



Greek National Commission for Human Rights (GNCHR)

**Submission to the United Nations Human Rights Committee
on the List of Issues Prior to
Reporting for the Third periodic examination of Greece
under the International Covenant on Civil and Political Rights**



**International Covenant on
Civil and Political Rights**

September 2021



The Greek National Commission for Human Rights (GNCHR) is the independent advisory body to the Greek State on matters pertaining to human rights protection and the National Human Rights Institution (NHRI). It was established in accordance with the UN Paris Principles and is governed by Law 4780/2021. Its members are persons appointed by forty-two institutions whose activities cover the field of human rights (independent Authorities, universities, third level trade unions, NGOs, political parties and the Administration).

The present Observations were adopted by the GNCHR plenary on 23 September 2021. Rapporteurs: Professor Maria Gavouneli, Presiden;, Ellie Varchalama, Second Vice-President and the GNCHR Scientific Staff: Katerina Charokopou, Roxani Fragou and Eva Tzavala.

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**SUBMISSION TO THE UNITED NATIONS HUMAN RIGHTS COMMITTEE ON THE LIST OF ISSUES PRIOR TO
REPORTING FOR THE THIRD PERIODIC EXAMINATION OF GREECE UNDER THE INTERNATIONAL COVENANT
ON CIVIL AND POLITICAL RIGHTS**

I. INTRODUCTION

1. The [Greek National Commission for Human Rights \(GNCHR\)](#) welcomes the opportunity to make this submission to the Human Rights Committee (the Committee) in advance of its deliberations on the List of Issues for Greece. In this Report, the GNCHR suggests a number of questions for the Committee to put to Greece, due to be adopted by the Committee ahead of its Third periodic review of Greece, following the GNCHR's engagement with the Committee during Greece's Second periodic review in 2015¹. The GNCHR acknowledges the positive developments since the last periodic review, highlighting however the need for a more proactive approach to human rights protection.

Content and sources of the Report

Content of the Report

2. The present Report proposes a number of questions for the Committee to put to the Greek Government with regard to the promotion and protection of human rights in accordance with the International Covenant on Civil and Political Rights (the Covenant). Bearing in mind that, in order to have an impact, the recommendations need to be clear and understandable to all relevant actors, including the State party, stakeholders and the public, the GNCHR has prioritised clear, specific and measurable recommendations. Furthermore, the GNCHR highlights that, by prioritising such recommendations, it will be easier to monitor the follow up process.

3. The Report pursues a grouped article-by-article analysis of the Covenant, taking into account the previous Concluding Observations (COBs) of the Committee and focusing where necessary on matters which are the most pressing or where the Committee is most interested, judging by its previous recommendations.

4. Noting the concerns raised and statements issued by UN Treaty Bodies with regard to the protection of rights during the COVID-19 pandemic, this submission will also, where relevant, touch on the impact the State's response to the pandemic has had on the enjoyment of the rights enshrined in the Covenant.

5. Moreover, the overall report has also been reviewed with specific consideration to relevant Sustainable Development Goals (SDGs), which are underpinned by international human rights standards and instruments and, where relevant, the GNCHR has made an effort to link the recommendations to specific SDGs. Thereby, the recommendations serve a dual purpose of strengthening the implementation of human rights and contributing to sustainable development in Greece. For the purpose of brevity, these references are footnoted throughout the report.

Sources of the Report

6. The content of the Report draws upon several sources of relevant information concerning the human rights situation in Greece and, most importantly, upon the diverse GNCHR work. In particular, the proposed recommendations are based on:

- treaty body recommendations and recommendations from special procedures,
- recommendations from other international human rights mechanisms, such as the Council of Europe,
- recommendations from GNCHR annual, as well as thematic Reports,
- information gathered at consultations with NGOs, experts and members of the community and
- evidence-based data, including desk research.

7. Due to space constraints this Report does not reflect the full range of GNCHR's priorities or areas of concern. The GNCHR remains at the disposal of the Committee and its Secretariat to further discuss the material presented in this submission and/or provide any clarification, further information or other assistance needed.

II. PRINCIPAL MATTERS OF CONCERN AND RECOMMENDATIONS

The key issues this report focuses on are:

Normative and institutional framework

8. With regard to the Country's international obligations, the GNCHR acknowledges with satisfaction that Greece has ratified nearly all of the core international human rights treaties. In this regard, it is worth mentioning that the GNCHR welcomed in principle the ratification of the ILO Violence and Harassment Convention 190, by Law 4808/2021 for the protection of the employment, acknowledging that it can contribute to the prevention of sexual and psychological violence at all levels and areas of activity, the punishment of perpetrators and, above all, the timely and appropriate protection of victims of violence and/or harassment, provided that it will not remain inactive and that is accompanied by appropriate implementation measures². However, the GNCHR deplored the way the Greek legislator chose to ratify the ILO C190, as the bill submitted to Parliament (now voted Law 4808/2021) raised serious issues regarding the Convention's effective implementation. In addition, the GNCHR placed particular emphasis on the confusion caused by the bill with regard to the limits of the relative competences of the finally three (3) co-responsible Independent Authorities – the Labor Inspectorate (SEPE), the Ombudsman and the National Transparency Authority – stressing that ambiguity and duplication of responsibilities are to the detriment of victims of violence and harassment, as well as of CSOs assisting them. To this end, the GNCHR recommended the clarification and complete rewording of the relevant provisions, a recommendation which was not accepted in the final text³.

The GNCHR recommends that the Committee asks the Greek Government:

9. How it assesses the substantial implementation of the ratified international and regional human rights instruments in practice and how it measures the progress made and the effectiveness of the relevant measures and actions in fact.

COVID-19 impact on human rights

10. The GNCHR has pointed out that the pandemic has caused an unprecedented health, economic, social and humanitarian crisis⁴, exacerbating pre-existing systemic inequalities, discrimination and marginalisation, while disproportionately affecting the most vulnerable

social groups, including Roma, refugees, asylum-seekers and migrants, detainees, persons with disabilities and chronic diseases and LGBTQI+ people.

11. The GNCHR has advocated with a strong voice for the imperative need to mitigate the adverse impact of both the financial and the COVID-19 pandemic crisis and accelerate the social and economic recovery⁵, promoting the necessary "investment" in social rights and in their delivery, consistent with the use of maximum available resources⁶. The GNCHR strongly believes that human rights are key in shaping the pandemic response and they need to be at the centre of national strategies to combat COVID-19⁷. Nonetheless, the GNCHR notes with disappointment that, despite its repeated recommendations for the need to effectively monitor and assess the impact of both austerity measures and restrictive containment measures taken to tackle the COVID-19 pandemic, the cumulative impact of these measures has never been assessed⁸.

12. Recognising that the State's attempt to vaccinate the population is an extremely difficult venture, with which the competent national Authorities are coping in a responsible and effective manner, the GNCHR stresses the need to continue and further strengthen efforts for a fair, affordable, timely and full access to a COVID-19 vaccine, corroborating that an affordable and non-discriminatory access to the vaccine is a human right⁹. The GNCHR places particular emphasis on the need to promote the vaccination of those population groups who are most exposed and vulnerable to the virus due to the health conditions they are living in, such as Roma people, detainees, asylum-seekers, refugees or migrants who find themselves in unsafe health conditions.

The GNCHR recommends that the Committee asks the Greek Government:

13. What concrete steps it has taken to effectively monitor and assess the cumulative impact of both the austerity measures and restrictive containment measures taken to tackle the COVID-19 pandemic.

ARTICLE 2 – NON DISCRIMINATION

Persons with disabilities (Arts. 2, 7, 9-10 and 24, COBs par. 9-10)

Discrimination

14. The GNCHR has welcomed the adoption of the first National Action Plan (NAP) for the Rights of Persons with Disabilities in 2020, while acknowledging as a positive step the adoption of Law 4780/2021 establishing 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. However, upon assessing the antidiscrimination legislation¹⁰, and examining how the principle of equal treatment is implemented in all sectors of social life, there seems to be a lack of implementing "reasonable accommodation" in sociopolitical areas, for the latter is restricted in the field of employment and vocational training¹¹. In this regard, the GNCHR recalls that, at the level of both the EUEU and the national legal order, legal protection against discrimination based on *inter alia* disability is explicitly recognised only in the field of employment and vocational training¹². To this end, the GNCHR reiterates the need for an amendment of Law 4443/2016, in order to extend its scope of application in the areas of: (a) education (not just vocational training), at all levels and in all forms of education

services provided, (b) access to healthcare services, (c) social security system, as well as (d) access to goods and services provided to the public¹³.

The GNCHR recommends that the Committee asks the Greek Government:

15. What effective measures has it taken to combat discrimination against persons with disabilities, including direct adaptations in the legislation, particularly with regard to access to education, healthcare and access to goods and services in general, given that the NAP also provides for such measures.

Ill-treatment in psychiatric establishments

16. The GNCHR has noted with great concern that very often, according to the findings of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), following its 2018 country visit in Greece¹⁴, involuntary placement procedures do not offer guarantees of independence and impartiality as well as of objective medical expertise¹⁵. These concerns are confirmed by the latest COBs on the seventh periodic report of Greece of the Committee against Torture (CAT)¹⁶. In particular, it is deeply worrying that the statutory time limitations of the provisional placement are not respected, there is no distinction in Greek law between the procedure for involuntary placement in a psychiatric institution and the procedure for involuntary psychiatric treatment, voluntary patients are not required to sign a form on relevant admission issues, there isn't a complaint procedure in every psychiatric establishment, there is a significant monitoring gap, which needs to be remedied urgently, the time involuntary patients benefit from facilitated contact with the outside world is quite limited and compulsory placements of criminally irresponsible patients have not been subject to systematic court review, resulting to little progress towards release¹⁷.

The GNCHR recommends that the Committee asks the Greek Government:

17. What steps is it taking to implement effectively safeguards against ill-treatment in psychiatric establishments, ensuring in particular, among others, that the significant monitoring gap concerning the private sector institutions is remedied.

Sexual orientation and gender identity (Arts. 2 and 26, COBs par. 11-12)

18. The GNCHR has welcomed the appointment by the Prime Minister of a Committee with the aim of drafting a National Strategy for the Equality of LGBTQI+ persons in Greece, as a response to the European Commission's first ever strategy at the EU level and noted with satisfaction the submission of the Committee's Report to the Prime Minister, in June 29th, 2021. In fact, the GNCHR contributed to the Committee's work by submitting its own [Memo](#)¹⁸, while confirming its willingness and readiness to assist in the demanding task of the National Strategy's implementation.

19. However, the GNCHR recalls that, as already stated, at the level of both the EU and the national legal order, legal protection against discrimination based on *inter alia* sexual orientation, gender identity and/or sex characteristics is explicitly recognised only in the field of employment and stresses the urgent need to extend it in the fields of education, healthcare and access to goods and services in general¹⁹.

20. Furthermore, with regard to the legal gender recognition, the GNCHR has welcomed the adoption of Law 4491/2017 on the Legal Gender Recognition, assessing it as a particularly positive step towards the full and effective implementation of human rights of LGBTQI+ persons. Nonetheless, the GNCHR considers it necessary to highlight the urgent need to

review the whole procedure, as it has emerged after four (4) years of implementation: it is now evident that the court procedure remains the major obstacle, which nullifies the enjoyment of this right. The GNCHR has repeatedly recommended to replace the current legal gender recognition procedure in Greece by a simple administrative procedure based on self-identification, as applied in other Council of Europe countries, such as e.g. with a unilateral declaration in the registry, in order to render human rights guaranteed by the European Convention on Human Rights "practical and effective [and therefore] not theoretical and illusory"²⁰.

21. In addition, with regard to the civil partnership pact, the GNCHR has welcomed the adoption of Law 4356/2015, noting with emphasis that the inclusion of same-sex couples in the civil partnership pact restores a blatant discrimination of the past. However, the GNCHR confirms that it is a constant request of the LGBTQI+ community to enjoy the right to marriage for all couples, regardless of gender, with full rights (eg. marital benefits, allowances, parental leave, child custody and parental care, childbirth, retirement, inheritance and other tax issues)²¹. At the same time, following the adoption of Law 4356/2015 on the civil partnership pact, the GNCHR had welcomed the Greek legislator's initiative to expand the eligibility requirements for foster parents, encouraging him to go one step further, allowing both adoption by both partners of the pact, as well as adoption by one partner of the pact of the child of the other partner.

The GNCHR recommends that the Committee asks the Greek Government:

22. What effective measures has it taken to combat discrimination against LGBTQI+ persons, including direct adaptations in the legislation, particularly with regard to access to education, healthcare and access to goods and services in general.

Racism and xenophobia (Arts. 2, 19, 20 and 26, COBs par. 13-14)

Normative and institutional framework

23. The GNCHR welcomes and fully encourages the initiatives of the Greek Authorities to improve the antiracism legislation²², acknowledging that significant steps have been made in this direction²³. A landmark decision is the conviction against Neo-Nazi Golden Dawn Party by national court on 7th October 2020. The impact of the verdict against Golden Dawn expresses in practice the protection provided by law to each individual, as well as to each member of a community, who is targeted by individuals or groups with racist, xenophobic, homophobic or transphobic motives²⁴.

24. Nonetheless, the GNCHR points out with concern that many structural problems and shortcomings have been identified to date regarding the unhindered and proper implementation of the legislative framework, such as Law 4478/2017. At the same time, convictions by national courts in such remain limited. In particular, the GNCHR stresses that the actual impact of the new Article 81A (racist crime) on pending criminal cases has been quite limited, mainly as a result of the absence of a specific transitional provision which would explicitly provide for the replacement of the Article previously in force (Article 79(3d) by Article 81A²⁵. At the same time, Law 927/1979 (widely known as the "anti-racist law") has been rarely implemented. Moreover, the GNCHR highlights the need for speeding up the identification procedure of undocumented third-country nationals who are victims of racist violence or material witnesses to respective incidents, in order to minimise restrictions of freedom imposed to them²⁶.

25. In addition, the GNCHR reiterates with emphasis that the targeted initiatives for eliminating discrimination and racism are strongly connected with the effective monitoring of the relevant indicators, including the trends of racist violence. To this end, it is urgent to publicise the quantitative and qualitative analysis of the recorded incidents of racist violence, as well as the follow up procedures in order to enhance the transparency of procedures and the trust in an effective national mechanism for recording incidents of racist violence²⁷. The GNCHR remains concerned about the absence of a unified national system for monitoring the procedural steps from the time of the recording by the Police until the relevant procedures at the prosecutors' level and the Courts, but also the access of the victims to supporting services²⁸. The GNCHR's concerns are confirmed by CAT in its latest COBs²⁹.

26. The GNCHR has welcomed the establishment by the Greek Ministry of Justice of the National Council against Racism and Intolerance (NCRI), in which both the GNCHR and the Racist Violence Recording Network (RVRN)³⁰ are represented, although it remains understaffed. The NCRI should operate on a steadier and more frequent basis, conduct decisive interventions aimed at the supervision of the implementation of legislation against racism and intolerance, especially in cases of its violation with the involvement of public officials. With regard to the NAP against Racism and Intolerance, it includes a certain number of policy components for preventing discrimination and racism and combating racist violence, as well as an evaluation system which allows the implementation of the adopted actions to be monitored on an annual basis. Despite the positive above-mentioned developments, the GNCHR has pointed out that there are still key issues related to the promotion of the equal access to basic rights, the effective implementation of the anti-racist legal framework, as well as the establishment of a comprehensive referral system for the support and protection of the victims, which remain to be addressed³¹.

The GNCHR recommends that the Committee asks the Greek Government:

27. What steps is it implementing to ensure proper investigation and justice for hate crime victims and, in particular:

- **how it ensures effective implementation of the relevant antiracist normative framework;**
- **how it ensures effective monitoring of hate crimes and, in particular, what measures has it taken for the establishment of a unified national system for monitoring the processing of hate crime incidents from the level of the recording by the Police until the level of the prosecutors and the courts, as well as for the publication of qualitative and quantitative trends regarding incidents of racist violence, based also on the findings of the Racist Violence Recording Network;**
- **what specific awareness-raising measures is it taking, including regular mandatory pre-service and in-service training, especially among the police, prosecutors, judiciary and lawyers, on the legal framework governing anti-discrimination and on the investigation of complaints of hate crimes;**
- **how it addresses the serious challenges in the operation of the National Council against Racism and Intolerance (NCRI).**

28. What measures is it taking to ensure effective protection of hate crime victims and, in particular:

- **what specific measures has it taken for the establishment of referral system for ensuring access to the supportive services for victims of racist violence;**

- **how it ensures effective dissemination of information on the prohibition of expulsion or return of third country nationals who are either victims or key witnesses of racist crimes or hate speech and express their intention of filing a complaint or reporting an incident to the competent police authorities;**
- **what steps is it taking to ensure speeding up of the identification procedure of undocumented third-country nationals who are victims of racist violence or material witnesses, in order to minimise the detention period.**

Widespread use of hate speech

29. The GNCHR expresses its deep concern about the recent frequent use of xenophobic rhetoric against migrants, lesbian, gay, bisexual and transgender groups in the official political discourse, including by persons who hold public office, encouraging or legitimising racist violence and, thereby, undermining the significant efforts by Greece to improve the Authorities' response to hate crimes³². As the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance during his mission to Greece pointed out, hate speech was present in the media, on the Internet and social media platforms. It usually went largely unchecked and unpunished, as effective self-regulatory mechanisms seemed to be lacking³³.

The GNCHR recommends that the Committee asks the Greek Government:

30. What further initiatives is it taking to prevent, combat and punish racist hate speech, what steps is it undertaking to ensure that racist rhetoric in public speech, that normalises and encourages relevant reactions, is effectively restrained and how is it ensuring the safety of targeted groups and human rights defenders.

Human Rights Defenders' protection

31. GNCHR is deeply concerned about the tensions manifested against human rights defenders, particularly affecting organisations and activists working with refugees and migrants and with the LGBTIQI+ community. The increasing incidence of attacks, according to the RVRN Annual Reports, highlight a worrying trend which points to an increasingly hostile environment for humanitarian organisations and civil society organisations (CSOs) in general, active in the promotion and protection of human rights³⁴. Attacks on human rights defenders remain alarming, highlighting the lack of special protection for human rights defenders on the one hand, and making the implementation of a legal provision for special protection of human rights defenders even more urgent on the other hand. To this end, the GNCHR has already approved in principle the adoption of a bill on "Recognition and Protection of Human Rights Defenders", brought before the GNCHR Plenary by the Greek Transgender Support Association (SYD), which is a GNCHR member³⁵. The bill aims at ensuring that human rights defenders are free from attacks, reprisals and unreasonable restrictions, in order to work in a safe and supportive environment.

The GNCHR recommends that the Committee asks the Greek Government:

32. What further initiative is it taking for the adoption of a legal framework regarding the protection of human rights defenders.

Discrimination against Roma (Arts. 2, 24, 26 and 27, COBs par. 17-18)

The specific situation of Roma population

33. The GNCHR notes with great disappointment that nearly all UN Treaty Bodies have repeatedly delivered COBs and Recommendations³⁶ regarding the necessary measures required to be implemented in order to improve the lives and rights realisation of the Roma in Greece³⁷. The GNCHR has repeatedly expressed its deep concerns with regard to the specific situation of Roma people in Greece³⁸, concerns similar with those reported by the Committee on the Elimination of Racial Discrimination (CERD) in its 2016 COBs³⁹. In particular, the GNCHR emphasised in its COVID-19 Reports the negative impact of the pandemic on Roma populations in the country and the specific needs of Roma people, such as access to health, water supply, electricity, waste disposal⁴⁰. 96 % of the entire Roma population in Greece has remained practically unemployed or with almost zero economic activity⁴¹. Likewise, most of Roma children had no access to education, since they live in informal settlements and encampments without access, or adequate access, to the internet or information technology (IT) equipment, in order to benefit from online distance-learning⁴².

34. A positive step is the launch by the General Secretariat for Social Solidarity and Fight Against Poverty of the Ministry of Labour and Social Affairs of the elaboration process of the new Roma Inclusion National Strategy 2021-2027⁴³.

The GNCHR recommends that the Committee asks the Greek Government:

35. What effective measures has it taken to improve the enjoyment of human rights of all Roma present in the State party, with a focus on those living in informal settlements and to enhance Roma social integration.

The issues of pending civil registration and acquisition of Greek citizenship

36. The GNCHR has repeatedly expressed its strong concerns about pending civil registration of a large number of Greek Roma⁴⁴, especially to the extent that settlement of the registration is the main condition for proving or acquiring Greek citizenship⁴⁵. In particular, the GNCHR has underlined the need to facilitate the acquisition of Greek citizenship for those Roma people, who remain unregistered and who, in order to apply for citizenship, have to follow a long-term and expensive judicial procedure for the issuance of the legal documents required by law in cases of pending civil registrations pursuant to Article 1(2) of the Greek Citizenship Code (KEI)⁴⁶. However, while the GNCHR's proposals were initially accepted by Parliament and the law provided, for the first time, for the recognition of Greek citizenship for stateless Roma and their consequent civil registration settlement (Article 46 of Law 4604/2019), a subsequent amendment by Law 4674/2020, abolished the favorable provisions before they start being implemented (Article 40 of Law 4674/2020).

The GNCHR recommends that the Committee asks the Greek Government:

37. What further measures and initiatives is it taking to ensure that all children are duly registered at birth and to facilitate the acquisition of Greek citizenship for the stateless Roma people.

ARTICLE 3 – GENDER EQUALITY

Gender equality (Arts. 2-3 and 26, COBs par. 7-8)

Gender mainstreaming

38. The GNCHR has welcomed the adoption of the NAP on Women, Peace, Security by the Ministry of Foreign Affairs⁴⁷ in cooperation with all competent Ministries and agencies, including the GNCHR, the adoption of Law 4604/2019 on the "Promotion of substantive gender equality, prevention and combating of gender-based violence", which *inter alia* defines -for the first time- "gendered discrimination"⁴⁸, as well as the NAP for Gender Equality 2021-2025⁴⁹. However, the GNCHR notes that the provisions of Law 4604/2019 fell short of containing an explicit prohibition based on sex characteristics in line with the provisions of Laws 4443/2016 and 4491/2017, while the new wording of the definitions of "direct" and "indirect" discrimination, replacing the ones stipulated in Law 3896/2010, raises questions as to its compatibility with EU law⁵⁰. In addition, with regard to the NAP on Gender Equality, the GNCHR underlines the lack of an integrated and coherent consultation with the participation/involvement of all relevant stakeholders, reiterating at the same time its positions on the methodology, the general principles and guidelines that the National Plans should follow in order to achieve both design and implementation⁵¹.

The GNCHR recommends that the Committee asks the Greek Government:

39. What effective measures has it undertaken to ensure that gender equality is properly mainstreamed at all stages of policy making so as to advance the State's obligations under the Covenant.

Participation in political and public life

40. Despite the gradual progress over the years⁵², participation of women in political life in Greece lags behind at every level⁵³. Greece ranks last in the EU on the Gender Equality Index⁵⁴, with the lowest scores in relation to women in power. In the political field, Parliament elected in 2020 the first female President of the Hellenic Republic, while in the Cabinet only 10 out of 57 members are women. The quotas introduced in favour of women's participation in the elections⁵⁵ have not substantially contributed to an increase in elected representatives, while severe inequalities occur with respect to women in leadership positions in the private sector, despite that the investing in economic empowerment of women could yield higher development returns in the achievement of sustainable development goals, such as gender equality (SDG Goal 5)⁵⁶. As stressed by the UN WG on discrimination against women and girls, in its visit in Greece in April 2019, the lack of available and reliable data and strong monitoring capacity is also a key challenge impeding progress⁵⁷.

The GNCHR recommends that the Committee asks the Greek Government:

41. What supportive measures is it taking to accelerate the equal representation of women in all areas of public and professional life, especially in decision-making positions.

Employment and the impact of COVID-19 pandemic

42. Despite certain positive recent developments, such as the transposition of EU Directives on gender equality into the national legal order by law 4443/2016 and of the Work-life balance EU Directive 2019/1158 and the recent launch of the Pegasus project⁵⁸, the GNCHR

still identifies certain gaps in the existing legislation and in its implementation in practice, which limit women's labour rights, such as the high female unemployment rate⁵⁹, dismissals of pregnant women in the private sector in flagrant breach of the law, the absence of a minimum single maternity benefit to all working mothers and the continuous reduction of the already insufficient day-care structures for children and dependent persons⁶⁰. Moreover, the multiple State interventions to collective autonomy, especially as to the scope and mandatory character of both general and sectoral Collective Agreements setting uniform labour standards, resulted in the widening of the gender pay-gap. Additionally, there is still a failure to collect reliable statistics on gender discrimination in the workplace in Greece⁶¹.

43. The GNCHR has repeatedly in the past commented on the disproportionate impact of the previous financial crisis and austerity measures on women's labour rights⁶². The current unexpected crisis which the COVID-19 pandemic caused and the emergency restrictive employment measures taken to tackle the crisis, affected further disproportionately women's labour rights⁶³. According to the findings of the European Committee of Social Rights (ECSR), indications are that women's employment has been placed at greater and longer risk than men's by the pandemic⁶⁴. It is here worth mentioning, that the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR)⁶⁵, referring to the conclusions of the UN Working Group on Discrimination Against Women and Girls (WGDWG)⁶⁶, according to which Greece is lagging behind other EU countries, due to poor implementation of law, persistence of discrimination and lingering impacts of the crisis and austerity measures, invited the Government to take all the necessary measures.

The GNCHR recommends that the Committee asks the Greek Government:

44. What efforts are made to collaborate with employers' and workers' organisations, the Ombudsperson and the enforcement Authorities in order to address all these issues, identified by the Committee on the Application of Standards of the International Labour Conference.

Work life balance

45. The GNCHR has welcomed in principle Law 4808/2021, which *inter alia* transposed the EU Directive 2019/1158 in national law, drawing at the same time the attention of the Greek State to the unusual manner the Directive was transposed. In particular, as regards the structure of the new Law, the repealed and amended national provisions are not included in the text of the Law and the numbering and wording of the Directive's provisions is not followed, which in practice causes legal uncertainty and will not facilitate neither the application of the community law nor its monitoring by the European Commission. Furthermore, bearing in mind the impact of the previous crisis on reconciliation of work, private and family life⁶⁷ and the tendency of mothers in Greece to settle the dispute between them and their employers privately, thus accepting a violation of their rights, afraid of losing their jobs, while those who complain to the Ombudsman's Office are often hesitant to proceed to further action, the GNCHR voices its concerns about the effective implementation of Law 4808/2021⁶⁸. In this regard, the GNCHR appreciates the benefits of the new rules (requirements for paternity, parental and carers' leave and flexible working arrangements), on the one hand, stressing that implementation measures should primarily promote the participation of women in the labour market, and the closing of the gender gaps in earnings and pay, instead of reinforcing existing inequalities in this field⁶⁹.

46. The GNCHR expresses its concerns about the fact that in Greece self-employed parents do not have access to this form of parental leave⁷⁰, while at the same time Greece is one of the Member States that does not grant parental leave to parents who are same-sex couples⁷¹.

The GNCHR recommends that the Committee asks the Greek Government:

47. What effective steps is it taking towards improving work-life balance, including self-employed parents.

ARTICLES 6 AND 7 – RIGHT TO LIFE AND PROHIBITION OF TORTURE

Excessive use of force and ill-treatment (Arts. 2, 6 and 7, COBs par. 15-16)

48. The GNCHR remains concerned about the frequency, volume and character of reported cases of law enforcement arbitrary conduct and closely monitors recent allegations of unjustified violence by the Greek Police. Ill-treatment and excessive use of force by law enforcement officials, especially with the high number of foreign nationals arriving in the Country, are also confirmed by the latest CAT's COBs⁷², the European Commission's against Racism and Intolerance (ECRI) relevant Statement and Report⁷³, as well as CPT's latest findings⁷⁴. Taking into account the above mentioned, the GNCHR has repeatedly called on the Greek State⁷⁵ and all competent bodies, such as the National Mechanism for the Investigation of Arbitrary Incidents⁷⁶, to proceed promptly and decisively to the impartial and thorough investigation of any relevant allegation of unjustified use of force by the Police⁷⁷.

49. The GNCHR takes this opportunity to recall the Prime Minister's announcement, dated 12 March 2021, which highlighted four (4) key issues related to the excessive use of force by police officers, including the strengthening of the Ombudsman by creating an autonomous structure with a Deputy Ombudsman, specialised staff and exclusive responsibility to assist in dealing with police violence. The GNCHR, following its previous recommendations, monitors the implementation of the relevant announcement⁷⁸.

The GNCHR recommends that the Committee asks the Greek Government:

50. What further initiatives is it taking to ensure that impartial and effective investigations are undertaken into all allegations relating to the excessive use of force by law enforcement officers and that the perpetrators are prosecuted and the victims are adequately compensated and how is it implementing the Committee's previous recommendation to establish and operate a reliable, independent and effective mechanism for the immediate investigation of relevant complaints.

51. What measures has it taken to increase the efforts to systematically provide training to all law enforcement officers on the use of force, including continuous training on human rights in the Schools and Academies of the Greek Police, as well as introduction of the course of effectively addressing manifestations of racism and xenophobia in the general training and retraining of law enforcement officers.

Domestic violence (Arts. 3, 7 and 24, COBs par. 19-20)

52. The Committee recommended in its COBs in 2015 that the State should adopt a comprehensive strategy to prevent and address gender-based violence in all its forms and manifestations⁷⁹. The GNCHR acknowledges as positive steps in this direction the recent initiatives aiming at combating violence against women⁸⁰. However, implementation lags behind⁸¹. In particular, the GNCHR remains concerned with regard to those women facing

intersectional forms of discrimination or those in more vulnerable situations, such as minority, migrant and refugee women, women with disabilities, as well as older women and lesbian, transgender and intersex women⁸². Above all, the GNCHR, addressing the issue of discrimination against women in a cross-cutting manner in various areas of its work⁸³, underlines the need to effectively implement in practice the new rules⁸⁴.

53. At the same time, the GNCHR shares the concerns of the UN Working Group on Discrimination Against Women and Girls (WGDWG) regarding the non-prosecution of perpetrators despite the significant number of domestic violence reported cases, insisting on the urgent need to raise awareness about domestic violence, given that patriarchal attitudes and deeply rooted stereotypes regarding the role and responsibilities of women and men, as well as discriminatory practices, persist⁸⁵. Likewise, measures, such as the introduction into schools of educational material on the elimination of gender stereotypes and the training of professionals in the field, have not yet been launched⁸⁶. In addition, the UN Working Group's experts are concerned that there is uneven coordination of support services for victims of the various forms of gender-based violence, as well as programmes for perpetrators and that shelters and emergency accommodations remain insufficient⁸⁷. While, lack of available sex-disaggregated data in relation to all forms of gender-based violence and crimes against women remains a key challenge⁸⁸, the GNCHR appreciates the role and capacity of the Observatory established by the General Secretariat for Demography and Family Policy and Gender Equality (GSDFPGE)⁸⁹, as a positive development. In this regard, the GNCHR shares the concerns of the Committee on the Elimination of Discrimination against Women (CEDAW), in its List of issues and questions prior to the submission Greece's report⁹⁰ about the lack of systematic and disaggregated data on all forms of violence against women. This was also recently confirmed by CEDAW, in its List of issues and questions prior to the submission Greece's report⁹¹.

The GNCHR recommends that the Committee asks the Greek Government:

54. What further initiatives is it taking to increase prevention efforts with a focus on the diversity of women in Greece and their specific needs, especially the needs of those who are in vulnerable situations, such as minority, migrant and refugee women, women with disabilities, older women, lesbian and transgender women and intersex persons. In particular, what measures is it considering in order to encourage women to report incidents of domestic and sexual violence and ensure that they have access to immediate means of redress and protection and that perpetrators are prosecuted and punished.

55. What initiatives is it planning for awareness-raising of the general public, as well as of judges, prosecutors, police officers, health-service providers, journalists and teaching staff.

56. What steps is it implementing to ensure that the level of assistance, services, including shelters and access to justice, to victims of domestic violence is sufficient in particular for women in vulnerable situations, including access to adequate shelters and long-term support.

57. To enhance the capacity of the competent State Authorities to provide disaggregated statistics on complaints, prosecutions and sentences regarding violence against women.

Reception and detention of migrants and asylum seekers (Arts. 7, 9 and 10, COBs par. 27-28)

Reception of migrants and asylum seekers

58. The dramatic deterioration of the level of provision of material reception and accommodation conditions for applicants for international protection in Greece constitutes a key concern of most of the UN human rights monitoring bodies⁹². In 2019-2020, the situation in the islands remained critical, based on GNCHR's findings⁹³. Apart from a collapse of the hosting capacity of the reception centers, other worrying findings possibly entailing violations of human rights were the limited access to formal education for migrant children residing in camps –still applicable⁹⁴, the severely defected provision of health and psychological services to refugee population in the camps – worsened in COVID-19 context⁹⁵ and incidents of violence, racist attacks, hate speech and xenophobia and a general climate of insecurity among residents in or outside Reception and Identification Centers⁹⁶. In 2020, following the fire in Moria camp⁹⁷ and in view of the imminent threat to the health of vulnerable population due to the COVID-19 outbreak, there has been a decongestion of the islands in slow pace, with priority given to unaccompanied minors and vulnerable persons⁹⁸. Given the low number of new arrivals in 2021, the overcrowding in the majority of the reception centers ceased; nevertheless, the above challenges to effective human rights protection remain. Pursuant to Law 4636/2019 as amended, new Closed Controlled (multipurposed) Structures will be constructed to replace the existing RICs.

The GNCHR recommends that the Committee asks the Greek Government:

59. What effective measures is it taking to strengthen the reception and accommodation centres with medical and paramedical staff as well as administrative personnel and social workers, given the COVID-19 pandemic.

60. What concrete measures is it planning for the protection of vulnerable groups, the safeguarding of the rights of applicants for international protection with disabilities and chronic diseases and the operation of reception and accommodation centres aware of LGBTIQ+ issues.

61. What kind of safeguards exist to secure that asylum seekers residing in the new Closed Controlled Structures will not be detained and what preventive measures have been taken to avoid saturation in the new Structures, in view of the anticipated increase in refugee flows from Afghanistan.

Detention of migrants and asylum seekers

62. Despite the 2015 Committee's COBs to limit the use of detention measure⁹⁹, Law 4636/2019 as amended, reinforced it and expanded it to all asylum seekers (and not just those already in detention), including vulnerable persons and unaccompanied minors¹⁰⁰. Based on GNCHR's findings, detention has become *de facto* a mainstream measure with detention pilot programs being implemented in Aegean Islands of Lesbos, Kos and Leros¹⁰¹. No individual assessment is carried out before the imposition of detention and this measure is implemented without exception, even against vulnerable persons, while alternative to detention measures are not examined or applied in practice. In addition, the possibility of challenging the legality of detention before administrative courts is limited¹⁰².

63. On the detention conditions, the CPT delegation, following its Country visit in 2020, acknowledging the difficult context and the significant on-going challenges faced by the Greek Authorities in dealing with the high number of foreign nationals arriving in the Country, stressed that the systematic detention of new migrants cannot be the immediate response to this challenge¹⁰³.

64. Law 4760/2020 that abolished detention of unaccompanied minors in police departments ("protective custody") is a positive step. However, the GNCHR advocates for the total abolition of the detention measure to vulnerable applicants for international protection, given that it constitutes, as a rule, a disproportionate measure¹⁰⁴.

65. Since March 2020, all returns to Turkey are suspended due to the COVID-19 pandemic. However, third country nationals are still detained in Pre-removal Detention Centers without any tangible prospect of return, contrary to the well-established rule that pre-removal detention with no prospect of deportation may raise issues of arbitrariness and unlawfulness. In this context, the Greek legislator decided to amend national law to facilitate returns and deportations. The GNCHR extensively commented on Law 4825/2021, when still at a draft stage, which, in its opinion, will exacerbate the phenomenon, with the risk of multiple violations of the rights of third-country nationals to be returned¹⁰⁵.

The GNCHR recommends that the Committee asks the Greek Government:

66. What steps is it taking to reduce detention of asylum seekers and third country nationals in asylum and return procedures in order to guarantee that the measure of detention is used only as an exception or as a last resort for reasons expressly provided for by law and for as short as possible. Any decision to restrict/deprive asylum seekers of their personal liberty must be examined by a court for its legality.

67. Whether it is considering to abolish administrative detention of asylum seekers on the grounds of illegal entry and especially of those belonging to a vulnerable group, such as families with children or unaccompanied minors.

68. Whether it is considering the application of alternative measures, in line with international and European standards, such as the alternative measures to detention provided by Law 3907/2011, to deal, more particularly, with health risks, such as the recent COVID-19 pandemic.

Refugee determination procedures (Arts. 6, 7 and 13, COBs par. 29-30)

69. The GNCHR puts an emphasis on the quality of the asylum procedures and the capacity of the Asylum Service to meet the demands for access to asylum since the start of the operation of the Asylum Service in 2013, acknowledging that timely and fair access to asylum remains a structural and endemic problem in Greece¹⁰⁶. In particular, taking into account various parameters, such as, among others, the increased number of arrivals in 2015 and 2016¹⁰⁷, the use of electronic means (online call via Skype) to facilitate access to registration of asylum claims, the accelerated special border procedure instituted by Greek Law 4675/2016 for those falling within the ambit of the EU-Turkey Statement which in practice fell short of necessary procedural safeguards, the de facto suspension of returns to Turkey for more than a year or, most recently, the expansion of the safe third country concept to other nationalities by a new Joint Ministerial Decision nr. 42799/2021, the GNCHR is of the opinion that tens of thousands of asylum seekers risk to be exposed to a situation of legal uncertainty; their

applications for international protection already pending for months before the Greek Asylum Service will be rejected on admissibility grounds and they will be detained with a view to return to Turkey. However, without any tangible prospect of reactivation of returns to Turkey and without any guarantees that in fact, once returned to Turkey they will have access to asylum procedures, their right to asylum as well as other fundamental human rights are threatened¹⁰⁸.

70. Evaluating the application of new Law 4636/2019 on International Protection¹⁰⁹, asylum procedures at borders have been accelerated while significant delays in registration of asylum claims and in the examination of asylum applications at first and second degree still persist with regard to regular asylum procedures in mainland Greece. However, speedy asylum procedures ab initio entail fewer guarantees for the applicants. In practice, there is a widespread use of the possibility to service the decision to a third person (i.e. the Director of the RIC or the detention center), the information on the content of the decision sometimes is in a language that they do not understand, identification of vulnerabilities may last longer than asylum procedure itself, all appeals against negative first decisions do not have an automatic suspensive effect while there is no free legal aid available for applicants at second degree and other irregularities of the system that can be detrimental to fair asylum procedures.

71. The competence of Independent Appeal Committees is shrunk following different legislative reforms. In 2020, the option to refer a case for humanitarian reasons to another department of the Ministry for Migration and Asylum has been removed (previous art. 67 of L. 4375/2016)¹¹⁰. In 2021, asylum procedures were linked to return procedures while depriving Independent Appeal Committees of the competence to examine the grounds for postponement of removal¹¹¹.

The GNCHR recommends that the Committee asks the Greek Government:

72. Which legal safeguards and operational standards exist to ensure access to asylum for all those who express their will to as well as the quality of asylum decisions.

73. What further initiatives is it planning in order to ensure the administrative and financial independence of the Asylum Service and the Appeals Authority and to upgrade the tools and working spaces of the staff in view of the new challenges posed by the pandemic.

74. How it intends to further ensure full compliance with procedural safeguards, such as ensuring the provision of interpretation services and legal aid –at their own expense at all stages of the procedure and free at the second degree to all who have requested for it or guarantying the automatic suspensive effect of the appeal, in all cases involving refoulement.

Expulsion of asylum seekers and undocumented immigrants (Arts. 6 and 7, COBs par. 33-34)

75. Although the phenomenon is not new¹¹², in recent years, and especially in 2020, there has been an increase in incidents reported by national¹¹³ and international human rights monitoring bodies¹¹⁴, civil society¹¹⁵ and the press on individual or group pushbacks allegedly taking place at the Greek-Turkish land and sea borders - which also constitute the EU's external borders.

76. The GNCHR, deeply concerned with regard to the multiplication of reported incidents on pushbacks revealing a repeated methodology, issued a Statement¹¹⁶ calling the Greek authorities to ensure that all State Authorities comply with the non-refoulement principle without exception by indicating a series of practical means to safeguard migrants rights and bring those responsible to justice. In addition, the GNCHR called Frontex to ensure that its operations at the EU external borders with Turkey comply with the non-refoulement principle and the duty to rescue persons in distress at sea. An alarming development in this field is the introduction of a new provision at the Greek law on returns, whereby rescue activities at sea by non-state actors are, under certain conditions, criminalised¹¹⁷.

77. Noting that, albeit repeated calls by the GNCHR and other national and international bodies upon the Greek Government to effectively investigate reported incidents of informal forced returns, the Greek Government still denies all allegations of pushbacks at the Greek-Turkish borders, the GNCHR has decided to establish a Mechanism for Recording Incidents of Informal Forced Returns (MRIIFR), with the participation of CSOs active in the field and with the assistance of European and international organisations. The main objectives of this initiative are: to monitor, record and raise awareness about the practices of informal forced returns of third country nationals from Greece to other countries; to promote and consolidate respect for the principle of non-refoulement in Greece and safeguard relevant guarantees and legal procedures; to strengthen accountability for alleged human rights violations occurring during informal forced returns of third-country nationals from our country to other countries, and to enhance the credibility of the reported incidents through the adoption of a common, transparent and scientific methodology in the recording.

The GNCHR recommends that the Committee asks the Greek Government:

78. What concrete measures has it taken to ensure that State Authorities comply with the non-refoulement principle without exception, act in conformity with it and carry out rescue at sea operations in a timely manner.

ARTICLE 8 – FREEDOM FROM SLAVERY AND SERVITUDE

Trafficking and forced labour (Arts. 2, 8, 9, 14, 24 and 26, COBs par. 21-22)

79. The GNCHR, while acknowledging the significant efforts of the National Referral Mechanism for Victims and Potential Victims of Trafficking in Human Beings and its coordinated action and partnership building¹¹⁸, expresses its deep concern that there are certain gaps in practice, regarding the slowness of the screening procedures to identify potential victims (see also relevant CAT's Observations¹¹⁹) and assistance available to victims of trafficking and exploitation¹²⁰. In addition, as regards the obligation of establishing and reinforcing effective policies and action plans to prevent trafficking in human beings and/or forced labour, the first evaluation by the Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA) was rather disappointing, pointing out serious pathologies in the implementation of the relevant legal framework and thereby in the implementation of the obligations contained in the Council of Europe Convention on Action against Trafficking in Human Beings and the Committee of the Parties¹²¹.

80. The GNCHR while systematically monitoring the compliance of the Greek State with the decisions of the European Court of Human Rights (ECtHR) and the adaptation of Greek legislation to the international, European and national human rights standards, submitted to the Committee of Ministers two Communications on the level of compliance of the Greek State

with the ECtHR judgment in *Chowdury and others v. Greece* (the "Manolada-case")¹²². In particular, the GNCHR carried out an initial focused approach for the full compliance of the Greek State with the ECtHR judgment¹²³ and follow-up on that¹²⁴. Moreover, the GNCHR drew attention to the particular link between human trafficking and forced labour as well as to the connection between trafficking in human beings for the purpose of labour exploitation and undeclared employment in the agricultural sector in Greece, and called upon the Greek competent authorities to reconsider the relevant legislative and institutional framework¹²⁵, in multiple occasions¹²⁶.

81. During the pandemic, the living and working conditions in the agriculture holdings, the overcrowding and the complete lack of basic human standards exacerbated the increased risk of labor exploitation and forced labor¹²⁷. The lack of available and reliable data and strong monitoring capacity remains a key challenge that impedes progress, as recently confirmed by the CEDAW, in its List of issues and questions prior to the submission Greece's report¹²⁸.

The GNCHR recommends that the Committee asks the Greek Government:

82. What concrete steps is it taking for the implementation of the relevant legal and policy framework, with a view to effectively prevent and combat trafficking in human beings, accelerate the identification procedure and referral of victims, provide them with all the necessary support, especially secure shelters and counseling services, and prosecute traffickers.

83. What has it undertaken to improve the labor working conditions in practice and address phenomena, notably the uncontrolled working environment, worse remuneration, residence settlement conditions as well as lack of provision for basic health and safety.

ARTICLE 14 – RIGHT TO FAIR TRIAL

Free legal aid and administration of justice (Art. 14, COBs par. 23-24)

84. Bearing in mind that access to legal aid is key to delivering access to justice for all through effective, accountable and transparent institutions¹²⁹, the Committee expressed, in its latest COBs¹³⁰, concerns about the excessively long procedure for applying for legal aid¹³¹. Barriers remain, especially for third country nationals¹³², persons with disabilities¹³³ and Roma¹³⁴.

85. Rationalisation and acceleration of judicial proceedings is one of the aspects of the right to a fair trial which the GNCHR has repeatedly dealt with, acknowledging that undue delays in the civil and criminal trial procedures¹³⁵ is a systemic and chronic issue that needs to be urgently addressed. The COVID-19 outbreak has had a decisive impact on the entire spectrum of the functioning of justice¹³⁶. At the same time, the GNCHR welcomes the initiatives of the Ministry of Justice in cooperation with the Ministry of Digital Governance for the realisation of the National Strategy for the Digital Justice and encourages the increase of the use of digital tools to all the different stages of the functioning of justice¹³⁷.

The GNCHR recommends that the Committee asks the Greek Government:

86. What steps is it implementing to ensure effective access to justice for all, including third country nationals, persons with disabilities and Roma and without undue delay, in line with Article 14 of the Covenant, with an effective monitoring mechanism.

Procedural guarantees in detention (Arts. 9 and 14, COBs par. 25-26)

87. Despite the undeniable fact that all detained persons, regardless of their nationality or status, should enjoy the same basic rights that are fundamental safeguards against ill-treatment, namely the rights of notification of custody, access to a lawyer and access to a doctor¹³⁸, the GNCHR shares the recent concerns of CAT and CPT which support the Committee's observations regarding the frequent violations of procedural guarantees in detention¹³⁹. All persons who are arrested or detained should be afforded in practice all fundamental legal safeguards against torture from the very outset of their deprivation of liberty (i.e. during the first hours of police custody, and particularly during the initial questioning by security police officers)¹⁴⁰, including the rights to be assisted by a lawyer without delay, particularly during the investigation and interrogation stages¹⁴¹. In relation to foreign nationals, detained migrants were often denied fundamental legal safeguards, such as access to a lawyer and/or a doctor, the right to notify promptly a close relative or third party of their choice of their detention and the right to challenge the lawfulness of their detention¹⁴².

The GNCHR recommends that the Committee asks the Greek Government:

88. What further initiatives is it taking to ensure that all individuals who are arrested or detained, regardless of their nationality or status, enjoy fundamental legal safeguards against ill-treatment from the outset of their detention, including the rights to be assisted by a lawyer without delay, particularly during the investigation and interrogation stages, as well as have to access to an independent and effective complaints procedure.

89. To clarify the manner in which respect for procedural guarantees in detention is being monitored.

ARTICLE 18 – RIGHT OF FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

Conscientious objection to compulsory military service (Arts. 14 and 18, COBs par. 37-38)

90. Despite some recent amendments in relevant legislation¹⁴³, the alternative civilian service remains punitive and discriminatory in terms of length, cost and location of service¹⁴⁴. The length of alternative service is in principle double the length of military service¹⁴⁵, a provision contrary to all international human rights standards¹⁴⁶. Currently, following an increase of the length of the military service in March 2021, the full alternative service is three months longer than the full military service. For conscientious objectors above 33 years of age, the cost for buying out the rest of the alternative service, after serving some period of time, is significantly higher than the equivalent cost for buying out the rest of the military service¹⁴⁷. As highlighted by the Special Rapporteur on freedom of religion or belief, conscientious objectors in Greece are discriminated against conscripts in the enjoyment of certain rights¹⁴⁸. In addition, the assessment of applications for conscientious objector *status* is still not placed under the full control of civilian authorities¹⁴⁹, while certain categories of conscientious objectors continue to be prosecuted¹⁵⁰, which often entails repeated punishment in violation of the *ne bis in idem* principle¹⁵¹. Despite certain provisions for alternative civilian service, there is still no recognition of the *right* to conscientious objection as such¹⁵².

The GNCHR recommends that the Committee asks the Greek Government:

91. **What concrete measures has it undertaken to ensure that the alternative service is not punitive or discriminatory in terms of its nature, cost or duration, as well as to end repetitive punishment in violation of the *ne bis in idem* principle.**

92. **What effective steps is it taking to place the assessment of applications for conscientious objectors *status* under the full control of civilian Authorities.**

Religion and religious education

93. Taking into account both the relative decision¹⁵³ of the Hellenic Data Protection Authority (HDP A), according to which the statement that the student is not a Christian Orthodox and hence invokes grounds of religious conscience for exemption from religious education classes is not lawful because it contravenes the fundamental principle of necessity of processing of personal data, as well as the latest ECtHR judgment in the case of *Papageorgiou and others v. Greece*¹⁵⁴, the GNCHR remains concerned about the way the exercise of the right to abstain from religious education courses is regulated in Greece, highlighting that it is not compatible with religious freedom, as it is made subject to prior formal justification. In fact, the measure of legal exemption from religious instruction and the related school exams, as implemented by the Greek Authorities has proven ineffective in practice to substantially address the issue. By adopting an alternative approach, the GNCHR considers that religious education should include an introduction to the history and the main principles of each religion¹⁵⁵, so as to comply with constitutional and international law requirements and modern European cultural reality¹⁵⁶.

The GNCHR recommends that the Committee asks the Greek Government:

94. **What concrete measures is it considering to address in depth the issue of religious education in schools in order to ensure freedom of religion for all students without discrimination.**

ARTICLE 21 – RIGHT OF PEACEFUL ASSEMBLY

Freedom of opinion and expression (Arts. 19, 21 and 22, COBs par. 41-42)

95. In follow-up to Committee's COB's in 2015, the GNCHR notes that incidents of human rights violations committed by the security forces of the police against demonstrators still occur, based on findings of Reporters Without Borders¹⁵⁷, while the new rules adopted for policing demonstrations restrict freedom of the press by designating specific areas for the press to be located during demonstrations¹⁵⁸.

96. With regard to human rights education of law enforcement officials, the GNCHR lays particular emphasis on the importance of proper, initial and periodic training and retraining of law enforcement officers on human rights¹⁵⁹ and welcomes the Prime Minister's announcement regarding allegations for the excessive use of force by police officers, dated 12 March 2021, for a comprehensive upgrade of police studies. In fact, the GNCHR has increased its interaction with law enforcement officers, by providing itself training and seminars on human rights.

The GNCHR recommends that the Committee asks the Greek Government:

97. **What effective steps is it taking to reinforce the legal framework for the effective protection of right to peaceful assembly.**

98. **What further initiatives is it planning to ensure that law enforcement officials are carrying out their activities in accordance with human rights standards.**

ARTICLE 24 – CHILDREN’S RIGHTS

Violence against children and child trafficking

99. Sharing the concerns of the Committee on the Rights of the Child (CRC) regarding the lack of a National Child Database, and particularly the lack of statistical data on children experiencing violence and other forms of abuse¹⁶⁰, the GNCHR underlines that no particular improvement has been noted. According to the Annual Report 2019 of the Hellenic National Referral Mechanism for the Protection of victims of human trafficking, 49 out of the 154 referred victims of trafficking are children¹⁶¹. Out of those 49 children-victims, 11 are unaccompanied, while 19 are victims of exploitation of begging¹⁶².

The GNCHR recommends that the Committee asks the Greek Government:

100. **What effective steps is it taking to strengthen mechanisms for monitoring the number of cases of violence, sexual abuse, neglect, maltreatment or exploitation of children, including within the family, in schools and in institutional and other care.**

101. **What further initiatives is it planning to develop a child-centred database and indicators compatible with the CRC, in particular on violence, child trafficking and sexual exploitation, which have to be broken down *inter alia* by age, gender, ethnic and socio-economic background and by groups of children in need of special protection.**

Unaccompanied minors (Arts. 6, 7, 9, 10 and 24, COBs par. 31-32)

102. The situation of unaccompanied minors in Greece has been improved in recent years, given that the Greek Government has prioritised this issue, by establishing among others a Special Secretariat for the Protection of Unaccompanied Minors in the Ministry of Migration and Asylum aiming at supervising and coordinating different State Authorities involved in child protection matters, by boosting hosting capacities of shelters for unaccompanying minors and by relocating them from the Aegean Islands where the living conditions were not suitable for their age either to mainland Greece or to other European countries. The GNCHR had already identified in 2020 the following gaps in child protection in refugee situations: the most alarming: unsafe housing problems (insufficient places in hostels, unsafe "safe zones" in the RICs, maintenance of the "protective custody" measure in Police Departments, homelessness), insufficient to no access to formal education, absence of a state guardianship system, excessive delays in access to asylum, insufficient to no legal support during asylum procedures, problems in the age assessment process, reports of phenomena of exploitation and violence against minors and cases of disappearances of children from the RICs and the Accommodation Facilities for unaccompanied minors¹⁶³.

103. Furthermore, the GNCHR welcomes the initiative of a national tracing and protection mechanism for unaccompanied children in precarious conditions launched by the Special Secretariat in 2021 together with the UNHCR Office in Greece, as a positive step which will substantially contribute to combatting homelessness and preventing children go missing¹⁶⁴. On the particular topic of guardianship, where there is still a lack of an effective system impeding unaccompanied minors from enjoying a whole variety of human rights enshrined in law, the GNCHR reiterates its consistent Recommendation, in line with the relevant Recommendations of UN treaty bodies¹⁶⁵, to proceed to the appointment as soon as possible

of a guardian for each unaccompanied minor, who will exercise genuine care and supervision of the minor. As a last remark, issues of child protection, especially of migrant children, are complex inter alia since coordination and cooperation of many state bodies are required, while EU institutions, other international organisations and civil society organisations (CSOs) are also involved. To this end, the GNCHR urges the Greek State to fully comply with the recent decision issued by ECSR on the protection of migrant children's rights in Greece¹⁶⁶.

The GNCHR recommends that the Committee asks the Greek Government:

104. How it intends to ensure that there are no gaps on child protection and representation in practice, including the implement of the long standing GNCHR recommendation regarding the appointment of a guardian for every child, as soon as possible, or else from the identification, as provided by law.

Family environment and alternative care

105. The GNCHR notes with great concern that different measures and relevant expenses cuts in social services and alternative care settings have indeed affected children in Greece¹⁶⁷, while alternative care remains underdeveloped and mostly based on the institutional welfare model¹⁶⁸. Acknowledging as a very positive step the adoption of Law 4538/2018 providing for measures for the promotion of Foster Care and Adoption, the GNCHR stresses that, despite that the National Registers are already in operation, data or statistics on child protection in Greece cannot be provided¹⁶⁹. The GNCHR also acknowledges particular importance to the essential issue of lack of legal recognition of the non-biological parent as a legal parent, which hinders the non-biological parent from exercising effective parental care, especially in cases where the partnership of the parents ends due to separation or death of the non-biological parent¹⁷⁰.

The GNCHR recommends that the Committee asks the Greek Government:

106. What concrete measures has it taken to implement deinstitutionalisation measures developing a support system for orphaned children ensuring that when they leave institutions they are better equipped for starting their independent life.

107. What effective steps is it taking to promote alternative care in families for children deprived of parental care and community prevention services so as to prevent child abuse and detect high-risk situations.

108. How it intends to ensure the collaboration of the competent welfare services through their consistent horizontal networking and coordination.

109. What concrete measures is it taking for the recognition and acceptance of different types of families, such as same-sex parents.

ARTICLE 27 – RIGHTS OF MINORITIES

Recognition of minorities and statistics (Arts. 26-27, COBs par. 43-44)

110. The GNCHR welcomes as a positive development for the effective enjoyment of the rights of the Muslim minority in Thrace and their social inclusion the adoption of Law 4511/2018 amending Article 5 of Law 1920/1991 with regard to the Muftis in Thrace, providing that members of the Muslim minority in Thrace have the option between civil law and Islamic law in specific matters of family and/or inheritance law, as well as Presidential Decree 52/2019 on procedural rules on cases falling under the jurisdiction of the Muftis. The

GNCHR acknowledges that this amendment, by granting Minority members in Thrace the right to opt-out, and resort to domestic civil law, respecting, at the same time, their right to opt-in for the application of Islamic law, upon the condition of mutual agreement between the parties, grants the right to each party to seek Justice before civil courts, and in accordance with Greek substantive and procedural law. However, applying Islamic law within the framework of a European legal order seems to result in contradictions between individual rights and principles of equality, on the one hand, and religious freedom on the other. For this reason, bearing in mind the reservations regarding the non-application of the general domestic legal framework to women of the Muslim Minority in Thrace regarding family and inheritance matters which the GNCHR has expressed in the past¹⁷¹ and insisting on the need to put more effort in informing members of the Muslim Minority in Thrace of their rights and possibilities for judicial recourse, so that they can benefit from Greek civil law, the GNCHR aligns itself with the Recommendations of the Council of Europe Parliamentary Assembly¹⁷², which calls on the Greek Authorities to monitor whether this legislative change will be sufficient to satisfy the requirements of the European Convention on Human Rights¹⁷³.

The GNCHR recommends that the Committee asks the Greek Government:

111. What concrete measures is it considering to ensure that all persons are protected against any form of discrimination and can fully enjoy their rights under the Covenant, including Article 27.

112. To provide for specific information and relevant data showing whether the recent legislative change encourages members of the Muslim minority in Thrace to seek Justice before domestic courts in accordance with Greek law.

Implementation of the Views of the Committee under the Optional Protocol to the Covenant (Art. 2 of OP to the Covenant, COBs par. 5-6)

113. In its previous COBs, the Committee noted the absence of a specific procedure or mechanism for examining and guaranteeing that full effect is given to the Committee's Views, as well as the fact that recommendations contained in its Views have not been fully implemented. To this end, the Committee recommended to the State to establish a mechanism with the mandate to: (a) study the Committee's findings as set out in its Views and (b) propose measures to be taken by the State party to give full effect to the Views, including providing victims with an effective remedy for the violation of their rights. Nonetheless, there has been no progress in implementing this recommendation, since no such mechanism has been created.

The GNCHR recommends that the Committee asks the Greek Government:

114. What steps it is taking to monitor the implementation of the Recommendations contained in the Views of the Committee, as well as if there's any progress made with regard to the establishment of the specific mechanism for the implementation of the Committees Views recommended by the Committee.

115. If the victims are being provided with an effective remedy for the violation of their rights under the Covenant.

Dissemination of information relating to the Covenant (COBs par. 45)

116. The GNCHR has previously expressed the importance of raising levels of awareness about the Covenant, among public officials and State agents, but also among the population at

large¹⁷⁴. To this end, the GNCHR translated in Greek language the Committee's previous COBs in order to ensure its further dissemination, while stressing that it will continue to monitor the implementation of the Covenant in Greece¹⁷⁵. Nonetheless, there has been very little public awareness of the Covenant and its Optional Protocols among judges, public officials, police and law enforcement officers, legal advisers and the public at large. Greece does not have a national strategy for human rights education and no plans have been developed to deliver any of the three phases of the World Programme for Human Rights Education.

The GNCHR recommends that the Committee asks the Greek Government:

117. What measures have been undertaken to widely disseminate the Covenant, as well as information about the submission of its third periodic report, its examination by the Committee and the Committee's previous COBs.

¹ Following its [Observations](#) on the Draft Report of Greece on the implementation of the ICCPR (December 2013), the GNCHR submitted to the Committee its [Observations](#) in view of the adoption of the List of Issues for Greece (December 2014), as well as its [Report](#) on Greece's Second periodic report under the International Covenant on Civil and Political Rights (ICCPR) (September 2015).

² GNCHR, [Summary](#) in English language of the Observations on the Bill of the Ministry of Labor and Social Affairs regarding the protection of the employment, 10 June 2021, p. 2 [see the full text of the [GNCHR Observations](#) in Greek].

³ GNCHR, [Observations](#) on the Bill of the Ministry of Labor and Social Affairs regarding the protection of the employment, 14 June 2021, p. 19-20.

⁴ GNCHR [Report](#) regarding the impact of the pandemic and the measures taken to address it on human rights. Extraordinary times call for extraordinary responses, 5 July 2021 [in Greek], p. 8; GNCHR Extraordinary times call for extraordinary responses: [Summary](#) of Recommendations to the State regarding the impact of the pandemic and the measures taken to address it on human rights, 12 July 2021 [in English], p. 3

⁵ GNCHR, [Factsheet](#) on the Impact of Economic Reform Policies and Austerity Measures on Human Rights (2019), which summarises all relevant GNCHR statements, recommendations, reports and interventions. In this regard see also ECSR, [Statement](#) on COVID-19 and social rights, adopted on 24 March 2021, p. 2.

⁶ Addressing these issues will also support SDG Targets focused on reducing inequalities and the promotion of peace justice and strong institutions and, in particular, SDG targets 10.2 aiming at empowering and promoting by 2030 the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status; 10.3 aiming at ensuring equal opportunity and reducing inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard; 16.7 aiming at ensuring responsive, inclusive, participatory and representative decision making at all levels and 16.b on promoting and enforcing non-discriminatory laws and policies for sustainable development.

⁷ GNCHR [Report](#) regarding the impact of the pandemic and the measures taken to address it on human rights. Extraordinary times call for extraordinary responses, 5 July 2021 [in Greek], p. 10; GNCHR Extraordinary times call for extraordinary responses: [Summary](#) of Recommendations to the State regarding the impact of the pandemic and the measures taken to address it on human rights, 12 July 2021 [in English], p. 3.

⁸ GNCHR, [Factsheet](#) on the Impact of Economic Reform Policies and Austerity Measures on Human Rights, 2019; GNCHR, [Observations](#) on the Draft Law of the Ministry of Labor and Social Affairs on the Protection of Labor - Establishment of an Independent Authority "Labor Inspection"- Ratification of the ILO Convention C190 on Violence and Harassment - Ratification of the ILO Convention C187 on the Promotional Framework for Occupational Safety and Health - Incorporation of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU, 14 June 2021, p. 16-18; GNCHR [Report](#) regarding the impact of the pandemic and the measures taken to address it on human rights. Extraordinary times call for extraordinary responses, 5 July 2021 [in Greek], p. 7, 61-62; GNCHR Extraordinary times call for extraordinary responses: [Summary](#) of Recommendations to the State regarding the impact of the pandemic and the measures taken to address it on human rights, 12 July 2021 [in English], p. 12.

⁹ GNCHR [Report](#) regarding the impact of the pandemic and the measures taken to address it on human rights. Extraordinary times call for extraordinary responses, 5 July 2021 [in Greek], p. 29-31; GNCHR Extraordinary

times call for extraordinary responses: [Summary](#) of Recommendations to the State regarding the impact of the pandemic and the measures taken to address it on human rights, 12 July 2021 [in English], p. 6-7.

¹⁰ Law 3304/2005, which transposed the two antidiscrimination Directives, introduced the concept of "reasonable accommodation" in the Greek legal context. It has been revised by law 4443/2016 but its point of reference has remained in the field of employment.

¹¹ It should be here pointed out, that in relation to the distinction between the terms "integration" and "inclusion" the UN Committee, insists on the need to apply a "integration model for education", assessing that equal inclusive education can only function based on policies aimed at adjusting school environment in order to meet children's' needs and not the opposite. See GNCHR Observations on the National Action Plan on Children's Rights 2018-2020, 29 November 2018 [in Greek], footnotes 64-65.

¹² Addressing these issues will also support SDG Targets focused on reducing inequalities and the promotion of peace justice and strong institutions and, in particular, SDG targets 10.2 aiming at empowering and promoting by 2030 the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status; 10.3 aiming at ensuring equal opportunity and reducing inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard; 16.7 aiming at ensuring responsive, inclusive, participatory and representative decision making at all levels and 16.b on promoting and enforcing non-discriminatory laws and policies for sustainable development.

¹³ See GNCHR, [Memo](#) to the Committee for the drafting of the National Equality Strategy of LGBTQI+, 25 June 2021 [in Greek], p. 5-6.

¹⁴ CPT, Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 10 to 19 April 2018, 19 February 2019, [CPT/Inf \(2019\) 4](#), par. 43-45.

¹⁵ GNCHR, [Information](#) relevant to the implementation of the Convention against Torture. Submission to the UN Committee against Torture in response to the List of Issues with regard to the Report of Greece, June 2019, p. 12 et seq.

¹⁶ CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019, [CAT/C/GRC/CO/7](#), par. 38-39.

¹⁷ CPT, Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 10 to 19 April 2018, 19 February 2019, [CPT/Inf \(2019\) 4](#), par. 48-54. Addressing these concerns with regard to ill-treatment in psychiatric establishments would also support delivery of SDG targets 16.1 aiming at significantly reducing all forms of violence and related death rates everywhere and 16.6 on developing effective, accountable and transparent institutions at all levels.

¹⁸ GNCHR, [Memo](#) to the Committee for the drafting of the National Equality Strategy of LGBTQI+, 25 June 2021 [in Greek].

¹⁹ See GNCHR, [Memo](#) to the Committee for the drafting of the National Equality Strategy of LGBTQI+, 25 June 2021 [in Greek], p. 5-6. See *supra*, GNCHR Recommendation on combating discrimination against Persons with disabilities, par. 14 and 15, as well as related SDG targets, endnote no. 12.

²⁰ ECtHR, *Christine Goodwin v. United Kingdom* [appl. no. 28957/95], 11 July 2002. For more information see GNCHR, Transgender persons and legal gender recognition. [Recommendations](#), September 2015; GNCHR, [Memo](#) to the Committee for the drafting of the National Equality Strategy of LGBTQI+, 25 June 2021 [in Greek], p. 7-9.

²¹ GNCHR, [Memo](#) to the Committee for the drafting of the National Equality Strategy of LGBTQI+, 25 June 2021 [in Greek], p. 10-11.

²² Eg. the establishment and operation of the National Council against Racism and Intolerance (Law 4356/2015), Law 4478/2017 transposing the EU Directive 2012/29/EU on the Protection of Victims of Crime, the amendment of Article 81A of the Criminal Code (now 82A), the appointment of Special Prosecutors for Racist Crime, the classification of the case files related to racist crimes with the label "RV" to facilitate their identification, the training of judges and prosecutors on racist violence, as well as the establishment of two (2) Divisions and sixty-eight (68) Offices Against Racist Violence in the Hellenic Police.

²³ Addressing these issues will also support SDG Goals focused on Quality education (Goal 4), Reducing inequalities (Goal 10) and Promotion of peace, justice and strong institutions (Goal 16). In particular, it will support delivery of SDG targets 4.7 aiming at ensuring by 2030 that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable

development; 10.3 on ensuring equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard; 16.1 aiming at significantly reducing all forms of violence and related death rates everywhere and 16.2 on ending abuse, exploitations, trafficking and all forms of violence against and torture of children.

²⁴ For more information see RVRN, [Communication](#) from the Racist Violence Recording Network, pursuant to Rule 9.2 of the Rules of the Committee of Ministers of the Council of Europe for the supervision of the execution of judgments and the terms of friendly settlements, relating to the case of Sakir v. Greece (Application No. 48475/09), 18 December 2020, p. 5 and RVRN, [Annual Report 2020](#), April 2020, p. 7.

²⁵ RVRN, [Communication](#) from the Racist Violence Recording Network, pursuant to Rule 9.2 of the Rules of the Committee of Ministers of the Council of Europe for the supervision of the execution of judgments and the terms of friendly settlements, relating to the case of Sakir v. Greece (Application No. 48475/09), 18 December 2020, p. 3. See, for instance, Court decision 398/15.4.2014 of the Athens' Mixed Juror Court and Court decision 286/6.5.2019 by the Athens' Mixed Juror Court of Appeal (case of the murder of Pakistani citizen S.L.).

²⁶ RVRN, Universal Periodic Review Stakeholder Submission, Submission to the UN UPR, Thirty-Ninth Session of the Working Group on the UPR, Human Rights Council, 25 March 2021, par. 30; RVRN, [Communication](#) from the Racist Violence Recording Network, pursuant to Rule 9.2 of the Rules of the Committee of Ministers of the Council of Europe for the supervision of the execution of judgments and the terms of friendly settlements, relating to the case of Sakir v. Greece (Application No. 48475/09), 18 December 2020, p. 13

²⁷ RVRN, Universal Periodic Review Stakeholder Submission, Submission to the UN UPR, Thirty-Ninth Session of the Working Group on the UPR, Human Rights Council, 25 March 2021, par. 14. See for more details RVRN, [Annual Report 2020](#), April 2020, p. 54, 55, 57; RVRN, [Annual Report 2019](#), June 2020, p. 32-34; RVRN, [Annual Report 2018](#), April 2019, p. 30.

²⁸ RVRN, Universal Periodic Review Stakeholder Submission, Submission to the UN UPR, Thirty-Ninth Session of the Working Group on the UPR, Human Rights Council, 25 March 2021, par. 15. See also RVRN, [Annual Report 2020](#), April 2020, p. 55.

²⁹ CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019, [CAT/C/GRC/CO/7](#), par. 46-47.

³⁰ The Racist Violence Recording Network (RVRN) is a coalition of fifty-one agencies which provide medical, social and legal aid and/or come in direct contact with the victims of racist violence aiming to monitor racist violence incidents and provide support to the hate crime victims. The RVRN was established in 2011 at the initiative of the GNCHR and the Office of the UN High Commissioner for Refugees in Greece (UNHCR).

³¹ GNCHR, [Contribution](#) to the National Action Plan against Racism, January 2020; RVRN, [Letter](#) to the President of the National Council against Racism and Intolerance, General Secretary of Justice and Human Rights of the Ministry of Justice and to the Members of the National Council against Racism and Intolerance, 15 December 2020.

³² RVRN, Universal Periodic Review Stakeholder Submission, Submission to the UN UPR, Thirty-Ninth Session of the Working Group on the UPR, Human Rights Council, 25 March 2021, par. 34; GNCHR, Observations on Greece's combined 23rd and 24th periodic report to the Committee on the Elimination of Racial Discrimination (CERD) of the International Convention on the Elimination of All Forms of Racial Discrimination, July 2021, p. 19.

³³ UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on his mission to Greece, 4 May 2016, [A/HRC/32/50/Add.1](#), par. 44-45.

³⁴ RVRN, [Annual Report 2019](#), p. 19, 33-34; RVRN, [Annual Report 2020](#), p. 26 et seq. and 57-58. In this regard see also RVRN, [Communication](#) pursuant to Rule 9.2 of the Rules of the Committee of Ministers of the Council of Europe for the supervision of the execution of judgments and the terms of friendly settlements, relating to the case of Sakir v. Greece (Application No. 48475/09), 18.12.2020.

³⁵ ENNHRI, State of the rule of law in Europe: [Reports](#) from National Human Rights Institutions, June 2021, p. 268.

³⁶ CRPD, Concluding observations on the initial report of Greece, 29 October 2019, [CRPD/C/GRC/CO/1](#), par. 9-10, 34-35; CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019, [CAT/C/GRC/CO/7](#), par. 46-47; CERD, Concluding observations on the twentieth to twenty-second periodic reports of Greece, 3 October 2016, [CERD/C/GRC/CO/20-22](#), par. 20-21; Human Rights Committee, Concluding observations on the second periodic report of Greece, 3 December 2015, [CCPR/C/GRC/CO/2](#), par. 17-18; CESCR, Concluding observations on the second periodic report of Greece, 27 October 2015, [E/C.12/GRC/CO/2](#), par. 33-34, 41-42; CEDAW, Concluding observations on the seventh periodic report of Greece adopted by the Committee

at its fifty fourth session (11 February – 1 March 2013), 26 March 2013, [CEDAW/C/GRC/CO/7](#), par. 26-28, 32-33, 36-37.

³⁷ Addressing the wide range of issues impacting on the rights of the Roma community in Greece would also contribute to addressing specific SDG Goals and, in particular, SDG targets 4.7 aiming at ensuring by 2030 that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development; 6.b on supporting and strengthening the participation of local communities in improving water and sanitation management; 10.2 aiming at empowering and promoting by 2030 the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status; 10.3 on ensuring equal opportunity and reducing inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard; 11.3 on enhancing by 2030 inclusive and sustainable urbanisation and capacity for participatory, integrated and sustainable human settlement planning and management in all countries; 16.7 on ensuring responsive, inclusive, participatory and representative decision make at all levels and 16.b aiming at promoting and enforcing non- discriminatory laws and policies for sustainable development.

³⁸ See GNCHR website: [ROMA \(nchr.gr\)](#). See also GNCHR [Contribution](#) to the elaboration of the new Roma Inclusion National Strategy 2021-2027, 8 March 2021 [in Greek], FRA The survey's first 'Data in Focus' [report](#) on the Roma, April 2009, FRA EU-MIDIS at a glance Introduction to the FRA's EU-wide discrimination [survey](#), 2009, FRA EU-MIDIS II, Second EU Minorities and Discrimination [Survey](#) Roma – Selected findings, 2016.

³⁹ CERD, Concluding observations on the twentieth to twenty-second periodic reports of Greece, 3 October 2016, [CERD/C/GRC/CO/20-22](#), par. 20-21.

⁴⁰ GNCHR [Report](#) on the need for protection of human rights with regard to the measures taken in response to the coronavirus (COVID-19) pandemic and recommendations to the State. Description of the issues discussed in the Plenary Meetings during the lockdown Meetings of 8th, 22nd, 29th of April and of 6th May 2020, 12 June 2020; GNCHR [Report](#) regarding the impact of the pandemic and the measures taken to address it on human rights. Extraordinary times call for extraordinary responses, 5 July 2021 [in Greek], p. 11 et seq. and 26; GNCHR Extraordinary times call for extraordinary responses: [Summary](#) of Recommendations to the State regarding the impact of the pandemic and the measures taken to address it on human rights, 12 July 2021 [in English], p. 4-5.

⁴¹ FRA, EU-MIDIS II, Second European Union Minorities and Discrimination [Survey](#) Roma – Selected findings, 2016, p. 14; ELLAN PASSE, Contribution to the GNCHR Report regarding the impact of the pandemic and the measures taken to address it on human rights. Extraordinary times call for extraordinary responses, May 2021.

⁴² FRA, EU-MIDIS II, Second European Union Minorities and Discrimination [Survey](#) Roma – Selected findings, 2016, p. 29; See also GNCHR [Report](#) regarding the impact of the pandemic and the measures taken to address it on human rights. Extraordinary times call for extraordinary responses, 5 July 2021 [in Greek], p. 12; GNCHR Extraordinary times call for extraordinary responses: [Summary](#) of Recommendations to the State regarding the impact of the pandemic and the measures taken to address it on human rights, 12 July 2021 [in English], p. 4-5; ECRI, [Annual Report](#) of ECRI's activities covering the period from 1 January to 31 December 2020, March 2021, p. 9.

⁴³ GNCHR [Contribution](#) to the elaboration of the new Roma Inclusion National Strategy 2021-2027, 8 March 2021 [in Greek].

⁴⁴ GNCHR [Contribution](#) to the elaboration of the new Roma Inclusion National Strategy 2021-2027, 8 March 2021 [in Greek], p. 19-20; GNCHR, [Submission](#) to UNCRC, January 2020, Written [Information](#) submitted by the GNCHR in relation to the implementation of the International Convention on the Elimination of all forms of Racial Discrimination (ICERD) in Greece, 2016, p. 16; GNCHR, [Submission](#) to the United Nations Human Rights Committee: NHRI report on Greece's 2nd periodic report under the International Covenant on Civil and Political Rights (ICCPR), 2015, p. 10.

⁴⁵ GNCHR [Contribution](#) to the elaboration of the new Roma Inclusion National Strategy 2021-2027, 8 March 2021 [in Greek], p. 19-20, GNCHR, [Submission](#) to UNCRC, January 2020, Written [Information](#) submitted by the GNCHR in relation to the implementation of the International Convention on the Elimination of all forms of Racial Discrimination (ICERD) in Greece, 2016, p. 16, GNCHR [Submission](#) to the United Nations Human Rights Committee: NHRI report on Greece's 2nd periodic report under the International Covenant on Civil and Political Rights (ICCPR), 2015, p. 10.

⁴⁶ GNCHR, [Observations](#) on draft Law "Promotion of substantial gender equality, prevention and combating gender-based violence - Provisions for Greek citizenship - Provisions for local government elections - Other provisions" [in Greek], 7 February 2019, p. 11.

⁴⁷ In implementation of UN Security Council Resolution 1325/2000.

⁴⁸ Article 2(9) defines gendered discrimination as physical, psychological or verbal conduct, through which persons are degraded, inter alia, on the grounds of gender identity.

⁴⁹ The [NAP of Gender Equality 2021-2025](#) was put in public consultation from 13 July to 20 August 2021 [in Greek].

⁵⁰ See Article 2: "Definitions" of Directive 2006/54/EU.

⁵¹ The GNCHR sent, on September 1st, 2021, to the Minister of Demography Family Policy and Gender Equality a first draft of its Observations on the NAP on Gender Equality 2021-2025 and will officially submit the final document after approval by its Plenary.

⁵² In particular, Law 4555/2018 on the Reform of the Local Government Institutional Framework raised gender quota on the total number of candidate regional, municipal and community counselors from 33% to 40%. Further, Law 4604/2019 increased the existing gender quota for parliamentary elections from at least 33% to at least 40% of the total number of candidates. Most recently, Law 4706/2020 *on corporate governance of public limited companies, modern capital market, incorporation into the Greek legislation of Directive (EU) 2017/828 of the European Parliament and of the Council, measures for the implementation of Regulation (EU) 2017/1131 and other provisions* introduced a 25% quota for the representation of women in administrative boards of listed companies in the Athens Stock Exchange, while Law 4276/2020 *Reforming the institutional framework of the nominations in sports bodies, distinguished escorts for disabled athletes, establishment of a National Platform for Athletic Integrity, Hellenic Olympic Committee (EOC), Hellenic Paralympic Committee (EPA) and other provisions* also adopted a positive quota with a view to the balanced participation of men and women in the administrations of sports clubs. For more information see European Commission, European network of legal experts in gender equality and non-discrimination, [Flashreport on Greece](#), 16 September 2020.

⁵³ GNCHR, [Oral Statement](#) on the implementation of the Convention on the Elimination of All forms of Discrimination against Women (CEDAW), 9 November 2020.

⁵⁴ EIGE, [Index score for Greece for 2020](#) is 52.2% whereas the average score in EU countries is 67.9%. Its ranking has remained the same since 2010. Greece's score in the [domain of power](#) is 27%.

⁵⁵ Article 15 of Law 4604/2019 increased the quotas for each sex from 1/3 to 40% of the total number of candidates for parliamentary national and European elections.

⁵⁶ Addressing these issues will also support SDG Targets focused on reducing inequalities, promoting gender equality and the promotion of peace justice and strong institutions and, in particular, SDG targets 5.5 aiming at ensuring women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life; 5.c aiming at adopting and strengthening sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels; 10.2 aiming at empowering and promoting by 2030 the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status; 10.3 on ensuring equal opportunity and reducing inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard; 16.6 on developing effective, accountable and transparent institutions at all levels and 16.7 on ensuring responsive, inclusive, participatory and representative decision making at all levels.

⁵⁷ UN Human Rights Council, Visit to Greece: Report of the WGDWG, [A/HRC/44/51/Add.1](#), April 2019. The WG experts are concerned that there is uneven coordination of support services for victims of the various forms of gender-based violence, as well as programmes for perpetrators.

⁵⁸ The ["PEGASUS: Addressing the Gender Pension Gap in Greece"](#) Project is implemented with the collaboration of the General Secretariat for Demography, Family Policy and Gender Equality (coordinator), the Research Centre for Gender Equality (KETHI) and the National Center for Social Research (EKKE) and is co-funded by the European Union's "Rights, Equality and Citizenship" Program (2014-2020), September 2020.

⁵⁹ Ministry of Labour and Social Affairs, General Secretariat for Demography and Family Policy and Gender Equality, Observatory, [26th e-bulletin: Female Unemployment during the COVID-19 pandemic](#), November 2020 [in Greek].

⁶⁰ Addressing these issues will also support SDG Targets focused on reducing inequalities and promoting gender equality and, in particular SDG targets 5.c aiming at adopting and strengthening sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels and 10.3 on ensuring equal opportunity and reducing inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard.

⁶¹ Greek General Confederation of Labour (GSEE), CEACR Observations 30 August 2019.

⁶² GNCHR, [Factsheet](#) on the Impact of Economic Reform Policies and Austerity Measures on Human Rights, 2019; GNCHR, [Statement](#) on the impact of the continuing austerity measures on human rights, July 2015; GNCHR, [Observations](#) on the 24th Greek Report on the application of the European Social Charter and on the 9th Greek Report on the application of the Additional Protocol to the European Social Charter, October 2014; GNCHR, [Observations](#) on the Draft of the Second Periodic Report of the Hellenic Republic for the International Covenant on Civil and Political Rights (ICCPR), December 2013.

⁶³ GNCHR [Report](#) regarding the impact of the pandemic and the measures taken to address it on human rights. Extraordinary times call for extraordinary responses, 5 July 2021 [in Greek], p. 64; GNCHR Extraordinary times call for extraordinary responses: [Summary](#) of Recommendations to the State regarding the impact of the pandemic and the measures taken to address it on human rights, 12 July 2021 [in English], p. 13; INE GSEE, [Annual Report 2021](#), The Greek economy and the employment, June 2021 [in Greek].

⁶⁴ ECSR, [Statement](#) on COVID-19 and social rights, adopted on 24 March 2021, p. 6.

⁶⁵ [Direct Request \(CEACR\)](#) - adopted 2020, published 109th ILC session 2021.

⁶⁶ UN Human Rights Council, Visit to Greece: Report of the WGDWG, [A/HRC/44/51/Add.1](#), April 2019.

⁶⁷ EIGE, [Reconciliation of work, family and private life in the European Union](#) Policy Review, 2015, p. 39-40, sceptical about the effective implementation in practice.

⁶⁸ See GNCHR, [Observations](#) on the Bill of the Ministry of Labor and Social Affairs regarding the protection of the employment, 14 June 2021 [in Greek].

⁶⁹ See GNCHR, [Observations](#) on the Bill of the Ministry of Labor and Social Affairs regarding the protection of the employment, 14 June 2021 [in Greek].

⁷⁰ EIGE, [Who is eligible for parental leave in Greece?](#), May 2021.

⁷¹ See GNCHR, [Memo](#) to the Committee for the drafting of the National Equality Strategy of LGBTQI+, 25 June 2021 [in Greek].

⁷² CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019, [CAT/C/GRC/CO/7](#), par. 26-27

⁷³ ECRI, [Statement](#) of the European Commission Against Racism and Intolerance (ECRI) on Racist Police Abuse, Including Racial Profiling, and Systemic Racism, Adopted by ECRI at its 82nd plenary meeting (30 June – 2 July 2020); ECRI, [Annual Report](#) of ECRI's activities covering the period from 1 January to 31 December 2020, March 2021, par. 23.

⁷⁴ CPT, Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 13 to 17 March 2020, 19 November 2020, [CPT/Inf \(2020\) 35](#), par. 20-25.

⁷⁵ GNCHR [Report](#) regarding the impact of the pandemic and the measures taken to address it on human rights. Extraordinary times call for extraordinary responses, 5 July 2021 [in Greek], p. 20 et seq.; GNCHR Extraordinary times call for extraordinary responses: [Summary](#) of Recommendations to the State regarding the impact of the pandemic and the measures taken to address it on human rights, 12 July 2021 [in English], p. 9-10; GNCHR [Statement](#) on the occasion of the recent allegations of unjustified use of force by the Greek Police and the announcement of the Minister of Citizen Protection regarding the use of cameras by Police, 15 January 2020; GNCHR, [Information](#) relevant to the implementation of the Convention against Torture. Submission to the UN Committee against Torture in response to the List of Issues with regard to the Report of Greece, June 2019, p. 32 et seq. and 46 et seq.

⁷⁶ GNCHR Letter to the National Mechanism for the Investigation of Arbitrary Incidents regarding the investigation of complaints of unjustified violence by the Hellenic Police on March 7, 2021 at Nea Smirni square, 9 March 2021.

⁷⁷ Addressing this concern would also support delivery of SDG target 16.6 on developing effective, accountable and transparent institutions at all levels.

⁷⁸ Which also supports delivery of SDG Goal 16 and, in particular, SDG targets 16.3 aiming at promoting the rule of law at the national and international levels and ensuring equal access to justice for all and 16.6 regarding the development of effective, accountable and transparent institutions at all levels

⁷⁹ Human Rights Committee, Concluding observations on the second periodic report of Greece, 3 December 2015, [CCPR/C/GRC/CO/2](#), par. 19.

⁸⁰ And among them as the most significant: i) the ratification of the ILO *Violence and Harassment Convention* 190, by Law 4808/2021 for the protection of the employment, ii) the ratification of the *Istanbul Convention on preventing and combating violence against women and domestic violence* by Law 4531/2018, iii) the redefinition of *gender* by Law 4604/2019, iv) the legal redefinition of the concept of rape on the basis of non-consent by Law

4604/2019 (Art. 336 of new Penal Code) and v) the Annual [Report 2020](#) on police response to domestic violence incidents issued by the Domestic Violence Services of the Hellenic Police.

⁸¹ UN Human Rights Council, Visit to Greece: Report of the WGDWG, [A/HRC/44/51/Add.1](#), April 2019.

⁸² 1st Annual [Report](#) on Violence Against Women, General Secretariat for Demography and Family Policy and Gender Equality (GSDFPGE), November 2020; UN Human Rights Council, Visit to Greece: Report of the WGDWG, [A/HRC/44/51/Add.1](#), April 2019. See also GNCHR, [Report](#) on the need for protection of human rights with regard to the measures taken in response to the coronavirus (COVID-19) pandemic and recommendations to the State. Description of the issues discussed in the Plenary Meetings during the lockdown Meetings of 8th, 22nd, 29th of April and of 6th May 2020, 12 June 2020, p. 8; GNCHR [Report](#) regarding the impact of the pandemic and the measures taken to address it on human rights. Extraordinary times call for extraordinary responses, 5 July 2021 [in Greek], p. 16; GNCHR Extraordinary times call for extraordinary responses: [Summary of Recommendations to the State](#) regarding the impact of the pandemic and the measures taken to address it on human rights, 12 July 2021 [in English], p. 6.

⁸³ Which also supports delivery of SDG Goal 5 on Achieving gender equality and empowering all women and girls and, in particular, SDG target 5.2 aiming at eliminating all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, as well as SDG targets 10.3 on ensuring equal opportunity and reducing inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard and 16.1 aiming at significantly reducing all forms of violence and related death rates everywhere.

⁸⁴ For instance, the GNCHR has on several occasions stressed that the law ratifying the Istanbul Convention remains inactive, since crucial penal provisions were not included in the Criminal Code, while the issuance of joint ministerial decisions determining the maximum amount of compensation is still pending. See GNCHR, [Observations](#) on the Bill of the Ministry of Labor and Social Affairs regarding the protection of the employment [in Greek], 14 June 2021, p. 19 (for a concise English version of the report see [Summary of Observations](#)); GNCHR, Stakeholder Report to the Universal Periodic Review (UPR) of Greece UN Human Rights Council, 39th session, 25 March 2021, p. 3; League for Women Rights, [Statement](#), International Women's Day: today we are not celebrating, we are vigilant and we demand, 8 March 2021.

⁸⁵ UN Human Rights Council, Visit to Greece: Report of the WGDWG, [A/HRC/44/51/Add.1](#), April 2019, par. 58.

⁸⁶ See also European Commission, European network of legal experts in gender equality and non-discrimination, [Country report gender equality: Greece 2020](#).

⁸⁷ UN Human Rights Council, Visit to Greece: Report of the WGDWG, [A/HRC/44/51/Add.1](#), April 2019, par. 62.

⁸⁸ GNCHR, [Information](#) relevant to the implementation of the Convention on the Elimination of all forms of Discrimination against Women – CEDAW, 21 October 2020, p. 3; UN Human Rights Council, Visit to Greece: Report of the WGDWG, [A/HRC/44/51/Add.1](#), April 2019, par. 59.

⁸⁹ The GSDFPGE is part of the National Mechanism for Gender Equality at central national level together with: 1) the Research Centre on Gender Equality (KETHI), 2) the Gender Equality Units of all ministries and 3) the Ombudsman (Equality Section). See Article 4(1) of law 4604/2019.

⁹⁰ CEDAW, List of issues and questions prior to the submission of the eighth periodic report of Greece, 17 November 2020, [CEDAW/C/GRC/QPR/8](#), par. 9-10.

⁹¹ CEDAW, List of issues and questions prior to the submission of the eighth periodic report of Greece, 17 November 2020, [CEDAW/C/GRC/QPR/8](#), par. 9-10.

⁹² CRPD, Concluding observations on the initial report of Greece, 29 October 2019, [CRPD/C/GRC/CO/1](#), par. 15-16; CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019, [CAT/C/GRC/CO/7](#), par. 20-21; CERD, Concluding observations on the twentieth to twenty-second periodic reports of Greece, 3 October 2016, [CERD/C/GRC/CO/20-22](#), par. 22-23; Human Rights Committee, Concluding observations on the second periodic report of Greece, 3 December 2015, [CCPR/C/GRC/CO/2](#), par. 27-28; CESCR, Concluding observations on the second periodic report of Greece, 27 October 2015, [E/C.12/GRC/CO/2](#), par. 11-12.

⁹³ GNCHR, [Press release](#): In Samos, the system has collapsed, 23 January 2020. For more information on the findings of the GNCHR see GNCHR, [National Report](#) on the situation of human rights of migrants at the borders, July 2021.

⁹⁴ Refugee Support Aegean, [Report](#): Excluded and segregated - The vanishing education of refugee children in Greece, April 2021.

⁹⁵ Medecins Sans Frontieres, [Report](#): Constructing Crisis at Europe's Borders - The EU plan to intensify its dangerous hotspot approach on Greek islands, June 2021.

⁹⁶ GNCHR, [Statement](#): Reviewing asylum and immigration policies and safeguarding human rights at the EU borders, 5 March 2020.

⁹⁷ GNCHR, [Statement](#) on the fire in Moria and the day after, 11 September 2020.

⁹⁸ All unaccompanied minors were transferred from RICs to shelters. In addition, during the pandemic, a [voluntary relocation program](#) of unaccompanied minors and children with vulnerabilities accompanied by their families from Greece to other European States was launched.

⁹⁹ CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019, [CAT/C/GRC/CO/7](#), par. 20-21; CERD, Concluding observations on the twentieth to twenty-second periodic reports of Greece, 3 October 2016, [CERD/C/GRC/CO/20-22](#), par. 22-23; Human Rights Committee, Concluding observations on the second periodic report of Greece, 3 December 2015, [CCPR/C/GRC/CO/2](#), par. 27-28; CEDAW, Concluding observations on the seventh periodic report of Greece adopted by the Committee at its fifty fourth session (11 February – 1 March 2013), 26 March 2013, [CEDAW/C/GRC/CO/7](#), par. 34-35.

¹⁰⁰ GNCHR, [Observations](#) on Draft Law of Ministry for Migration and Asylum "Improvement of migration legislation, amendments of provisions of Laws 4636/2019, 4375/2016, 4251/2014 and other provisions", 23 April 2020.

¹⁰¹ GNCHR, National [Report](#) on the situation of human rights of migrants at borders, July 2021, pp. 5-6.

¹⁰² CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019, [CAT/C/GRC/CO/7](#), par. 21.

¹⁰³ CPT, Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 13 to 17 March 2020, 19 November 2020, [CPT/Inf \(2020\) 35](#), par. 13.

¹⁰⁴ GNCHR, [Observations](#) on the draft law of the Ministry for Migration Policy "Transposition into Greek legislation of Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast, L180/96/29.6.2013) and other provisions, Amendment of Law 4251/2014 (A' 80) regarding the transposition into Greek legislation of Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer, Amendment of asylum procedures and other provisions" [in Greek], 7 May 2018. The GNCHR proposed the abolition of the relevant legislative provision.

¹⁰⁵ GNCHR, [Observations](#) on Draft Law of the Ministry of Migration and Asylum "Reform of deportation and return procedures of third country nationals..." (summary in English), July 2021.

¹⁰⁶ This is also confirmed by most of the UN human rights monitoring mechanisms. CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019, [CAT/C/GRC/CO/7](#), par. 18-19; CERD, Concluding observations on the twentieth to twenty-second periodic reports of Greece, 3 October 2016, [CERD/C/GRC/CO/20-22](#), par. 22-23; Human Rights Committee, Concluding observations on the second periodic report of Greece, 3 December 2015, [CCPR/C/GRC/CO/2](#), par. 29-30; CESCR, Concluding observations on the second periodic report of Greece, 27 October 2015, [E/C.12/GRC/CO/2](#), par. 11-12; CEDAW, Concluding observations on the seventh periodic report of Greece adopted by the Committee at its fifty fourth session (11 February – 1 March 2013), 26 March 2013, [CEDAW/C/GRC/CO/7](#), par. 34-35.

¹⁰⁷ According to [UNCHR data](#), 861.632 people arrived in Greece through sea or land in 2015 and 177.234 in 2016.

¹⁰⁸ GNCHR, [Reference Report](#) on the refugee and migrant issue [in Greek], September 2020, p. 53 et seq.; GNCHR, [Reference Report](#) on the refugee and migrant issue [in English], September 2020, p. 18.

¹⁰⁹ For further analysis on the GNCHR's positions see GNCHR, [Observations](#) on Draft Law of the Ministry for Citizen's Protection "On international protection: provisions for the recognition and status of third country national or stateless persons as beneficiaries of international protection and other provisions" [in Greek only] and GNCHR, [Observations](#) on Draft Law of Ministry for Migration and Asylum "Improvement of migration legislation, amendments of provisions of Laws 4636/2019, 4375/2016, 4251/2014 and other provisions" [[summary in English](#)]. For the current asylum procedure, visit the official website of the Ministry for Migration and Asylum, [Applying for Asylum](#).

¹¹⁰ GNCHR, [Observations](#) on Draft Law of Ministry for Migration and Asylum "Improvement of migration legislation, amendments of provisions of Laws 4636/2019, 4375/2016, 4251/2014 and other provisions" (summary in English), April 2020.

¹¹¹ GNCHR, [Observations](#) on Draft Law of Ministry of Migration and Asylum "Reform of deportation and return procedures of third country nationals, issues of residence permits and procedures for granting international protection and other provisions within the competence of the Ministry of Migration and Asylum and the Ministry of Citizen Protection (summary in English), July 2021.

¹¹² GNCHR, [Proposals](#) for the Reception of Asylum Seekers and their access to asylum procedures, 6 June 2002.

¹¹³ Greek Ombudsman, [Interim Report](#): Alleged pushbacks to Turkey of foreign nationals who had arrived in Greece seeking international protection, 28 April 2021.

¹¹⁴ Council of Europe Commissioner for Human Rights, [Letter](#): Greek authorities should investigate allegations of pushbacks and ill-treatment of migrants, ensure an enabling environment for NGOs and improve reception conditions, 3 May 2021; United Nations High Commissioner for Refugees, [Briefing Note](#): UNCHR calls on Greece to investigate pushbacks at sea and land borders with Turkey, 12 June 2020; CPT, Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 13 to 17 March 2020, 19 November 2020, [CPT/Inf \(2020\) 35](#), par. 53 et seq.; Human Rights Council, Working Group on Arbitrary Detention, Report following its Visit to Greece, 29 July 2020, [A/HRC/45/16/Add.1](#), par. 87; CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019, [CAT/C/GRC/CO/7](#), par. 16-17; Human Rights Committee, Report on follow-up to the concluding observations of the Human Rights Committee, 6 November 2018, [CCPR/C/124/2](#), p. 9-10; CERD, Concluding observations on the twentieth to twenty-second periodic reports of Greece, 3 October 2016, [CERD/C/GRC/CO/20-22](#), par. 22-23; Human Rights Committee, Concluding observations on the second periodic report of Greece, 3 December 2015, [CCPR/C/GRC/CO/2](#), par. 33-34.

¹¹⁵ Reports, information and complaints submitted by the Hellenic League for Human Rights, the Greek Council for Refugees and Amnesty International which are GNCHR's Members but also from Refugee Support Aegean, Human Rights 360, HIAS and ARSIS. Information also received during an online hearing of relevant stakeholders convened by the GNCHR on 18 June 2020. GNCHR, [Press Release](#): Hearing of public authorities and persons on refugee and migrant issues during the meeting of the Third Sub-Commission of the GNCHR, 19 June 2020.

¹¹⁶ GNCHR, [Statement](#) on the reported practices of push backs, 7 July 2020.

¹¹⁷ Article 40 of Law 4825/2021.

¹¹⁸ Such as the Strategy to tackle Trafficking in Human Beings (THB) 2021-2025, launched by the Ministry of Citizen Protection and presented in an online press conference, on July 29 2021, in the presence of the National Rapporteur for Combating Trafficking in Human Beings, Iraklis Moskof. See Ministry of Citizen Protection, [Press Release](#). The Ministry's of Citizen Protection Strategy to tackle Trafficking in Human Beings 2021-2025, 29 July 2021; The Ministry's of Citizen Protection [Strategy](#) to tackle Trafficking in Human Beings 2021-2025, 29 July 2021.

¹¹⁹ CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019, [CAT/C/GRC/CO/7](#), par. 50-51.

¹²⁰ CEDAW, Concluding observations on the seventh periodic report of Greece adopted by the Committee at its fifty fourth session (11 February – 1 March 2013), 26 March 2013, [CEDAW/C/GRC/CO/7](#), par. 22-23.

¹²¹ In fact, in light of the ECtHR judgment in the *Chowdury and Others v. Greece* case, the GRETA Experts, taking into account the dimensions of the refugee/migration crisis, had stressed the need for the initiatives and preventive actions to be realised mainly through social and economic protection measures, mostly of the most vulnerable groups such as asylum seekers, migrants or unaccompanied minors. Council of Europe, GRETA, [Report](#) concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Greece, First evaluation round, Adopted on 7 July 2017, Published on 18 October 2017, GRETA(2017)27, par. 113 et seq. In this regard see also Council of Europe, Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings, [Recommendation CP\(2018\)3](#) on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Greece, adopted at the 22nd meeting of the Committee of the Parties, on 9 February 2018, Addendum: List of GRETA's proposals concerning the implementation of the Convention by Greece, par. 14.

¹²² GNCHR *Chowdury and Others v. Greece. Recommendations for the full compliance of the Greek State*, 27 August 2018, [Communication](#) on the assessment of the level of compliance of the Greek State with GNCHR's recommendations on ECtHR judgment *Chowdury and Others v. Greece* (Manolada-case) 5 June 2020.

¹²³ GNCHR *Chowdury and Others v. Greece. Recommendations for the full compliance of the Greek State*, 27 August 2018.

¹²⁴ GNCHR [Communication](#) on the assessment of the level of compliance of the Greek State with GNCHR's recommendations on ECtHR judgment *Chowdury and Others v. Greece* (Manolada-case) 5 June 2020.

¹²⁵ Addressing these concerns will also support delivery of SDG targets 5.2 aiming at eliminating all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation; 8.7 on the need to take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child

labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms and 16.2 on ending abuse, exploitation, trafficking and all forms of violence against and torture of children.

¹²⁶ GNCHR, [Observations](#) on Draft Law of Ministry for Migration and Asylum "Improvement of migration legislation, amendments of provisions of Laws 4636/2019, 4375/2016, 4251/2014 and other provisions", April 2020. GNCHR, [Observations](#) on the Draft Law of the Ministry for Migration and and Asylum "Reform of deportation and return procedures of third-country nationals, issues of residence permits and procedures for granting international protection and other provisions [in Greek], 8 July 2021, p. 28. In August 2021, the GNCHR reiterated its proposal for an holistic reform of employment status in the agricultural sector during the discussion at the Parliament on Draft Law 4825/2021 which abolished 13A of L. 4251/2014. July 2021.

¹²⁷ GNCHR [Recommendations](#) for the full compliance of the Greek State to the ECtHR, *Chowdury and others v. Greece*, 27 August 2018; GNCHR [Information](#) relevant to the implementation of the Convention against Torture. Submission to the UN Committee against Torture in response to the List of Issues with regard to the Report of Greece, 7 June 2019; GNCHR [Communication](#) on the assessment of the level of compliance of the Greek Government with GNCHR's recommendations on ECtHR judgment *Chowdury and Others v. Greece* (Manolada-case). Communication under Rule 9(2) on the execution of the judgment in *Chowdury v. Greece* (21884/15), 5 June 2020.

¹²⁸ CEDAW, List of issues and questions prior to the submission of the eighth periodic report of Greece, 17 November 2020, [CEDAW/C/GRC/QPR/8](#), par. 11-12.

¹²⁹ Which also supports delivery of SDG Goal 16 and, in particular, SDG targets 16.3 aiming at promoting the rule of law at the national and international levels and ensuring equal access to justice for all and 16.6 regarding the development of effective, accountable and transparent institutions at all levels.

¹³⁰ Human Rights Committee, Concluding observations on the second periodic report of Greece, 3 December 2015, [CCPR/C/GRC/CO/2](#), par. 23-24.

¹³¹ See also Recommendations formulated by other treaty bodies and, in particular, CRPD, Concluding observations on the initial report of Greece, 29 October 2019, [CRPD/C/GRC/CO/1](#), par. 19-20; CEDAW, Concluding observations on the seventh periodic report of Greece adopted by the Committee at its fifty fourth session (11 February – 1 March 2013), 26 March 2013, [CEDAW/C/GRC/CO/7](#), par. 34-35.

¹³² Those deprived of their liberty by the Police under aliens' legislation have limited or no access to legal aid. See CPT, Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 13 to 17 March 2020, 19 November 2020, [CPT/Inf \(2020\) 35](#), par. 22.

¹³³ CRPD, Concluding observations on the initial report of Greece, 29 October 2019, [CRPD/C/GRC/CO/1](#), par. 19.

¹³⁴ Based on the results of the Council of Europe's JustRom2 project implemented in Greece in partnership with the GNCHR. See also GNCHR, [Contribution](#) in the context of the preparation of the New National Strategy for the Social Inclusion of Roma for the period 2021-2027, March 2021, p. 14-15 [in Greek].

¹³⁵ Human Rights Committee, Concluding observations on the second periodic report of Greece, 3 December 2015, [CCPR/C/GRC/CO/2](#), par. 23-24

¹³⁶ GNCHR [Report](#) regarding the impact of the pandemic and the measures taken to address it on human rights. Extraordinary times call for extraordinary responses, 5 July 2021 [in Greek], p. 36 et seq.; GNCHR Extraordinary times call for extraordinary responses: [Summary](#) of Recommendations to the State regarding the impact of the pandemic and the measures taken to address it on human rights, 12 July 2021 [in English], p. 8-9.

¹³⁷ Addressing these concerns with regard to digital governance would also support delivery of the following SDG targets 16.3 aiming at promote the rule of law at the national and international levels and ensure equal access to justice for all; 16.6 on developing effective, accountable and transparent institutions at all levels; 16.10 on ensuring public access to information and protecting fundamental freedoms, in accordance with national legislation and international agreements; and 17.18 on enhancing by 2020 capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high- quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts. In this direction see also GNCHR [Report](#) regarding the impact of the pandemic and the measures taken to address it on human rights. Extraordinary times call for extraordinary responses, 5 July 2021 [in Greek], p. 40; GNCHR Extraordinary times call for extraordinary responses: [Summary](#) of Recommendations to the State regarding the impact of the pandemic and the measures taken to address it on human rights, 12 July 2021 [in English], p. 8.

¹³⁸ GNCHR, [Information](#) relevant to the implementation of the Convention against Torture. Submission to the UN Committee against Torture in response to the List of Issues with regard to the Report of Greece, June 2019, p. 11 et seq. and 14 et seq.

¹³⁹ Human Rights Committee, Concluding observations on the second periodic report of Greece, 3 December 2015, [CCPR/C/GRC/CO/2](#), par. 25-26.

¹⁴⁰ Addressing this issue would also support delivery of SDG Goal 16 and, in particular, SDG targets 16.3 aiming at promoting the rule of law at the national and international levels and ensuring equal access to justice for all and 16.6 regarding the development of effective, accountable and transparent institutions at all levels.

¹⁴¹ CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019, [CAT/C/GRC/CO/7](#), par. 14-15.

¹⁴² CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019, [CAT/C/GRC/CO/7](#), par. 20-21. CPT, Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 13 to 17 March 2020, 19 November 2020, [CPT/Inf \(2020\) 35](#), par. 22. The CPT has to conclude that the Greek Authorities had not taken sufficient measures since its 2015 and 2016 visits to implement its recommendations aimed at strengthening formal safeguards against ill-treatment in practice. CPT, Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 28 March to 9 April 2019, 9 April 2020, [CPT/Inf \(2020\) 15](#), par. 93.

¹⁴³ Law 4609/2019 regarding arrangements for Armed Forces Personnel, the Army, including conscientious objectors (COs) to military service.

¹⁴⁴ GNCHR, [Submission](#) to the quadrennial analytical report 2017 on conscientious objection to military service of the UN High Commissioner of Human Rights, 1 February 2017, p. 10.

¹⁴⁵ Art. 60(1) of Law 3421/2005.

¹⁴⁶ GNCHR, [Observations](#) on articles 18, 21 and 22 of the Bill of the Ministry of National Defence regarding the "Arrangements for Armed Forces Personnel" [in Greek], 19 March 2019, p. 5.

¹⁴⁷ UN Special Rapporteur on Freedom of Religion or Belief, Communication [GRC 3/2019](#), 11 July 2019, p. 2.

¹⁴⁸ They not allowed to serve in the region of their residence and no explicit provisions about free transportation or reduction in fares exist. UN Special Rapporteur on Freedom of Religion or Belief, Communication [GRC 3/2019](#), 11 July 2019, p. 2-3.

¹⁴⁹ OHCHR, Approaches and challenges with regard to application procedures for obtaining the status of conscientious objector to military service in accordance with human rights standards, 24 May 2019, [A/HRC/41/23](#), par. 41; GNCHR, Stakeholder Report to the Universal Periodic Review (UPR) of Greece, UN Human Rights Council, 39th session (March 2021), par. 19.

¹⁵⁰ [Response](#) of Greece to the Special Rapporteur on Freedom of Religion or Belief, par. 1(d)7.

¹⁵¹ UN Special Rapporteur on Freedom of Religion or Belief, Communication [GRC 3/2019](#), 11 July 2019, p. 5.

¹⁵² GNCHR, [Observations](#) on articles 18, 21 and 22 of the Bill of the Ministry of National Defence regarding the "Arrangements for Armed Forces Personnel" [in Greek], 19 March 2019, p. 11; OHCHR, Approaches and challenges with regard to application procedures for obtaining the status of conscientious objector to military service in accordance with human rights standards, 24 May 2019, [A/HRC/41/23](#), par. 24; GNCHR, [Submission](#) to the quadrennial analytical report 2017 on conscientious objection to military service of the UN High Commissioner of Human Rights, 1 February 2017, p. 5.

¹⁵³ HDPA, [Decision n° 28/2019](#), Indication of religion and nationality in secondary education qualifications and in the information system "myschool" and exemption of students from the religious education classes, 4 September 2019 [[Summary](#) of the Decision in English, p. 20].

¹⁵⁴ ECtHR, [Papageorgiou and others v. Greece](#) [App nos 4762/18, 6140/18], 31 January 2020.

¹⁵⁵ GNCHR, [Written Information](#) in relation to the implementation of the International Convention on the Elimination of all forms of Racial Discrimination (ICERD) in Greece, July 2016, p. 60; GNCHR, [Statement](#) on the occasion of the implementation of the Curricula of the Religious classes in schools, 10 October 2016.

¹⁵⁶ This would support delivery of SDG Goal 4 on Equality education and, in particular, SDG targets 4.1 aiming at ensuring by 2030 that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes; 4.2 on ensuring by 2030 that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education and 4.7 on ensuring by 2030 that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development.

¹⁵⁷ Reporters Without Borders, [Report](#) on Greece: Dangerous cocktail for press freedom, 2021.

¹⁵⁸ Law 4703/2020

¹⁵⁹ Addressing this concern would also support delivery of SDG target 16.6 on developing effective, accountable and transparent institutions at all levels.

¹⁶⁰ CRC, Consideration of reports submitted by States parties under article 44 of the Convention, Concluding observations: Greece, 13 August 2012, [CRC/C/GRC/CO/2-3](#), par. 9-10, 70. In this regard see also CEDAW, Concluding observations on the seventh periodic report of Greece adopted by the Committee at its fifty fourth session (11 February – 1 March 2013), 26 March 2013, [CEDAW/C/GRC/CO/7](#), par. 36-37, the CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019, [CAT/C/GRC/CO/7](#), par. 50-51.

¹⁶¹ Addressing these concerns would also support delivery of SDG targets 16.1 aiming at significantly reducing all forms of violence and related death rates everywhere; 5.2 on eliminating all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation and 16.2 on ending abuse, exploitation, trafficking and all forms of violence against and torture of children.

¹⁶² In addition, it should be clarified that the exploitation of begging is related almost exclusively to children victims. See Office of the National Rapporteur on Trafficking in Human Beings, Hellenic National Referral Mechanism for the Protection of victims of human trafficking, [Annual Report 2019](#). The Report covers the period from 1st January 2019 to 31st January 2020.

¹⁶³ GNCHR, [Reference Report](#) on the refugee and migrant issue [in Greek], September 2020, p. 82 et seq.; GNCHR, [Reference Report](#) on the refugee and migrant issue [in English], September 2020, p. 20-21. Addressing these concerns regarding the detention of unaccompanied minors would also support delivery of SDG targets 16.1 aiming at significantly reducing all forms of violence and related death rates everywhere; ; 5.2 on eliminating all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation and 16.2 on ending abuse, exploitation, trafficking and all forms of violence against and torture of children.

¹⁶⁴ UNHCR, [Joint press release](#): Greece launches national tracing and protection mechanism for unaccompanied children in precarious conditions, 6 April 2021.

¹⁶⁵ CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019, [CAT/C/GRC/CO/7](#), par. 22-23; CERD, Concluding observations on the twentieth to twenty-second periodic reports of Greece, 3 October 2016, [CERD/C/GRC/CO/20-22](#), par. 22-23; Human Rights Committee, Concluding observations on the second periodic report of Greece, 3 December 2015, [CCPR/C/GRC/CO/2](#), par. 31-32; CESCR, Concluding observations on the second periodic report of Greece, 27 October 2015, [E/C.12/GRC/CO/2](#), par. 11-12; CEDAW, Concluding observations on the seventh periodic report of Greece adopted by the Committee at its fifty fourth session (11 February – 1 March 2013), 26 March 2013, [CEDAW/C/GRC/CO/7](#), par. 34-35

¹⁶⁶ ECSR, [Decision](#) on the merits of 26th January 2021, Complaint no. 173/2018, ICJ and ECRE v. Greece.

¹⁶⁷ In particular, the services for children have deteriorated steadily (see National Confederation for Disabled People (NCDP), [Written Statement](#) for the CRPD Pre-Sessional WG - 11th Session, April 8-11), public spending in social services has been reduced and reliance on institutionally-based care for children lacking parental support has increased. See also in this regard CRC, Consideration of reports submitted by States parties under article 44 of the Convention, Concluding observations: Greece, 13 August 2012, [CRC/C/GRC/CO/2-3](#), par. 42-44.

¹⁶⁸ GNCHR [Observations](#) on the Bill of the Ministry of Labor, Social Security and Social Solidarity regarding "Measures to promote the institutions of foster care and adoption", 8 May 2018 [in Greek]; GNCHR [Observations](#) on the National Action Plan for Children's Rights 2018-2020, 29 November 2018 [in Greek].

¹⁶⁹ GNCHR [Information](#) relevant to the implementation of the Convention on the Rights of the Child Submission to the UN Committee on the Rights of the Child, 3 January 2020.

¹⁷⁰ In the first case, the biological parent is granted the custody of the child, even if the parents were legally registered as partners and decided to have a child together. In the latter case, the non-biological parent has no right to the custody of the child, as this right remains in the biological family of the deceased biological parent. Information submitted by the [Rainbow Families Greece](#) and OLKE, Lesbian and Gay Community of Greece. See GNCHR [Information](#) relevant to the implementation of the Convention on the Rights of the Child Submission to the UN Committee on the Rights of the Child, 3 January 2020.

¹⁷¹ GNCHR, [Recommendations](#) regarding freedom of religion with special emphasis on compliance of Greece with the ECtHR judgments, 1 March 2001, p. 11; GNCHR, [Observations](#) on the Draft of the Second Periodic Report of the Hellenic Republic for the International Covenant on Civil and Political Rights (ICCPR), 5 December 2013, p. 12-13; GNCHR, [Written Information](#) in relation to the implementation of the International Convention on the Elimination of all forms of Racial Discrimination (ICERD) in Greece, July 2016, p. 13.

¹⁷² Council of Europe, Parliamentary Assembly, [Resolution 1704\(2010\)](#), Freedom of religion and other human rights for non-Muslim minorities in Turkey and for the Muslim minority in Thrace (eastern Greece), Text adopted by the Assembly on 27 January 2010 (6th Sitting), par. 18.5.



¹⁷³ Which also supports delivery of SDG Goals 10 on Reduced inequalities and 16 on Peace, justice and strong institutions and, in particular, SDG targets 10.3 on ensuring equal opportunity and reducing inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard; 16.3 aiming at promoting the rule of law at the national and international levels and ensuring equal access to justice for all and 16.6 regarding the development of effective, accountable and transparent institutions at all levels.

¹⁷⁴ Which also supports delivery of SDG Goal 16 and, in particular, SDG target 16.10 aiming at ensuring public access to information and protecting fundamental freedoms, in accordance with national legislation and international agreements.

¹⁷⁵ Human Rights Committee, Concluding observations on the second periodic report of Greece, 3 December 2015, CCPR/C/GRC/CO/2 ([Greek translation](#) made available by the GNCHR). See the relevant [GNCHR Press Release](#) [in Greek language].