Convention provides for two types of monitoring procedures:*

- 1. a country-by-country evaluation procedure;*
- 2. and a special inquiry procedure in exceptional cases where action is required to prevent a serious, massive or persistent pattern of any acts of violence covered by the Convention.*

*GREVIO, the Group of Experts on Action against violence against women and domestic violence, is the independent body responsible for monitoring the implementation of CETS No. 210. GREVIO launched its first evaluation procedure in spring 2016, after adopting a questionnaire on legislative and other measures giving effect to the Istanbul Convention.*

*The Convention is not restricted to Council of Europe member states; non-members states and the European Union also have the possibility of becoming Party to the Convention.*

n/a

### **Protection of children against sexual abuse (Lanzarote Convention)**

*The Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse, also known as “the Lanzarote Convention”, requires criminalisation of all kinds of sexual offences against children. It sets out that states in Europe and beyond shall adopt specific legislation and take measures to prevent sexual violence, to protect child victims and to prosecute perpetrators.*

*The “Lanzarote Committee” (i.e. the Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse) is the body established to monitor whether Parties effectively implement the Lanzarote Convention. To do so, the Committee evaluates the information which has been provided by the national authorities and other sources in their replies to questionnaires developed by the Committee itself. This monitoring procedure is divided by rounds, each round concerning a theme. At the end of each round, the Lanzarote Committee adopts “implementation reports” which contain its assessment of the situation with respect to the monitored Parties.*

*Greece ratified the Lanzarote Convention on 10 March 2009 and it entered into force in its respect on 1 July 2010.*

#### **1<sup>st</sup> monitoring round on the “Protection of children against sexual abuse in the circle of trust”**

*This was carried out between 2013 and 2018 and focused on the protection of children against sexual abuse in the circle of trust. It led to the adoption of two implementation reports, one related to the [legal framework](#) and the other to the [strategies](#) to tackle the phenomenon. The information submitted by Greece in the context of the 1st monitoring round is available [here](#).*

*The recommendations requiring Greece to take steps to implement the Lanzarote Convention effectively in the context of this monitoring round were as follows:*

*On the criminalisation of sexual abuse of children in the circle of trust, the Lanzarote Committee:*

- **Urges** Greece to review its legislation to ensure effective protection of children from situations where abuse is made of a recognised position of influence (R1).

On the collection of data on child sexual abuse in the circle of trust, the Lanzarote Committee:

- **Urges** Greece to take the necessary legislative or other measures to set up or designate mechanisms for data collection or focal points at national or local level and in collaboration with civil society, for the purpose of observing and evaluating in terms of quantitative data collection the phenomenon of the sexual exploitation and sexual abuse of children in general and child sexual abuse committed in the circle of trust, in particular (R13).
- **Considers** that Greece must set up a national or local system for recording case-based data for child sexual abuse in the circle of trust cases in the various sectors liable to come into contact with children victims in such instances; such administrative data collection systems should be implemented allowing to compare and cross-check the data thus collected at national level and avoid duplication (R15).

On the best interest of the child and child friendly criminal proceedings, the Lanzarote Committee:

- **Considers** that when sexual abuse is inflicted by someone in the child's circle of trust, the child victim is in a particularly delicate situation of having to report a crime made by someone who he or she trusted, respected and possibly loved. This situation which can create a serious disturbance on the child's family life and overall wellbeing, needs to be addressed specifically (R22).
- **Considers** that information and advice should be provided to child victims in a manner adapted to their age and maturity, in a language they understand, and which is gender and cultural sensitive (R23).
- **Considers** that Greece should address and encourage as much as possible the co-ordination and collaboration of the different players who intervene for and with the child victim during criminal proceedings. This comprehensive and interdisciplinary approach offers extra support to the child victim and in some cases, the possibility for intervention not to be delayed and appropriate support to be provided immediately after the disclosure (R24).
- **Considers** that, in the context of sexual abuse in the circle of trust, the removal of the victim from his or her family environment should be foreseen as a last resort procedure, which should be clearly defined, setting out the conditions for and duration of the removal (R27).
- **Considers** that interventions and measures which are taken in the context of domestic violence operate on a different *modus operandi* to those established in child sexual abuse cases. An explicit mention of sexual abuse should therefore be included in all protection measures with regard to domestic violence (R28).
- **Urges** Greece to take the necessary legislative or other measures to ensure that the persons who are close to the victim may benefit, where appropriate, from therapeutic assistance, notably emergency psychological care (R30).

On child participation, the Lanzarote Committee:

- **Considers** that Greece should further encourage the participation of children, according to their evolving capacity, in the development and the implementation of state policies, programmes or other initiatives concerning the fight against sexual abuse of children in the circle of trust specifically (R1).

On the participation of civil society, the Lanzarote Committee:

- **Considers** that, if it has not yet done so, Greece should encourage the participation of the civil society in the elaboration and implementation of policies to prevent sexual abuse of children in the circle of trust also by providing financial support to them (R2).
- **Considers** that, if it has not yet done so, Greece should cooperate with civil society organizations engaged in assistance to victims and provide, by means of legislative or other measures, in accordance with the conditions provided for by internal law, the possibility to assist and/or support the victims with their consent during criminal proceedings concerning the offences established in accordance with this Convention (R3).

On raising awareness on sexual abuse of children in the circle of trust, the Lanzarote Committee:

- **Considers** that Greece should carry out awareness raising activities aiming at informing the public about the phenomenon of child sexual abuse in the circle of trust, with the intent to prevent it (R6).
- **Considers** that the possibility of sexual abuse of children occurring within the family should be explicitly addressed in awareness raising efforts, with the intent to prevent it (R7).

On awareness raising strategies on sexual abuse of children in the circle of trust, the Lanzarote Committee:

- **Considers** that awareness raising actions targeting children should be age appropriate and make use of interactive methods as well as of information and communication technologies (R8).
- **Considers** that awareness raising actions focused on the risks and realities of sexually abused children in the circle of trust should be continuous and systematic. Parties should envisage including these activities in their national action plans for children's rights (R9).

On education for children, the Lanzarote Committee:

- **Considers** that Greece should specifically address the issue of sexual abuse in the circle of trust in the information provided to children during primary and secondary education (R10).
- **Considers** that Greece should put more emphasis on adapting the information given to children to their evolving capacity, thereby making it age-appropriate (R11).
- **Considers** that Greece should further involve parents (and adults exercising parental responsibilities) in the provision of information given to children on sexual abuse, including in the circle of trust (R13).

On specialised training, the Lanzarote Committee:

- **Considers** that, if it is not doing so yet, Greece should provide specific regular training about child sexual abuse in the circle of trust for professionals working within the police, prosecution, child protection and health services (R14)
- **Considers** that, if it is not doing so yet, Greece should allocate adequate financial resources to the training of persons, units and services in charge of investigations as defined by Article 34§1 of the Lanzarote Convention (R15).

On ensuring that candidates for professions whose exercise implies regular contacts with children have not been convicted of acts of sexual exploitation or abuse of children, the Lanzarote Committee:

- **Urges** Greece to extend mandatory screening to the recruitment of all professionals (public or private) in regular contact with children (R19).

On assisting person who fear they might commit sexual offences against children, the Lanzarote Committee:

- **Urges** Greece to put in place effective intervention programmes or measures for persons, including children, who fear they may offend to prevent the risk of offences being committed (R24).

On assisting offenders to prevent repeated offences of a sexual nature against children, the Lanzarote Committee:

- **Urges** Greece to put in place a tool or procedure to make an assessment of the dangerousness and possible risks of repetition of sexual offences against children (R26).
- **Urges** Greece to put in place a tool or procedure to evaluate the effectiveness of the intervention programmes or measures (R27).
- **Urges** Greece to put in place an offer dedicated to meet the developmental needs of children who sexually offend, including those who are below the age of criminal responsibility with a view to providing them adapted programmes or measures so that they can be helped (R28).

On intervention or measures offered during the different stages of judicial proceedings, the Lanzarote Committee:

- **Urges** Greece to put in place effective intervention programmes or measures designed to evaluate and prevent the risk of offences being committed, in the pre-trial phase of the procedure (R29).
- **Urges** Greece to put in place effective intervention programmes or measures in prison (R31).
- **Considers** that if Greece has alternatives to imprisonment, it should ensure that intervention programmes and measures are in place (R32).

### **Urgent monitoring round on “Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse”**

On victim identification, the Lanzarote Committee:

- **Considers** that Greece should put in place effective mechanisms for data collection with a specific focus on children affected by the refugee crisis who are victims or presumed victims of sexual exploitation and sexual abuse and review the possible removal of obstacles to the collection of such data, in particular, where they exist, legal restrictions to do so, with due respect for the requirements of personal data protection (R7).

On the distinction made between victims prior to the entry on territory and after entry, the Lanzarote Committee:

- **Considers** that, while providing adequate protection to child victims irrespective of where the exploitation/abuse occurred, Greece should do its utmost to be able to distinguish between

*sexual exploitation and sexual abuse occurring prior to the entry of the child victim on its territory and after the entry (R11).*

- **Considers** that Greece should fulfil obligations to prosecute the offenders and to provide international co-operation between the Parties in instances where the offence occurred prior to arrival on the territory for the purpose of investigation and prosecution (R12).

On the Parties' approach to protecting children affected by the refugee crisis from sexual exploitation and sexual abuse, the Lanzarote Committee:

- **Considers** that Greece should encourage the co-ordination and collaboration of the different actors who intervene for and with children affected by the refugee crisis to ensure that preventive measures in regards to protection from sexual exploitation and sexual abuse are in place and protective measures are taken as speedily as possible (R13).

On preventing children affected by the refugee crisis from being sexual exploited and sexually abused, the Lanzarote Committee:

- **Considers** that information and advice concerning prevention of and protection from sexual exploitation and sexual abuse should be provided to children affected by the refugee crisis in a manner adapted to their age and maturity, in a language they understand and which is sensitive to gender and culture (R15).
- **Considers** that Greece and other Parties to the Convention should exchange information on awareness raising activities which specifically focus on the risks faced by children affected by the refugee crisis with respect to sexual exploitation and sexual abuse (R17).

On the protection of children affected by the refugee crisis from sexual exploitation and sexual abuse, the Lanzarote Committee:

- **Considers** that Greece should ensure that its specific recommendations on the child-friendly handling of proceedings involving children victims of sexual abuse be implemented also in the context of proceedings involving children affected by the refugee crisis (R31).
- **Considers** that, if it has not yet done so, Greece should encourage and support the setting up of specific information services such as telephone or Internet helplines to child victims of sexual exploitation and sexual abuse affected by the refugee crisis as well as persons wishing to help them to provide advice in a language which is understandable to them (R32).

On co-operation in protecting children affected by the refugee crisis from sexual exploitation and sexual abuse, the Lanzarote Committee:

- **Considers** that Greece and other Parties to the Convention should agree on common strategies/procedures to effectively deal with the phenomenon of cross-border missing children (R35).

On data collection and coordination in protecting children affected by the refugee crisis from sexual exploitation and sexual abuse, the Lanzarote Committee:

- **Considers** that Greece and other Parties to the Convention should reinforce or put in place a coordinated approach between the different agencies in charge in order to facilitate the

prevention and protection of children affected by the refugee crisis from sexual exploitation and sexual abuse (R37).

## **Fight against corruption (GRECO)**

The 'Group of States against Corruption' (GRECO) monitors all its 50 members through a peer review evaluation procedure within thematic evaluation rounds. The evaluation reports contain recommendations aimed at furthering the necessary legislative, institutional and practical reforms. Subsequently, the implementation of those recommendations is examined in the framework of a "compliance procedure", assessing whether they have been implemented satisfactorily, partly or have not been implemented 18 months after the adoption of the evaluation report. GRECO has also an Ad hoc procedure for situations requiring urgent action.

Greece had to undergo GRECO's ad hoc procedure, triggered by the country's downgrading of the offence of bribery of public officials from a felony to a misdemeanour in 2019. Following GRECO's intervention, this offence was re-characterised as a felony.

Here is the latest report (ad hoc procedure) of 29 October 2020:



Greco-AdHocRep(2020)1-Final-eng-Greece

The evaluation of Greece under the on-going Fifth Evaluation Round ("Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies") is planned for June 2021.

## **Execution of judgments and decisions of the European Court of Human Rights**

### **Statistical data**

As at 15 January 2021, there were 120 cases (195 cases on 31 December 2019) against Greece pending before the Committee of Ministers for supervision of their execution. Among these cases, 39 cases were "leading cases" evidencing notably structural or systemic problems (43 leading cases on 31 December 2019) and seven groups of cases under the enhanced supervision procedure were examined by the CM (see below).

In 2020, the CM was seized by 8 new leading cases (6 new leading case in 2019) and the amount of just satisfaction awarded was € 2 131 421 (the previous one was € 1 562 538 in 2019). In 2020, 111 cases against Greece were closed by the adoption of a Final Resolution (84 cases closed in 2019).

### **Main cases / groups of cases under the Committee of Ministers' supervision**

- 1) ill-treatment by law enforcement agents and lack of effective investigations ([Makaratzis](#) group of cases);



MAKARATZIS v.  
Greece.pdf

- 2) poor detention conditions in overcrowded prisons and lack of effective preventive remedy ([Nisiotis](#) group of cases);



**NISIOTIS v.  
Greece.pdf**

- 3) degrading treatment of asylum seekers or irregular migrants on account of their conditions of detention in various detention facilities, degrading treatment due to their living conditions in Greece and lack of an effective remedy against expulsion ([M.S.S.](#) group of cases);



**MSS v. Greece.pdf**

- 4) degrading treatment of unaccompanied minors notably on account of their conditions of detention in various detention facilities ([Rahimi](#) group of cases);



**RAHIMI v. Greece.pdf**

- 5) non or delayed compliance with domestic court judgments ordering the lifting of land expropriation orders or charges on land and lack of an effective remedy ([Beka-Koulocheri](#) group of cases);



**BEKA-KOULOCHERI v.  
Greece.pdf**

- 6) domestic courts' refusal to register associations or dissolution of associations from the Muslim minority in Thrace on the ground they were representing a danger for public order ([Bekir-Ousta](#) group of cases); and



**BEKIR-OUSTA AND  
OTHERS v. Greece.pdf**

- 7) domestic courts' refusal to register an association on the grounds that the use of the word "Macedonian" and the purpose proclaimed in the association's statutes contravened public order and jeopardized the harmonious coexistence of the population of the Florina region (case of [House of Macedonian Civilization and Others](#)).



**HOUSE OF  
MACEDONIAN CIVILIZ**

For more complete overview of the situation see the Country Factsheet (available on the website of the Department for the Execution of Judgments of the European Court of Human Rights) and in the Committee of Ministers' Annual Reports on its supervision activity.



**EJECHE Factsheet\_Gr  
eece.pdf**



**Supervision of the ju  
dgments\_and\_decisi**

More detailed information on the status of execution in individual cases can be found through [Hudoc-EXEC](#)

### **Important cases closed in 2020**

In 2020, the Committee of Ministers decided, inter alia, to end the supervision of the execution of cases relating to:

- the authorities' failure to prevent the human trafficking and subjection to agricultural labour exploitation, failure to provide protection to victims as well as lack of an effective investigation into the offences and failure to sanction those responsible for the trafficking/exploitation (Chowdury and Others, Application No. 21884/15, judgment final on 30/06/2017, see [Final Resolution](#));



#### **CASE OF CHOWDURY AND OTHERS AGAINST**

- human trafficking for sexual purposes and inadequacies in the operational measures to protect the victims, and deficiencies in the effectiveness of investigations and criminal proceedings (L.E. and another case, Application No. 71545/12, leading case final on 21/04/2016; see [Final Resolution](#));



#### **CASE OF L.E. AGAINST GREECE AND**

- denial of access to a court due to Parliament's refusal to lift parliamentary immunity of Members of Parliament against whom the applicants wished to institute criminal proceedings for acts that were not linked to the performance of their parliamentary duties (Tsalkitzis group of cases, Application No. 11801/04, leading judgment final on 26/03/2007, see [Final Resolution](#)); and



#### **CASE OF TSALKITZIS AGAINST GREECE AND**

- lack of an effective investigation into the death of relatives of the applicants (Tsalikidis and Others group of cases, Application No. 73974/14, leading judgment final on 16/02/2018), see [Final Resolution](#).



#### **CASE OF TSALIKIDIS AND OTHERS AGAINST**

### **Social and Economic Rights (ECSR)**

The European Committee of Social Rights (ECSR) monitors compliance with the [European Social Charter](#) under two procedures: the national periodic reporting system and the collective complaints procedure. Following a

*decision taken by the Committee of Ministers in 2006, the provisions of the Charter have been divided into four thematic groups. States present a report on the provisions relating to one of the four thematic groups on an annual basis. Consequently each provision of the Charter is reported on once every four years.*



**ESC\_Greece\_June2020\_end.doc.pdf**

The Conclusions 2020 will be made public on 24 March 2021 on the [ESC website](#).

### **Venice Commission**

*The [European Commission for Democracy through Law](#) (Venice Commission) is the Council of Europe's advisory body on constitutional matters. It provides States and international organisations working with it (EU, OSCE/ODIHR) with legal advice in the form of opinions.*

n/a for the European Commission for Democracy through law for the period 2015-2020.