

OSCE/ODIHR Submission of Information about an OSCE Participating State or Partner for Co-operation under Consideration in the Universal Periodic Review Process

Participating State: Greece

UPR Working Group Session and Date of Review: 39th Session, 1-12 November 2021

Background

1. Greece has been a participating State in Organization for Security and Co-operation in Europe (OSCE) since 1973 and has thus undertaken and recently reaffirmed a wide range of political commitments in the “human dimension” of security as outlined in relevant OSCE Documents.¹
2. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) has been mandated by OSCE participating States, including Greece, to assist them in implementing their human dimension commitments. ODIHR assistance includes election observation and assessment activities as well as monitoring and providing assessments, advice and recommendations relating to implementation of commitments in the fields of human rights, democracy, tolerance and non-discrimination, and the situation of Roma and Sinti in the OSCE-Area.
3. The present submission provides publicly available country-specific information that may assist participants in the Universal Periodic Review process in assessing the situation in Greece and its implementation of past recommendations, as well as to formulate new recommendations that may be relevant to enhancing the enjoyment of human rights and fundamental freedoms in Greece.

Election-related activities

4. ODIHR has observed one election in the country during the reporting period, parliamentary. ODIHR deployed an Election Assessment Mission (EAM) for this election.

Parliamentary elections, 7 July 2019

5. ODIHR deployed an EAM to observe the 7 July 2019 the Early Parliamentary Elections in Greece. The final report of the EAM for the 2019 early parliamentary elections in Greece was published on 13 December 2019.² The final report to the elections noted that the elections were competitive and offered voters a wide choice of political alternatives, with fundamental freedoms largely respected. The media provided broad and varied coverage and created conditions for citizens to make an informed choice. Although aspects of electoral legislation could be improved, the elections were effectively administered and enjoyed a high level of public confidence. The report noted that the legal framework is comprehensive and provides a solid basis for the conduct of democratic elections. Several amendments adopted since the last elections are in line with prior ODIHR recommendations, including splitting large electoral constituencies to improve equality of

¹ OSCE Office for Democratic Institutions and Human Rights, *Compendium of OSCE Human Dimension Commitments: Volume 1, Thematic Compilation (third edition)*, <http://www.osce.org/odihr/elections/76894> and *Compendium of OSCE Human Dimension Commitments: Volume 2, Chronological Compilation (third edition)*, 2011, <http://www.osce.org/odihr/76895>; OSCE Summit Meeting, Astana 2010, *Astana Commemorative Declaration: Toward a Security Community*, 3 December 2010, <http://www.osce.org/cio/74985?download=true>

² Greece, Early Parliamentary Elections, 7 July 2019: Final Report, 13 December 2019: <https://www.osce.org/odihr/elections/greece/442168>

the vote. However, certain electoral deadlines remain short, particularly in the context of early elections, which posed challenges for contestants and the election administration. The legal framework does not provide for election observation by citizen and international observers, contrary to OSCE commitments and prior ODIHR recommendations.

6. The EAM report offered recommendations to support efforts to bring the electoral process in Greece further in line with OSCE commitments and other international obligations and standards for democratic elections. Priority recommendations related to reviewing legal timeframes, including for electoral dispute resolution, undertaking further efforts to facilitate the effective participation of persons with disabilities in the electoral process, as well as enhancing capacity and transparency of the work of the campaign finance oversight body.
7. A follow up visit to present the recommendations of Election Assessment Mission could not be pursued due to the outbreak of the COVID-19 pandemic.

Tolerance and non-discrimination issues

8. ODIHR's 2020 publication "OSCE Human Dimension Commitments and State Responses to the COVID-19 Pandemic"³ reported that refugees and migrants were also blamed for the spread of the coronavirus in Greece and elsewhere. This is especially concerning in the case of migrant women, who are affected by multiple and intersecting forms of discrimination and incidents of hate, including on grounds of gender, race/ethnicity and religion. The report also noted that, in Greece, Muslims were blamed for the spread of the virus.
9. Furthermore, the emergency measures introduced by Greek authorities to contain the spread of the pandemic appeared to frequently affect minority communities in a disproportionate manner in terms of securitization. This reportedly included predominantly migrant or Roma communities, being threatened with, or actually selectively placed under enforced lockdown, monitored by police, without a medical or other legitimate justification or in a discriminatory or disproportionate manner.

ODIHR's recommendations to Greece include:

- Uphold existing commitments and international obligations on tolerance and non-discrimination.⁴
- Ensure that any measures and restrictions imposed due to the emergency situation are created and applied in a non-discriminatory manner, as prescribed by relevant international standards. Working together with civil society organizations and minority communities in this process is crucial;

³ Organization for Security and Co-operation in Europe, *OSCE Human Dimension Commitments and State Responses to the Covid-19 Pandemic*, Warsaw, 17 July 2020, <https://www.osce.org/files/f/documents/e/c/457567_0.pdf>.

⁴ OSCE participating States have committed to strongly condemn racial and ethnic hatred, xenophobia, discrimination, anti-Semitism and intolerance against Muslims, Christians and other religions, and have committed to address these phenomena in all their forms (Copenhagen Document, 1990). Since 2003, the OSCE participating States have established a normative framework of OSCE Ministerial Council (MC) decisions to reflect their commitments to address these phenomena: MC Decisions 4/03, 12/04, 10/05, 13/06, 10/07 and 9/09. Additionally, a number of OSCE human dimension commitments recognize the vital importance of participating States' realization of their binding human rights obligations under international treaties, such as the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

- Design and implement recovery assistance in a non-discriminatory manner, with the participation of underrepresented groups affected by discrimination; and
- Celebrate and harness the strength of diversity within the participating State, as a means of overcoming current and forthcoming social and economic challenges of the pandemic.

Roma and Sinti issues

10. OSCE/ODIHR has a specific mandate to assist participating States in implementing the “OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area”.⁵ ODIHR issued a First Status Report on the implementation of this Action Plan in 2008,⁶ estimating the Roma population of Greece at about 80,000 to 350,000, and a second Status Report in 2013.⁷ It released its Third Status Report in 2018, assessing the progress OSCE participating States have made in implementing their commitments towards enhancing the participation of Roma and Sinti in public and political life.⁸
11. ODIHR’s 2020 report “OSCE Human Dimension Commitments and State Responses to the COVID-19 Pandemic” found that news outlets in a number of participating States, including Greece portrayed Roma “in a biased and negative manner”. ODIHR’s recommendations for Greece include:
 - Assist Roma and Sinti children in accessing remote learning and materials, by providing the necessary electronic equipment and support by social and education workers;
 - Ensure that the upcoming recovery plans being developed for the post-pandemic period are inclusive and take the challenges and vulnerabilities of Roma and Sinti communities and their needs fully into account; ensure the full participation of Roma in the consultations, design and development of such recovery plans and strategies;
 - Strongly and unequivocally condemn racial and ethnic hatred, anti-Roma sentiment, xenophobia and discrimination against Roma and Sinti, and ensure that violations of human rights do not enjoy impunity;
 - Develop measures to promote and protect human rights while actively countering racism and discrimination against Roma and Sinti.

Plan on Improving the Situation of Roma and Sinti within the OSCE, 27 November 2003:

<http://www.osce.org/odihr/17554>.

Annex 1 of the Action Plan on Improving the Situation of Roma and Sinti Within the OSCE Area, 24 September 2008: <https://www.osce.org/odihr/33500>.

Annex 1 of the Action Plan on Improving the Situation of Roma and Sinti Within the OSCE Area, Status Report 2013, 24 October 2008: <https://www.osce.org/odihr/107406>.

Report: Implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area, 11 December, 2018: <https://www.osce.org/odihr/roma-sinti-action-plan-2018-status-report>