

HELLENIC REPUBLIC

GREEK NATIONAL COMMISSION FOR HUMAN RIGHTS

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**Greek National Commission's for Human Rights (GNCHR)
Stakeholder Report
to the Universal Periodic Review (UPR) of Greece**

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I. Introduction

1. The Greek National Commission for Human Rights (GNCHR), the 'A' status National Human Rights Institution of Greece, hereby submits its Stakeholder Report to the Universal Periodic Review (UPR) of Greece during the UN Human Rights Council's 39th session, November 2021.
2. The GNCHR acknowledges the positive developments since the last UPR cycle, highlighting however the absence of a proactive approach to human rights protection.

II. Methodology

3. The content of the present stakeholder Report draws on the diverse GNCHR work and, in particular, on information gathered at consultations with NGOs, experts and members of the community as well as evidence-based data, including desk research. The GNCHR encouraged its Members, as well as the Racist Violence Recording Network to participate in the UPR process¹. Due to space constraints this report does not reflect the full range of GNCHR's priorities or areas of concern. It is accompanied though by Annexes, among which are included specific GNCHR Reports and Recommendations. The report covers 12 priority themes, related to Greece's 207 recommendations from the 2016 second UPR cycle. At the start of each chapter an endnote sets out the relevant recommendations of UN human rights mechanisms and mandates or bodies, intended to highlight, despite the significant efforts made by the State, the lack of improvement observed from the last UPR Cycle.

III. Current Context

4. The global COVID-19 crisis has exacerbated existing human rights challenges and violations with a devastating effect on vulnerable groups. The GNCHR remains concerned about the long-term implications of the public health crisis, especially on those considered as being at particular risk, such as persons with disabilities, Roma, migrants, asylum seekers and refugees, children, women and people in detention and in other closed institutions. The GNCHR monitors closely the Greek Government's series of measures in response to the COVID-19 pandemic, given that they affect directly the enjoyment of human rights in Greece and is working with its partners to counteract the human rights setbacks, stressing that restrictive measures aiming at combating the spread of the pandemic should not undermine respect for human rights, nor discriminate².

¹ The Racist Violence Recording Network (RVRN) is a coalition of forty-seven 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).

² Fulfilling its monitoring and advisory missions in the field of human rights, the GNCHR has been particularly active since the outbreak of the COVID-19 pandemic, operating in fact as a *de facto* COVID-19

IV. Normative and institutional framework

A. Scope of International Obligations

5. Greece has ratified nearly all of the core international human rights treaties. In June 2018, Greece took the important step of ratifying the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)³. The GNCHR notes with regret that the law ratifying the Istanbul Convention remains inactive, since crucial penal provisions were not included in the Penal Code, while the issuance of joint ministerial decisions ensuring that victims can claim compensation is still pending.

6. The GNCHR deplores that there has been no further progress on the ratification of a series of international and regional human rights instruments since the last UPR cycle⁴. On a positive note, the GNCHR notes with satisfaction that the ratification process of the C190 - Violence and Harassment Convention (2019) is already underway⁵.

Human Rights Observatory. Bringing together experts from different human rights fields, with a wide range of backgrounds: its members, the GNCHR has dealt with the challenge quite effectively. The GNCHR has held online plenary meetings on a weekly basis during the pandemic, with the participation of governmental and non-governmental stakeholders involved in the decision-making process, in order to deal with the new challenges in the best possible way, to assess the impact of the restrictive policy measures regarding human rights and democratic values, to provide the Greek government with appropriate advice on the protection of the core human rights and at the same time in order to inform the public about their rights and the risks of violations due to the pandemics. See 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.

³ Greece signed it on 11.5.2011 and ratified it on 18.6.2018. The Convention entered into force on 1 October 2018. Furthermore, it is to be underlined that Law 4531/2018 ratifying, among others, the Council of Europe Convention preventing and combating violence against women and domestic violence and adjusting the Greek legislation (OJ 62/A/5 April 2018) was followed by two other positive legislative steps i.e. the redefinitions of gender by Law 4604/2019 and of the legal concept of rape on the basis of non-consent in the Penal Code (Art. 336). See GNCHR [Observations](#) on Draft Law regarding the Ratification of the Council of Europe's Convention on Preventing on preventing and combating violence against women and domestic violence and adaptation of the Greek legislation, 1 March 2018 [in Greek].

⁴ Such as the International Convention on the Rights of All Migrant Workers and Members of their Families; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Optional Protocol to the Convention on the Rights of the Child on a communications procedure; Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms; the European Convention on Nationality; the Framework Convention for the Protection of National Minorities; the ILO conventions: C129 - Labour Inspection (Agriculture) Convention; the C097 - Migration for Employment Convention (Revised); the C183 - Maternity Protection Convention; the C189 - Domestic Workers Convention; the C121 - Employment Injury Benefits Convention; the C118 - Equality of Treatment (Social Security) Convention; the C094 - Labour Clauses (Public Contracts) Convention; the 2002 Protocol to the Occupational Safety and Health Convention; the 2014 Protocol to the Forced Labour Convention No. 29.

⁵ Indeed, following the common initiative of the GNCHR, the Greek General Confederation of Labour (GSEE) and the Greek League for Women's Rights to request the immediate ratification of International Labour Convention (ILO) C190 - Violence and Harassment Convention (2019), the competent Deputy Minister of Labour and Social Affairs announced, before the GNCHR Plenary, that the relevant ratification process is already underway. GNCHR [Statement](#) on sexual abuse incidents in the context of exploitation in power relations in the light of the recent complaints in sport, 21 January 2021 [in Greek].

B. Constitutional and legislative framework

7. The Hellenic Constitution was amended by Parliament, on 25 November 2019. Nine amendments were approved out of a total of forty-nine proposed, while several recommendations addressed by the GNCHR were not retained. In particular, the GNCHR's proposal to amend Article 5(2) of the Constitution on equal treatment in order to cover sexual orientation and gender identity as grounds failed to pass⁶.

C. Action Plans on Human Rights

8. The GNCHR welcomes with great satisfaction, as one of the stakeholders involved in the process, the first National Action Plan (NAP) 2020-2023 on the Rights of Persons with Disabilities, which includes comprehensive protection policies and measures relevant to women with disabilities, chronic diseases, children etc. in accordance with the UN guidelines⁷. Another positive development is the adoption of the NAP on Women, Peace, Security by the Ministry of Foreign Affairs. The GNCHR has welcomed the NAP against Racism 2020-2023, developed by the Ministry of Justice in consultation with the National Council against Racism and Intolerance⁸. With regard to the new NAP for Children's Rights, the GNCHR is also actively participating in the relevant consultations by the General Secretariat of Transparency and Human Rights of the Ministry of Justice. Another 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 2021-2027⁹.

V. Promotion and protection of Human Rights

Rights of Children

Child poverty¹⁰

9. Combating child poverty has been and continues to be one of the GNCHR's priorities¹¹. The effects of the crisis - both the financial and economic, as well as the pandemic one - have seriously affected the life of children. Indeed, child poverty in Greece is not a new

⁶ GNCHR Proposals for the reform of the Constitution, 7 February 2019, p. 5 [in Greek].

⁷ Positive measures in this direction were included in the [National Action Plan on Gender Equality 2016-2020](#).

⁸ The GNCHR is a member of the National Council against Racism and Intolerance. See GNCHR [Contribution](#) to the National Action Plan against Racism, 15 January 2020.

⁹ GNCHR [Contribution](#) to the elaboration of the new Roma Inclusion National Strategy 2021-2027, 8 March 2021.

¹⁰ Recommendations with regard to combatting child poverty at the 2nd cycle of UPR were accepted (UN Human Rights Council, Report of the Working Group on the Universal Periodic Review, Greece, ([A/HRC/33/7](#)), 8 July 2016, par. 134). Relevant recommendations by the Committee on the Rights of the Child (Consideration of reports submitted by State parties under article 44 of the Convention, Concluding observations: Greece, 13 August 2012 ([CRC/C/GRC/CO/2-3](#)), par. 17-18, 28-29) have not been implemented or have been partially implemented.

¹¹ GNCHR [Recommendations](#) of the National Commission for Human Rights for Childhood Protection: Health and Welfare, 8 May 2014.

phenomenon: the relevant index had started increasing slowly but steadily already since the late 1990s. This increase has become more dramatic in the years that followed¹². The high unemployment rate (16,2%)¹³ and the difficulty of access to social services financed by the State combined with the important shrinking of state financing deteriorate the already hazardous living conditions for both children and their families and render necessary the evaluation of the impact of the previous financial crisis in children's life and development¹⁴.

Recommendations:

Tackle with child poverty and social exclusion through integrated strategies which promote equal opportunities for all children;

Evolve a child-centred budgetary policy in combination with the child mainstreaming in all sectors and levels of public policy;

Develop indicators for the assessment of the positive or negative impact of public or private policies and practices on the rights of the child.

Violence against children and child trafficking¹⁵

10. Sharing the concerns of the Committee on the Rights of the Child regarding the lack of a National Child Database, and particularly the lack of statistical data on children experiencing violence and other forms of abuse, the GNCHR underlines that no particular improvement has been noted. The GNCHR highlights the concerns raised by

¹² According to a research conducted by Athens University of Economics and Business, it is estimated that, in 2013, 20% of children (as opposed to 4% in 2009) lived in families who are not in position to buy the necessary goods for securing the minimum level of decent living. See Athens University of Economics and Business, Policy Analysis Research Unit, [The Anatomy of Poverty in Greece of 2013](#), Information Brochure 5/2013, (eds.) M. Matsaganis, C. Leventi, p. 5-7 and [The politics against poverty in Greece during the crisis](#), Information Brochure 6/2013, (ed.) M. Matsaganis, p. 5. In 2015, in Greece, more than 2.2 million people were living under the line of poverty, among whom 440,000 were children. See GNCHR [Written Information](#) on the Second Periodic Report of the Hellenic Republic for the implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR), 2 February 2015.

Following an OECD Working Paper, in Greece the anchored child poverty rate increased from around 15% in 2008 to 40% in 2015, twice as high as the relative income child poverty rate. See [Child poverty in the OECD: Trends, determinants and policies to tackle it](#), 18 October 2018, DELSA/ELSA/WD/SEM(2018)17. According to further OECD data, the high rate of child poverty could be explained *inter alia* by the significant factor of the high rise in unemployment (80% of poor children had a father working for most of the year in 2007, compared to only 66% in 2014), combined with an around 20% fall of the real minimum wage. See OECD [policy brief](#) on child well-being, p. 3.

¹³ Eurostat, [Euroindicators](#), 4 March 2021.

¹⁴ Committee on the Rights of the Child, [CRC/C/GRC/CO/2-3](#), par. 28-29; 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.

¹⁵ Recommendations with regard to violence against children and child trafficking at the 2nd cycle of UPR were accepted ([A/HRC/33/7](#), par. 134). Relevant recommendations by the Committee on the Elimination of Discrimination against Women (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 Committee against Torture (CAT, Concluding observations on the seventh periodic report of Greece, 3 September 2019 ([CAT/C/GRC/CO/7](#)), par. 50-51) and the Committee on the Rights of the Child ([CRC/C/GRC/CO/2-3](#), par. 9-10, 70) have not been implemented or have been partially implemented.

the Hellenic National Referral Mechanism for the Protection of victims of human trafficking in its Annual Report 2019, according to which 49 out of the 154 referred victims of trafficking are children. Out of those 49 children-victims, 11 are unaccompanied, while 19 are victims of exploitation of begging¹⁶.

Recommendations:

Prioritise the strengthening of 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;

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;

Promote targeted measures to prevent and combat child trafficking, including by putting in place effective procedures for the identification and referral of victims among vulnerable groups.

Family environment and alternative care¹⁷

11. 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 Greece¹⁸, while alternative care remains underdeveloped and mostly based on the institutional welfare model¹⁹. The GNCHR raises serious concerns over the lack of a coherent and comprehensive legislative framework providing for quality standards as well as of a transparent registration system, with regard to alternative care for children, taking into account that this is provided by various organisations including public, private and church-run entities, without specific requirements or a formal single procedure of certification provided by law²⁰. Acknowledging as a very positive step the adoption of Law 4538/2018 providing for measures for the promotion of Foster Care

¹⁶ 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.

¹⁷ Recommendations with regard to alternative care for children at the 2nd cycle of UPR were accepted ([A/HRC/33/7](#), par. 134, 136). Relevant recommendations by the Committee on the Rights of the Child ([CRC/C/GRC/CO/2-3](#), par. 42-44) have not been implemented or have been partially implemented.

¹⁸ 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.

¹⁹ 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].

²⁰ GNCHR [Recommendations](#) of the National Commission for Human Rights for Childhood Protection: Health and Welfare, 8 May 2014; 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.

and Adoption²¹, the GNCHR stresses that, despite that the National Registers²² are already in operation, data or statistics on child protection in Greece cannot be provided²³. 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 parent²⁴.

Recommendations:

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;

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;

Ensure the collaboration of the competent welfare services through their consistent horizontal networking and coordination;

Take the necessary steps for recognition and acceptance of different types of families, such as same-sex parents.

²¹ Law 4538/2018 “Measures for the promotion of Foster Care and Adoption and other provisions” (OJ 85/A/16 May 2018)

²² The National Register of children in institutional care, foster care and adoption (2019) (it replaced the National Register for Children protection), the National Register of Unaccompanied Minors (2018) and the National Register of Guardians (2019).

²³ 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.

²⁴ 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.

Rights of Women²⁵

Violence against women and domestic violence²⁶

12. The GNCHR shares the concerns of the *UN Working Group on discrimination against women and girls* regarding the non-prosecution of perpetrators despite the significant number of domestic violence reported cases²⁷. 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 launched²⁸. Lack of available sex-disaggregated data in relation to all forms of gender-based violence and crimes against women remains a key challenge that impedes progress.

Recommendation:

Encourage women to report incidents of domestic and sexual violence by de-stigmatising victims, ensure that they have access to immediate means of redress and protection and ensure that perpetrators are prosecuted and punished;

Raise public awareness and provide mandatory training for judges, prosecutors, police officers, health-service providers, journalists and teaching staff;

Collect statistical data on all forms of violence against women, disaggregated by sex, age, ethnicity/minority status and relationship between victim and perpetrator.

Participation in political and public life²⁹

13. Despite the gradual progress over the years, participation of women in political life in Greece lags behind at every level. Greece ranks last in the EU on the Gender Equality

²⁵ GNCHR [Information](#) relevant to the implementation of the Convention on the Elimination of all forms of Discrimination against Women – CEDAW, 21 October 2020; GNCHR [Oral Statement](#) on the implementation of the Convention on the Elimination of All forms of Discrimination against Women (CEDAW), 9 November 2020.

²⁶ Recommendations regarding violence against women at the 2nd cycle of UPR were accepted ([A/HRC/33/7](#), par. 134-135). Relevant recommendations by the UNWG on discrimination against women and girls (HRC, Report of the Working Group on discrimination against women and girls, Greece, 29 June 2020 ([A/HRC/44/51/Add.1](#)), par. 92), the Committee against Torture ([CAT/C/GRC/CO/7](#), par. 24-25), the Human Rights Committee (Human Rights Committee, Concluding observations on the second periodic report of Greece, 3 December 2015 ([CCPR/C/GRC/CO/2](#)), par. 19-20), the Committee on Economic, Social and Cultural Rights (CESCR, Concluding observations on the second periodic report of Greece, 27 October 2015 ([E/C.12/GRC/CO/2](#)), par. 27-28) and the Committee on the Elimination of Discrimination against Women ([CEDAW/C/GRC/CO/7](#), par. 20-21) have not been implemented or have been partially implemented.

²⁷ The *WG on discrimination against women and girls* has visited Greece in 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 ([A/HRC/44/51/Add.1](#), par. 56-64, 89, 90, 92).

²⁸ See also European Commission, European network of legal experts in gender equality and non-discrimination, [Country report gender equality: Greece 2020](#).

²⁹ Recommendations regarding participation in political and public life at the 2nd cycle of UPR were accepted ([A/HRC/33/7](#), par. 134). Relevant recommendations by the Committee on the Elimination of Discrimination against Women ([CEDAW/C/GRC/CO/7](#), par. 24-25), the Human Rights Committee ([CCPR/C/GRC/CO/2](#), par. 7-8) and the UNWG on discrimination against women and girls ([A/HRC/44/51/Add.1](#), par. 91) have not been implemented or have been partially implemented.

Index³⁰, 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 elections³¹ have not substantially contributed to an increase in elected representatives, while severe inequalities occur with respect to women in leadership positions in the private sector³².

Recommendation:

Accelerate the equal representation of women in all areas of public and professional life, especially in decision-making positions.

*Employment*³³

14. The GNCHR has repeatedly reiterated that the financial crisis exacerbated an evident setback in protecting women's labour rights³⁴. At the same time, the emergency restrictive measures on employment to combat the pandemic, such as flexibility in working hours or teleworking without a comprehensive regulatory framework³⁵, deteriorated existing inequalities³⁶.

Recommendation:

Implement measures to close the gender pay gap;

Ensure the regular collection and reporting of sex-disaggregated data and statistics on all aspects of employment, in the public and private sectors, including recruitment, promotion, training and ancillary benefits.

³⁰ 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%.

³¹ 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.

³² Only 10% of board members of the largest publicly listed companies are women. See EIGE, [Power indicators in Greece for 2020](#).

³³ Recommendations regarding participation in economic life at the 2nd cycle of UPR were accepted ([A/HRC/33/7](#), par. 134). Relevant recommendations by the Committee on the Elimination of Discrimination against Women ([CEDAW/C/GRC/CO/7](#), par. 28-29) and the UNWG on discrimination against women and girls ([A/HRC/44/51/Add.1](#), par. 90) have not been implemented or have been partially implemented.

³⁴ Since 2011, the ILO CEACR through its Reports concerning Greece expresses its concerns at the "disproportionate impact" of the crisis and austerity measures on women and the widening of the pay gap to their detriment. See 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; 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, 9 October 2014; GNCHR [Statement](#) on the impact of the continuing austerity measures on human rights, 15 July 2015.

³⁵ Eurofound, [Working during COVID-19](#), 24 February 2021.

³⁶ [Observation](#) (CEACR) - adopted 2016, published 106th ILC session (2017).

Refugees and asylum seekers

*Pushback practices*³⁷

15. Deploring the increase in incidents reported by international organisations³⁸, civil society³⁹ 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 - and consistent to its role as a "human rights watchdog", the GNCHR has repeatedly called the Greek State to take all measures in order to ensure (a) the respect of the *non-refoulement* principle, (b) the unhindered, timely and effective access to international protection procedures for all foreigners with irregular entry without discrimination based on race, religion, ethnicity, participation in a social group of political opinion and (c) the timely and thorough investigation of all complaints on violent pushbacks⁴⁰.

Recommendations:

Ensure that state organs comply with the non-refoulement principle without exception, act in conformity with it and carry out rescue at sea operations in a timely manner;

Establish an official independent mechanism for recording and monitoring informal pushbacks' complaints. The GNCHR already works in this direction.

*Reception and accommodation conditions*⁴¹

16. The GNCHR deplores that the level of provision of material reception and accommodation conditions for applicants of international protection in Greece has dramatically deteriorated. The GNCHR has sharply criticised the Joint EU-Turkey Statement, which proved to be inapplicable, ineffective and a catalytic factor in restricting the rights of both asylum seekers who are stranded on the islands in indecent

³⁷ Recommendations with regard to pushback practices were accepted ([A/HRC/33/7](#), par. 134). Relevant recommendations by the UN Working Group on Arbitrary Detention (UNWG on Arbitrary Detention Visit to Greece, 29 July 2020, [A/HRC/45/16/Add.1](#), par. 87-88, 104, 110) and the Committee against Torture ([CAT/C/GRC/CO/7](#), par. 16-17) have not been implemented or have been partially implemented.

³⁸ The UN Committee Against Torture, the UN Working Group on Arbitrary Detention, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and the Council of Europe's Commissioner for Human Rights have raised concerns over reported incidents of pushbacks.

³⁹ Reports, information and complaints submitted by the Hellenic League for Human Rights, the Greek Council for Refugees and Amnesty International which are GNCHR Members but also from Refugee Support Aegean, Human Rights 360, HIAS and ARSIS.

⁴⁰ GNCHR [Statement](#) on complaints regarding illegal pushbacks in Evros, 22 July 2017 [in Greek]; GNCHR [Statement](#) on complaints regarding informal pushbacks at the region of Evros, 29 November 2018; GNCHR [Statement](#) regarding the alleged push back practices, 9 July 2020; GNCHR [Reference Report](#) on the Refugee and Migrant Issue (Part B), 24 September 2020.

⁴¹ Recommendations with regard to reception and accommodation conditions of migrants and asylum seekers were accepted ([A/HRC/33/7](#), par. 134). Relevant recommendations by the Committee against Torture ([CAT/C/GRC/CO/7](#), par. 20-21), the Special Rapporteur on the human rights of migrants (Human Rights Council, Report of Special Rapporteur on the human rights of migrants on his mission to Greece, 24.4.2017, [A/HRC/35/25/Add.2](#)), the Human Rights Committee ([CCPR/C/GRC/CO/2](#), par. 27-28) and the Committee on Economic, Social and Cultural Rights ([E/C.12/GRC/CO/2](#), par. 11-12) have not been implemented or have been partially implemented.

living conditions for a longtime period and the inhabitants of Greek islands who bear the disproportionate burden of a dead-end European policy. In addition, this policy has contributed to the rise of racism⁴². In 2020, there has been a decongestion of the islands in slow pace, with priority given to unaccompanied minors and vulnerable persons⁴³.

Recommendations:

Terminate the geographical limitation imposed on the applicants for international protection in the Eastern Aegean islands, by transferring them to mainland in appropriate long-term accommodation facilities;

Strengthen the reception and accommodation centres with medical and paramedical staff as well as administrative personnel and social workers, given the COVID-19 pandemic.

Excessive use of force by law enforcement officials⁴⁴

17. 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. Acknowledging that unjustified or disproportionate use of force and repressive measures undermines the rule of law, while violating fundamental human rights, the GNCHR calls on the Greek State⁴⁵ and all competent bodies, such as the National Mechanism for the Investigation of Arbitrary Incidents⁴⁶, to proceed promptly and decisively to the impartial and thorough investigation of any relevant allegation of unjustified use of force by the Police.

Recommendations:

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;

⁴² GNCHR [Statement](#): Reviewing asylum and immigration policies and safeguarding human rights at the EU borders, 5 March 2020; GNCHR [Statement](#) on the fire in Moria and the day after, 11 September 2020; GNCHR [Reference Report](#) on the Refugee and Migrant Issue (Part B), 24 September 2020.

⁴³ 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.

⁴⁴ Recommendations with regard to excessive use of force by law enforcement officials were accepted ([A/HRC/33/7](#), par. 134). Relevant recommendations by the Committee against Torture ([CAT/C/GRC/CO/7](#), par. 26-29) and the Human Rights Committee ([CCPR/C/GRC/CO/2](#), par. 15-16) have not been implemented or have been partially implemented.

⁴⁵ 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.

⁴⁶ 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.

Establish and operate a reliable, independent and effective mechanism for the immediate investigation of relevant complaints;

Increase the efforts to systematically provide training to all law enforcement officers on the use of force.

Prohibition of trafficking in human beings and forced labour⁴⁷

18. The GNCHR has expressed its deep concern that the regulatory and institutional framework on combating trafficking in human beings and forced labour and protecting victims' rights is not substantially implemented in practice. The COVID-19 pandemic highlighted the challenges demonstrated with regard to the case of the European Court of Human Rights, *Chowdury and others v. Greece*. Despite the fact that emergency measures were taken in order to protect the rights of all people without discrimination, yet they did not tackle the chronic problems faced by migrant workers in the agriculture sector. The living and working conditions in the agriculture holdings, the overcrowding and the complete lack of basic human standards exacerbated the increased risk of labour exploitation and forced labour⁴⁸.

Recommendations:

Take all necessary steps for the implementation of the relevant legal and policy framework, with a view to combat effectively trafficking in persons, identify victims, provide them with all the necessary support, and prosecute traffickers.

Freedom of thought, conscience and religion: conscientious objectors⁴⁹

19. Despite some amendments in relevant legislation in 2019⁵⁰, the alternative civilian service remains punitive and discriminatory in terms of length, cost and location of

⁴⁷ Recommendations with regard to combatting trafficking in human beings at the 2nd cycle of UPR were accepted ([A/HRC/33/7](#), par. 134). Relevant recommendations by the Committee against Torture ([CAT/C/GRC/CO/7](#), par. 50-51), the Human Rights Committee ([CCPR/C/GRC/CO/2](#), par. 20-21) and the Committee on the Elimination of Discrimination against Women ([CEDAW/C/GRC/CO/7](#), par. 22-23) have not been implemented or have been partially implemented.

⁴⁸ 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.

⁴⁹ Recommendations about conscientious objectors at the 2nd cycle of UPR were not accepted (UN Human Rights Council, Report of the Working Group on the Universal Periodic Review, Greece, Addendum, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, ([A/HRC/33/7/Add.1](#)), 2 September 2016, p. 3 [136.15, 136.16]). Recommendations by the Human Rights Committee ([CCPR/C/GRC/CO/2](#), par. 37-38) and successive Special Rapporteurs on freedom of religion or belief (UN Special Rapporteur on freedom of religion or belief, [Communication GRC 3/2016](#), 31 October 2016, UN Special Rapporteur on freedom of religion or belief, [Communication GRC 3/2019](#), 11 July 2019) have not been implemented.

service. The assessment of applications for conscientious objector *status* is still not placed under the full control of civilian authorities. Certain categories of conscientious objectors continue to be prosecuted, which often entails repeated punishment in violation of the *ne bis in idem* principle.

Recommendation:

Ensure that the alternative service is not punitive or discriminatory in terms of its nature, cost or duration;

Place the assessment of applications for conscientious objectors *status* under the full control of civilian authorities;

End repetitive punishment in violation of the *ne bis in idem* principle.

Human rights data and indicators⁵¹

20. The GNCHR has repeatedly expressed its serious concerns at the general 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, which are necessary for the systematic monitoring and evaluation of progress towards the realisation of human rights, as well as for informed and targeted policymaking. The GNCHR insists on the need to develop and use appropriate quantitative and qualitative indicators aiming at monitoring human rights implementation and measuring progress, so as to support policy formulation, impact assessment and transparency.

Recommendation:

Enhance the capacity of the Hellenic Statistical Authority in order to play an important role, in synergy with all the involved stakeholders, towards the development of national statistics under a human rights-based approach;

Develop national human rights indicators as an instrument which allows for a more precise and coherent evaluation of its national human rights policies.

⁵⁰ Law 4609/2019 regarding arrangements for Armed Forces Personnel, the Army, including conscientious objectors (COs) to military service (OJ 67/A/3 May 2019).

⁵¹ Recommendations about statistics and indicators at the 2nd cycle of UPR were accepted ([A/HRC/33/7](#), par. 134). Relevant recommendations by UN Treaty bodies and other UN Special Mandate Holders have not been implemented. See UNWG on discrimination against women and girls, [A/HRC/44/51/Add.1](#), par. 89-90; Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Greece, 29 October 2019 ([CRPD/C/GRC/CO/1](#)), par. 46-47; Committee against Torture, [CAT/C/GRC/CO/7](#), par. 24-25; Committee on the Elimination of Racial Discrimination, Concluding observations on the twentieth to twenty-second periodic reports of Greece, 3 October 2016 ([CERD/C/GRC/CO/20-22](#)), par. 8-9; Human Right Committee, [CCPR/C/GRC/CO/2](#), par. 7-8; Committee on Economic, Social and Cultural Rights, [E/C.12/GRC/CO/2](#), par. 10, 27-28, 32, 34 and 40; Committee on the Elimination of Discrimination against Women, [CEDAW/C/GRC/CO/7](#), par. 28-29; Committee on the Rights of the Child, [CRC/C/GRC/CO/2-3](#), par. 19-20.

VI. Annexes:

1. Matrix of Recommendations from the 2nd UPR Cycle of Greece with comments on the implementation of previous recommendations.
2. GNCHR [Recommendations](#) for the full compliance of the Greek State to the ECtHR, *Chowdury and others v. Greece*, 27 August 2018.
3. GNCHR [Contribution](#) to the Committee on the Rights of Persons with Disabilities (CRPD) of the United Nations in the framework of the CRPD 21st session and 11th pre-session (11 March – 11 April, Geneva) in relation to the implementation of the Convention on the Rights of Persons with Disabilities in the State party, 1st March 2019.
4. 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.
5. 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.
6. GNCHR [Statement](#): Reviewing asylum and immigration policies and safeguarding human rights at the EU borders, 5 March 2020.
7. 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.
8. 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.
9. GNCHR [Reference Report](#) on the Refugee and Migrant Issue (Part B), 24 September 2020.
10. GNCHR [Information](#) relevant to the implementation of the Convention on the Elimination of all forms of Discrimination against Women – CEDAW, 21 October 2020.

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