



Human Rights Council
Working Group on the Universal Periodic Review
Thirty-ninth session
1–12 November 2021

Summary of Stakeholders' submissions on Greece*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 27 stakeholders' submissions¹ to the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles

2. The Greek National Commission for Human Rights (GNCHR) noted that Greece had ratified nearly all core human rights treaties but it regretted that there had been no further progress on the ratification since the last universal periodic review. The country had pending the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, among others. It also noted the problems with the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.²

3. GNCHR expressed concerns at the lack of available and updated data and statistics on various areas of human rights protection, disaggregated by sex, age, race, ethnicity, geographical location and socioeconomic background and insisted on the necessity to develop appropriate quantitative and qualitative indicators.³

4. GNCHR welcomed the National Action Plan against Racism 2020–2023, developed by the Ministry of Justice in consultation with the National Council against Racism and Intolerance.⁴

* The present document is being issued without formal editing.



5. GNCHR remained concerned about the frequency, volume and character of reported cases of law enforcement arbitrary conduct and allegations of unjustified violence by the Greek Police. GNCHR recommended that Greece ensure impartial and effective investigations of these cases and increase efforts to systematically provide training to all law enforcement officers on the use of force.⁵
6. GNCHR noted that the conscientious objectors should be placed under the full control of civilian authorities.⁶ It also noted that despite a gradual progress, the participation of women in political life lagged behind at every level and that the quotas introduced had not substantially contributed to increase their representation.⁷
7. GNCHR noted that the regulatory and institutional framework on combating trafficking in persons and forced labour had not been substantially implemented. It also noted the risk of labour exploitation and forced labour in the agriculture.⁸
8. GNCHR recommended that Greece take the necessary steps for the recognition and acceptance of different types of families, such as same-sex parents.⁹
9. GNCHR noted that the emergency restrictive measures on employment adopted to combat the pandemic had deteriorated existing inequalities. GNCHR recommended that Greece implement measures to close the gender pay gap.¹⁰
10. GNCHR was concerned about the long-term implications of the public health crisis derived of COVID-19.¹¹
11. GNCHR was concerned about the non-prosecution of perpetrators of domestic violence. It noted that measures like the introduction of education material into schools on the elimination of gender stereotypes, and training of professionals had not yet launched. The lack of available sex-disaggregated data in relation with gender-based violence remained a key challenge.¹²
12. GNCHR alerted that child poverty was a new phenomenon, exacerbated by the economic crisis and the pandemic. GNCHR recommended that Greece evolve a child-centre budgetary policy in combination with child mainstreaming in all sector of public policy.¹³
13. GNCHR deplored incidents of alleged pushbacks in land and sea borders and noted the necessity to ensure the *non-refoulement* principle. GNCHR recommended that Greece establish an official independent mechanism for recording and monitoring informal pushbacks complaints.¹⁴ It also recommended that Greece strengthen the reception and accommodation centres with medical and paramedical staff, administrative personnel and social workers.¹⁵

III. Information provided by other stakeholders

A. Scope of international obligations¹⁶ and cooperation with international human rights mechanisms and bodies¹⁷

14. Global Detention Project (GDP), Joint Submission 5 (JS5) and Joint Submission 7 (JS7) recommended that Greece ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.¹⁸ Joint Submission 2 (JS2) and JS7 recommended that Greece ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.¹⁹ JS2, JS7, and Joint Submission 8 (JS8) recommended that Greece ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.²⁰ Joint Submission 4 (JS4) recommended that Greece accept the article 31 of the International Convention for the Protection of All Persons from Enforced Disappearance.²¹ JS7 recommended that Greece accept the article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination.²²
15. JS7 recommended that Greece ratify the 1961 Convention on the Reduction of Statelessness; the UNESCO Convention against Discrimination in Education 1960; and the

International Labour Organization Domestic Workers Convention, 2011 (No. 189).²³ The International Campaign to Abolish Nuclear Weapons (ICAN) recommended that Greece sign and ratify the UN Treaty on the Prohibition of Nuclear Weapons as a matter of international urgency.²⁴

16. JS2 and JS4 recommended that Greece ratify the Protocol N° 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms.²⁵ JS7 recommended that Greece ratify the Protocol N° 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms.²⁶

B. National human rights framework²⁷

17. Association “Comunità Papa Giovanni XXIII” (APG23) recommended that Greece ensure the effective implementation of UPR recommendations through the establishment of a permanent governmental mechanism, to liaise with relevant ministries and consult with civil society, National Human Rights Institutions and all relevant stakeholders.²⁸

18. JS7 reiterated its recommendation that Greece develop national human rights indicators, as suggested by the Office of the High Commissioner for Human Rights, allowing for a more precise and coherent evaluation of its national human rights policies.²⁹

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination³⁰

19. JS5 welcomed the strengthening of anti-racism legislation, through the amendment of Article 81A of the Criminal Code (now 82A, Law 4619/2019), facilitating the application of the provision during the investigation and at the court level. It noted that, the impact of Article 82A on pending criminal cases was still limited, identifying the current obstacles.³¹

20. The International Alliance for Peace and Development (IAPD) noted that the National Council against Racism and Intolerance was designing strategies to combat hate speech made in the media, and by public officials.³² In 2017, the European Commission against Racism and Intolerance (CoE-ECRI) had welcomed measures taken by the National Council against Racism and Intolerance.³³ JS5 welcomed the monitoring carried out by the Prosecutor’s Office of Athens and one initiative of the Greek Police regarding hate crimes.³⁴ JS5 recommended that Greece increase resources allocated to law enforcement authorities entrusted with investigating hate and racial crimes.³⁵

21. JS5 welcomed the National Action Plan against Racism and Intolerance 2020-2023 developed by the Ministry of Justice, in consultation with the National Council against Racism and Intolerance, which included a certain number of policy components for preventing discrimination and racism and combating racist violence.³⁶ JS5 welcomed the development of a Guide for Racist Violence Victims produced by the Ministry of Justice and the National Council against Racism and Intolerance.³⁷

22. In 2018, the Commissioner for Human Rights of the Council of Europe (CoE-Commissioner) noted that racist violence targeting migrants had remained a worrying phenomenon and encouraged Greece to step up efforts to eradicate discrimination against migrants.³⁸ In 2019, the European Union Agency for Fundamental Rights (EU-FRA) and JS7 raised similar concerns.³⁹

23. JS7 noted the widespread discrimination and marginalization of Roma in Greece.⁴⁰ Humanist Union of Greece (HUG) stated that Greece was a country where there was mainstreaming of intolerance rather than of tolerance.⁴¹ HUG recommended that Greece strengthen its efforts to eradicate stereotypes and discrimination against migrants, refugees and Roma.⁴² OSCE Office for Democratic Institutions and Human Rights

(OSCE/ODHIR) recommended that Greece strongly and unequivocally condemn racial and ethnic hatred, anti-Roma sentiment, xenophobia and discrimination against Roma and Sinti and develop measures to promote and protect human rights, while actively countering racism and discrimination against Roma and Sinti.⁴³

24. JS5 noted that lesbian, gay, bisexual and transgender groups had reported homophobic and transphobic hate speech, verbal harassment and inappropriate comments in the public discourse.⁴⁴

2. Civil and political rights

*Right to life, liberty and security of person*⁴⁵

25. The Hellenic National Youth Council (ESYN) referred to the violence against young people.⁴⁶

26. Several submissions referred to incidents of violence and excessive use of force by the Police and other security forces against asylum-seekers, migrants and refugees, in the context of summary forced returns so called “pushbacks” or collective expulsions, both through the land border and in the Aegean Sea.⁴⁷ JS2 recommended that Greece immediately halt the practice of push-backs and set up an independent, transparent and cross-border monitoring mechanism for fundamental rights violations; and conduct prompt, impartial and effective investigations into all such cases that had come to light, ensuring the effective prosecution and punishment of those responsible.⁴⁸ Several submissions made similar recommendations.⁴⁹

27. In 2018, CoE-CPT was also concerned that the infliction of ill-treatment by the police, especially against foreign nationals and persons from Roma community, remained a frequent practice throughout Greece. It highlighted the alarming situation in the Korydallos Men’s Prison. It also noted that the current system of investigation into allegations of ill-treatment were not effective.⁵⁰ CoE-CPT recommended that Greece provide more resources and grant supplementary powers to the National Mechanism for the Investigation of Arbitrary Incidents.⁵¹

28. JS7 noted an almost total absence of accountability, prosecution and punishment of law enforcement officers who were perpetrators of acts of torture in accordance with the law and on the inadequacy of the national mechanism for investigations established within the Ombudsman.⁵² JS7 recommended that Greece take the necessary steps to ensure that all allegations of ill-treatment by law enforcement officials were investigated effectively and expeditiously.⁵³

29. The CoE-CPT remained concerned about the dire state of the Greek prison system and the insufficient steps taken to tackle the prison crisis. It referred about the problem of overcrowding and chronic shortage of staff. CoE-CPT recommended that Greece effectively address the structural reasons driving prison overcrowding and draw up a more detailed Strategic Plan for the Penitentiary System for the years 2021 to 2025.⁵⁴ Regarding the conditions of detention, JS7 recommended that Greece reduce overcrowding and ensure that prison conditions in Greece meet international human rights standards, by implementing the full set of recommendations made by the European Committee for the Prevention of Torture.⁵⁵

*Administration of justice, including impunity, and the rule of law*⁵⁶

30. The CoE-Commissioner noted that the Minister of Justice had admitted the existence of delays in the treatment of hate crime cases and welcomed the Minister’s will to modernise the administration of the Judiciary in order to speed up proceedings.⁵⁷

31. The CoE-CPT noted that the current situation in the prisons threatened to undermine further the whole criminal justice system.⁵⁸ CoE-CPT noted that Greece should ensure that the Hellenic Police and judiciary (prosecutors and magistrates) carry out effective investigations into cases of alleged ill-treatment.⁵⁹ CoE-CPT stated that it was important to ensure that the parameters set by law and its interpretation make it clear that the Greek

criminal justice system adopts a firm attitude with regard to torture and other forms of ill-treatment, in line with the European Court of Human Rights' case-law.⁶⁰

32. JS8 referred to the lack of access to free legal assistance for children, which had created a barrier to effective access to justice.⁶¹ Regarding the protection of child rights, SOS Children's Villages (SOSCV) indicated that the legal framework in the case of forensic interview procedures for minor victims of abuse was well established.⁶² SOSCV recommended that Greece implement the legal framework concerning the judicial review process and protocols for child victims of abuse as stated in Law 4478/2017, Law 4640/2019 and the Ministerial Action 7320/2019.⁶³

*Fundamental freedoms and the right to participate in public and political life*⁶⁴

33. The European Centre for Law and Justice (ECLJ) noted the risk of the reintroduction of the blasphemy law, after being repealed in 2019.⁶⁵ ADF International (ADF), ECLJ and Joint Submission 6 (JS6) referred to the prohibition of proselytism in the Greek Constitution, affecting the freedom of religion or belief recognized in Art 18 of the International Covenant on Civil and Political Rights and questioned the vague definition of proselytism established in Law 1363/1938 (as amended by Law 1672/1939).⁶⁶ JS6 recommended that Greece amend Art 4 of Law 1363/1938 prohibiting proselytism, in a way that complies with the obligation to respect the right to share and propagate belief.⁶⁷ ADF made a similar recommendation.⁶⁸

34. JS6 and HUG reported about discrimination in public religious education and questioned the "solemn declaration" in order to be exempted from the education on Christian Orthodox teachings.⁶⁹ JS6 referred to practical obstacles regarding legal personality for religious communities established in Law 4301/2014.⁷⁰ HUG informed about problems with mosques and cemeteries in certain cities and with the registration of religion in birth, marriage and death certificates.⁷¹ ADF and HUG reported about the lack of recognition of muftis for Muslims of Thrace.⁷²

35. Despite some progress achieved under the new legislation for conscientious objectors to military service (Law 4609/2019), a number of submissions observed the lack of compliance with international standards.⁷³ The International Fellowship of Reconciliation (IFOR), War Resisters' International (WRI) and Joint Submission 1 (JS1) noted the discriminatory alternative civilian service based on the punitive and discriminatory length of the alternative service, the location of the service or the insufficient benefits. The inadequate procedure of examination of applications for conscientious objector status under the Minister of National Defence; the not recognition of certain categories of conscientious objectors; the punishment for insubordination, as well as a number of violations of international human rights were also reported.⁷⁴ IFOR and WRI recommended that Greece consider changes in legislation and practice ensuring that all individuals who express conscientious objection to compulsory military service do not face prosecution, and that they have the opportunity to perform civilian service without discrimination.⁷⁵

36. JS4 informed that numerous Non-governmental organizations (NGOs) had reported an increased criminalisation, noting that human right defenders were accused of human trafficking and smuggling. JS4 indicated that, in September 2020, Greek police had issue a press release about criminal investigation into 33 human rights defenders from four international NGOs reporting the "pushbacks". It also noted increased hostility and violence, due to the rise of the far right, directed against humanitarian workers, human rights defenders and journalists.⁷⁶ JS4 recommended that Greece stop criminalizing civil society organizations, including through smear campaigns, violations of private life, attacks, judicial harassment.⁷⁷

37. OSCE/ODHIR noted that the parliamentary elections held in July 2019 were competitive with fundamental freedoms largely respected.⁷⁸

*Prohibition of all forms of slavery*⁷⁹

38. In 2017, CoE-GRETA noted that Greece had taken a number of measures to combat trafficking in human beings and support its victims, through the adoption of relevant

legislation, the setting up of co-ordinating and specialised structures, the provision of training of relevant professionals and general awareness raising. It also noted that the involvement of civil society was an important aspect of Greece's response to human trafficking.⁸⁰ CoE-GRETA stated that in the area of prevention, efforts to raise awareness of human trafficking among the public must be combined with targeted measures for groups and persons particularly vulnerable to human trafficking, including women, asylum seekers, irregular migrants, unaccompanied children and children in street situations.⁸¹

39. JS8 noted that there was an urgent need to step up efforts to identify children victims of trafficking and exploitation.⁸² JS8 recommended that Greece adopt measures to prevent and respond to child sexual exploitation and trafficking and develop a protective framework in law and practice for children victims of sexual abuse and/or exploitation and trafficking.⁸³

40. In 2019, EU-FRA noted that Greece had legislated in order to provide compensation of victims of human trafficking.⁸⁴

*Right to privacy and family life*⁸⁵

41. Referring to family life, the European Organization of Military Associations and Trade Unions (EUROMIL) noted that work-life balance was still a major issue in the military, particularly for those in charge of children with disabilities.⁸⁶ SOSCV reported about foster care, family-strengthening programmes.⁸⁷ SOSCV recommended that Greece create and enhance Family-Strengthening Prevention Programmes, in order to prevent family separation.⁸⁸

42. JS7 noted that Greece had supported the full legal recognition of same-sex relationships, but failed to implement the same-sex marriage and the possibility for same-sex couples to adopt children had not been introduced.⁸⁹ JS7 recommended that Greece take steps towards full legal recognition of same-sex relationships, including marriage and the possibility to adopt children.⁹⁰

3. Economic, social and cultural rights

*Right to work and to just and favourable conditions of work*⁹¹

43. ESYN informed about work-related bullying and sexual harassment in the work place suffered by young girls and women.⁹² ESYN recommended that Greece adopt legislation on sexual harassment in the workplace, including a clear definition, explicit sanctions, provisions for financial and legal support to victims, and mandatory training for employers and employees.⁹³

44. EUROMIL reported problems affecting service members of the Greek armed forces regarding the right for just and favourable working conditions, the lack of night employment compensation, and some obstacles in the exercise of freedom of association.⁹⁴

*Right to an adequate standard of living*⁹⁵

45. EUROMIL reported about the housing problem of the military personnel and asked for further consultations on the issue of amending the regulations of the General Staffs that determine the housing framework of the Military.⁹⁶

*Right to health*⁹⁷

46. The CoE-Commissioner was concerned about the reported shortages in staff and equipment and disruptions in the Greek healthcare system resulting from the successive austerity measures adopted since the beginning of the economic crisis. While noting with satisfaction the implementation of the measures aimed at ensuring access to health care, including the introduction of a universal medical coverage system, she observed a persistence of a number of obstacles hampering such access in practice. She urged the Greek authorities to lift those obstacles, including by ensuring the effective availability of medication at an affordable cost for all.⁹⁸

47. APG23 referred to the problem of drug addictions and to the problems with medical care.⁹⁹ The International Federation of Library Associations and Institutions (IFLA) noted that the libraries in Greek state hospitals can only offer services to the hospital medical staff, rather than patients and their accompanied persons, and that addressing this could broaden the scope and help further deliver on people's right to access health information.¹⁰⁰

*Right to education*¹⁰¹

48. The CoE-Commissioner was concerned about impoverished curricula and a marked deterioration in pupils' well-being, teachers' working conditions, and school equipment resulting from the severe budget cuts implemented during the crisis years. She was pleased to note that budget increased in the last years and encouraged the Greek authorities to further increase this budget in the next years.¹⁰² CoE-Commissioner was concerned at persisting obstacles to effective access to education and invited the Greek authorities to make specific efforts to guarantee effective access to education for groups of vulnerable children, whose school attendance rates were worrying.¹⁰³ She invited the Greek authorities to collect detailed data regarding the school attendance of children with disabilities to allow better analysis of the existing obstacles, and encouraged to pursue their efforts to end segregated education of Roma children.¹⁰⁴

49. ADF recommended that Greece amend Law 1566/1985 in order to end the discrimination of home education, and guarantee the right to seek alternative forms of education.¹⁰⁵

50. IFLA noted that there were public school libraries, which were not well equipped or resourced.¹⁰⁶ IFLA recommended that Greece take actions to ensure stronger connection between primary and secondary education and library services.¹⁰⁷

4. Rights of specific persons or groups

*Women*¹⁰⁸

51. EU-FRA acknowledged the new Law 4694/2019 on gender equality and combating gender-based violence, introducing a national mechanism for gender equality, which will also address discrimination based on gender identity and sexual orientation.¹⁰⁹

52. ESYN informed that violence against young women and girls took various forms, including domestic violence, rape, trafficking in girls and women and forced prostitution. It noted that violence against women was multifaceted and linked to inequalities in roles of both sexes and in socio-economic power structures.¹¹⁰ Referring to positive advances in order to reduce violence against women, IAPD recommended that Greece stop resorting to mediation with perpetrators in crimes related to sexual harassment and gender-based violence.¹¹¹

53. EUROMIL expressed concerns about attacks against the Secretary of the established Secretariat for Gender Equality in charge of improve women's rights, representation and women participation in the armed forces.¹¹²

54. Joint Submission 3 (JS3) welcomed the ratification of the CoE Convention on preventing and combating violence against women and domestic violence, which entered into force 2018, but remained concerned that this did not give adequate protection to refugee and asylum-seeking women, particularly to women living in camps or in other precarious living situations.¹¹³ JS3 reported that the dire living conditions in the Aegean camps, especially the lack of adequate sanitation facilities and secure living spaces, put women and girls at risk of violence. The lack of pre-and postnatal care put the health of pregnant women and their new-borns at risk.¹¹⁴

*Children*¹¹⁵

55. APG23 noted the principles of inclusive education had been further strengthened and a number of relevant measures and initiatives regarding children had been taken.¹¹⁶

56. SOSCV noted that Greece was in urgent need of further reform in childcare and change was needed on an institutional and a social level. It added that the judicial review of

child victims of abuse in Greece was a cause of great concern, and despite an existing legal framework for the creation of Child Advocacy Centres since 2017, these had not been rendered operational to date.¹¹⁷

57. SOSCV indicated that a very important legal framework for children in institutions was put in place in 2018 (Foster Care Law 4538/2018), and its implementation began in the third quarter of 2020; however it observed obstacles in the legislation.¹¹⁸ SOSCV recommended that Greece amend the Foster Care Law with important improvements such as expanding public-private initiatives and collaborations with experienced and qualified organizations; adopt a multidisciplinary approach in the social research process for prospective parents; and support and train foster care parents; as well as expand professional foster care for all children.¹¹⁹

58. Several submissions referred to the bad situation in camps on the Greek islands affecting particularly children in the context of migration.¹²⁰ JS8 and JS2 referred to the problems with the age assessment procedure for children using biometric characteristics and the possible further intervention of the Psychosocial Unit for Assessment.¹²¹

59. Several submissions welcomed the approval of the Guardianship of unaccompanied children Law 4554/2018, but noted the lack of effective implementation as well as the lack of guardians on the islands.¹²² JS3 welcomed the adoption of Law 4540/2018, establishing the detention of unaccompanied children as a last resort; but noted about cases of “de facto” detention.¹²³ JS8 recognized as very positive measure the adoption of Law 4636/2019 of transfer of unaccompanied children to mainland, but observed its limitations. It also informed that the named “safe zones” in mainland were not safe at all.¹²⁴

60. JS2 and APG23 welcomed the creation of the Special Secretary for the Protection of unaccompanied foreign minors in the Ministry of Migration and Asylum in 2020.¹²⁵ APG23 welcomed the campaign “No Child Alone”.¹²⁶ JS2 considered positive the relocation of unaccompanied children in other countries of the European Union.¹²⁷

*Persons with disabilities*¹²⁸

61. APG23 noted that lack of precise data on the number of people with disabilities, particularly children with disabilities. APG23 recommended that Greece introduce quality standards based on internationally recognized guidelines for the protection of children and young people with disabilities with the design of individualized plans.¹²⁹

62. IFLA noted that the Greek Law 4672/2020 had incorporated the Directive (EU) 2017/1564 of the European Parliament and of the Council of 13 September 2017 in the Greek legal order. This legislation focused on “certain permitted uses of certain works and other subject matter protected by copyright for the benefit of persons who are blind, visually impaired or otherwise print-disabled”. It noted that it helped to improve and broaden access to information and culture for people with such disabilities.¹³⁰ IFLA recommended that Greece develop and implement relevant services in public, municipal and school libraries that help secure the right to education and access to information for people living with disabilities.¹³¹

*Minorities and indigenous peoples*¹³²

63. JS7 noted the widespread discrimination and marginalization of Roma in Greece. JS7 recommended that Greece ensure the integration of the Roma community and their full enjoyment of human rights, in particular the rights to adequate housing, work and education; and adopt a national plan to combat social exclusion and vulnerability of women belonging to Muslim communities and Roma women.¹³³

64. EU-FRA noted the Special Secretariat on Roma Inclusion had reported to the national Council against Racism and Intolerance, and it was expected that Roma would be included in the forthcoming action plan. It also stated that recognising and commemorating the Roma genocide can help fight anti-Gypsyism.¹³⁴ OSCE/ODHIR recommended that Greece ensure that the upcoming recovery plans being developed for the post-pandemic period were inclusive, take the challenges and vulnerabilities of Roma and Sinti communities, and ensure the full participation of Roma in the consultations.¹³⁵

65. JS7 reported on “ethnonational minorities” belonging to ethnic Turkish and Macedonian minorities, and about their denials of freedom of association.¹³⁶ It also noted that the Law on Foundations had not been effectively amended and Turkish Muslim minority in Thrace did not have full power over the control and supervision of its foundations.¹³⁷ JS7 recommended that Greece recognize for all groups who claim an ethnic or national minority identity their right to self-determination throughout Greece and provide the indigenous Muslim Turkish groups in Rhodes and Kos the same rights granted to the indigenous Muslim Turkish groups in Thrace.¹³⁸ JS7 also recommended that Greece grant the Muslim Turkish minority the right to administer their charitable foundations throughout Greece and accede to their demand to be provided with bi-lingual kindergartens.¹³⁹

*Migrants, refugees, asylum seekers and internally displaced persons*¹⁴⁰

66. GDP noted that Greece had faced enormous influxes of migrants, refugees, and asylum seekers. It stated that as arrivals had continued, the authorities had taken steps to modify the country’s asylum law and restructure reception and detention facilities.¹⁴¹

67. Several submissions referred to the breach of the principle of *non-refoulement*, affecting asylum-seekers, migrants and refugees, derived of the so-called “pushbacks”, or collective expulsions, both through the land border and in the Aegean Sea.¹⁴² JS2 recommended that Greece ensure that the legislative and policy response to increased arrivals was consistent with international human rights and refugee law, particularly the principle of *non-refoulement*.¹⁴³

68. Several submissions referred to the poor situation in the Reception and Identifications Centres (RICs), both in the Eastern Aegean Islands and on mainland.¹⁴⁴ They reported about an increase of receptions centres until 2019 but a decreasing in numbers in 2020, particularly regarding the apartments (known as ESTIA) and hotels (known as FILOXENIA), which had produced homelessness among asylum seekers and refugees.¹⁴⁵ It was reported the overcrowding of reception facilities on the islands, with problems of access to food, water, sanitation, health, education for children, as well as situations of violence against women and LGBTQI+ persons.¹⁴⁶ The pandemic of COVID-19 had worsened the situation.¹⁴⁷ Several submissions also referred to the fire in Moria in 2020 and to the transferred of people to a “worse camp”.¹⁴⁸

69. Two submissions informed about the 30 centres on the mainland, which were described as temporary camps, located outside of urban areas, which had been improved recently, but they still were below standards and not suitable for long terms accommodation.¹⁴⁹ JS8 recommended that Greece proceed to direct staffing and reinforcement of the public health and social support services in the RICs.¹⁵⁰ JS2 recommended that Greece ensure dignified accommodation for asylum seekers and recognized refugees, including by increasing the current accommodation capacity.¹⁵¹

70. Three submissions referred to Law 4686/2020, which had created a new type of accommodation centres named “Island Closed Controlled Facilities”, which would increase the time of confinement and reduce the grace period from six months to 30 days. They also noted the lack of specific information in this regard.¹⁵²

71. Several submissions referred to several obstacles found in the asylum procedure. They noted problems caused for registration of applications through the Skype based appointment system, notably about limited capacity of the authorities and the limited availability for interpretation in different languages.¹⁵³ A number of submissions also referred to the Emergency Legislative Order of March 2020, which had suspended access to the asylum procedure for those entering irregularly in the country.¹⁵⁴ Refugee Support Aegean (RSA) noted that despite decrease in arrivals in 2020, Greece had prolonged the fast-track border procedure applicable in times of mass arrivals.¹⁵⁵ Various submissions informed that Law 4636/2019, known as International Protection Act, had lowered standards of protection, and that legislation had been partially amended by Law 4686/2020.¹⁵⁶

72. Three submissions reported long delays in the asylum procedure, the lack of legal assistance within asylum procedure, with no state funded free legal aid at the first instance, and a limited State legal aid in the appeal procedure established by Law 4375/2016. The

non-effectiveness of legal remedies against second instance negative decision was also reported.¹⁵⁷ GDP recommended that Greece ensure access to procedural guarantees for detained migrants such as access to legal counsel, the ability to challenge detention, or access to information in one's own language.¹⁵⁸ Several submissions made similar recommendations.¹⁵⁹ Mobile Info Team (MIT) recommended that Greece increase the capacity of the Skype service to offer more operating hours for asylum-seekers.¹⁶⁰

73. A number of submissions referred to the increase of asylum seekers placed in administrative detention, the widely use of police stations, the lack of individual assessments procedure prior to detention, and the practice of automatic upon arrival detention of certain categories of asylum seekers.¹⁶¹ They expressed concerns about the International Protection Act (IPA), which had entered into force on 1 January 2020, noting that the IPA, as well as its amendments in May 2020, had eroded the rights of asylum seekers and refugees. The new normative had introduced the possibility of detaining asylum seekers on the basis of an extensive list of grounds justifying detention; the extension of the maximum time limits for the detention of asylum seekers; and the abolition of the safeguard to impose the detention of an asylum seeker only upon a prior recommendation of the Asylum Service. They also reported the bad condition in Pre-Removal Detention for its prison-like design, overcrowding, the lack of hygiene, and the lack of recreational activities, among others.¹⁶² JS2 recommended that Greece ensure that the implementation of administrative detention was subject to an individual assessment and justification of its grounds and duration.¹⁶³ APG23 recommended that Greece promote viable alternatives to detention and administrative confinement by developing open reception, adequate infrastructure for migrants, asylum seekers, and beneficiaries of international protection; and ensure relevant, appropriate and increased use of interpretation.¹⁶⁴ GDP recommended that Greece ensure that COVID-19 measures did not prevent access to asylum procedures and did not lead to unlawful confinement of migrants and asylum seekers in facilities not designed for detention uses.¹⁶⁵

Notes

- ¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

ADF International	ADF International (Switzerland);
APG23	Association "Comunità Papa Giovanni XXIII" (Italy);
ECLJ	European Centre for Law and Justice (France);
ESYN	Hellenic National Youth Council (Greece);
EUROMIL	European Organization of Military Associations and Trade Unions (Belgium);
GDP	Global Detention Project (Switzerland);
HUG	Humanist Union of Greece (Greece);
IAPD	International Alliance for Peace and Development (Switzerland)
ICAN	International Campaign to Abolish Nuclear Weapons (Switzerland);
IFLA	International Federation of Library Associations and Institutions (The Netherlands);
IFOR	International Fellowship of Reconciliation (XX);
MIT	Mobile Info Team (The Netherlands);
RSA	Refugee Support Aegean (Greece);
SOSCV	SOS Children's Villages Greece (Greece);
WRI	War Resisters' International (United Kingdom of Great Britain and Northern Ireland).

Joint Submissions:

JS1	Joint submission 1 submitted by: European Bureau for Conscientious Objection (EBCO) and the Association of Greek Conscientious Objection (AGCO) (Greece);
JS2	Joint submission 2 submitted by: 1. ARSIS – Association

- for the Social Support of Youth 2. Centre for Research on Women's Issues – Diotima 3. Equal Rights Beyond Borders - Equal Rights BB 4. Fenix - Humanitarian Legal Aid 5. Greek Council for Refugees - GCR 6. Greek Forum of Refugees - GFR 7. Hellenic League for Human Rights - HLHR 8. HIAS Greece 9. HumanRights360 10. International Rescue Committee (IRC) 11. Legal Centre Lesbos-LCL 12. Medecins Du Monde - Greece | Mdm-Greece 13. Network for the rights of the child 14. Refugee Support Aegean (RSA) 15. SolidarityNow 16. Access Center for Human Rights – ACHR & Centre d'accès pour les droits de l'homme - ACHR 17. Associazione Ricreativa e Culturale italiana - ARCI 18. Cairo Institute for Human Rights Studies (CIHRS) 19. CLA Voice in Bulgaria 20. EuroMed Rights – EMR (Greece);
- JS3 **Joint submission 3 submitted by:** Refugee Rights Europe (RRE), Europe Must Act (EMA), FORGE for humanity (FORGE), Khora Asylum Support Team (KAST), Syrian Greek Youth Forum (SGYF) (United Kingdom of Great Britain and Northern Ireland);
- JS4 **Joint submission 4 submitted by:** Josoor; Mobile Info Team; No Name Kitchen; Mare Liberum (Germany);
- JS5 **Joint submission 5 submitted by:** Racist Violence Recording Network (RVRN) is a coalition of forty-seven agencies, under the coordination of the UN High Commissioner for Refugees in Greece (UNHCR) and the Greek National Commission for Human Rights (GNCHR). The participating actors are the following: Aitima, Solidarity Now, Antigone -Information and Documentation Centre, University of Aegean Anti-Racist Observatory, Arsis, Doctors of the World (Mdm), Amnesty International, Network for Children's Rights, Network for Social Support of Refugees and Immigrants, "Pleiades - Hellenic Action for Human Rights", Hellenic League for Human Rights, Hellenic Red Cross, Greek Council for Refugees, Greek Forum of Migrants, Greek Forum of Refugees, Human Rights Commission of the Bar Association of Rhodes, Positive Voice, Medical Intervention, Caritas Athens, Caritas Hellas, Centre for Research on Women's Issues "Diotima", Center for Life, "Babel" Day Centre, Centre for the Support of Repatriated and Migrants - Ecumenical Refugee Program, Network for the Support of Refugee and Migrant Rights (Patras), World Without War and Violence, LATHRA? - Solidarity Committee for Chios refugees, METAction, Rainbow Families, Group of Lawyers for the Rights of Refugees and Migrants, Group of Lawyers for the Support of Refugee and Migrant Rights (Thessaloniki), Homosexual and Lesbian Community of Greece, Association of Afghans United In Greece, Association of Social Workers of Greece, Greek Transgender Support Association, Faros tou kosmou, Forum of Migrants in Crete, Refugee Support Aegean, Act Up Hellas, ASANTE, Colour Youth - LGBTQ Youth Community of Athens, Generation 2.0 RED, HIAS in Greece, HumanRights360, Melissa Network, PRAKSIS, A21 (Greece);
- JS6 **Joint submission 6 submitted by:** Greek Evangelical Alliance (PES); European Evangelical Alliance (EEA); World Evangelical Alliance (WEA) (Switzerland);
- JS7 **Joint submission 7 submitted by:** Greek Helsinki Monitor (GHM); Minority Rights Group-Greece (MRG-G); Coordinated Organizations and Communities for Roma Human Rights in Greece (SOKADE) (Greece);
- JS8 **Joint submission 8 submitted by:** Defence for Children International Greece; Better Days (Greece).

National human rights institution:

(GNCHR) Greek National Commission for Human Rights (Greece).

Regional intergovernmental organization(s):

CoE

The Council of Europe, Strasbourg (France);

Attachments:

(CoE-Commissioner) Report by Mr. Dunja Mijatovic, Commissioner for Human Rights of the Council of Europe, Strasbourg, CommDH;

(CoE-ECRI) European Commission against Racism and Intolerance report on Greece, adopted on 05 December 2017, published on 27 February 2018;

(CoE-GRETA)-Group of Experts on Action against Trafficking in Human Beings, Report concerning the implementation of the Council of Europe Convention pm

Action against Trafficking in Human Beings by Greece, adopted on 7 July 2017, published on 18 October 2017;

(CoE-CPT) Report to the Government of Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment from 28 March-09 April, 2019, CPT/Inf (2020) 15;

EU-FRA

European Union Agency for Fundamental Rights (Austria);

OSCE-ODIHR

Office for Democratic Institutions and Human Rights; Organisation for Security and Cooperation in Europe (Poland).

² GNCHR submission to the universal periodic review of Greece, paras. 5–6.³ GNCHR submission to the universal periodic review of Greece, para. 20.⁴ GNCHR submission to the universal periodic review of Greece, para. 8.⁵ GNCHR submission to the universal periodic review of Greece, para. 17.⁶ GNCHR submission to the universal periodic review of Greece, para. 19.⁷ GNCHR submission to the universal periodic review of Greece, para. 13.⁸ GNCHR submission to the universal periodic review of Greece, para. 18.⁹ GNCHR submission to the universal periodic review of Greece, para. 11.¹⁰ GNCHR submission to the universal periodic review of Greece, para. 14.¹¹ GNCHR submission to the universal periodic review of Greece, para. 4.¹² GNCHR submission to the universal periodic review of Greece, para. 12.¹³ GNCHR submission to the universal periodic review of Greece, para. 9.¹⁴ GNCHR submission to the universal periodic review of Greece, para. 15.¹⁵ GNCHR submission to the universal periodic review of Greece, para. 16.¹⁶ The following abbreviations are used in UPR documents:

ICERD

International Convention on the Elimination of All Forms of Racial Discrimination;

ICESCR

International Covenant on Economic, Social and Cultural Rights;

OP-ICESCR

Optional Protocol to ICESCR;

ICCPR

International Covenant on Civil and Political Rights;

ICCPR-OP 1

Optional Protocol to ICCPR;

ICCPR-OP 2

Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women;

OP-CEDAW

Optional Protocol to CEDAW;

CAT

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

OP-CAT

Optional Protocol to CAT;

CRC

Convention on the Rights of the Child;

OP-CRC-AC

Optional Protocol to CRC on the involvement of children in armed conflict;

OP-CRC-SC

Optional Protocol to CRC on the sale of children, child prostitution and child pornography;

OP-CRC-IC

Optional Protocol to CRC on a communications procedure;

ICRMW

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

CRPD

Convention on the Rights of Persons with Disabilities;

OP-CRPD
ICPPEDOptional Protocol to CRPD;
International Convention for the Protection of All Persons
from Enforced Disappearance.

- 17 For relevant recommendations see A/HRC/33/7, paras. 134.1–134.7; 135.1; 136.1–136.5; 137.1–137.11.
- 18 GDP, p. 8; JS5, p. 2; and JS7, p. 2.
- 19 JS2, p. 19 and JS7, p. 2.
- 20 JS2, p. 20; JS7, p. 2; and JS8, p. 7. See also RSA, p. 1.
- 21 JS4, p. 28.
- 22 JS7, p. 2.
- 23 JS7, p. 2.
- 24 ICAN, p. 1.
- 25 JS2, p. 19 and JS4, p. 28.
- 26 JS7, p. 12.
- 27 For relevant recommendations see A/HRC/33/7, paras. 134.8–134.10; 134.20.
- 28 APG23, p. 5.
- 29 JS7, p. 2.
- 30 For relevant recommendations see A/HRC/33/7, paras. 134.21–134.23; 134.35–134.36; 134.44–134.45; 134.47–134.67; 136.8–136.10; 136.22; 137.12.
- 31 JS5, p. 3. See also IAPD, p. 1.
- 32 IAPD, p. 1.
- 33 CoE-ECRI, p. 5.
- 34 JS5, p. 3.
- 35 JS5, p. 6.
- 36 JS5, p. 2.
- 37 JS5, p. 6.
- 38 CoE-Commissioner, pp. 14–15. See also JS5, pp. 5–8.
- 39 EU-FRA, pp. 4 and 7; JS7, pp. 2–6.
- 40 JS7, p. 12.
- 41 HUG, p. 5.
- 42 HUG, p. 5.
- 43 OSCE/ODHIR, p. 3.
- 44 JS5, p. 9.
- 45 For relevant recommendations see A/HRC/33/7, paras. 134.24–134.25; 134.68–134.76; 134.78.
- 46 ESYN, pp. 2–3.
- 47 APG23, p. 1; CoE-Commissioner, p. 3; GDP, p. 7; IAPD, p. 2; MIT, p. 5; RSA, pp. 2–3; JS2, pp. 3–4; JS3, pp. 2–4; JS4, pp. 1–6 and 10–14; JS5, p. 5; and JS7, pp. 13–14.
- 48 JS2, p. 19.
- 49 JS4, p. 28; JS7, p. 14; APG23, p. 3; GDP, p. 7; IAPD, p. 5; and MIT, p. 5.
- 50 CoE-CPT, pp. 4–6.
- 51 CoE-CPT, p. 6.
- 52 JS7, p. 6.
- 53 JS7, p. 7.
- 54 CoE-CPT, p. 4.
- 55 JS7, p. 9.
- 56 For relevant recommendations see A/HRC/33/7, paras. 134.37–134.43; 134.46; 134.77; 134.88–134.89; 136.12.
- 57 CoE-Commissioner, p. 15.
- 58 CoE-CPT, p. 12.
- 59 CoE-CPT, p. 53.
- 60 CoE-CPT, p. 56.
- 61 JS8, p. 6.
- 62 SOSCV, p. 5.
- 63 SOSCV, p. 6.
- 64 For relevant recommendations see A/HRC/33/7, paras. 134.93–134.97; 136.14–136.17; 136.21; 137.13–137.15.
- 65 ECLJ, pp. 1–3. See also HUG, p. 1.
- 66 ADF, pp. 1, 3 and 5; ECLJ, pp. 1-3; and JS6, pp. 2–3.
- 67 JS6, p. 3.
- 68 ADF, p. 5.
- 69 JS6, pp. 4–5 and HUG, p. 4.
- 70 JS6, pp. 3–4.
- 71 HUG, pp. 1–3.

- 72 ADF, p. 2 and HUG, pp. 1–3.
73 IFOR, pp.2–6; WRI, pp.2–6; JS1, pp.2–5; HUG, p.5.
74 IFOR, pp. 2–8; WRI, pp. 2–7; and JS1, pp. 2-5. See also HUG, p. 5.
75 IFOR, p. 8 and WRI, p. 7;
76 JS4, pp. 23–27. See also EU-FRA, p. 20; IAPD, p. 4; and JS7, p. 13.
77 JS4, p. 29. See also IAPD, p. 5.
78 OSCE/ODHIR, p. 1.
79 For relevant recommendations see A/HRC/33/7, paras. 134.84–134.87.
80 CoE-GRETA, para. 229.
81 CoE-GRETA, para. 233.
82 JS8, pp. 5–6.
83 JS8, p. 6.
84 EU-FRA, pp. 9–10.
85 For relevant recommendations see A/HRC/33/7, paras. 134.123; 136.11.
86 EUROMIL, pp. 3–4.
87 SOSCV, pp. 1–4.
88 SOSCV, pp. 4–5.
89 JS7, p. 4. See also EU-FRA, p. 6.
90 JS7, p. 4.
91 For relevant recommendation see A/HRC/33/7, para. 134.97.
92 ESYN, pp. 4–5.
93 ESYN, p. 5.
94 EUROMIL, pp. 1, 2 and 5.
95 For relevant recommendation see A/HRC/33/7, paras. 134.98–134.108.
96 EUROMIL, p. 3.
97 For relevant recommendation see A/HRC/33/7, paras. 134.15; 136.9; 136.19.
98 CoE-Commissioner, p. 21.
99 APG23, pp. 4–5.
100 IFLA, p. 6.
101 For relevant recommendations see A/HRC/33/7, paras. 134.109–134.110; 135.2; 136.23.
102 CoE-Commissioner, pp. 21–25.
103 CoE-Commissioner, pp. 21–25.
104 CoE-Commissioner, p. 25.
105 ADF, p. 5.
106 IFLA, p. 5.
107 IFLA, p. 5.
108 For relevant recommendations see A/HRC/33/7, paras. 134.26; 134.29–134.34; 134.79–134.82; 135.3; 136.20.
109 EU-FRA, p. 4.
110 ESYN, pp. 4–5. See also JS7, p. 9.
111 IAPD, pp. 4–5.
112 EUROMIL, p. 6.
113 JS3, p. 9.
114 JS3, p. 9.
115 For relevant recommendations see A/HRC/33/7, paras. 134.11–134.19; 134.27–134.28; 134.83; 134.90–134.92; 134.146; 134.151–134.154; 136.6; 136.13; 136.26.
116 APG23, p. 4.
117 SOSCV, pp. 2–3.
118 SOSCV, p. 4.
119 SOSCV, p. 5.
120 APG23, p. 4; EU-FRA, pp. 5, 8–9; IAPD, p. 3; RSA, p. 4; JS2, p. 16; and JS8, p. 2.
121 JS8, p. 9 and JS2, p. 15.
122 JS8, p. 5; JS2, p. 15; JS3, p. 9; EU-FRA, p. 8; RSA, p. 5; and APG23, p. 4.
123 JS3, p. 10.
124 JS8, pp. 2–3.
125 JS2, p. 14 and APG23, p. 3.
126 APG23, p. 3.
127 JS2, p. 14
128 For relevant recommendations see A/HRC/33/7, paras. 134.111–134.115.
129 APG23, p. 4.
130 IFLA, p. 2.
131 IFLA, p. 3.

- ¹³² For relevant recommendations see A/HRC/33/7, paras. 134.117–134.122; 136.18–136.19; 137.16–137.19.
- ¹³³ JS7, p. 12.
- ¹³⁴ EU-FRA, p. 7.
- ¹³⁵ OSC/ODHIR, p. 3.
- ¹³⁶ JS7, p. 10.
- ¹³⁷ JS7, p. 11.
- ¹³⁸ JS7, p. 11.
- ¹³⁹ JS7, p. 11.
- ¹⁴⁰ For relevant recommendations see A/HRC/33/7, para. 134.124–134.145; 134.148–134.150; 136.24–136.25; 137.20–137.20.
- ¹⁴¹ GDP, p. 3.
- ¹⁴² JS2, pp. 3–4; JS3, pp. 2–4; JS4, pp. 3–14; JS7, p. 13; and CoE-Commissioner, p. 3.
- ¹⁴³ JS2, p. 18.
- ¹⁴⁴ JS2, pp. 5–9; JS3, pp. 2–4; JS4, pp. 3–14; JS8, p. 2 and 9–11; APG23, pp. 1–2; CoE-Commissioner, p. 3; EU-FRA, pp. 8–9; GDP, pp. 4–5; IAPD, p. 3; MIT, p. 3; and RSA, p. 4.
- ¹⁴⁵ JS4, p. 23; GDP, p. 4; and RSA, p. 4.
- ¹⁴⁶ JS2, pp. 5–9; JS3, pp. 2–4; JS4, pp. 3–14; JS8, p. 2, and 9–11; APG23, pp. 1–2; CoE-Commissioner, p. 3; EU-FRA, pp. 8–9; GDP, pp. 4–5; IAPD, p. 3; MIT, p. 3; and RSA, p. 4.
- ¹⁴⁷ JS2, pp. 6–7.
- ¹⁴⁸ JS3, pp. 6–8; JS4, p. 21; JS8, pp. 9–11; APG23, pp. 1–2; CoE-Commissioner, p. 3; EU-FRA, pp. 8–9; GDP, p. 5; IAPD, p. 3; and RSA, pp. 4–5.
- ¹⁴⁹ JS2, pp. 3–4 and JS8, p. 3.
- ¹⁵⁰ JS8, p. 4.
- ¹⁵¹ JS2, p. 19. See also GDP, p. 7.
- ¹⁵² JS8, p. 3; APG23, p. 2; and GDP, p. 3.
- ¹⁵³ JS2, pp. 9–11; JS3, pp. 5–6; JS8, pp. 3–7; APG23, pp. 1–2; EU-FRA, p. 20; GDP, p. 3; IAPD, p. 3; MIT, pp. 2–4; and RSA, p. 3.
- ¹⁵⁴ JS2, pp. 9–11; IAPD, p. 3; MIT, p. 2.
- ¹⁵⁵ RSA, p. 3.
- ¹⁵⁶ JS2, pp. 9–11; APG23, p. 2; GDP, p. 3; IAPD, p. 3; and MIT, p. 2.
- ¹⁵⁷ JS2, pp. 9–11; JS3, p. 5; and JS8, p. 7.
- ¹⁵⁸ GDP, p. 7.
- ¹⁵⁹ JS2, p. 19; JS8, p. 8; APG23, p. 3; and MIT, p. 5.
- ¹⁶⁰ MIT, p. 5.
- ¹⁶¹ JS2, pp. 11–13; JS4, pp. 9, and 17–20; APG, p. 3; and GDP, p. 7.
- ¹⁶² JS2, pp. 11–13; JS4, pp. 9 and 17–20; APG, p. 3; and GDP, p. 7.
- ¹⁶³ JS2, p. 20.
- ¹⁶⁴ APG23, p. 3.
- ¹⁶⁵ GDP, p. 7.