

# 2023 Rule of Law Report - targeted stakeholder consultation

Fields marked with \* are mandatory.

## Introduction

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The annual Rule of Law Report lies at the centre of the European rule of law mechanism, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, three editions of the Rule of Law Report have been published in 2020, 2021 and 2022.

In the preparation of the first three editions of the Rule of Law Report, the Commission has relied on a diversity of relevant sources, including from Member States, country visits, and stakeholders' contributions collected through the targeted stakeholder consultation [1]. The information provided has informed the Commission's country-specific assessments in preparing the Report. Building on the positive experience from the first three editions of the Rule of Law Report, the Commission is now inviting stakeholders to provide written contributions for the preparation of the 2023 Rule of Law Report through this targeted consultation.

The contribution to be provided should include (1) information on measures taken to implement the recommendations addressed to the Member State in the 2022 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and (2) any other significant developments since January 2022 [2] falling under the 'type of information' outlined in the next section.

The input should be short and concise and summarise information related to one or more of the areas referred to in the template. You are invited to focus on the areas that relate to the scope of work and expertise of your organisation. Existing reports, statements, legislation or other documents may be referenced with a link (no need to provide the full text). Stakeholders are encouraged to make references to any contributions already provided in a different context or to Reports and documents already published. Contributions should focus on significant developments both as regards the legal framework and its implementation in practice.

**If you wish to submit information concerning several Member States, you will have to fill-in the questionnaire separately for each Member States (due to the size of the questionnaire). There is no limit to the number of contributions submitted by a single participant. In such cases, you are not required to repeat the information in the section "about you" that is non-mandatory nor the information on horizontal developments.**

Please provide your contribution by **20 January 2023**. Should you have any requests for clarifications or encounter difficulties in filling in the questionnaire, you can contact the Commission at the following email

address: rule-of-law-network@ec.europa.eu.

[1] For the consultation for the 2022 Report, see [https://ec.europa.eu/info/publications/2022-rule-law-report-targeted-stakeholder-consultation\\_en](https://ec.europa.eu/info/publications/2022-rule-law-report-targeted-stakeholder-consultation_en)

[2] Unless the information was already submitted in the consultation for the previous Rule of Law Reports.

## Type of information

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The topics are structured according to four pillars: I. Justice system; II. Anti-corruption framework; III. Media pluralism; and IV. Other institutional issues related to checks and balances. The replies could include aspects set out below under each pillar. This can include challenges, current work streams, positive developments and best practices:

### **Legislative developments**

- Newly adopted legislation
- Legislative drafts currently discussed in Parliament
- Legislative plans envisaged by the Government

### **Policy developments**

- Implementation of legislation
- Evaluations, impact assessment, surveys
- White papers/strategies/actions plans/consultation processes
- Follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- Important administrative measures
- Generalised practices

### **Developments related to the judiciary / independent authorities**

- Important case law by national courts
- Important decision/opinions from independent bodies/authorities
- State of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, heads of independent authorities included in the scope of the questionnaire[1])

### **Any other relevant developments**

- Respondents are free to add any further information, which they deem relevant; however, this should be short and to the point.

If there are no changes, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports should not be repeated.

[1] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

## About you

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\* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☒ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities
- ☐ Other

\* Organisation name

*250 character(s) maximum*

Reporters Without Borders / Reporters sans frontières (RSF)

Main Areas of Work

- ☐ Justice System
- ☐ Anti-corruption
- ☒ Media Pluralism
- ☐ Other

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

*500 character(s) maximum*

<https://rsf.org/en>

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

612547127497-45

\* Country of origin

Please add the country of origin of your organisation

- ☐ Afghanistan
- ☐ Albania
- ☐ Algeria
- ☐ Andorra
- ☐ Angola
- ☐ Antigua and Barbuda

- ☐ Argentina
- ☐ Armenia
- ☐ Australia
- ☐ Austria
- ☐ Azerbaijan
- ☐ Bahamas
- ☐ Bahrain
- ☐ Bangladesh
- ☐ Barbados
- ☐ Belarus
- ☐ Belgium
- ☐ Belize
- ☐ Benin
- ☐ Bhutan
- ☐ Bolivia
- ☐ Bosnia and Herzegovina
- ☐ Botswana
- ☐ Brazil
- ☐ Brunei Darussalam
- ☐ Bulgaria
- ☐ Burkina Faso
- ☐ Burundi
- ☐ Cabo Verde
- ☐ Cambodia
- ☐ Cameroon
- ☐ Canada
- ☐ Central African Republic
- ☐ Chad
- ☐ Chile
- ☐ China
- ☐ Colombia
- ☐ Comoros
- ☐ Congo
- ☐ Costa Rica
- ☐ Côte D'Ivoire
- ☐ Croatia
- ☐ Cuba
- ☐ Cyprus
- ☐ Czechia
- ☐ Democratic Republic of the Congo
- ☐ Denmark
- ☐ Djibouti
- ☐ Dominica
- ☐ Dominican Republic
- ☐ Ecuador
- ☐ Egypt
- ☐ El Salvador

- ☐ Equatorial Guinea
- ☐ Eritrea
- ☐ Estonia
- ☐ Eswatini
- ☐ Ethiopia
- ☐ Fiji
- ☐ Finland
- ☒ France
- ☐ Gabon
- ☐ Gambia
- ☐ Georgia
- ☐ Germany
- ☐ Ghana
- ☐ Greece
- ☐ Grenada
- ☐ Guatemala
- ☐ Guinea
- ☐ Guinea Bissau
- ☐ Guyana
- ☐ Haiti
- ☐ Honduras
- ☐ Hungary
- ☐ Iceland
- ☐ India
- ☐ Indonesia
- ☐ Iran
- ☐ Iraq
- ☐ Ireland
- ☐ Israel
- ☐ Italy
- ☐ Jamaica
- ☐ Japan
- ☐ Jordan
- ☐ Kazakhstan
- ☐ Kenya
- ☐ Kiribati
- ☐ Kuwait
- ☐ Kyrgyzstan
- ☐ Laos
- ☐ Latvia
- ☐ Lebanon
- ☐ Lesotho
- ☐ Liberia
- ☐ Libya
- ☐ Liechtenstein
- ☐ Lithuania
- ☐ Luxembourg

- ☐ Madagascar
- ☐ Malawi
- ☐ Malaysia
- ☐ Maldives
- ☐ Mali
- ☐ Malta
- ☐ Marshall Islands
- ☐ Mauritania
- ☐ Mauritius
- ☐ Mexico
- ☐ Micronesia
- ☐ Monaco
- ☐ Mongolia
- ☐ Montenegro
- ☐ Morocco
- ☐ Mozambique
- ☐ Myanmar
- ☐ Namibia
- ☐ Nauru
- ☐ Nepal
- ☐ Netherlands
- ☐ New Zealand
- ☐ Nicaragua
- ☐ Niger
- ☐ Nigeria
- ☐ North Korea
- ☐ North Macedonia
- ☐ Norway
- ☐ Oman
- ☐ Pakistan
- ☐ Palau
- ☐ Panama
- ☐ Papua New Guinea
- ☐ Paraguay
- ☐ Peru
- ☐ Philippines
- ☐ Poland
- ☐ Portugal
- ☐ Qatar
- ☐ Republic of Moldova
- ☐ Romania
- ☐ Russian Federation
- ☐ Rwanda
- ☐ Saint Kitts and Nevis
- ☐ Saint Lucia
- ☐ Saint Vincent and the Grenadines
- ☐ Samoa

- ☐ San Marino
- ☐ Sao Tome and Principe
- ☐ Saudi Arabia
- ☐ Senegal
- ☐ Serbia
- ☐ Seychelles
- ☐ Sierra Leone
- ☐ Singapore
- ☐ Slovakia
- ☐ Slovenia
- ☐ Solomon Islands
- ☐ Somalia
- ☐ South Africa
- ☐ South Korea
- ☐ South Sudan
- ☐ Spain
- ☐ Sri Lanka
- ☐ Sudan
- ☐ Suriname
- ☐ Sweden
- ☐ Switzerland
- ☐ Syrian Arab Republic
- ☐ Tajikistan
- ☐ Tanzania
- ☐ Thailand
- ☐ Timor-Leste
- ☐ Togo
- ☐ Tonga
- ☐ Trinidad and Tobago
- ☐ Tunisia
- ☐ Turkey
- ☐ Turkmenistan
- ☐ Tuvalu
- ☐ Uganda
- ☐ Ukraine
- ☐ United Arab Emirates
- ☐ United Kingdom
- ☐ United States of America
- ☐ Uruguay
- ☐ Uzbekistan
- ☐ Vanuatu
- ☐ Venezuela
- ☐ Viet Nam
- ☐ Yemen
- ☐ Zambia
- ☐ Zimbabwe

First name

Julie

Surname

Majerczak

Email Address of the organisation (this information will not be published)

[REDACTED]

\* Publication of your contribution and privacy settings

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin) will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2023 rule of law report.pdf](#)

## Questions on horizontal developments

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In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[list of topics 2023 Report.pdf](#)

Please provide any relevant information on horizontal developments here

*5000 character(s) maximum*

[REDACTED]

## Questions for contribution

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The following four pillars (I.-IV.) are sub-divided into topics (A., B., etc.) and sub-topics (1., 2., 3., etc.). For each of the topics and sub-topics, you are invited to provide (1) information on measures taken to implement the recommendations addressed to the Member States in the 2022 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2022 Rule of Law Report and (2) any other significant developments since January 2022[1]. Please include a link to and reference relevant legislation/documents (in the national language and/or where available, in English) if relevant. Significant developments can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

If there are developments you consider relevant under each of the four pillars that are not mentioned in the sub-topics, please add them under the section "other - please specify". Only significant developments should be covered.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[1] Unless already covered in the input for the previous Rule of Law Reports.

Member State covered in contribution [only one choice possible]

**If you wish to submit information concerning several Member States, please fill in the questionnaire separately for each Member State. There is no limit to the number of contributions submitted by a single participant.**

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☒ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal

- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

## I. Justice System

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Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the justice system (if applicable)

*3000 character(s) maximum*

### A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

*(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)*

*3000 character(s) maximum*

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

*3000 character(s) maximum*

Promotion of judges and prosecutors (incl. judicial review)

*3000 character(s) maximum*

Allocation of cases in courts

*3000 character(s) maximum*

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

*3000 character(s) maximum*

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

3000 character(s) maximum

Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information

3000 character(s) maximum

Independence/autonomy of the prosecution service

3000 character(s) maximum

Independence of the Bar (chamber/association of lawyers) and of lawyers

3000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

3000 character(s) maximum

## B. Quality of justice

*(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)*

Accessibility of courts (e.g. court/legal fees, legal aid, language)

3000 character(s) maximum

Resources of the judiciary (human/financial/material)

*(Material resources refer e.g. to court buildings and other facilities)*

3000 character(s) maximum

Training of justice professionals (including judges, prosecutors, lawyers, court staff)

3000 character(s) maximum

Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, including resilience of justice systems in COVID-19 pandemic)

*3000 character(s) maximum*

Use of assessment tools and standards (e.g. ICT systems for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

*3000 character(s) maximum*

Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialization, in particular specific courts or chambers within courts to deal with fraud and corruption cases

*3000 character(s) maximum*

## C. Efficiency of the justice system

*(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)*

Length of proceedings

*3000 character(s) maximum*

Other - please specify

*3000 character(s) maximum*

## II. Anti-Corruption Framework

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Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the anti-corruption framework (if applicable)

*3000 character(s) maximum*

## A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any changes as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic authorities. Indicate any relevant measure taken to effectively and timely cooperate with OLAF and EPPO (where applicable)

*3000 character(s) maximum*

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

*3000 character(s) maximum*

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

*3000 character(s) maximum*

## B. Prevention

Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training). Please provide figures on their application

*3000 character(s) maximum*

General transparency of public decision-making, including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing

*3000 character(s) maximum*

Rules and measures to prevent conflict of interests in the public sector. Please specify the scope of their application (e.g. categories of officials concerned)

*3000 character(s) maximum*

Measures in place to ensure whistleblower protection and encourage reporting of corruption.

*3000 character(s) maximum*

List the sectors with high-risks of corruption in your Member State and list the relevant measures taken /envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. public procurement, healthcare, citizen investor schemes, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

*3000 character(s) maximum*

Any other relevant measures to prevent corruption in public and private sector

*3000 character(s) maximum*

## C. Repressive measures

Criminalisation, including the level of sanctions available by law, of corruption and related offences, including foreign bribery

*3000 character(s) maximum*

Data on investigation and application of sanctions for corruption offences, including for legal persons and high level and complex corruption cases and their transparency, including as regards to the implementation of EU funds

*(Please include, if available the number of (data since 2019): indictments; first instance convictions; first instance acquittals; final convictions; final acquittals; other outcomes (final) (i.e. excluding convictions and acquittals); cases adjudicated (final); imprisonment / custodial sentences through final convictions; suspended custodial sentences through final convictions; pending cases at the end of the reference year)*

*3000 character(s) maximum*

Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

*3000 character(s) maximum*

Information on effectiveness of non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

*3000 character(s) maximum*

Other - please specify

*3000 character(s) maximum*

### III. Media Freedom and Pluralism

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Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding media freedom and pluralism (if applicable)

*3000 character(s) maximum*

#### A. Media authorities and bodies

*(Cf. Article 30 of Directive 2018/1808)*

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

*3000 character(s) maximum*

In the broadcast sector, the main regulatory body is the National Council for Radio and Television (NCRTV). The regulator was founded in 1989 by the law no. 1866 in order to supervise and regulate the radio /television market. In theory it was created to ensure the maintenance of objectivity and quality within the broadcasting flow, but in practice it worked as a buffer between the partisan interests of the government of the day and the vested interests of the broadcasting companies. NCRTV's decisions which constitute executable administrative acts - can be appealed before the Council of State. However, NCRTV is fully funded by the state ([https://cadmus.eui.eu/bitstream/handle/1814/46798/Greece\\_EN.pdf?sequence=1&isAllowed=y](https://cadmus.eui.eu/bitstream/handle/1814/46798/Greece_EN.pdf?sequence=1&isAllowed=y)) and as such the possibility of political interference cannot be precluded.

In reality, the NCRTV has not established itself as an authoritative body (<https://www.opensocietyfoundations.org/uploads/7aa33e1e-6d0a-4739-94da-42eef04c316f/media-policy-independent-journalism-greece-20150511.pdf>) that effectively regulates the media or protects media independence. Generally speaking, there appears to be a big difference between NCRTV's nominal powers and its actual functioning. For example, the law gives the Council powers to grant broadcasting licenses, but in practice the government takes the final decision. Likewise, its sanctions can be selective, and it was seen as being more accommodating toward programmes that support the government, at least before the January 2015 general election. The politicized procedure for appointing members to the NCRTV board has compromised its independence and capability.

A media bill covered the legislative gaps for the formation and legal operation of the NCRTV, including provisions for work bonuses of its members, although serious issues of operation of NCRTV have been identified. In short, the bill stipulates that NCRTV can operate for as long as necessary without the presence of a vice-president and while the position of the deceased Rodolfos Moronis has not been filled since 2019.

The new draft Code of Ethics for the Audiovisual and Radio Programmes of NCRTV , introduced in late 2022, does not provide sufficient guarantees for press freedom. The draft Code, submitted to public consultation until 20 January 2023, prohibits in principle the broadcasting of secret information related to national security or public safety without duly precisising these notions and providing for strong safeguards for media acting in public interest. If approved in such terms, the Code may allow for a wide interpretation of the ban to the detriment of press freedom. (<https://insidestory.gr/article/poso-vasimes-einai-oi-enstaseis-ston-neo-kodika-deontologias-toy-esr?token=M3RKJ49X73>)

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

*3000 character(s) maximum*



The National Council for Radio and Television (NCRTV) consists of nine members - one of which is appointed President and one the Vice-President. The members of the council are elected upon the recommendation of the President of the Greek Parliament and are elected by the Conference of Presidents of the Greek Parliament if there is a majority of at least three-fifths (following the 2019 revision of the Constitution; <http://www.topontiki.gr/article/357273/allages-ston-diorismo-melon-toy-esr>). The term of office of NCRTV members is four years and is renewed in such a way as to ensure the continuity of its operation. This does not apply to the President and the Vice-President who are appointed for a full term. The members of the NCRTV cannot be elected for more than two terms and in the event of the death or resignation of one of them, a new member is elected and replaces them. Due to the ability of political parties to veto candidates ([https://cadmus.eui.eu/bitstream/handle/1814/46798/Greece\\_EN.pdf?sequence=1&isAllowed=y](https://cadmus.eui.eu/bitstream/handle/1814/46798/Greece_EN.pdf?sequence=1&isAllowed=y)), there have been considerable delays in the appointment of new members. Moreover, the nomination process lacks transparency and the qualifications for board membership are determined in general terms, which creates room for politically-driven appointments.

Existence and functions of media councils or other self-regulatory bodies

*3000 character(s) maximum*

## B. Safeguards against government or political interference and transparency and concentration of media ownership

Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

*3000 character(s) maximum*

New Democracy government has been heavily criticised, for directly assigning – with no prior tendering process - the distribution of advertising funds related to a Covid-19 information campaign of €20 million to media shop 'Initiative' instead of distributing the money itself to the media. It's worth noting that "less than 1% of the campaign budget went to the opposition-friendly media." In late 2020, a new set of ministerial decisions handed out €1.8 million for TV advertising of "government spots", €3 million for Greek diaspora media, and €18.5 million for a new campaign to promote the vaccine. This move was criticised for being a 'bonus' to media bosses and highlighted the lack of clear rules for state financing to the media.

A new law "Enhancing publicity and transparency in the printed and electronic press - Establishment of electronic registers of the printed and electronic press and other regulations under the responsibility of the General Secretariat of Communication and Information" was passed in Dec 2022.

Govt spokesperson Yannis Economou said "It makes perfect sense, and we will consider, to make a corresponding provision in the final wording of the law, so that there is a proportionality in state advertising as well. It is fair for everyone to have the right of access, it is not a rejection or deterrent for anyone to have access to the Greek taxpayer's money, as long as it meets the criteria we set, but it is perfectly reasonable to have a proportionality in the way in which state advertising is distributed, depending on the size of the business."

The President of the Union of Magazine and Electronic Press Editors Themistocles Beredimas stressed (<https://www.capital.gr/politiki/3687056/egkrithike-epi-tis-axis-to-nomosxedio-gia-ton-tupo-oi-theseis-ton-foreon>) that "the protection of pluralism is not achieved by distributing public money through lists, as has happened in the past. Importantly, this bill seeks to set rules with registers. However, the registration requirements are restrictive, they are downward and do not raise the average, so that the quality of information is increased and the companies that actually employ workers are strengthened." He also said that businesses that register must have insurance and tax information and employ staff on a salaried basis. Internet Publishers Association president Theocharis Filippopoulos said (<https://www.capital.gr/politiki/3687056/egkrithike-epi-tis-axis-to-nomosxedio-gia-ton-tupo-oi-theseis-ton-foreon>) the bill has a satisfactory framework and takes into account several needs, as well as market peculiarities. "For us, the dominant issue is the measurement of traffic to each website. We therefore express our satisfaction with the procedure envisaged, which, at this stage, we believe is the best possible. However, in the future, we believe that it will have to evolve technologically. We also consider the issue of the certification of traffic measurement to be of key importance

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

3000 character(s) maximum

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners, as well as any rules regulating the matter

A new law "Enhancing publicity and transparency in the printed and electronic press - Establishment of electronic registers of the printed and electronic press and other regulations under the responsibility of the General Secretariat of Communication and Information" was passed in December 2022.

As stated in the law, "the purpose of this law is to enhance transparency and publicity in the print and electronic press through a modern and functional Registry, its interconnection with the development needs of the development needs of mass media enterprises, the registration and promotion of advertising in these enterprises by the public sector and the bodies of the General Government as defined in paragraphs a' and b' of para. 1 of Article 14 of Law No. 4270/2014 (A' 143) and their inclusion in state aid programmes."

Haris Kastanidis, on behalf of PASOK, was critical (<https://vouliwatch.gr/news/article/psifizetai-nomoshedio-gia-ta-mme-kai-tin-kratiki-diafimisi>) As he commented "the Government rightly organises as a condition for inclusion in the Electronic Press Register and the Printed Press Register the registration of shares and company shares up to a natural person. Absolutely right. But come on, the devil won't let us rest. Articles 4 and 10 stipulate that where a company is a company that has shares listed on Greek or foreign stock exchanges, then there is no obligation for the company, in order to be entered in the Register, to declare up to the natural person the shares listed on the stock exchanges."

The president of Journalists' Union of Athens Daily Newspapers (ESIEA) Maria Antoniadou, said (<https://www.capital.gr/politiki/3687056/egkrithike-epi-tis-arxis-to-nomosxedio-gia-ton-tupo-oi-theseis-ton-foreon>) that "the bill attempts to establish rules for the distribution of state advertising in the printed and electronic press, but includes regulations for the broadcast media that clearly serve the owners of television stations and even to the detriment of the employees of these companies."

## C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications

*3000 character(s) maximum*

Long promised by the government as a response to the so-called Predatorgate spyware scandal, the bill on suspending the confidentiality of communications, cybersecurity and the protection of citizens' personal data was unveiled on 15 November 2022. After being subject to a public consultation lasting only seven days, the bill was debated and voted on in the Greek parliament (<https://rsf.org/en/greece-s-predatorgate-draft-law-surveillance-falling-short-european-standards-must-be-amended>).

Issues in the bill that require the attention of legislators and problems that need fixing: 1. The proposed definition of national security (a threat to which can be used as grounds for placing communications under surveillance): the bill's initial definition was too broad and prompted concern that any major revelation about the country's economic or social situation could be seen as a threat to national security that justified placing journalists under surveillance. 2. The supposed increase in oversight of surveillance operations by the security services falls far short of what is required. 3. Another major flaw in the bill is the lack of special protection for journalists. As journalists have the right to protect the confidentiality of their sources, the surveillance of journalists must be the subject of specific safeguards. 4. The bill claims to provide safeguards against the use of spyware. But it only penalises the use of spyware by individuals or private sector companies.

The bill integrating EU Directive on Whistleblowers (2019/1937) was passed in Parliament in Nov. 2022. According to NGO Vouliwatch, the bill falls short of expectations(<https://vouliwatch.gr/actions/article/whistleblowers-sxedio-nomou>)

Among the shortcomings are that: it does not cover violations of National Law, it does not cover cases of Public Interest, it offers incomplete protection - no financial incentives are foreseen and no provision for anonymous reporting, it offers no protection for the media and civil society when they act as shelters for whistleblowers, and there are no provisions for the possibility of verifying the testimony/complaint in relation to its recording in the minutes.

Greece undertook initiatives (<https://www.media.gov.gr/ngee-task-force-gia-ti-diasfalisi-tis-prostasias-tis-asfaleias-kai-tis-enischysis-tis-thesis-ton-dimosiografon-kai-allon-epangelmaton-ton-meson-enimerosis/>) aligned with the Commission Recommendation (EU) 2021/1534 on ensuring the protection, safety and empowerment of journalists, with the signing of a Memorandum of Understanding in May 2022 among the Secretariat General for Communication and Media of the Presidency of the Government, which undertook the initiative, and another five competent Ministries. The MoU has led to the formation of a Task Force. Progress of the task force has, reportedly, since remained slow.

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

*3000 character(s) maximum*

On 22 November 2022, police filed criminal charges against well-known Greek photojournalist Nikos Pilos after he was arrested earlier that day during a police operation in Athens. Pilos was detained at 3.30pm on Tuesday and then held in detention at the Attica General Police Directorate (GADA) for more than ten hours. He was charged with three criminal violations, including violence towards a police officer(<https://www.mapmf.org/alert/25349?f.country=Greece>).

On 4 October 2022, Greek riot police (MAT) a riot police officer violently attacked UK-based American photojournalist Ryan Thomas, who was covering a protest against the construction and “redevelopment” of Strefi Hill in Athens, and documenting police violence against the protesters (<https://www.mapmf.org/alert/25240?f.country=Greece>).

On 28 July 2022, officers of the primary riot police unit of the Hellenic Police (MAT) physically attacked and teargassed several journalists and photojournalists covering a protest in central Athens (<https://www.mapmf.org/alert/25073?f.country=Greece>).

On 10 May 2022, freelance photojournalist Iason Raissis took a photograph of a police officer at a high-profile trial that led to him later facing pressure from the police force (<https://www.mapmf.org/alert/24949?f.country=Greece>).

Access to information and public documents (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

*3000 character(s) maximum*

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

*3000 character(s) maximum*

Other - please specify

*3000 character(s) maximum*

## IV. Other institutional issues related to checks and balances

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Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the system of checks and balances (if applicable)

*3000 character(s) maximum*

## A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1] /public consultations (particularly consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process

[1] This includes also the consultation of social partners

3000 character(s) maximum

Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

3000 character(s) maximum

Regime for constitutional review of laws

3000 character(s) maximum

COVID-19: provide update on significant developments with regard to emergency regimes/measures in the context of the COVID-19 pandemic

- judicial review (including constitutional review) of emergency regimes and measures in the context of COVID-19 pandemic
- oversight (incl. ex-post reporting/investigation) by Parliament of emergency regimes and measures in the context of COVID-19 pandemic
- processes related to lessons learned/crisis preparedness in terms of the functioning of checks and balances

3000 character(s) maximum

## B. Independent authorities

Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

3000 character(s) maximum

Statistics/reports concerning the follow-up of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years

*3000 character(s) maximum*

## C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

*3000 character(s) maximum*

Judicial review of administrative decisions:

- short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

*3000 character(s) maximum*

Follow-up by the public administration and State institutions to final (national/supranational) court decisions, as well as available remedies in case of non-implementation

*3000 character(s) maximum*

## D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration and dissolution rules)

*3000 character(s) maximum*

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures for protection from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services.

*3000 character(s) maximum*

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

*3000 character(s) maximum*

Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.)

*3000 character(s) maximum*

## E. Initiatives to foster a rule of law culture

Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society etc.)

*3000 character(s) maximum*

Other - please specify

*3000 character(s) maximum*

## Contact

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