

European Rule of Law Mechanism: input from GREECE 2024 Rule of Law Report

I. Justice System

1. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the justice system (if applicable)

The Greek Government takes serious account of the recommendation issued by the European Commission in the Rule of Law Report 2022, as repeated in the Rule of Law Report 2023, “to take steps to address the need for involvement of the judiciary in the appointment of the President and Vice-Presidents of the Council of State, the Supreme Court and the Court of Audit, taking into account the European standards for the appointment of judges”.

For this reason, the Ministry of Justice undertakes the initiative of promoting a legislative amendment allowing the Plenary Sessions of the above Supreme Courts to be involved in the proceedings for the appointment of their Presidents and Vice-Presidents. The above legislative initiative will take into account European standards on this issue, without, however, departing from the constitutional framework and the article 90 para. 5 of the Greek Constitution. The Government intends to submit the provision of the proposed amendment for voting within the first half of 2024.

A. Independence

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

A special Reform under the National Recovery and Resilience Plan Greece 2.0 provides for the selection procedure, pre-training, theoretical and practical training of those to be appointed to judicial offices. The project is being implemented by the Law 4871/2021 'Reforms in the legislative framework of the National School of Judiciary and other urgent provisions' (GG A 246, articles 23-37). So far, the first and the second formations of graduates (192 and 124 Judges, respectively) have been appointed to their positions. The third formation (128 Judges) is graduating on 31.05.2024.

By Ministerial Decision (GG Γ' 1428/25.05.2023), issued in accordance with Law 4871/2021, an examination is launched by the National School of Judiciary for the following areas: a) Administrative Justice for trainee judicial officers i) at the Council of State and ordinary administrative courts, ii) at the Court of Audit and the Advocate General Audit Office, b) Civil and Criminal Justice, c) Prosecutors; and d) Magistrates. There is a single admission examination, as far as the area of Civil and Criminal Justice and the area of Magistrates is concerned, which leads to a single list of final results.

3. 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)

By virtue of article 3 par. 2 of the Law 4938/2022 (GG A'109), the Presidential Decree 54/2023 regarding the "Redistribution of the posts of judges of the Administrative Courts" (GG A' 108/10.05.2023) has been issued. The afore mentioned redistribution consists to the transfer of certain posts of Judges of First Instance Courts to other Courts of First Instance in the country. For this redistribution, the following were taken into account: the reasoned proposals of eight Presidents of the Courts of Appeal under their capacity as Head of the Administrative Courts of Appeal of the country, the operational needs of the Administrative Courts of First Instance, the statistical data on case intake during the last five years 2017-2021, in

combination with the pending cases of each court as of 30.6.2022 (see Opinion 80/2023 of the Council of State).

4. Promotion of judges and prosecutors (incl. judicial review)

According to the article 90 of the Greek Constitution, promotions, assignments to posts and transfers of judges shall be effected by virtue of a presidential decree, which is issued after the relevant decision of the supreme judicial council of the respective branch of the judiciary. If the Minister of Justice or the concerned judge disagrees with the decision of the judicial council, they can refer to the plenary session of the respective Supreme Court, which acts as a judicial council of second instance. The decisions of the plenary session and the non-contested decisions of the supreme judicial council are binding for the Minister of Justice. The relevant issues are regulated in the law 4938/2022 (GG A' 109).

In regard to the appointment of the President and Vice-Presidents of the Council of State, the Supreme Court and the Court of Audit, please see the answer on question 1.

5. Allocation of cases in courts

The allocation of cases in courts is regulated by the articles 94-100 of the Greek Constitution, as well as in the procedural codes and other laws of the jurisdictions [see, inter alia, code of civil procedure (presidential decree 503/1985, GG A' 182), criminal procedure code (Law 4620/2019, GG A' 96), code of administrative litigation procedure (Law 2717/1999, A' 97), presidential decree 18/1989 (Codification of provisions of laws on the Council of State, GG A' 8), Law 4700/2020, GG 127 (procedural code for the Court of Audit), Law 345/1976, GG A' 141 (Supreme Special Court)].

Recently, the **Law 5028/2023** "*Redistricting and decentralisation of the competences of the ordinary administrative courts, organisation of the telematic session, conversion of transitional seats and establishment of telematic court offices - Other urgent regulations of the Ministry of Justice*" (GG A 54/09.03.2023) is voted. This law provides, inter alia, for the improvement of the efficiency of administrative justice through the reorganisation of the districts of the administrative courts, the redistribution and decentralisation of their competences and the introduction of the institution of the telematic court office (please see also the answer on question 17).

By virtue of (normative) **Decision FG8/38299 of the Plenum of the Court of Audit** "Rules of Internal Procedure applicable to the judicial formations of the Hellenic Court of Audit" (GG B' 6144/25.10.2023)¹ the respective Rules previously in force were replaced in order to further clarify and rationalize, inter alia, the allocation of cases (articles 8-9), the evaluation of judges' performance (article 23 et seq.) as well as matters pertaining to the acceleration of judicial proceedings (article 19).

6. 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)

Judicial independence is guaranteed both in the Constitution (see articles 87-91) and in law.

1 <https://www.elsyn.gr/el/node/1113>

The Law 4938/2022 “Code of Court organization and status of judicial officers” (GG A’ 109) provides, inter alia, for the rights and guarantees and for all issues concerning their official status and the disciplinary law. It also provides for the Supreme Judicial Councils (art. 80-81: Supreme Judicial Council of Administrative Justice, art. 85-86: Supreme Judicial Council of Court of Audit, art. 91: Supreme Judicial Council for Civil and Criminal Justice). The Supreme Judicial Councils consist of the President of the respective Supreme Court and members of the same court of the highest grade, chosen by lot for one year. The Judicial Councils decide on the assignments, transfers, secondments and promotions of the judges, assistant district attorneys and magistrates (with the exception of the Presidents and Vice-Presidents of the Supreme Courts).

7. 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)

As provided in Rule of Law report of 2023, pursuant to article 104 of the new Code of the Organization of Courts and the Status of Judicial Officers (Law 4938/2022, A 109)², a Committee was established within the Council of State (President's decision No. 75/11.1.2023) by members of the Inspection Council of the administrative courts. The Committee taking into consideration the proposals of the General Committee of the Administrative Courts and of the Association of Administrative Judges drew up the following final drafts and submitted them to the Administrative Plenary:

- "Uniform framework of guidelines, instructions and practices for the inspection of ordinary administrative courts, their directing judges and other judges", which is structured in four parts: (I) the general principles and guidelines for conducting the inspection of judges and courts in general; (II) the (procedural and substantive) guidelines and best practices for conducting the inspection of courts; (III) certain specific principles, as well as (procedural and substantive) guidelines and best practices for the conduct of the inspection of judges (and in particular of court directors, presiding judges, presiding court presidents and other judges), and (IV) (procedural and substantive) guidelines for the inspection board³. The Council of State, in plenary and council session, adopted the aforementioned draft by a decision issued in June 2023 (19/23.6.2023). This decision was communicated to the General Commission of the ordinary administrative courts and, through it, to all administrative courts, their directed judges and all judges.

Furthermore, at a series of meetings in October 2023, the Council of State, in plenary and council session, approved a framework of instructions, minutes and guidelines for the Inspection Board and the Inspectors of the judges of the Council of State. The relevant decision has not yet been issued.

2 The article 104 of the Law 4938/2022 defines: “The plenary sessions of the supreme courts, in order to ensure the uniform measure and effectiveness of the inspection of courts and prosecutors' offices, their directing judges and other judges, shall, by their decision, draw up a uniform framework of instructions, practices and guidelines for the relevant Inspection Board and inspectors in the exercise of their responsibilities. The same decision shall establish a standard form for the inspection reports of courts, prosecutors and judges on the basis of the criteria set out in Article 102”.

3. This unified framework is accompanied by eight (8) appendices: 1. "Evaluation of cases according to their importance and complexity" (it will constitute the proposal of the Plenary Session of the Council of State to the administrative plenums of the administrative courts responsible for drafting the regulations, in order to exercise, in a uniform manner, their relevant competence in accordance with the provision of article 19 para. 5 b' of the Code of Administrative Procedure, 2. Statistical data necessary for carrying out the inspection, 3. Model report of the director, which is a prerequisite for carrying out the inspection required by Article 102(2), (3), (4) and (5) of the Code 4... 5... 6...7. The model inspection report forms for each category of inspected person (court, directing judge, president of a chamber and judge, respectively), 8. The specification of the characteristics of the six-point rating scale of Article 102 para. 5.

It should also be noted that article 31 of the draft law of Ministry of Justice "*Interventions in the Criminal Code and the Code of Criminal Procedure for the acceleration and qualitative improvement of the criminal trial - Modernization of the legislative framework for the prevention and combating of domestic violence*" proposes that the Article 237 of the Criminal Code, which refers to the offence of bribery and corruption of judges, should be also be applied to judges appointed by deed of secondment to international organisations. Thus, the seconded judges would no longer be subject to a different criminal liability. Such offences fall within the scope of the Hellenic penal provisions regardless of whether they are committed abroad or in Greece by these Judicial officers The proposed provision is aligned with para. 4 of Article 4 (f. A and B) and para. 1 and 3 of Article 7 of Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law.

Supreme Court of Areios Pagos: In the year 2023, the operation of the new evaluation system began (article 93, 129 par.5 Law 4938/2022) with the determination of the candidates who have the conditions for their designation as Supreme Court Judges- evaluators by the Administrative Plenary of the Supreme Court for Civil and Penal Cases (Areios Pagos), and the selection 12 of them as primary and 9 as substitutes by lot for a two-year term. For the first application of the law, the two-year term will extend from 16/9/2023 to 15/9/2025 and will concern the inspected period from 16/9/2021 to 15/9/2023. It is noted that in accordance with the provisions of article 93 of Law 4938/2022, the Supreme Court Judges- evaluators for the first time will investigate the operation and effectiveness of the judicial formations and therefore will prepare: a) an evaluation report on the operation of each court and prosecutor's office of their region in which the required measures for their proper operation will be described, b) an evaluation report of the judges- presidents of the courts, the courts and the prosecutors' offices in relation to the conduct of their service under their direction.

8. 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

Article 39 of Law 5079/2023 (A' 215/22.12.2023): The Law provides for an increase in allowances, benefits and compensations granted to the judicial officials and the legal personnel of the Legal Council of the State as a minimum indication of the State's recognition of the importance of the their duties. The said allowances, benefits and indemnities as provided and in force on 31 December 2023, shall be increased beginning from 1st January 2024. The annual expenditure resulting from the aforementioned increase is estimated approximately at 14.5 million euros.

9. Independence/autonomy of the prosecution service

The independence of the public prosecution service is guaranteed by ar. 87 of the Constitution and ar. 28 of the Law 4938/2022 (GG A' 109). The latter provides that the public prosecution service is a judicial authority acting independently from the judiciary and the executive authority.

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

The independence of the Bar and its members is guaranteed in the Code of Lawyers (Law 4194/2013, GG A 208).

In particular, the article 89 of the Code (as amended by article 29 par. 2 of law 4596/2019, GG A' 32) provides that the Bar Associations are legal entities under public law, in the form of associations. For all matters relating to their administrative and financial operation (the management and utilisation of their property, the supervision and control of their financial and administrative operations, the drawing up of contracts and the assumption of obligations, the recruitment and the status of their staff), as well as any issue governing the relevant legal relations, shall apply exclusively the provisions of the Code and the rules of the Regulation and the Organisation which is drawn up by the Board of Directors of each Bar Association. The Bar Associations shall not be financed by the State. They have their own property, financial, administrative and managerial autonomy and independence and are governed by elected Boards of Directors. The management and utilization of their property, supervision and control of the financial and administrative operations of the Associations shall be exclusively conferred to their Boards of Directors and General Assemblies.

Moreover, the article 133 par. 3 of the aforementioned Code provides that the independence and autonomy of the Bar Associations, as defined in Article 89 of the Code, shall not be affected by the operation, proposals and decisions of the Plenary of Presidents.

It must be noted that the Ministry of Justice intends to proceed with the following initiative:

a. A New Lawyers Voucher - Financial support for 7,500 new lawyers (practice in the last 7 years) for the establishment of a law office. This initiative is included in the list of NSRF (ΕΣΠΑ) 2021-2027 programs (see also question 14 D).

b. The amendment of the Code of Lawyers in order to strengthen the position and the role of lawyers. To this end, the Ministry of Justice has already set up a working group to deal with this issue and examine the relevant arising matters.

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

The new law **5026/2023** (GG A' 45) concerning the submission of declarations of assets and financial interests provides in article 25 for the establishment of the **Central Audit Committee (CAC)**, which has independent, administrative and financial autonomy. Under the new law, the CAC is empowered with more top-level judges, becoming therefore more effective, especially towards the examination of the asset declarations of the judicial.

The CAC audit of the judiciary contributes to its independence, both proactively and repressively, ascertaining that judges and prosecutors operate during their public duties independently of any influence through their close relatives. An annual report containing data on the audits is published and is available to the public, on the web page of the CAC on the website of the Parliament.

B. Quality of justice

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

Accessibility/Legal Aid:

A. Regarding the measures aiming to enhance access to justice for persons with disabilities, Law **5023/2023 (GG A' 34/17.02.2023)** contains provisions concerning the enhancement of the principle of equal treatment regardless of disability or chronic illness, the updating of the terminology of the Civil Code, the Code of Civil Procedure, the Criminal Code, the Code of Criminal Procedure, the Code of Administrative Procedure, the Code of Notaries and Law 4478/2017, for the sake of their harmonization with the Convention on the Rights of Persons

with Disabilities ratified by Law No. 4074/2012 and other provisions to facilitate access to justice for persons with disabilities.

The purpose of the law is: a) to promote the full participation of persons with disabilities or chronic conditions in the social and economic life of the country through the safeguarding of the general principle of equal treatment, b) to eliminate derogatory and stereotypical expressions for persons with disabilities in basic legislation and c) to facilitate the direct and effective access of persons with disabilities to justice. Additionally, the initiative of improving accessibility for deaf and hard-of-hearing people in courtrooms through the use of digitized procedures, in combination with existing infrastructure, was launched in 2022 and is expected to be completed by 2026.

B. Regarding the payment delays of the compensation of lawyers who provided their services under the legal aid system, it is noted that following a legislative initiative (i.e. **article 88 of Law 5043/2023, GG A' 91**), the procedure for the payment of the 80% of the compensation for the years 2019-2022 was completed.

At the same time, in order to achieve the acceleration of the compensation procedures for lawyers and other persons providing services under the legal aid system, **Law 5049/2023 (GG A'152) amended the law 3226/2004 (GG A' 24)** and established the procedures for the settlement and collection of compensation of legal aid beneficiaries through the online application of the Single Digital Portal of the Public Administration. The implementation of the latter provision requires a Joint Ministerial Decision, which is currently being drafted. Furthermore, the Ministry of Digital Governance and the Ministry of Justice are considering the extension of the platform to criminal cases, as well as legislative regulations that will contribute to the acceleration and digitization of the compensation procedure for lawyers.

C. Article 65 on the draft law on Penal Code and the Code of Criminal Procedure⁴ provides for the amendment of the article 238A Criminal Code, regarding the foreseen court proceedings via technological means as specifically provided in para. 1, 2, and 3, in favor of the economy of the criminal proceedings, the acceleration of the proceedings and the saving of public and human resources.

13. Resources of the judiciary (human/financial/material)

A. The Article 23 of the Law 4798/2021 (GG A' 68/24.04.2021) has established a new branch of Judicial Clerks to support the **Judicial Documentation and the Judicial Work**. Candidates for this branch should have a law degree, as their duty is to support judges and prosecutors in their duties, aiming the improvement of the quality and efficiency of justice. They shall be assigned with the tasks of classification, planning, coordination, practical processing and documentation (legislative, jurisprudential and bibliographical) of the relevant cases. According to the law (articles 27 -38), they will be appointed following a competition and they will assume their duties after successful completion of a twelve months' training, which is provided by the Supreme Court of the respective jurisdiction.

The first competition for judicial clerks of this branch has been completed and the 74 candidates selected will be appointed at the Council of State and at the administrative courts. A twelve-month training period will follow, which will be organised by the Council of State. To this end, the 16/2023, 25/2023 and 45/2023 decisions of the Administrative Plenary of the Council of State have been issued.

B. **Law 5049/2023 (GG A'152/14.9.2023)** provides for the acceleration of the appointment process of the "Judicial Police Service" (Judicial Police) of article 3 of Law 4963/2022 (A' 149)⁵,

⁴ <http://www.opengov.gr/ministryofjustice/?p=17064>

⁵ The Judicial Police's special mission, as defined in Law 4963/2022, is to support the smooth operation of judicial services and assist judicial and prosecutorial authorities in their jurisdictional work.

in order to ensure the immediate, complete and effective operation of this body. The main purpose of the law is to specify the procedure for the appointment and operation of the Judicial Police, to outline the qualifications of personnel and to establish regional Judicial Police Services at the civil and police department level. A total of 119 positions out of 170 at the scientific/civil branch of the above body is expected to be filled through the national written examination conducted by ASEP, whereas the initial results for the 500 positions out of 630 for the police branch of the above body have been officially published. A second phase involving physical tests is scheduled. This initiative is part of the Greek National Recovery and Resilience Plan.

C. The Ministry of Justice has initiated the establishment of a **Judicial Clerks Performance Tool**, a reward system designed to incentivize judicial clerks with the aim of enhancing the expeditious and efficient administration of justice. As provided in the Joint Ministerial Decision (GG A' 7462/29.12.2023), the primary objectives of this system are to diminish the time required for task completion within the Courts, Prosecutor's Offices and the General Commission of the State of Administrative Courts. The total expenditure allocated for this purpose, from the resources of the Recovery and Resilience Fund, amounts to 11 million euros, specifically designated for the remuneration of judicial clerks based on their performance. The criteria for potential beneficiaries include a commitment to expeditious and efficient task processing, proficiency in handling multiple tasks, adaptability to new technologies and processes and effective communication skills.

D. The Ministry of Justice is advancing an extensive **program to construct and renovate court buildings**, in alignment with the standards of a modern, high-functioning judicial system. This is part of the Greek National Recovery and Resilience Plan (NRRP) for Justice, supported by the European Recovery and Resilience Facility (RRF).

The final contract for the purchase and construction of the **new Piraeus Courthouse** (for the civil and administrative Courts of Piraeus), with a total budget of 80.954 million euros, financed by the Recovery Fund and the Public Investment Programme, was signed on November 13th, 2023, following the completion of the competition for its construction. The presentation of the ongoing project took place on December 13, 2023, at a special event organized by the Municipality of Piraeus and the Piraeus Bar Association at the Municipal Theatre of the city.

Moreover, public contracts have been signed for the buildings of the Council of State, the Athens Administrative Courts, the Court of Appeal, and the Supreme Court of Areios Pagos. Concurrently, competitions and preparatory work are underway for the technical upgrade of several court buildings and the National School of Judiciary. Indicative projects include the digital upgrade of the administrative courts complex in Athens⁶, the restoration and maintenance of the Council of State's premises at the Arsakeio Hall, energy upgrading of the National School of Judiciary building⁷ and the Athens Court of Appeal⁸.

Furthermore, construction projects for regional courthouses in Edessa, Serres, Kilkis, Lamia, Volos, Heraklio, as well as the reconstruction of courthouses in Thessaloniki, Karditsa, Trikala and Rethymno have been initiated through Public-Private Partnerships (PPP) development projects, with the Directorate of Building Infrastructure of the Ministry of Infrastructure and Transport as the contracting authority. The preparatory work is progressing and contracts signing is expected by the end of 2024.

6 Contract number 23SYMV013013164308/23-07-2023.

7 Contract No 23SYMV013718078/07-11-2023.

8 Contract No 24SYMV014113757/09-01-2024. Available online via <https://www.ktyp.gr/diagonismoi-gt-klados-dikaiosynis-gt-erga>.

14. Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

The National School of Judiciary, in alignment with the Greek National Recovery and Resilience Plan (NRRP) for Justice, has taken proactive measures in the education and continuous training of both judges and judicial clerks.

A. Selection, education and **training of Judicial Clerks** via the National School of Judiciary (**Law 5001/2022, GG A' 227/9.12.2022**): according to this law, the National School of the Judiciary is in charge for the initial and long life training of **court personnel**. For that reason, an entering exam was proclaimed in March 2023 and the training began on 1.7.2023. After a three-month theoretical training in the premises of the School and a three-month training at the courts, the 304 judicial clerks are expected to be appointed in January 2024. In August 2023, the second entering exam has been held and 224 selected candidates. Their training period begins in January 2024.

B. According to articles 53 and 54 of Law **5016/2023 (GG A 21/04.02.2023)**, judicial clerks of the **Court of Audit** will also be selected, trained and educated by the National School of Judiciary.

C. Regarding continuous training of judges and court staff, throughout 2023: Thirteen (13) seminars were held online and in person for judges and three (3) seminars for court personnel.

For 2024, fifteen (15) seminars are planned to be conducted online and in person for judges and twelve (12) seminars for the court personnel. The seminars deal with a variety of subjects, including issues related to the rule of law [“A common sense of justice and the Rule of Law” (30 March 2023), “Fighting corruption at national and EU level in the public and private sectors” (19-20 March 2024) etc]⁹. The project of continuous training of judges and court staff is a part of the implementation of the Greek National Recovery and Resilience Plan (NRRP) for Justice, supported by the European Recovery and Resilience Facility (RRF) (Milestone 235). It must also be noted that Ethics and the Code of conduct constitute a fundamental course in the educational and training program for all branches of judges and judicial clerks.

D. New initiative aiming the enhancement of the lawyers’ profession lies on the planning process for implementation in 2024.

The **Young Law Graduates Internship Program** has been introduced for recent Law School graduates, targeting 2,400 individuals under the age of 29. This program, prioritizing economically vulnerable groups provides for the completion of the required 18-month training, necessary for obtaining a license to practice law. The traineeship will take place in Courts of Law for 6 months (assisting in the acceleration process of the Justice Sector) and for 12 months in Law Offices. Each beneficiary will receive a 950€ internship allowance for each month of participation.

Furthermore, the **DIGITAL LAW 1 program** is intended to upgrade digital skills and certify lawyers' knowledge, focusing on an Integrated Intervention through Training and Certification for 30,000 lawyers. This initiative aims to enhance skills in Digital Technology and electronic applications.

⁹www.esdi.gr/wp-content/uploads/2022/seminars/seminars_esdi_2023.pdf,
<https://www.esdi.gr/seminars/https://clerks.esdi.gr/%ce%b4%ce%b9%ce%b1%cf%81%ce%ba%ce%ae%cf%82-%ce%b5%cf%80%ce%b9%ce%bc%cf%8c%cf%81%cf%86%cf%89%cf%83%ce%b7/>.

15. Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, procedural rules, access to judgements online)

A. The Article 25 of the Law 5067/2023 (GG A 189 /20.11.2023) introduces specific interventions in the **Code on the Supreme Special Court** under Article 100 of the Constitution (Law 345/1976, GG A' 141). Specifically, a new Article 5A is added to ensure that the management of judicial cases of the Supreme Special Court is carried out through an Integrated Judicial Case Management Information System (OSDDY-DD).

B. Law 5028/2023 (GG 54 A'/09.03.2023) provides for the revision of the judicial charter of the administrative justice system. Amongst other, a provision is included for **the implementation of new forms of litigation via telematics (Chapter B of the law)**. This project is currently on pilot operation.

At the same time, the institutional framework for both civil and criminal proceedings is being examined in order to be aligned with the digitalisation of the administration of justice. The above mentioned law provides for the possibility for any party, and not only the appellant, to request to participate in the hearing using remote access technologies. Furthermore, the rules are supplemented specifically with regard to the attendance of the parties, the examination of witnesses, experts and parties and the hearing of cases falling within the jurisdiction of a telematics court office by means of remote connection technologies. These provisions are part of the institutional organization of the telematic meeting procedure in a uniform manner, harmonised with the new institution of telematic court offices in administrative justice.

C. Access to Judgements online: the existing Integrated Judicial Case Management System for Civil & Criminal Cases covers the judicial needs of 41 Courts and Prosecution Offices of Appellate Court Districts of Athens, Thessaloniki, Piraeus & Evia (OSDDY-PP / phase A). The system allows the monitoring of the case progress through portal <https://www.solon.gov.gr>. The content of this information (meta-data) is anonymous. Some courts upload anonymized Civil and Criminal decisions on their sites¹⁰.

D. As part of the implementation of the Greek National Recovery and Resilience Plan (NRRP) for Justice, supported by the European Recovery and Resilience Facility (RRF) (Milestone 229), the Ministry of Justice in cooperation with the Information Society S.A. carries out the following digital projects:

1. "Upgrading of the Court Records Management System": The project concerns the recording of minutes of the hearings of civil and criminal courts¹¹.

10- Uploading anonymized Civil and Criminal decisions of the Supreme Court, with unrestricted access from mid-2006 onwards, on the site www.areiospagos.gr

- Uploading anonymized decisions of Maritime Law (ordinary Single-member and Multi-member) of the First Instance Court of Piraeus, from 2015 onwards, to the site www.protodikeio-peir.gr

-Uploading anonymised civil decisions of Appeal Court of Piraeus for 2017 onwards, to the site https://www.efeteio-peir.gr/?page_id=2422.

11. In particular, the project includes: 1) Upgrading of the central and local computer infrastructure, software and peripheral equipment and the interconnection of the Information System and the infrastructure for the digital recording, archiving and distribution of the Minutes of the Sessions of the civil and criminal courts of the country, produced with the existing system of Recording-Recording. 2) The provision of services of Recording-Recording of the minutes of court sessions up to 120,000 hours/year, for thirty-six (36) months. It is in the phase of Contract Execution, Project Implementation Monitoring and Project Acceptance (Date/ Information Society Protocol number 244/05-01-2024 - Submission of Monthly Progress Report for the period 02/12/2023 – 01/01/2024).

2. **"Upgrading and expanding ICT in the Justice sector"**: The project concerns the implementation of upgrades and expansions of information and communication technology infrastructures in different sectors of the Greek Justice¹².

3. **"Digitisation of Court Records and Data Forms"**: concerns the digitisation of data and records of the Justice Institutions (Courts, Public Prosecutor's Offices), in order to use them in existing information systems and/or new systems that will provide electronic services to citizens, professionals and public authorities, either in the context of serving specific needs (frequent searches in tabs/books and/or retrieval of the documents themselves) of individual files of high added value to meet the daily needs of the functionality of the flow of criminal, political and administrative proceedings, or finally in the context of the historical preservation of specific types of files with a long-term obligation to maintain them.

E. With Articles 1 to 13 of Law 4937/2022 (GG A' 106/2.6.2022), the critical and relevant provisions of the Code of Criminal Procedure were amended for the **electronic service of summons**, orders and other relevant documents to defendants and other parties. The objectives of this initiative is to save costs, to make police personnel immediately available for operational tasks, to free up bailiffs and allocate them to other tasks, and to modernise the judiciary through the digitalisation of procedural processes in alignment with the requirements of e-government. The Ministry moves towards the implementation of a **criminal performance platform** by depositing a document in the citizen's electronic mailbox. The relevant joint ministerial decision has been signed and its publication is pending.

F. **The platform of providers of community service** has been created. The project has been completed and its final presentation by the contractor company has taken place, while its full operation is expected to start.

Additionally:

1. The Ministry of Justice in collaboration with the Information Society S.A. implements through the Operational Program "Public Sector Reform" of the National Strategic Reference Framework (NSRF) 2014-2020, the project entitled *"The Video conferencing services in courts and penitentiaries and information services of courts' e-dockets and exhibits"*. This project will offer integrated teleconferencing services in courts and penitentiaries as well as information services about courts' e-dockets and exhibits. The pilot operation of this system will begin with administrative courts in January 2024, followed by civil courts and finally criminal courts. The end of this project implementation is set in September 2024.

2. The NSRF Executive Body of the Ministry of Justice implements through the Operational Program "Public Sector Reform" of the National Strategic Reference Framework (NSRF) 2014-2020, the project entitled *« Digital upgrade OSDDY-DD»* which involves the upgrading and expansion of the functionality of the Integrated Judicial Case Management System of Administrative Justice. The program is currently in the stage of Contract Execution, Project Implementation Monitoring and Project Acceptance. The end of this project implementation is set in Q1 of 2026.

The subject of the project: "Security and Data Protection Audits and Services of the Integrated Judicial Case Management System of the Administrative Justice" (No. Prot: 347/31-10-2023) is the audits and data security and protection services in the "Integrated Case Management System of Administrative Justice" (ICSJJS), i.e. the Council of State, the General

12. More specifically, the actions to be implemented under the 1) Functional module 1: Development of an Integrated Information System (IIS) for the modernization of the operation of the Court of Auditors 2) Operational Module 2 : a package of actions to strengthen the information system of the National Criminal Registry and further extend its services. 3) Operational Module 3: upgrading and extending the functionality of the Integrated Judicial Case Management System for Civil & Criminal Justice Phase 2. It is in the phase of Contract Execution, Project Implementation Monitoring and Project Acceptance (Date/Information Society Protocol number 26940/18-12-2023 - Submission of a draft amendment to the contract to pre-approval to the competent Managing Authority).

Commission of Administrative Courts and the Administrative Courts of the whole country. The scope of the Project includes the preparation of the Security Plan of the OSSDY ID information system, the provision of SoC-as-a-service for two (2) years, as well as the provision of a guarantee of good operation for two (2) years from the final acceptance of the hardware and software. Also, the systematic cooperation with the Main Project Contractor for the development of the PPM OSSD for the smooth integration of the necessary settings and procedures which will be described by the Contractor of this project into the computer system developed by the Main Project Contractor.

The implementation of the above ICT systems will ensure the security of electronic communication between the judicial authorities as well as with legal professionals and other involved bodies in national and European levels.

3. Finally, the introduction in the Ministry's action plan of a new horizontal action on cybersecurity issues, took place this year. The NSRF Executive Body of the Hellenic Ministry of Justice with the public contract 02/2022 titled "Cybersecurity Enhancement of the Court of Auditors' O.P.S." aims at penetration testing: 1) The active systems (IP addresses) of the Court of Auditors, and 2) The Court's web and internal applications. Until the completion of the main contract, i.e. the "Reorganisation of the equipment of the National Audit Office", which has been completed. Also by paper no. 65363/4-11-2023, the Head of the Directorate of Electronic Governance of the Ministry of Justice was appointed as the person responsible for the settlement of issues concerning the Ministry of Justice for the prevention and response to cyber-attacks, in the context of the creation and operation of the Cybersecurity Operations Centre (SOC).

Additionally the project Electronic Xchange of e-Evidences with e-CODEX II (EXEC II) Grant Agreement INEA/CEF/ICT/A2019/2065024, concerns the Electronic Exchange of e-Evidence and focuses on the installation, configuration or maintenance of the e-CODEX infrastructure in the Member States, the interconnection of the e-Evidence application of the E.C.C. EU (e-Evidence Digital Exchange System / Reference Implementation) with the national infrastructures and the productive use of the e-CODEX platform for the secure exchange of encrypted digital evidence. The project was completed in early 2023.

G. Regarding the Council of State: Since the 2022 questionnaire, where the state of the digitalisation of the Hellenic administrative justice case management system (OSDDY-DD) was fully presented, the following developments took place in 2023:

Following the tender procedure concerning the upgrade of the case management system of administrative justice in order to achieve completely digitalised judicial proceedings, the relevant contract was signed in December of 2022. Consequently, since January 2023, provided services of the contract are being rendered. According to the timetable annexed to the contract, the project will be completed by 2026. On 28th December 2023, the first stage was successfully completed. During this first stage all judicial proceedings were mapped and analysed by the engineers of the contractor in collaboration (through detailed and in-depth interviews) with a group of judges, members of the secretariat and IT executives/employees of the Council of State and of the administrative courts (after consultation - when needed – with all stakeholders, such as lawyers and public administration).

At the same time, significant progress was made concerning the Cybersecurity and GDPR protection Part of the above-mentioned open procedure - which was previously deemed unsuccessful (s. 2023 Report). A new contract notice was approved (31/10/2023) by the Minister of Justice, the tendering procedure in question has already been published (06/11/2023) and submission of tenders will take place in January 2024 (see above, under F2). The relevant project will be completed in 30 months after the signing of the contract. In the meantime, until the completion of the above-mentioned procedure, the Council of State concluded a contract for the provision of technical services concerning the revision and update

of its cybersecurity policies, which is absolutely crucial for the proper operation of its case management system.

Regarding the Supreme Court of Areios Pagos: Judges and employees of the IT department of the Supreme Court are actively involved in the execution of the OSSDY-PP phase B project, by participating in working groups that draw up the Implementation Study and monitor the Process of Implementation of the Code of Civil Law Procedure .

Regarding the Court of Audit: Pursuant to Articles 342 and 345 of the Court’s Uniform Procedural Code (Law 4700/2020, GG A’ 127), as modified by Arts. 172 and 175 (respectively) of the Court’s Organic Law (4820/2021 GG A’ 130), as of 16.9.2023, legal remedies and legal means as well as further procedural documents must be lodged before the Court of Audit electronically (with the exception of applications for interim suspension orders, legal aid applications before the 3-member panel of Judges stipulated in Article 2 of Law 3068/2002 and legal actions concerning pensions, where the total amount of the dispute does not exceed EUR 1.500 in total).¹³

16. 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)

Significant steps have been made regarding the implementation of the system for the collection of judicial statistics. Follow – up on the Office for the Collection and Processing of Judicial Statistics established in the Ministry of Justice is available in question 19 (see below).

17. Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

A. The Law **5028/2023 (GG A’ 54/09.03.2023)** provides for (a) the improvement of the efficiency of administrative justice through the reorganisation of the districts of the regular administrative courts, the decentralisation of their competences and the introduction of the institution of the telematic court office and (b) the implementation of the digital strategy of the Ministry of Justice for the improvement and acceleration of the processing of judicial cases, as well as for the efficiency and functionality of judicial services at the level of appellate districts and court formations. The subject of the Law is: a) the conversion of transitional courts into telematics court offices and the establishment of new such court offices, b) the definition of the institutional framework for the conduct of telematics court sessions, c) the redistribution and decentralization of competences among regular administrative courts and the redesigning of their districts and d) the updating of the framework for determining the districts of regular administrative courts competency. The law provides for a total of 20 transitional seats of various Administrative Courts of First Instance and Administrative Courts of Appeal, which also existed under the previous relevant regulation. All these transitional seats are to be converted, from 31 December 2026, into telematics court offices (art. 16 and 18).

According to Article 17 of the aforementioned Law, for the monitoring of the implementation of the Roadmap, a three-member Committee was established, by 35370/03.08.2023 decision of the Minister of Justice, on the subject of '*Establishment and constitution of the Road Map Implementation Monitoring Committee*' (GG YODD 806/2023), as amended by the appointment of the Secretary by the 46346oik./03.10.2023 decision of the same Minister. The

13 <https://www.elsyn.gr/el/node/1129>

Commission, consisted of the Commissioner of State of the Ordinary Administrative Courts, one State Councilor and one (1) judicial officer of the Special Legal Service of the Ministry of Justice, prepares reports on the progress of the implementation of the Roadmap, including proposals for additional actions to be taken for its implementation, addressed to the Minister of Justice. Working Groups may be set up by decision of the Minister of Justice to assist the Commission in its task.

B. The reform of the **Judicial Map of the civil and criminal courts** is under way. A working group was established by 28541oik/01-08-2023 (ΑΔΑ ΨΚΙΘΩ-ΠΒΖ) decision of the Minister of Justice for the preparation of a road map for the rational organisation of the regular civil and criminal courts, which completed its work on 22nd November 2023. The working group submitted its findings to the Minister of Justice. The proposed reform is based on the CEPEJ criteria e.g. the size of each court, the volume of new and pending cases per court, the possibility of permanent presence of judges in court, the population density in judicial districts, the geographical features and level of entrepreneurship of these districts, the building infrastructure and the means of transport, the possibility of alternative dispute resolution in these regions etc. The final proposal also contains a series of measures for the redistribution of judges, judicial clerks and competences between the existing courts, new procedural rules and case management solutions, as well as the implementation of new forms for distant litigation, necessary for the successful implementation of the reform. Furthermore, the technical assistance on this project by the International Bank for Reconstruction and Development is supporting the reform of the judicial map, under the RRF.

With regard to the Judicial Charter, the Ministry of Justice has held a large number of meetings with parliamentarians, presidents of bar associations, the leadership of the judiciary and members of the judiciary from all over the country. In this way, a broad public dialogue has been achieved and has taken place over a considerable period of time.

C. Efficiency of the justice system

18. Length of proceedings

A. The **article 25 par. 3 of Law 5067/2023 (GG A' 189)** provides that the Supreme Special Court (Article 100 of the Constitution, Law 345/1976, A-141) can reject, by a decision taken in council, the apparently inadmissible applications. The cases can be introduced in council without any prior notification to other parties. This procedure in council shall apply only to cases concerning objections under Article 58 of the Constitution and objections concerning disqualification of a Member of Parliament under Articles 55(2) and 57 of the Constitution. However, even if the case is rejected in the council procedure, the applicant retains the right to request a hearing. In this case, all the necessary notifications will be made by the applicant and not by the registry of the Court. Indeed, the large number of notifications which, by law, must be made on the abovementioned cases [cases (a) and (c) of Article 6 of the Code of the Supreme Special Court, Law 345/1976], as well as the understaffing of the Registry of the Supreme Special Court, lead in practice to difficulties and delays in the hearing of all cases. This provision which allows the rejection of apparently inadmissible applications in the above cases in a judicial formation in council, without prior notifications, effectively contributes to speeding up the procedure.

B. Council of State: The working group set up by decision of the Court's President to reform the preliminary procedure in the Council of State submitted a draft proposal, which has been approved, in principle, by the Administrative Plenary of the Court. Under the proposal, each case, upon its introduction to the Court, would be assigned to a specific judge, who would be responsible for its management up to its introduction to a three – membered panel and/or up

to a public hearing. The proposed procedure is designed to ensure that each case is fully prepared when it is brought before the court on a public hearing.

C. Court of Audit: Follow up on the actual implementation of the procedure provided in **Article 52 of Law 5016/2023** (GG A' 21): This procedure entails the hearing of cases, which mainly concern reductions in State pensions, by a single-member panel (Appeal-judges) and a short timeframe for submission of documents by the parties. As of October 2023, on the basis of this procedure, 1.341 judgments have been delivered (corresponding to 70.819 claims for judicial protection brought by an equal number of co-claimants) and, therefore, the backlog has been reduced to a significant extent.

Other – please specify

The tendering process for the **Human Rights project CRC-1** continues through the NSRF 2021-2027. The subject of the contract will be the design and implementation of educational visits and cultural activities for primary education, aiming at bringing students in contact and familiarising them with fundamental Human Rights and developing respect for rights and freedoms. The proposed Action is in line with the National Action Plan on the Rights of the Child (Right of Children to Education) and the Convention on the Rights of the Child which in Article 29 provides for "the preparation of the child for a responsible life in a free society in a spirit of understanding, peace, tolerance, gender equality and friendship among all peoples and national, ethnic and religious groups¹⁴.

II. Anti-corruption framework

19. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the anti-corruption framework (if applicable).

As regards the recommendation to establish a robust track record of prosecutions and final judgment in corruption cases, including high level corruption:

A. Significant steps have been made regarding the implementation of the system for the collection of judicial statistics. Follow – up on the Office for the Collection and Processing of Judicial Statistics (JustStat) established in the Ministry of Justice at the end of 2020 and regulated by the Presidential Decree 47/2022¹⁵:

The development of a new information system is underway, which will be interconnected with the Integrated Judicial Systems (such as the Integrated System for the Management of Political and Criminal Justice Cases (OSSDY-PP), the Integrated System for the Management of Administrative Justice Cases (OSSDY-DD), National Criminal Records, the Integrated IT System of the Court of Audit) and will allow the faster and better quality collection of judicial statistics.

Most recently, the Ministry of Justice approved the signing of the 6/2023 NSRF public contract, for which there was a notice of open public international tender, with the number 289/01-08-2022, in order to meet the needs of the Ministry of Justice for the provision of statistical

14. <https://www.espa.gr/el/Pages/ProclamationsFS.aspx?item=6119>.

¹⁵ The Office uses a digital platform for the collection of judicial statistics, which covers the judicial and prosecution services throughout the country. Clerks approved through public administration procedure register the statistics related to their service in the platform. Case management (flow) statistics are collected quarterly for civil procedure and semi-annually for criminal procedure and are published on the Ministry of Justice website, along with administrative justice statistics, which are sent to the Bureau quarterly.

information, through the development of an integrated system that will allow the collection, processing and dissemination of reliable justice data. In particular, through the use of sophisticated technical tools and modern procedures Data Warehouse and Business Intelligence (BI) tools and techniques, primary data from different sources will be collected, combined appropriately using modern tools and technologies, and statistical analysis of the primary data will be carried out, in order to provide reliable information to the relevant executives and authorised internal users of the competent justice institutions. The data entered will be used in an appropriate way (use of OLAP and data mining techniques, application of statistical standards and the use of data mining techniques analysis, etc.) by a modern business intelligence and reporting infrastructure for support the monitoring and reporting work for justice. At the same time, appropriately authorized users will be able to easily and quickly use tools for multidimensional analysis of available data to prepare and respond to ad-hoc queries that will be made either to meet information needs of the Ministry itself, or to send information to external bodies.

Moreover, on 08/12/2023 a decision was issued to include the project "SUB 3. Collection and processing office support service and processing of judicial statistics" (IPA TA code 5221487) in the Recovery and Resilience under Action ID '16575 - Accelerating the administration of justice' has been issued (ΑΔΑ Ρ2ΚΩΗ-ΓΛΨ). The above mentioned project, which is funded by the European Union - NextGeneration EU, regards the provision of support services to the Office for the Collection and Processing of Judicial Statistical Data Collection and Processing Office in order to ensure the acceleration of the organisation and smooth operation of the Office with the ultimate aim of ensuring its operation and performance of the judicial system. At this point we are working towards the issuance of the official notice of an open public tender. The project aims to assisting the organisation and ensuring the proper functioning of the above Collection Office within the framework of the competences and procedures defined by Presidential Decree 47/2022.

B. The Ministry of Justice, in its Annual Action Plan 2024, schedules to formulate a working group regarding the establishment of a track record of prosecutions and final judgment in corruption cases, including high level corruption, in Q1 2024.

20. 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 and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO.

A. As to the National Transparency Authority:

By Law 4622/2019 entitled "Executive State: Organization, Operation and Transparency of the Government, Government Institutions and Central Government Administration" the National Transparency Authority (hereinafter NTA) was established as an Independent Authority with an anti-corruption mandate and key tasks to enhance integrity, transparency, and accountability in the action of public institutions, achieve measurable results in the fight against corruption, and raise awareness regarding these actions. The Authority's institutional framework is addressed in articles 82-103 and 118-119 of the said law. (<https://www.kodiko.gr/nomothesia/document/545222/nomos-4622-2019>).

I. Annual Budget: According to art. 82 par. 2 of Law 4622/2019, NTA enjoys administrative and financial autonomy. NTA’s annual budget for 2023 was 8,523,000.00 € (ΑΔΑ: [Ο8Ξ046ΜΙ0Φ-ΗΦΔ](#)). As for 2024, NTA’s annual budget is 9,065,000 € (ΑΔΑ: 9ΨΞ146ΜΙ0Φ-9ΤΠ).

II. Human Resources:

Total number of NTA positions: 503 (374 occupied)

- Inspectors-Auditors: 320 (241 occupied)

- Administrative staff: 183 (133 occupied)

A more detailed outline of the human resource planning and allocation is provided in the following table:

General Directorate/Unit	Inspectors-Auditors		Administrative Staff	
Inspections and Audits' Unit	241		-	
	Central	Regional Units		
	172	69		
Directorate General for Financial and Administrative Services and e-Government	-		65	
			Central	Regional Units
			49	16
Directorate General for Integrity and Accountability			45	
Directorate for Strategic Planning and Behavioural Analysis			14	
Directorate General for Awareness Raising and Actions with Society			5	
Directorate for Internal Audit and Investigations			2	
GDPR Officer			1	
Governor's Office			1	
Total	241		133	

In January 2023, NTA launched an open call for the recruitment (via secondment) of 15 Inspectors – Auditors. The list of the selected candidates was finalized and published on the Authority's website in December 2023.

Within the first semester of 2024 the secondment procedures are expected to be completed and the new Inspectors-Auditors to take up duties, further increasing the operational capacity of the Unit of Inspections and Audits of NTA. In addition, the final reserve lists of candidates from the call will be leveraged to cover additional openings in Inspections-Auditors within 2024, based on the Authority's needs. Finally, a call for recruitment of extra 10-15 Inspectors-Auditors for NTA’s Regional Units will be published in 2024.

III. The National Coordinating Body for Audit and Accountability (ESOEL)

The National Coordinating Body for Audit and Accountability (ESOEL), was established and operates on the basis of the provision of art. 103 of Law 4622/2019 as an interactive platform

for cooperation and coordination. ESOEL is composed by 17 members- public bodies active in the field of law enforcement, strengthening public integrity and the fight against corruption and contributing to the dialogue and exchange of know-how (GG 4196B'/2023) https://www.et.gr/api/DownloadFeksApi/?fek_pdf=20230204196).

The 17 members of ESOEL are the following (2023):

1. National Transparency Authority (NTA)
2. Financial Police Division (FPD) - Hellenic Police Headquarters
3. Internal Affairs Unit of the Ministry of Citizen Protection
4. Directorate of Financial Auditors of the Hellenic National Defence General Staff
5. Department of Internal Affairs of the Ministry of National Defence
6. Inspectorate General of the Ministry of Foreign Affairs
7. Directorate of Internal Audit of the Independent Authority for Public Revenue
8. Directorate of Internal Affairs of the Independent Authority for Public Revenue
9. Directorate General of Financial and Economic Crime Unit of the General Secretariat of Tax Policy of the Hellenic Ministry of Economy and Finance
10. Directorate General of Financial Audits of the Ministry of National Economy and Finance
11. Financial Audit Committee of the Ministry of Economy and Finance
12. Directorate General for Inspectors and Auditors of the Ministry of the Environment and Energy
13. Cyber Crime Division of the Hellenic Police Headquarters
14. Forensic Science Division (F.S.D.) / Digital Forensics Department of the Hellenic Police Headquarters
15. Inspection and Control of Penitentiary Institutions Corps - Ministry of Civil Protection (I.C.P.I.C.)
16. Internal Audit Unit (IAU) of the Ministry of Economy and Finance
17. Hellenic Labour Inspectorate (Independent Authority)

In 2023, two entities: Internal Audit Unit (IAU) of the Ministry of Economy and Finance (16) and Hellenic Labour Inspectorate (17) were added to the ESOEL plenary session.

According to data collected in December 2023, the number of staff with audit and inspection responsibilities per body is shown in the following table:

Staff with audit and inspection responsibilities		
	National Agency / Body	Number of staff
1	National Transparency Authority (NTA)	241
2	Financial Police Division (FPD) - Hellenic Police Headquarters	20
3	Internal Affairs Unit of the Ministry of Citizen Protection	54

4	Directorate of Financial Auditors of the Hellenic National Defence General Staff	59
5	Department of Internal Affairs of the Ministry of National Defence	7
6	Inspectorate General of the Ministry of Foreign Affairs	1
7	Directorate of Internal Audit of the Independent Authority for Public Revenue	26
8	Directorate of Internal Affairs of the Independent Authority for Public Revenue	64
9	Directorate General of Financial and Economic Crime Unit of the General Secretariat of Tax Policy of the Hellenic Ministry of Economy and Finance	172
10	Directorate General of Financial Audits of the Ministry of National Economy and Finance	300
11	Financial Audit Committee of the Ministry of Economy and Finance	
12	Directorate General for Inspectors and Auditors of the Ministry of the Environment and Energy	52
13	Cyber Crime Division of the Hellenic Police Headquarters	48
14	Forensic Science Division (F.S.D.) / Digital Forensics Department of the Hellenic Police Headquarters	15
15	Inspection and Control of Penitentiary Institutions Corps - Ministry of Civil Protection (I.C.P.I.C.)	5
16	Internal Audit Unit (IAU) of the Ministry of Economy and Finance	14
17	Hellenic Labour Inspectorate (Independent Authority)	535
Total		669

The 2022 ESOEL's annual report is available on <https://aead.gr/publications/essays/esoel-ekthesi-apologismou-2022>.

IV. Cooperation between EPPO and OLAF

According to par. 5 of art. 82 of its founding Law 4622/2019 NTA has been designated as the Hellenic Anti-Fraud Coordination Service (AFCOS) and is the competent institutional body for the coordination of all structures and services related to the defence of the EU's financial interests and the proper management of European funds. In this context, it is in a direct cooperation, among others, with the European Anti-Fraud Office (OLAF), while it works in support of the European Public Prosecutor (EPPO).

From April 2021, an online platform (Intranet) of NTA/AFCOS has been created (<https://afcos.aead.gr>) which is a modern and flexible tool for communication, exchange of views and improvement of the cooperation between the competent national authorities and services charged with combating fraud and protecting the financial interests of the European Union (EU) in both revenue and expenditure. This platform ensures:

- the facilitation of communication, the exchange of information and the strengthening of cooperation between its members for the prevention and treatment of fraud phenomena,
- the improvement of the coordination of the competent national services and the structured provision of support to the operational action of the European Anti-Fraud Office (OLAF),

- the implementation of training and capacity building activities, as well as research activities on issues of common interest,
- the support of the consultation for the submission of proposals and/or the introduction of measures for the effective protection of the EU's financial interests.

The AFCOS Audit Department of the ICU (Inspections and Audit Unit), representing the NTA, has participated in conferences hosted by:

- a) The European Commission on the subject of combating fraud to protect EU interests (23-25/11/2022, Athens),
- b) The EPPO (European Public Prosecutor Office) in Luxembourg, in collaboration with the IAPR, the SDOE, the Hellenic Police (Directorates of Financial Police, Prosecution of Electronic Crime, Criminal Investigations) and the HCAPO (Hellenic Community Aid Payment Organization) with the aim of strengthening relations between the agencies, the creation of conditions for further cooperation, the monitoring and management of dispute-fraud cases (06-07/06/2023, Luxembourg),
- c) Competent authorities involved (EPPO and OLAF) for the purpose of overall information and exchange of views regarding issues related to their responsibilities such as the prevention, detection, investigation and prosecution of corruption and matters of budget and financial protection of EU interests (09/11/2023, Athens).

NTA has successfully addressed OLAF's request to acquire direct access to the national commercial register (G.E.M.I.) of all legal forms of business in Greece, in order to carry out its duties effectively and efficiently.

For the purposes of points (a) and (b) of art. 7(3a) of the revised OLAF Regulation 883/2013, NTA as AFCOS indicated to the Commission the Directorate General of Financial and Economic Crime (S.D.O.E.) of the Ministry of Finance, as the competent authority of Greece to provide OLAF with: (a) information available in the central automated mechanisms referred to in art. 32a (3) of Directive (EU) 2015/849 of the European Parliament and Council and (b) the transaction's record, where strictly necessary for the purposes of the investigation.

V. MOUs

During 2023, several MoUs have been signed between NTA and other Independent Authorities such as the Independent Authority for Public Revenues (AADE), the Hellenic Data Protection Authority, the Hellenic Labour Inspectorate Authority, the Institute of Education Policy, the Organization of Welfare Benefits and Social Solidarity (OPEKA) to strengthen their cooperation by exchanging know how and expertise in the fields of internal audit, integrity and transparency as well as to develop synergies and enhance integrity mechanisms and assessment systems related to risk, corruption and fraud.

Furthermore, in the framework of the Memorandum of Cooperation between NTA and the Public Employment Service (DYPA), a training program on Internal Audit was organized in November 2023, for the executives of the Internal Audit Unit of DYPA on the following topics:

- Internal Audit in a public organization
- Audit evidence in Internal Audit / Methods of collection, evaluation and reliability of audit evidence
- Compilation of temporary and final Report of assurance or advisory audit

➤ Follow-up procedure

B. As to the Directorate of Internal Affairs (D.ES.YP.) of the Independent Authority for Public Revenue (IAPR, in Greek AADE)

The Directorate of Internal Affairs (DESYP) is an IAPR's Unit directly reporting to the Governor of IAPR and competent to fight corruption within the IAPR. DESYP develops, within the framework of its responsibilities, a wide network of collaborations with public bodies and services, with the aim of exchanging views, taking joint actions and acquiring know-how and experience for the prevention and fighting corruption, such as the NTA, ESOEL, Financial Prosecutor and local competent Prosecutors, the Court of Audit, the Internal Affairs Service of the Security Forces, the Anti-Money Laundering Authority, as well as Banking and Financial Institutions. The operational work of the Directorate mainly includes the identification and investigation of corruption cases, by collecting and processing information and data concerning the involvement of IAPR's employees in specific criminal and disciplinary offenses, conducting audits on the assets of the employees of IAPR, carrying out audits in IAPR's Units, investigating tax cases when tax audits have already been carried out to verify criminal or disciplinary offences. With an updated Anti-Corruption Strategy 2022-2025 draft of the IAPR, emphasis is laid on actions related to the strengthening of integrity and accountability mechanisms, such as the development of an Information System for Monitoring and Risk Management in the IAPR, identification of vulnerable sectors, in terms of developing corruption phenomena, regulation to shield the whistleblower protection process, as well as on actions to raise awareness among IAPR staff as regards strengthening integrity, fighting corruption and enhancing compliance with the Code of Ethics and complaints management. Especially, IAPR signed on 22-03-2023, a Cooperation Protocol with NTA, focusing on the promotion of synergies, exchange of information, know-how and expertise in areas of internal control, integrity, transparency and corruption management and fraud risks etc. In the context of this memorandum, an Action Plan was drawn up to strengthen the transparency and integrity of the IAPR Services 2023-2025. Furthermore, on 17-02-2023, a Cooperation Agreement was signed between IAPR and EPP0, aiming to joint efforts to fight organized crime, smuggling, corruption, cross-border VAT fraud, fraud and other illegal activities against the financial interests of the EU.

C. As to the Directorate General of Financial and Economic Crime Unit (SDOE):

SDOE is the law enforcement agency of the Hellenic Ministry of Economy and Finance that specializes in financial and economic crimes of particular significance (i.e. corruption, fraud, money laundering, economic fraud against Hellenic State and EU interests) other than customs and tax crimes. SDOE's staff is currently composed by 39 employees of the Central Unit while 45 employees and 172 investigators serve at the Operational Directorates. SDOE's investigators are empowered to have access to financial records and investigate residencies, exercise preliminary interrogative competences and freeze bank accounts or other assets. SDOE has an access to the taxation and customs Information Systems and the Information System of Registries of Bank Accounts and Accounts of Payments. SDOE has recently gained a direct access to the Central Beneficial Ownership Registry and the Hellenic Cadastre-natural persons' real property (e-ktimatologio).

Within SDOE has been established and operate the National Asset Recovery Office (ARO) that cooperates with other European AROs directly via Europol SIENA system, other counterpart law enforcement authorities via Europol, Interpol, OLAF and EPPO. In the year 2023, Hellenic

ARO also gained a direct access to the Central Beneficial Ownership Registry and e-ktimatologio.

As regards SDOE's cooperation with OLAF and EPPO, further information is provided in the answer on question 30 (joint investigations with OLAF and execution by SDOE of EPPO's orders).

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

A. As to NTA's Independence

Audit Committee

A guarantee of independence is the Audit Committee¹⁶, which acts as an independent and impartial body competent for the review and assessment of the audit practices and performance of the Authority's internal and external auditors. The Audit Committee i) ensures the independence of the functional reporting relationship between the Internal Audit Unit and the Head of the Authority, on internal audit matters, ii) monitors the work of the Internal Audit Unit by submitting to it the Annual Workplan and the Annual Report iii) advises on any matter related to the mission and tasks of the Internal Audit Unit by ensuring the effectiveness and quality of its work, iv) monitors the effective operation of the Internal Audit System and the risk management system and ensures that the recommendations of the Internal Audit Unit are duly taken into account, etc. The Audit Committee shall be consisted of at least three members with sufficient audit experience and experience in the Authority's field of activity. To ensure impartiality and avoid potential conflicts of interest it is provided that the members of the Audit Committee shall be drawn from other bodies referred to art. 2 of Law 4795/2021. Furthermore, they may not have a dependent employment relationship (administrative or operational) with the NTA. NTA is currently in the process of staffing the Audit Committee. In August 2023, NTA published a call for the selection of Audit Committee members. The Evaluation Committee completed the evaluation of candidacies and the selection process was completed in December 2023. Audit Committee is expected to be operational within Q1 2024.

B. As to the Directorate of Internal Affairs (D.ES.YP.) of the Independent Authority for Public Revenue (IAPR, in Greek AADE)

DESYP's Inspectors have full autonomy and independence while they adopt high standards of professional ethics. They are committed by principles of integrity, accountability and transparency and are personally accountable for the legality of their actions. In this respect they ought to report and refrain from audit cases when conflicts of interest arise.

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

The National Anti-Corruption Action Plan 2022-2025 (hereinafter referred to as NACAP) is the country's national AC strategy that includes a comprehensive set of actions aimed at

¹⁶ Audit committee, as referred in I.4795/2021 (<https://www.kodiko.gr/nomothesia/document/708032/nomos-4795-2021>), guarantees the independence of the Internal Audit Unit, monitors its work, ensures the quality of its work and that its recommendations are duly taken into account by the head of the body.

detecting, preventing and raising awareness against fraud and corruption. According to the provisions of Law 4915/2022 NACAP is approved by the Ministerial Council.

NTA is responsible for designing, coordinating, implementing and monitoring NACAP progress. To this direction, NTA developed an integrated monitoring and evaluation system including a list of output and outcome indicators. The Agency publishes semiannual progress reports on its website (available in GR and in ENG).

Implementation progress for the year 2023:

Regarding NACAP progress (data S2 2023): 47 out of 129 actions are completed (36,4%), 68 actions are in progress (52,7%) and 14 (10,9%) have not yet started.

The S2 2023 progress report will be uploaded online in Q1 2024.

NACAP Review

In Q4 2023, NTA in cooperation with the Ministry of Interior initiated NACAP update in order to incorporate actions of the National Integrity System that have not been included in the initial document. In this context a series of informal bilateral consultations with key stakeholders took place (including line ministries and CSOs). The process is expected to be concluded in Q1 2024. The updated document will be uploaded on NTA's website.

Major Outputs

Investigation / Control

- Law 5042/2023 (GG A'88) "Management of frozen, including seized and confiscated assets derived from criminal activities, (...), and other provisions" was published (*NACAP 2022-2025, Action:1.1.1*) (<https://www.kodiko.gr/nomothesia/document/878323/nomos-5042-2023>).
- The external channel for receiving complaints from persons reporting violations of EU law (whistleblowers) is fully operational. The platform allows secured and anonymized communication between NTA and whistleblowers. Whistleblowers can additionally submit their complaint via mail, e-mail, or at a personal meeting with NTA's investigators conducted upon request of the complainant (*NACAP 2022-2025, Action: 1.4.15*).
- Auditing and investigating bodies have been granted real-time access to the Central Registry of Beneficial Owners Access (*NACAP 2022-2025, Action: 1.1.3*).
- The Internal Affairs Service (IAS) of the Greek Ministry of Defence developed a methodology for the management of incoming complaints, aiming to establish an objective and impartial framework for the evaluation of complaints submitted to the IAS regarding fraud and corruption phenomena in the Armed Forces units, maximize efficiency and enhance confidence in the IAS (*NACAP 2022-2025, Action: 1.3.2*).
- Real-time access to the Interoperability Hub of the Ministry of Interior for auditors and inspectors of the Inspections & Audits Unit of the NTA was provided. The Interoperability Hub is the central system for the collection and processing of financial data of local and regional authorities. At the same time, the Hub is the main source of information for the agencies responsible for the design and implementation of fiscal policies (General Accounting Office of the State, Hellenic Statistical Authority, Observatory of the Financial Autonomy of Local Authorities, Independent Supervisory Services of Local Authorities / Decentralized Administrations on the regional and local level (*NACAP 2022-2025, Action: 1.3.10*).

➤ The development of the fiscal e-application “my Data” was completed by IAPR, contributing to the prevention of tax evasion, and enhancing the transparency of transactions (NACAP 2022-2025, Action: 1.4.7).

➤ Full functionality of the Centralized Unified Payroll Information System for the processing of salaries of the public sector employees. The Information System ensures the fastest and most accurate calculation of Payroll, the transparent clearance and payment of salaries and reimbursement of social security fees (NACAP 2022-2025, Action: 1.4.20).

Prevention

➤ Law 5038/2023 (GG A’81) "Migration Code" was published which is a codification of the legislation on legal migration, amending the previous Code on Migration and Social Integration (Law 4251/2014) (NACAP 2022-2025, Action: 2.1.6) (<https://www.kodiko.gr/nomothesia/document/873766/nomos-5038-2023>).

➤ Law 5013/2023 (GG A’12) "Multi-level governance, risk management in the public sector and other provisions" was published. This law introduces risk management system in the Greek public administration (<https://www.kodiko.gr/nomothesia/document/853007/nomos-5013-2023>). The aim is to empower public entities to timely identify and manage integrity risks they are exposed to. In addition, the operation of a central repository of corruption risks in the public administration is foresighted as a means of strengthening corruption prevention at the institutional level (NACAP 2022-2025, Action: 2.1.11).

➤ The RRF Special Coordination Service has developed an Anti-Corruption and Anti-Fraud Strategy for the management of RRF Funds. The main pillars of the Strategy are prevention, detection and effective response to corruption challenges. Its main objectives are the following: (a) the strengthening of deterrence mechanisms; (b) the effective cooperation between the relevant National Authorities; (c) the effective cooperation with the European Commission, especially OLAF; (d) enhancing transparency, i.e. making information on the use of the Recovery and Resilience Fund resources available to all stakeholders; and (e) strengthening and continuously improving the Management and Control System (MCS) of the Special Coordination Unit.

➤ Law 5025/2023 (GG A’42) "Provisions for the protection of the institutional framework of sport and the rationalization of sports legislation" aims to: a) the strengthening of the institutional framework of sport, b) the establishment of legal certainty and operation of sports legislation implementation issues, c) the institutional strengthening of the Register of Sports Bodies of the General Secretariat of Sport, and d) the establishment of an evaluation system for sports federations (NACAP 2022-2025, Action: 2.2.3) (<https://www.kodiko.gr/nomothesia/document/862574/nomos-5025-2023>).

➤ The development of the Integrated Information System for the management and monitoring of Public Private Partnership (PPP) projects. The new system, apart from cutting the red-tape, enhances transparency and accountability in the implementation of PPP projects (NACAP 2022-2025, Action: 2.4.5).

➤ The 5th National Action Plan (NAP) for Open Government - Open Government Partnership (OGP) for the period 2023 - 2025 has been finalized. The 5th NAP consists of a key pillar of the country's Open Government Strategy and a platform for consultation and collaboration with Civil Society. The new Action Plan includes commitments related to the strengthening public bodies’ accountability, the improvement of services provided, the combat of corruption and

the encouragement of citizen participation in the formulation of policies aiming to address new challenges that affect society and institutions (*NACAP 2022-2025, Action: 2.4.13*).

➤ More than 150 administrative procedures have been digitized in 2023, further reducing in-person interaction between citizens and state employees and thus eliminating corruption risks (*NACAP 2022-2025, Action: 2.2.18*).

➤ The Ministry of Rural Development established with the assistance of external experts an integrated Internal Control System based on the three lines of defence model in order to deal with operational, fraud and corruption risks in its operations (*NACAP 2022-2025, Action: 2.3.16*).

Raising Awareness

➤ The NTA carried out a series of information actions focusing on the results of audits in the following policy areas: 1) Insurance, Social Welfare & Labour Relations, 2) Economy, Development, 3) Education, Research-Technology, Culture & Sport, 4) Environment & Spatial Planning, 5) Public Works & Transport, 6) Energy & Communications, 7) Disciplinary Procedures, 8) Complaints Management and Project Monitoring.

➤ The Ministry of National Defence implemented a series of actions to inform and raise awareness of the Armed Forces personnel on anti-corruption and anti-fraud issues. Specifically, more than 1,600 officers attending the Higher and Senior Schools of the Armed Forces participated in lectures - presentations regarding the role of the Armed Forces in the national effort to combat corruption as well as on the development of targeted initiatives to consolidate and strengthen public accountability and integrity in the national defence sector.

➤ Higher Educational Institutions organized awareness-raising activities for the academic community regarding corruption and its consequences. Specifically, a) Panteion University in cooperation with the Court of Audit organized a workshop on: "The modern financial audit: Reforms and new dynamics", b) the Internal Audit Department of the University of Patras held a workshop with the participation of NTA, on "The Internal Audit System of the University of Patras", c) the Hellenic Mediterranean University and the Institute of Internal Auditors of Greece held a workshop on "Meet the Institute of Internal Auditors - IIA and the profession of the internal auditor" and d) the Quality Assurance Unit of the University of Western Macedonia organized an online workshop on "Integrity in Research for a more reliable science".

➤ On the topic of Whistleblowers protection the NTA organized a) a workshop with representatives of the private sector on the transposition of Directive (EU) 2019/1937 and b) a side event titled "Whistleblowing and transparency" during the 87th Thessaloniki International Fair.

➤ NTA and the Association of Compliance Officers in Greece co-organized an info-day titled "Conflict of Interest: Regulatory Framework & Practical Application in the Public & Private Sector".

➤ A workshop on "Internal Audit as an advisor of good governance of the Ministry of Health Services" was organized by the NTA in cooperation with the Ministry of Health aiming to better understand the regulatory framework for internal controls, as a basis for its smooth implementation.

➤ NTA in cooperation with the National School of Public Administration and Local Government developed modules on transparency, accountability and integrity which were included to courses for newly appointed civil servants and Heads of Units and Directorates of the Public Sector.

Further Information

A. As to the Directorate of Internal Affairs (D.ES.YP.) of the Independent Authority for Public Revenue (IAPR, in Greek AADE):

In 2023, and particularly during the period between January and November, in the context of the Operational Plan of the IAPR, DESYP was assigned actions and goals as below:

- ✓ The carrying out of seventy-eight (78) audits to detect criminal and disciplinary offenses of IAPR's employees. In sixteen (16) of these audits disciplinary or criminal offenses were identified for fifty (50) IAPR employees.
- ✓ The carrying out of thirty-two (32) asset audits of Supervisors and forty-six (46) asset audits of employees to detect unjustified possession of assets. Unjustified assets of eight (8) employees/Supervisors of IAPR amounting to €1,088,531.90 were identified and their cases were submitted to the Court of Audit.
- ✓ The carrying out of forty-five (45) on-site audits to detect local services' compliance with the law provisions, secondary legislation and prevent and disclose criminal behavior of IAPRs' employees.
- ✓ The carrying out of twenty (20) targeted financial and management audits of public accounts and public administrations and the imputations to those responsible, in cases dating back before 03-12-2017, as well as reviews of tax cases in finalized audits. During 2023 more than 585.392,71 euros have been imputed both to IAPRs' employees and other persons (citizens).

B. Following last year's input on the management of frozen and confiscated assets, Law 5042/2023 (GG A'88) "Management of frozen, including seized and confiscated assets derived from criminal activities, (...) and other provisions" (<https://www.kodiko.gr/nomothesia/document/878323/nomos-5042-2023>) provides for the recovery and management of frozen, including seized and confiscated assets, deriving from criminal activities, and their disposal for public interest and social purposes or victim's satisfaction. SDOE is designated as the Asset Management Agency of the above assets while an Integrated Information System (IIS) functions as an electronic database and supports the management of the assets [(see also information provided in par. entitled "Major Outputs-Investigation/Control" of this answer (NACAP 2022-2025, Action: 2.1.11)].

C. e-peitharxika (e-disciplinary cases) Electronic Data Base

Further to the information that has been already provided, the pilot use of the application for the follow-up of disciplinary cases, entitled 'e-Peitharxika' was initiated in some specific bodies. Instructions were provided on the procedure for registering the required data of a specific period (17/5/2023 – 30/6/2023). It is expected that the platform will be fully operational and a new circular will be issued in order public bodies to start registering the required data on the platform.

23. Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training). For questions 23-25, please provide figures on their application, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

I. Internal control

NTA, in application of Law 4795/2021 (GG A' 62), in cooperation with the Ministry of Interior and the National Center for Public Administration and Local Government (EKDDA), designed and participated in the implementation of the "Certification Program for Internal Auditors of the Public Sector". Through the Certification Program, participants acquire knowledge, skills and competencies required to effectively perform the duties of an internal auditor.

During 2023, six (6) more training cycles of the Program were successfully completed, out of a total of twenty (20) that have been held since 2021. More specifically, in 2023, 116 civil servants have been certified as internal auditors, out of the total 133 training participants. In total, out of the 439 trainees who participated in the Program, 400 have been certified.

In addition, NTA, in the context of developing and monitoring the implementation of the National Internal Audit System:

- In December 2023, issued the Follow Up Assessment of the Internal Control System of Ministries in the Financial Management Process. This project is a continuation of the study prepared in 2021, also by NTA, regarding the maturity assessment of the Internal Control System of Financial Management in Greek Ministries. The purpose of the study was to assess the degree of development and operation of the Internal Control System of the Ministries with a focus on Financial Management. The study concluded that although the Internal Control System works properly in all Ministries, presenting satisfactory levels of management and supervision, it needs further improvement. Two years after the previous study, a follow-up is attempted to identify the development and improvements occurred in the Internal Control System of Financial Management of the Ministries, based on the recommendations of NTA. The data and information listed in the analysis are intended to confirm whether measures have been taken, either at Ministry level or horizontally in the Public Administration.
- From 2022, a pilot Internal Audit Program (IAPP) has been launched for internal audit units (IACs). The objective of the IAPP is to provide guidance and expertise to internal auditors of Internal Audit Units (IAUs), to provide on-the-job training for internal auditors, to assist internal auditors in the performance of their duties, and to promote the role, work and added value of internal auditors in achieving the business objectives of their entities. In 2023 upon request of the Ministry of Health, NTA included in the IAPP a project in the audit area "Process of preparation, organization and operation of the Surgical List", which was conducted by the Internal Audit Units of the Health Regions in selected hospitals within their audit scope.
- In 2023, NTA developed a tool (questionnaire) to monitor the implementation of Part A of Law 4795/2021 (GG A' 62) regarding the establishment and operation of Internal Audit Units (IAUs) in public sector entities. More specifically, the questionnaire includes distinct sections on the establishment and operation of the IAUs, their independence, staffing and training of personnel as well as the planning, execution and monitoring of their activities.

II. Risk Management

The Ministry of Interior, in cooperation with the NTA, passed Law 5013/2023 (GG A' 12) "Multilevel Governance, Risk Management in the Public Sector and other provisions" (<https://www.kodiko.gr/nomothesia/document/853007/nomos-5013-2023>), which introduces a comprehensive framework for Risk Management in the Public Sector. The legislation provides:

- The purpose and scope of Risk Management, ensuring a clear understanding of its objectives and application across various public sector entities,
- The policy and framework for Risk Management, providing a structured approach to identifying, assessing and mitigating risks,
- The establishment of dedicated risk management bodies, along with details on their staffing and specific responsibilities, to ensure effective oversight and implementation of risk management strategies,
- Provisions for unrestricted access to necessary data and records, facilitating thorough risk analysis and informed decision-making,
- The development of a Risk Register, as a dynamic tool for tracking and monitoring identified risks,
- The establishment of the Central Corruption Risk Repository, as a pivotal resource in the fight against corruption within the public sector,

The NTA, as part of its role to provide guidance and direction to public sector organizations, has completed a guide for the development of a risk management policy and framework.

Additionally, the NTA, in collaboration with the National Center for Public Administration and Local Government (EKDDA) and the Ministry of Interior, has developed a specific Certification Program. This program is designed to equip Risk Managers of the Public Sector with the essential skills and knowledge required to effectively manage risks, thus enhancing the effectiveness and integrity of public administration.

III. Integrity Advisors

Law 4795/2021 includes provisions (art. 23-30, 80 and 82) for the institutionalization of Integrity Advisors in the Greek Public Sector. Integrity Advisors aim to ensure a coherent framework for the effective protection of civil servants who wish to report integrity breaches in their workplace and to provide support, information and advice on ethics and integrity matters. For the implementation of this law the following regulatory acts were also adopted: a) Joint Decision ΔΙΑΔ/Φ.64/989/οικ.6510/11-4-2023 (GG B' 2207 and ΑΔΑ: 6ΓΜΦ46ΜΤΛ6-1Ξ6) "Determination of the way in which the Integrity Advisor's responsibilities are exercised, of the procedures followed and the criteria for the renewal of his/her term of office", b) Joint Decision ΔΙΑΔ/Φ.64/989/οικ.6510/11-4-2023 (GG B' 2474 and ΑΔΑ: 94ΠΜ46ΜΤΛ6-ΡΜΕ) on the "arrangements for the operation and management of the Integrity Advisors Register (the electronic application of the Integrity Advisors Register is expected to become operational soon and, upon registration of the members, the procedures for filling the posts of Integrity Advisors will also be launched), and c) Joint Decision ΔΙΑΔ/Φ.64/990/οικ.6526/11-4-2023 on the "specialization of the selection criteria for Integrity Advisors, the additional desired qualifications that may be included in the call for expressions of interest and the method of evaluating the criteria" (GG B' 2474 and ΑΔΑ: ΩΜ1Θ46ΜΤΛ6-ΙΩ5).

In accordance to the above provisions, NTA, in cooperation with the Ministry of Interior and the National Center for Public Administration and Local Government (EKDDA), designed and participated in the implementation of the "Professional Competence Certification Program

of Integrity Advisors”. Through the Certification Program, participants acquire knowledge, skills and competencies required to effectively perform the duties as an Integrity Advisor.

In 2023, 5 training cycles of the Program were successfully completed (10 training cycles were held since 2021).

- 82 civil servants across Public Administration have participated in the trainings.
- 66 civil servants have been certified as Integrity Advisors,

(In total, out of the 207 participants in the Certification Program, 172 have been certified).

In the framework of the National Integrity System, NTA developed dedicated modules on transparency, accountability, and integrity which were incorporated into the following training seminars of the Institute of Training (INEP) of the National Center for Public Administration and Local Government (EKDDA).

- Introductory training of public servants
- Training for Heads of Directorate
- Training for Heads of Department
- Distance learning for Heads of Department
- Legitimacy and transparency in public administration and local government

IV. Codes of conduct

- The Code of Conduct for employees of the Independent Authority of Public Revenues (IAPR) was published in November 2023, after collaboration with the National Transparency Authority. This Code has been also posted on the official website and the internal website (Intranet) of the Authority (see doc. No. DESYP 1145324 EX 2023/24-11-2023, available to https://www.aade.gr/sites/default/files/2023-11/kwdikas_deontologias_2023.pdf).
- The Code of Conduct for political advisors (associates and special advisors) was completed in Q3 2023.
- During 2023, in the framework of the National Integrity System 2022 – 2025 (NIS), a Fraud and Corruption Management Handbook was drafted, as well as a Code of Ethics and a Practical Guide of Procedures for Integrity Advisors.

V. Capacity building for the public sector

As part of its awareness raising pillar, the NTA has organized various seminars and activities aiming to strengthen integrity and accountability (see below answer on question 28).

On an annual basis, the NTA implements an internal training program for its staff on various disciplines. Indicatively, in 2023 a training program addressed to NTA’s staff and focused on specific provisions of the Criminal Code and the Code of Criminal Procedure was completed. The training program, provided by lawyers, included practical examples and discussion of completed cases to familiarize the participants with the criminal offences’ provisions and in general with various provisions of the Criminal Code and the Code of Criminal Procedure so as to ensure the legitimacy of their actions and enhance their integrity culture in general.

In the NACAP 2022 -2025 (GG 138A’/13.7.2022) the following actions are also planned (on-going or not yet started) on the:

- Development of a digital application for the issuance of annual systemic audit plan of the NTA, based on the risk analysis methodology

(1.4.13) and institutionalization of a risk management system in Public Administration.

- Implementation of information and awareness actions on corruption in the medical sector and its consequences in the Health System (3.1.12)
- Expansion of the Integrated System for the Management of Judicial Cases of Civil & Criminal Justice to ensure the full digitization of the judicial process (2.4.6 – ongoing).
- Conduct of a survey to investigate the degree of awareness of public servants as regards the: a) corruption among public officials, b) existing tools to tackle them and c) their perceived effectiveness (3.1.2 – ongoing).
- Design and implementation of webinars to representatives of associations and chambers to enhance transparency and accountability in the field of public works (3.1.10 – ongoing).
- Annual organization of an information day, on the OECD Convention on the Bribery of Foreign Public Servants, for the Ministry of Foreign Affairs officials (3.1.16 – ongoing).
 - **In 2023 are also completed:**
- Integration of a special teaching section in training seminars, to promote transparency, accountability, and integrity, for: a) Heads of Departments & Directorates and b) new entrants (2.3.9).
- Development of a Fraud and Corruption cases Management framework (2.3.12).

VI. As to IAPR (AADE)

- **IAPR (AADE)** designed and developed the digital platform "Citizens' Complaints" for the digital submission of citizens' complaints/information in order IAPR to be able to deal more effectively with corruption phenomena. This platform was completed and has been operational **since November 2023**.
- Pursuant to Law 4795/2021 and Law 4990/2022, an Independent Office of Integrity Advisor, reporting directly to its Governor has been established in the IAPR, **since 06-03-2023**. Until the vacant post of the Integrity Advisor is filled, an employee of the IAPR temporarily exercises the duties.
- IAPR takes awareness-raising actions on issues of integrity and ethics, through training programs for IAPR's employees organized by Tax & Customs Academy and competent services of the Authority.

VII. As to the Ministry of Citizen Protection

Following last year's input on efforts to strengthen the integrity of police officers, the Ministry of Citizen Protection has already drafted a Guide for police officers' Conduct when they are handling corruption incidents and integrity issues. Following also the Internal Affairs Unit's input the draft of Guide will be sent to competent independent authorities (NTA, Ombudsman etc.) for further elaboration and finalization. The Guide will be a syllabus of the police ethics courses that are included in various police trainings/seminars. Furthermore, a relevant communication material will be posted on the website of the Hellenic Police and audiovisual material will be uploaded on the Mass Media and Social Networking, where the Hellenic Police has accounts.

The police order 1647/23/1514205/01-08-2023 was also issued for the implementation of Law 4808/2021 entitled "For the Protection of Labour/Establishment of an Independent Authority "Labor Inspectorate"/Ratification of Convention 190 of the International Labour Organization for the Elimination of Violence and Harassment at work/Ratification of Convention 187 of the International Labour Organization for the Promotion of Safety and Health at

Work/Incorporation of Directive (EU) 2019/1158 of the European Parliament and Council of June 20th of 2019 on work-life balance, other provisions of the Ministry of Labour and Social Affairs and other urgent regulations". This police order provides guidelines for all police personnel and in particular for the Police Commanders or Service Directors, when dealing with incidents of violence and harassment.

24. 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).

I. NTA's mandate:

The NTA is a single and truly independent Authority with horizontal competence to enhance transparency and strengthen the fight against corruption in line with international instruments, recommendations, and best practices. (ref. Q.20)

II. Lobbying

NTA issued [guidelines](#) on lobbying registry as well as a [code of conduct for Lobbyists](#) to guide their behavior when communicating with institutions in the context of influencing activities ensure transparency in the public decision-making process and avoid conflicts of interest or any undue influence, in 2022.

NTA has also created a [website](#) with all the pertinent information on lobbying provisions and instructions for entering the lobbying registry.

The Registry is fully operational since December 2022. As of **December 2023**, the Transparency Registry has 17 registrations. Under Law 4829/2021, registration in the Lobbying Register is mandatory for lobbyists (persons or legal entities) exercising lobbying activities for remuneration on behalf of third parties before bodies with legislative or executive power aiming to influence the adoption of a decision especially the content of a law, presidential decree, ministerial decision or other administrative act. The annual declarations of interest representatives for lobbying activities they exercised during the previous year will be submitted **by January 2024**, while the annual declarations of the members of the legislative and executive branch will be submitted **by May 2024**. The General Secretariat of Information Systems is currently developing the module for the submission of annual declarations by members of the legislative and the executive branch. The module will be completed in **Q1 2024**.

Both declarations of lobbying activities will be publicly available through the Transparency Register. In 2024 raising awareness and information activities on the operation of the Transparency Register will be carried out by the NTA and other competent bodies.

III. Asset Declarations

In 2023 Greece passed Law 5026/23 of the Ministry of Justice entitled " Submission of Assets declarations (pothen esxes) and financial interests' declarations -Arrangements to strengthen the European Public Prosecutor's Office - Other urgent provisions " in order to modernize and improve the national regulatory framework on asset declarations. Specific categories of persons including the Prime Minister, Ministers, public officials, judges, prosecutors, media owners, journalists, and other Individuals are obliged, amongst others, to submit an asset declaration form. This law provides for: a) the full digitalization of the submission process b) the clear delineation of the audit work c) the rationalization of the criminal treatment of infringements d) the obligation of the audit bodies to audit a larger percentage of asset declarations submitted annually (see below question 24 on asset declarations audits by the competent authorities) and e) a solid co-ordination mechanism with clear roles to maximize effectiveness.

In particular, Law 5026/23 introduces the following main amendments:

(a) It legally systematizes the existing legislative framework for the submission of the Declarations of Assets and Liabilities (DACs) and Declarations of Financial Interests (DFIs). The previously existing forty-nine (49) categories of obliged persons are now grouped into thirteen (13) categories. Furthermore, this law provides for the separate obligation of spouses to declare assets and financial interests, so that the registration is more complete and does not depend on the "approval" of the declaration of the obliged individuals by the aforementioned persons,

(b) it reduces administrative burden for the obliged persons to collect the required information for the declaration (such as statements from each bank on account balances, credit cards), since all the necessary information for the declaration is automatically retrieved from the relevant electronic systems, so that the obliged person has only to consent to the submission of the declaration, thus making the process fully digital and more credible (in the same context, notaries submit the contracts electronically),

(c) it increases the number of declarations audited annually by up to 7% over a three-year period, through the establishment of an annual audit target by the Audit Committee, in a form of a minimum percentage of declarations audited (annual audit target) and risk analysis criteria (and other criteria) for the selection of declarations to be audited in order to achieve the above target etc.

(d) it entails an avoidance of audit fragmentation, through the enhanced coordination role attributed to the Audit Committee,

(e) it entails a criminal treatment of infringements of the relevant legislation based on their gravity and importance, in contrast to the previous regime, which provided disproportionate penalties for minor infringements,

(f) it sets a maximum limit for the retention of data (ten years) with a statutory obligation to complete any check within this period (five years for completion + five years for indications or new evidence of the commission or attempted commission of a criminal offence).

In summary, Law. 5026/2023 seeks to a) enhance transparency by increasing the number of audit results through the introduction of a minimum percentage of audited declarations as part of the annual audit target, and b) improve the efficiency of the system through the introduction of a new co-ordination structure and the overall modernization of the submission process.

Around 190.000 obliged persons submit asset declarations on an annual basis.

Recent changes (e-pothen platform):

Existing E-Platform

In 2023, the National Transparency Authority (hereinafter NTA) in cooperation with the General Secretariat for Public Administration Information Systems (Project Operator) completed the upgrade of the platform that supports the submission of asset declarations and financial interest declarations (e-pothen). The upgrade involved the application of modern technologies and programming languages to enable the information system to interoperate with other databases, such as banks and land registries, as well as to extend/upgrade the E-pothen interoperability with the databases of Independent Authority of Public Revenue (IAPR). The upgraded version of E-Pothen will be fully operational in 2024. For a smooth and

safe transition from the past legal framework to the new one, an avoidance of concerns as regards the validity of declarations and a facilitation of obliged persons to submit declarations via the new electronic platform and without administrative burdens, by art. 119 of Law 5072/2023 (G.G. A 198) an extension of the deadline for submission of assets' and financial interests' declarations by the obliged persons of the year 2023 has been legislated by 30.6.2024 (<https://www.kodiko.gr/nomothesia/document/928651/nomos-5072-2023>).

RRF PROJECT – PLANNING AHEAD

Parallel to the upgrade of the existing asset declarations platform NTA has undertaken all necessary actions for the design and implementation of a project for technological and operational upgrade of the e-Pothen Information System. To this direction, in Q4 2023 the NTA signed an Agreement with the Information Society S.A. for the development of a new asset declarations e-platform.

In particular the project concerns: i) the modernization, upgrade and improvement of the services provided by the integrated IS as well as its operation, support and maintenance; ii) the improvement of the operation, security, reliability and maintainability of all its subsystems; iii) the extension and improvement of the interoperability with other public administration's and private sector's Information Systems (IS).

Through the modernization of "e-Pothen," a modern and user-friendly e-suite is expected, providing faster and automated (though interoperability) retrieval of data on assets as well as acceleration of the completion of controls, fully compatible with the New European Interoperability Framework and the Digital Transformation 2022–2025 Paper of the Ministry of Digital Governance.

Audits:

According to NTA, the update of the methodology manual, in 2022 verification audits were foreseen to verify the accuracy of the declarations (2022: 243 verification checks). Based on the findings of the verification audits and the indications for potential infringements, six (6) cases were submitted to the relevant judicial authorities in grounds of potential concealment of assets.

According to the Committee for the Investigation of Declarations of Assets (CIDA), approximately 6.500 asset declarations of the year 2022 verified while the audit of about 4.000 asset declarations is on-going and expected to be completed in 2024. CIDA also examined 25 complaints in 2023, of which 14 were new while 11 were related to previous years. Regarding the 14 new complaints: a) 3 of them related to the pre-election period of 2023, have been already archived after examination, and b) 11 of them related to Asset Declarations of which: 1 was submitted to another competent authority, 3 were archived, 7 are under examination. Regarding the 11 complaints of previous years, 7 are under examination and 4 were completed, of which 3 were archived and 1 submitted to the Public Prosecutor. CIDA/CAC publishes the asset declarations of all elected officials of both central government and local authorities to the web site of the Hellenic Parliament where they remain for a period of three years with a free access for everyone. Especially in 2023, 1.034 asset declarations were published.

IV. Political parties

As regards audits of 2023 on Political Party Financing, according to the **Committee for the Investigation of Declarations of Assets (CIDA)**, 18 political parties were audited for the fiscal year 2021 and 8 of them were identified to violate the law. Based on the violations, CIDA proposed sanctions to be imposed to 7 political parties and a letter of compliance to be sent to 1 political party. The President of the Hellenic Parliament adopted CIDA's proposal and imposed sanctions. Moreover, the Detailed Statements of Revenues and Expenses of political parties, candidates and marketing, media and polling companies for the pre-election periods of the double national elections of 2023, were submitted and will be checked by CIDA in 2024.

V. Gifts Policy

In November 2023, the Ministerial Decision 18552/2023 (GG 6427 B'/9.11.2023) on defining the technical specifications, the specific content of the electronic book and the list of the registration and publication of gifts, the procedure and details of the registration and publication of gifts has been issued, in accordance with the provision of Part B' of Law 4829/2021(Gift policy).

In the recently published Code of Conduct for IAPR's employees (see above answer in question 23), a Gift Policy section has been also included.

25. Rules and measures to prevent and address conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned).

For questions 23-25, please provide figures on their application, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

I. Conflicts of interest of members of the government:

- Apart from the provisions envisaged by Law 4622/2019 for the impediments to appointment, the incompatibilities and the obligations during the performance of duties in order to avoid conflicts of interest, the main tool through which rules for managing conflicts of interest in Greece were established is the [New Code of Ethics and Professional Conduct for Public Sector Employees](#). The scope of the Code encompasses all employees of the Public Sector, regardless of their employment relationship and irrespective of their position of responsibility, as defined by paragraph (a) of Article 14(1) of the above law. The Code provides a clear definition of what constitutes a conflict of interest, and clear tools are outlined for the prevention and management of such conflicts, based on best practices of the OECD and member states of the European Union.
- Further to that, in recent years, dedicated codes of ethics, conduct, and professional behavior have been developed for the management of conflicts of interest by [Elected Officials of Local Government](#) or employees of specific entities (such as the [National Transparency Authority](#), the [General Secretariat of Citizenship of the Ministry of Interior](#), and the [Unified Food Control Authority](#)) or for individuals performing specific tasks based on their job description (e.g., [Inspectors-Auditors of the National Transparency Authority](#)).
- Recognizing that the management of asset declarations and declarations of financial interests constitutes one of the fundamental pillars for preventing and effectively managing conflicts of interest, Greece proceeded in 2023 to enact Law 5026/2023 for

the updating of the relevant institutional framework (**See above answer in the question 20**).

- The National Transparency Authority is the beneficiary of the Act "Enhancement of the Framework for Integrity, Transparency, and Anti-Corruption" implemented in cooperation with the Organization for Economic Cooperation and Development (OECD), co-financed by Greece and the EEA Grants. The project will pave the way for the establishment of a comprehensive institutional framework for regulating conflicts of interest in the public sector. The project, which is expected to be completed within the first half of 2024, includes among others, a Mapping Report on the national framework and international best practices on how to identify, disclose, address, prevent, detect and manage present and potential conflict of interest situations and a Report with Proposals on possible legislative changes and reforms.

II. The Ethics Committee

During 2023, the Ethics Committee has handled three (3) cases (Decisions 7/2023, 8/2023, 9/2023) provided for in the art. 73 par. 2 of Law 4622/2019 about the permit of the applicants (one political advisor and two former General Secretaries) to pursue a professional activity in the private sector relating to the activity of the public body to which they were appointed and which may create a situation of conflict of interests, provided that less than one year has elapsed since the cessation of their duties. The committee unanimously decided to grant the applicants the requested authorization to carry out their professional activities as specified in their applications¹⁷.

26. Measures in place to ensure whistleblower protection and encourage reporting of corruption, including the number of reports received and the follow-up given.

By Law 4990/2022 the Directive 2019/1937 was transposed into the Greek legislation and an important legislative gap has been filled as regards the Whistleblowers' Protection. In 2023, the supporting secondary legislation has been issued as follows:

- Ministerial Decision (GG 5044 B'/10.8.2023) on defining the transmission procedure of the report by the National Transparency Authority to the competent public bodies, and time limit for communication and information on the progress of the report, in accordance with the par. 6 of art. 12 of Law 4990/2022 (A' 210) pursuant to par. 5 of art. 24 of the Law (https://www.et.gr/api/DownloadFeksApi/?fek_pdf=20230205044).
- Joint Ministerial Decision (GG 6944 B'/11.12.2023) on the Specification of the procedure for submission, receipt and submission, receipt and follow-up of the report to public and private sector bodies in accordance with the art. 10 of Law 4990/2022 pursuant to sub-(a) of par. 4 of art. 24 of the same law (https://www.et.gr/api/DownloadFeksApi/?fek_pdf=20230206944).
- Ministerial Decision (GG 2561B'/19.04.2023) on Identification and specification of the qualifications, responsibilities, duties and obligations and selection of the Officer Receiving and Monitoring Reports (RMM) in the public sector bodies in accordance with point a of par. 1 of art. 24 of l. 4990/2022 (https://www.et.gr/api/DownloadFeksApi/?fek_pdf=20230202561).
- Decision of the Secretary General of Human Resources of the Public Administration Ref.no. ΔΙΑΔ/Φ.69/231/οικ.8690/18.5.2023 on regulating issues concerning the Receipt and Monitoring of Reports Officer (Y.P.P.A.) (ΑΔΑ: 91ΟΚ46ΜΤΛ6-57Ω and

¹⁷ More information on cases available: <https://aead.gr/nta/epitropi-deontologias>

also

(<https://diavgeia.gov.gr/search?query=ada:%2291%CE%9F%CE%9A46%CE%9C%CE%A4%CE%9B6-57%CE%A9%22&page=0>).

- Ministerial decision (46353οικ./φ.366/17-10-2023, τ. ΥΟΔΔ 1119, correction of error τ. ΥΟΔΔ 1193)) “Working Group on the elaboration of Article 19 of Law 4990/2022 (Government Gazette A’ 210), which incorporated Article 20(1a) and (b) of Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 (L305)” (https://www.et.gr/api/DownloadFeksApi/?fek_pdf=20231401119).

Whistleblowing platform

The art. 11 of Law 4990/2022 provides that **NTA** operates as the **external whistleblowing reporting channel nationwide and has the competence to receive whistleblower reports from public sector officials and private sector employees** when they believe that their reports may not be dealt effectively if submitted internally or where there is a risk of retaliation.

As of August 11th 2023, NTA operates an external channel for receiving and managing reports from the private and public sectors on violations of EU law (<https://extwhistle.aead.gr/#/>). The platform was put into operation after consultation with private sector stakeholders for optimal adaptation to the needs of Greek reality (NACAP 2022-2025, Action 1.4.15). The project for the implementation of the external reporting channel was integrated and funded by the National Plan for Recovery and Resilience (project id. 16952).

The platform allows secured and anonymized communication between NTA and whistleblowers. Whistleblowers can additionally submit their complaint via mail, e-mail and/or at a personal meeting with NTA’s investigators conducted upon request of the complainant.

As of 6/12/2023, a total of 55 reports have been submitted, of which 20% are under examination by the competent inspectors. In addition, a total of 112 calls have been received through tel. line 2132129900 of which 29% (33) related to inquiries for information on the audit responsibilities of the NTA.

As to the IAPR

Following the draft Strategy for the Fight against Corruption 2022-2025 of the IAPR and the conclusions of the Cooperation Protocol between NTA and IAPR, an action for the development of a digital platform, through which IAPR’s employees or other persons professionally related with IAPR will be able to report corruption/integrity incidents as well as EU law infringements, has been provided. The development of this digital platform is in progress. Its operation will ensure reports submission and whistleblowers’ protection.

Via IAPR’s current available channels, 251 complaints/reports have been submitted to DESYP (IAPR’s Autonomous Complaints Management Department) during the period from January to November 2023, of which 224 were evaluated and examined. Finally, for 182 of these reports/complaints audit - investigation orders were issued related to corruption and fraud suspicion or maladministration incidents.

It needs to be mentioned that **NTA** will provide timely at a later stage some aggregated detailed data on complaints on alleged corruption, fraud, and maladministration, carried out

audits and inspections, criminal and disciplinary prosecutions as well as number of civil servants and elected officials who were referred to disciplinary boards.

27. Sectors with high risks of corruption in your Member State:

- **Measures taken/envisaged for monitoring and preventing corruption and conflict of interest in public procurement**
- **list other sectors with high risks of corruption and the relevant measures taken/envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. healthcare, citizen/residence investor schemes, urban planning, 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).**

RISK MANAGEMENT IN PUBLIC PROCUREMENT

In 2023, NTA in cooperation with the Single Public Procurement Agency and the General Secretariat for Commerce started the implementation of a project funded by TSI financial Instrument on Enhancing transparency and integrity in the public procurement system through an integrated risk management system, including the development of a risk registry, risk-based audit planning methodology along with capacity building initiatives such as integrity training and the drafting of a code of professional behavior for procurement officials.

In NACAP 2022-2025 is also included (Action 2.3.2) the Development of an Ethics and Conduct Code for civil servants working in Procurement Units within the public sector (national central purchasing authorities, Central purchasing authority and contracting authorities / bodies) and/or participating as members in Tender or Acceptance Committees.

RISK MANAGEMENT IN HEALTH SECTOR

NTA has successfully completed two significant projects this year. The first project is the interim evaluation of the anti-corruption strategic plan in the health sector. The second project involved a detailed analysis to identify and outline areas of corruption risk within public hospitals in the national health system.

MANAGEMENT OF RRF FUNDS

Concerning the financial management of RRF funds in the framework of NACAP 2022 -2025, NTA in cooperation with the RRF Special Coordination Service, implemented the following three actions:

2.2.11 Development of Management and Control System of the Projects under the Recovery and Resilience Facility and Issuance of Procedures Manual (*completed in 2022*)

2.2.12 Development of Anti-corruption and anti-fraud strategy in the implementation of the projects under the Recovery and Resilience Facility

2.4.10 Development of Recovery and Resilience Fund (RRF) Project Management Information System

Action 2.2.11

The RRF Management and Control System (Ministerial Decision no 119126/28.09.2021) is available online. The RRF Procedures Manual includes procedure D.10 which introduces the obligation for every person (civil servant) involved in the design, tendering, monitoring of

tenders, acceptance of deliverables etc. of an RRF project to sign a declaration on the absence of conflict of interest (Col) situation. Additionally, the declaration includes a clause for every person involved in an RRF contract to notify the contracting authority if a situation of Col occurs.

Action 2.2.12

The RRF Coordination Agency has developed an Anti-Corruption and Anti-Fraud Strategy for the management of RRF Funds. The main pillars of the Strategy are prevention, detection and effective response to corruption challenges. Its main objectives are the following: (a) the strengthening of deterrence mechanisms; (b) the effective cooperation between the relevant National Authorities; (c) the effective cooperation with the European Commission, especially OLAF; (d) enhancing transparency, i.e. making information on the use of the Recovery and Resilience Fund resources available to all stakeholders; and (e) strengthening and continuously improving the Management and Control System (MCS) of the Special Coordination Agency. (The action was completed in the first semester of 2023).

Action 2.4.10

The Information System allows audit authorities to carry out both preventive and repressive audits in the areas of anti-fraud and anti-corruption, double funding, as well as effective avoidance of conflict of interest in the Recovery Fund Projects and Actions. It is accessible by officials and/or authorized bodies of the European Commission, the European Public Prosecutor's Office, OLAF and the European Court of Auditors, in accordance with the provisions of Regulation (EU) No 2021/241. (The action was completed in the second semester of 2023).

AC INITIATIVE IN SPORTS

In parallel, the Authority is engaging in a collaborative effort with the relevant Ministry to effectively implement the Strategic Plan aimed at combating corruption in the Sports Sector

AS TO THE IAPR

The IAPR, has appointed a Fraud/Corruption and Conflict of Interest Officer (Decision No. DESYP 1156770 EX 2023/20-12-2023 of the Governor of IAPR), within Recovery and Resilience Fund. IAPR executives involved in the process of preparation, selection and implementation of projects of the Recovery and Resilience Fund complete and submit a relevant Declaration of Responsibility to ensure the non-conflict of interests.

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

A. NTA has developed a Sectoral Strategy to Promote Integrity through Education, which is under approval. This Strategy includes initiatives to raise awareness on corruption issues among youth through the three educational levels. Additionally, NTA has completed a Guide with Best Practices for teaching integrity, drawing on international best practice, with the aim of fostering a culture of integrity and ethical behavior among young people.

Moreover, NTA in cooperation with the Institute of Educational Policy and the Ministry of Education, Religious Affairs and Athletics has proceeded with the introduction of integrity modules in school textbooks i.e “Social and Civic Education” course in grades 5 and 6 of primary school, grade 3 of secondary school and grade 1 of high school. (See also Question 59)

B. RAISING AWARENES INITIATIVES

1. In 2023, the NTA organized the following seminars/conferences/workshops:

March 2023:

On 09/03/2023 a conference entitled "Greece 2.0 & Women Entrepreneurship: Challenges and Perspectives".

April 2023:

On 05/04/2023: Workshop in collaboration with Private Sector Executives from the banking, telecommunications, construction and energy sectors in order to share experiences, challenges and best practices regarding the implementation of the provisions of the law on whistleblowing (Law 4990/2022).

May 2023:

On 10.5.2023, the NTA, in cooperation with the Ministry of Health, organized a workshop entitled "Internal Audit as an advisor and ally of good governance of Regional Health Authorities and Hospitals" on the role of the Internal Audit Unit on Good Governance at the Ministry of Health. The purpose of the workshop was to inform and raise awareness among both the heads and the executives of the Health Prefectures about the operation of the Internal Audit Unit and the added value of internal audit in the good governance of the health prefectures and the hospitals supervised by them. (<https://aead.gr/press/press-releases/diorganwsi-hmeridas-ead-yp-ygieas-o-eswterikos-elegxos-symaxos-tis-kalis-diakivernisis-twn-ype-kai-twn-nosokomeiwn>)

June 2023:

On 07.06.2023, a conference on "Conflict of Interest: Regulatory Framework & Practical Application in the Public & Private Sector" was co-organized by the NTA and the Association of Compliance Professionals of Greece (ACPG). The conference was attended by more than 300 public officials and private sector executives who were informed about the methodologies and tools for designing and implementing effective procedures and control mechanisms, in order to prevent conflict of interest situations. In addition, good practices and practical examples based on international standards were analyzed, along with the regulatory framework while some indicative cases of conflict of interest in both the public and private sectors were presented (<https://aead.gr/education/drasedis-evesthitopoiisis/hmerida-ead-sekase-sygrousi-symferonton-kanonistiko-plaisio-kai-praktiki-efarmogi-yliko>).

July 2023:

- **On 03/07/2023:** "Strategic Planning as an Accountability Tool in Public Administration - The Example of the Independent Authorities."
- **On 04/07/2023:** "Strategic Planning in the National Transparency Authority - Presentation of the Strategic Plan 2023-2027."

September 2023:

- **On 10/09/2023:** "Whistleblowing & Transparency". Within the framework of the 87th International Thessaloniki Exhibition, the NTA organized a hybrid informative discussion entitled "Whistleblowing and Transparency" in order to raise awareness

regarding the new legislative and regulatory framework and support the launch of the whistleblowers' online platform (external reporting channel). The event included statements and presentations by public officials and private sector executives who have developed expertise in the field while it benefited from an interactive session with QAs. More than 200 public officials and private sector executives had the opportunity to learn more about whistleblowing and its contribution to the fight against corruption, NTA's role in the implementation of the legislative framework and the characteristics of the external reporting channel (see <https://aead.gr/education/draseis-evesthitopoiisis/87tif-hmerida-whistleblowing-diafaneia-yliko>).

- **On 27/09/2023** in collaboration with TEDx "**Talking about Transparency Experientially**", where distinguished speakers from the fields of sports, education and business through their own personal experiences presented various aspects of integrity and transparency in order to raise awareness among participants (<https://aead.gr/education/draseis-evesthitopoiisis/ead-tedxathens-milontas-viomatika-gia-th-diafaneia>).

October 2023

- Webinar titled "The obligation of Internal Auditors obliged to submit a Declaration of Assets and Liabilities and a Declaration of Financial Interests. Update on Law 5026/2023"

November 2023:

- **On 02/11/2023:** 5th Compliance Conference "**Focusing on the core to approach the future**" in cooperation with the Association of Compliance Professionals and Law Library.
- **On 20/11/2023:** Award Ceremony of the 2nd National Student Competition "Leaders of Tomorrow. The annual contest, organized in cooperation with the Hellenic Parliament, was entitled "**NO to Violence, YES to Friendship. Block Bullying**".
- **On 22/11/2023:** "**The contribution of EEA- Grants to the effective implementation of the National Integrity System**"
- **On 22/11/2023:**"**Risk Management in the Public & Private Sector: A Holistic Approach**" in cooperation with ACFE Institution.

December 2023:

- Webinar titled "**Preparation of the Annual Audit Plan of the Internal Audit Unit**"
The above webinars are addressed to executives of the Internal Audit Units, who are registered in the Internal Auditors Network of Public Administration of the NAT.
- **On 05/12/2023** the 3rd Integrity Forum was held, consisted of three sessions as follows:
 - National Coordination Body for Control and Accountability: Effective Synergies and Audit Work.
 - Inspections and Audits Unit: the National Transparency Authority talks about its audit work.
 - Asset Declarations: Investing in Integrity and Accountability.

2. Between May and October 2023, a series of webinars on NTA's audit work were conducted:

NTA employs more than 240 auditors and investigators, a significant amount of the audit workforce of the public administration. In 2023, the NTA organized a series of 16 webinars (head services and regional services) under the title "The contribution of NTA's audit work in society" to promote and raise awareness among public officials regarding NTA's investigative work and the benefits occurred for the society as a whole. A total of 8.243 public officials and private sector executives who attended the online discussions through the ZOOM platform and the Authority's YouTube channel had the chance to learn about the multi-level work of NTA's auditors in fighting corruption and fraud, among others, the challenges in the performance of their duties through the presentation of the characteristics of specific cases, as well the opportunities that may arise through synergies with other services, bodies or control authorities. The list of 16 webinars is linked at <https://aead.gr/education/draseis-evesthitopiisis>

3. Co-operation with IAPR

The NTA collaborated with the **Independent Authority for Public Revenue** on designing educational actions/units for the personnel of the latter. The participation of experts of the NTA's General Directorate of Integrity and Accountability as lecturers has been scheduled in the following cycles of the educational program at the Tax and Customs Academy (FOTA):

- a. "Enhancement of Administrative and Social Skills for Heads of Organic Units at the Directorate Level" (September 2023)
- b. "Introductory Training for Tax Officers - 1G/2022 Series A1-A2-A3 General Education" (September 2023)
- c. "Introductory Training for Customs Officers - 1G/2022 Series A1-A2-A3 General Education" (November - December 2023)

Web seminars were held for Customs and Tax Officials of IAPR from NTA experts on the fields of integrity, transparency and anti-corruption covering topics such as whistleblowing, conflicts of interest and asset declarations.

It is worth noting that in total 16.020 people attended the events (physically and on-line, on real and non-real time). All the audiovisual material of the events has been posted on the Authority's YouTube channel and is freely accessible to all interested parties, creating a friendly user online library, which is constantly enriched with new information and awareness-raising activities.

C. In 2018 Greece passed Law 4557/2018 providing for the obligation of some legal persons and entities, with a permanent establishment in Greece and an obligation to fill in a tax return in Greece or with a seat situated in Greece, to submit information to the Central Beneficial Ownership Registry as regards their beneficial owners. SDOE is designated as competent authority to control compliance and accuracy of data submitted to this Registry. In 2023 all the secondary legislation (Ministerial Decisions) for the implementation of the law about Central Beneficial Ownership Registry has been completed. SDOE has conducted 230 audits, some of which are still in progress, while in 30 audit cases administrative fines have been assessed and imposed following identifications of law infringement (non-submission/overdue submission of data etc).

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

Initiatives for law amendments to enhance existing legal framework

With a draft law of the Ministry of Justice (available on: <http://www.opengov.gr/ministryofjustice/?p=17064>), concerning amendments to Penal Code and Criminal Procedure Code, certain provisions have been drafted aiming at the enhancement of existing legal framework for fighting corruption, as follows:

- a) art. 29: the current regulatory scope of the art. 235 of PC providing for the offense of the passive bribery is extended to further categories of persons, including any employee or official of public international or supranational organization/body, regardless of whether the location of the seat of the organization/body is in Greece or not, or Greece is a member of the organization/body or not. This proposal is aligned with OECD Recommendations 5a and 5b, 4th cycle 2022 (OECD Implementation of the OECD Anti-Bribery Convention, 4th cycle 2022, (available at: <https://www.oecd.org/corruption/greece-oecdanti-briberyconvention.htm>, p. 68, chapter Recommendations for ensuring effective enforcement of foreign bribery and related offences).
- b) art. 30: the current offence of the art. 235 of PC for active bribery is amended and the value of the benefit offered, or promised, or granted is not taken into account for the definition of the offence. This proposal is aligned with OECD Recommendations 5a and 5b, 4th cycle 2022 (OECD Implementation of the OECD Anti-Bribery Convention, 4th cycle 2022 (available at: <https://www.oecd.org/corruption/greece-oecdanti-briberyconvention.htm>, p. 68 Report, see. and Article 29 of the proposed regulation).
- c) art. 31: the scope of current art. 237 of PC providing for the offense of the active and passive bribery of judicial officials is extended to further categories of persons including Greek judicial officials who are seconded in posts of EU or international organization/bodies. Thus, such offences fall within the scope of the Hellenic penal provisions regardless of whether they are committed abroad or in Greece by these Judicial officers. The proposed provision is fully aligned with the par. 1. 4 of art. 4 (f. A and B) and para. 1 and 3 of art. 7 of Directive (EU) 2017/1371 of the European Parliament and Council of 5 July 2017 on combating, through criminal law, fraud against the financial interests of the Union (L 198).
- d) art. 53: the competences of the Financial Prosecutor - under the current art. 35 of the CPC, to investigate tax, financial and other related offences whenever they cause damage to Hellenic State, other Hellenic entities and EU - are extended to investigation of such crimes when they cause damage to foreign public authorities. The proposed amendment is aligned with OECD Recommendation 8d (Chapter Recommendations for ensuring effective enforcement of the foreign bribery and related offences, at: <https://www.oecd.org/corruption/greece-oecdanti-briberyconvention.htm>).

30. Data on the number of investigations, prosecutions, final judgments and application of sanctions for corruption offences (differentiated by corruption offence if possible)⁹, including for legal persons and high level and complex corruption cases and their transparency, including as regards to the implementation of EU funds.

A. Three Inspectors – Auditors of the AFCOS Controls Subsector of the NTA with the assistance/support of the European Public Prosecutor's Office/Hellenic Office of European Authorized Public Prosecutors (EPPO), in accordance with the provisions of art. 18 par.2a of Law 4786/2021 and art. 5 of the Cooperation Agreement between the European Public Prosecutor's Office (EPPO) and the NTA in conjunction with art. 82 par.1, 5, 83 par.2 of Law 4622/2019 and art. 18 par.3b of the Organization of the NTA (Government Gazette B' 1991/2020), participated in the following cases:

- a) Criminal preliminary proceedings, with the object of checking the application of national and EU legislation during the award process using the negotiated procedure without prior publication of a notice of sixteen (16) public service contracts, co-financed by EU funds, with the submission of a reasoned report on March 2023. Irregularities were found concerning the obligations of the contracting authorities that were not met (insufficient justification for the choice of the awarding procedure, no reference to the negotiation process and possibly not awarding the catering services at the lowest possible price) in derogation of the provisions in Article II.9 of Grant Agreement. The financial impact of the irregularities found in the OLAF investigation in the EU budget, amounting to €1,744,552.40, was confirmed, with the following note: a)in the event that all funding has been granted for the incurred expenses of the contracts in question and has been initiated by DG HOME at the expense of the Ministry of Economic Affairs, recovery and return of the above funds to the EU, the damage caused is borne by the Public Investments Budget Program (PIBP) with the restoration of the financial interests of the EU, and b)in the event that the imputed amount is not recovered, then it will only constitute damage to the financial interests of the EU.
- b) Assistance in the context of a preliminary examination carried out by the EPPO regarding the control of the NTA for the public project contract of ERGOSE SA entitled: "Restructuring and Upgrading of the signaling system - remote control and replacement of 70 track changes in identified sections of the Athens - Thessaloniki – Promakhonas" with declaration number AD: 717, with the submission of a reasoned conclusive report in September 2021.
- c) Confidential criminal preliminary proceedings, with the object of the control of the implementation of national and EU legislation, regarding two public contracts of the Ministry of Immigration and Asylum (a project and an agreement – framework for the implementation of a complex project), financed entirely by EU resources, by submitting a reasoned report, which is in progress.
- d) Continuous cooperation with OLAF and EPPO for public contracts for works, supplies and services that have been audited, investigated or archived following actions of the AFCOS Audits Sub-sector of the NTA, co-financed and not, linked to issues of fraud or suspicion fraud.
- e) Participation of Inspectors – Auditors of the AFCOS Controls Subsector of the NTA, in mixed levels of control with other national control authorities: Economic Police

Directorate of the Hellenic Republic of Greece, as well as SDOE (Economic Crime Prosecution Service) and ELYT (Customs Control Service) of the Ministry of Finance.

B.As to SDOE

During the year 2023, SDOE:

- investigated 272 cases of corruption and identified 627 infringements,
- conducted 347 investigations to control proper implementation of provisions regarding the use of national and EU subsidies upon 167 irregularities, were detected, and competent authorities took notice to proceed to the recovery of subsidies,
- cooperated with OLAF in 33 joint investigations,
- received 475 National Prosecutors' orders and 13 EPPO's orders, that were directly assigned to the competent operational directorate of SDOE to be investigated. 161 of these orders have been completed and SDOE's reports have submitted to the competent Prosecutor.

C.As to Internal Affairs Unit of the Ministry of Citizen Protection (Police)

The Unit has as a mission to investigate and prosecute specific crimes when they are committed or participated in by police officers, port officers and fire brigade employees, as well as personnel of public sector. In the year 2023, 826 complaints about corruption offenses were submitted and the Unit carried out 440 preliminary examinations to verify or confirm the perpetration of crimes related to corruption; filed 34 criminal cases for offenses committed in the act, and carried out 140 arrests.

Out of the above 34 criminal case files, apart from the offence of dereliction of duty that is identified in the majority of them, eleven (11) case files are related to offence of bribery, seven (7) case files are related to violation of drug law, three (3) case files are related to offence of extortion, four (4) case files are related to alien and immigration law violations, one (1) case file is related to offence of robbery, one (1) case file is related to offence of forgery, one (1) case file is related to offence of theft, one (1) case files is related to offence of arson, one (1) case file is related to torture and other against human dignity offences, one (1) case file is related to offences of human trafficking, one (1) case file is related to offence of fraud, one (1) case file is related to violation of the antiquities law and one (1) case file is related to violation of Law 3707/2008 (regulating the security services provision by private companies). In 13 of the above 34 cases files, the perpetrators had set up a seriously organized crime group with a specific operational structure and hierarchy.

Out of the 140 persons who were arrested, twenty-nine (29) were policemen/police officers, three (3) were port officers, one (1) was a firefighter, twelve (12) were employees of other civil services, and ninety-five (95) were citizens.

D.As to the Statistic Bureau of the Ministry of Justice, the numbers of prosecutions and final judgments of all instances are as it follows:

	Prosecutions of First Instance 2022			
Criminal prosecutions	Bribery	Corruption	Fraud	Money laundering
Final	55	19	1563	863
In progress	47	33	3913	1030
Referred to trials	21	9	1140	404

First instance Courts 2022

Decisions	Bribery	Corruption	Fraud	Money laundering
Judgments of conviction	14	3	782	390
Judgments of Acquittal	4	8	430	318

Appellate Courts 2022

Decisions	Bribery	Corruption	Fraud	Money laundering
Judgments of conviction	5	10	212	75
Judgments of acquittal	1	2	178	39

It needs to be mentioned that the **Ministry of Justice** is currently processing the relevant data for 2023 and will provide them upon completion.

31. 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)

N/A

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

N/A

33. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding media freedom and pluralism and media freedom (if applicable)

I. Follow up on the Task Force and its initiative:

The Task Force constituted on 27th July 2022 (GG B' 3991), is continuing its work on ensuring the protection, safety and empowerment of the journalists' and other media professionals' position.

The office term of the current members of the Task Force has been renewed on September 2023 (Government Gazette 5598 B'/23-09-2023)¹⁸.

During the first year of its operation, the Task Force introduced a number of initiatives aligned with the Commission Recommendation (EU) 2021/1534. The outcome of its work was

¹⁸ https://www.et.gr/api/DownloadFeksApi/?fek_pdf=20230205598

outlined on the first Progress Report¹⁹ (March 2023), as well as on the supplementary Progress Report²⁰ (July 2023), both submitted to European Commission. Moreover, the Task Force has undertaken the dissemination of the Commission's legislative and non-legislative initiatives to domestic and other institutions and stakeholders.

All the initiatives of the Task Force are included in the abovementioned progress reports. The most prominent are the following:

1. Establishment of International Training Centre for the Safety of Journalists and Media Professionals (January 2023)²¹

2. Academic course on Safety of Journalists and other Media Professionals.

3. The obligation of the media to include a gender-based dimension in their policies and the annual reports of journalistic associations taking into account the gender dimension

4. The Task Force continued its solid work, aligned with the recommendation set in the 2023 Rule of Law Report. Its work was highlighted and received positive comments, mentioned as "good practice" in various of EU meetings, events and publications, namely:

-Joint mission by EU delegates to Athens to report on media freedom state of play in Greece.

-UN International Day to End Impunity of Crimes against Journalists (IDEI).

_Meeting of National Focal Points under the Council of Europe Campaign for the Safety of Journalists in Riga (October 6th, 2023)

_Reference to the new OSCE Toolbox "Safety of Journalists"/OSCE Conference «Shaping the Future: Media Freedom and Security in a Changing World»²² (November 22nd, 2023) in Vienna.

_Reference of Greece's action at the updated list of initiatives for the safety of journalists in Europe by the journalist association Article 19²³.

- OSCE – ODIHR, Greece, Early Parliamentary Elections, 21 May 2023, Election Assessment Mission Final Report.

II. Follow up on initiative concerning the legal framework for Slapps

Please see the answer on **question 43 concerning Slapps**

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

¹⁹ Progress Report of the Task Force on Ensuring the Protection, Safety and Empowerment of Journalists and other Media Professionals and Other Initiatives (March 2023).

²⁰ Supplement - Update of the first Progress Report (March 2023) for the Task Force on the Protection, Security and Empowerment of the Position of the Journalists and other Media Professionals and other initiatives for the period March-July 2023.

²¹ <https://icsj.net/>.

²² OSCE RFoM Safety of Journalists Toolbox, <https://osce-soj.glide.page/dl/54886d>.

²³ **Directory of initiatives on the safety of journalists in Europe Media Freedom Rapid Response, Article 19, May 2023, p.24-25.** https://www.article19.org/wp-content/uploads/2022/05/A19_MFRR-Directory-SoJ-Europe_FINAL_26-May.pdf

1. Measures to ensure functional independence of the National Council for Radio and Television (NCRTV)

By art. 55²⁴ of Law 5043/2023 (GG A'91/13.04.2023), a new article 2A has been introduced into Law 3051/2002 (GG A' 220) for the independent Authorities. By virtue of the provisions of the new art. 2A, the enhancement of the functional independence of the members and personnel of constitutionally guaranteed independent authorities (including the National Council for Radio and Television (NCRTV)) is sought.

The above provision applies horizontally to all the constitutionally guaranteed independent authorities, further safeguarding their functional independence. This provision constitutes the legislative implementation of the mandate of Article 101A of the Constitution²⁵, according to which the members of independent authorities are surrounded by the guarantee of functional independence. By adding Article 2A to Law 3051/2002, it is ensured that the members of constitutionally guaranteed independent authorities and their personnel perform their duties without hindrance or obstruction, without the risk of extrajudicial interventions, malicious prosecutions, or the exercise of collateral legal remedies. In addition, the same article 2A provides the possibility of covering the legal costs of the above members for trials in connection with the exercise of their duties.

2. Follow up on the enhancement of the administrative capacity of National Council for Radio and Television (NCRTV), Greece's independent media regulatory authority which supervises and regulates the radio/television market

Following National Council's for Radio and Television (NCRTV) application (2022) for appointment of staff in 18 vacant positions, the relevant procedures for its selection concerning the appointment of the first eleven (11) employees enhancing the administrative capacity of the regulatory authority, is expected to be completed by summer 2024. Furthermore, the Greek authorities plan to further enhance the NCRTV, in alignment with the provisions of the European Media Freedom Act. (See the tender notices for vacancies of ASEP under numbers 2ΓB/2023²⁶ and 3ΓB/2023²⁷, concerning the selection for the appointment of NCRTV personnel).

Furthermore, the issuance of tender notices concerning the appointment to 7 vacant positions is expected (Council of Minister's Act 50/22, 31/2023, 26/2024).

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

1. Pursuant to article 3 par. 2 of Law 3051/2002²⁸ (GG A' 220), as amended and in force, on September 28th, 2023:

²⁴ https://lawdb.intrasoftnet.com/nomos/2_nomothesia_artl_current.php

²⁵ <https://www.hellenicparliament.gr/Vouli-ton-Ellinon/To-Politevma/Syntagma/article-105/>

²⁶ https://workcenter.gr/wp-content/uploads/2023/10/FEK-2023-Tefxos-A.S.E.P-00031-downloaded-02_10_2023.pdf

²⁷ <https://www.proson.gr/sites/default/files/2023-12/document-3.pdf>

²⁸ Under par. 2 of article 3 of Law 3051/2002 (Government Gazette A' 220), as amended and in force, "the members of the Independent Authorities and their deputies, where provided for by the written provisions, are selected by decision of the Conference of Presidents, in accordance with article 101A of the Constitution, after a previous recommendation by the Committee on Institutions and Transparency, as defined in the Standing Orders of the Parliament. The decision of the Conference of Presidents notified without delay to the competent Minister, who must issue the act of appointment within a period of fifteen (15) days from the notification".

a. A new President of the National Council for Radio and Television (NCRTV) (GG YODD 1037/28-09-2023), together with the Vice-President and six (6) new members of its Board (GG YODD 1038/28-09-2023) were appointed, for a six-year term period. The new members are widely recognized professionals from the judicial body and media and journalism sector. They are selected by decision of the Conference of Presidents of the Parliament, in accordance with article 101A of the Constitution, after previous recommendation by the Committee on Institutions and Transparency, as defined in the Standing Orders of the Parliament.

b. A new Vice President and a new Deputy Vice President of the Authority for safeguarding the confidentiality of communications (ΑΔΑΕ) were appointed, for a six-year term period. The new members are widely recognized professionals (GG YODD 1039/2023).

c. Pursuant to article 12 par. 3 and 7 of Law 3959/2011²⁹ (GG A' 93), as amended and in force, a new President of the Hellenic Competition Commission was appointed (GG YODD 1/2024). According to the above provisions, the President of the Competition Committee is chosen by decision of the Conference of Presidents of the Hellenic Parliament, pursuant to Article 101A of the Constitution.

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

In Greece, there are a number of active media company unions in the radio and television ecosystems.

The Secretariat General for Communication and Media develops synergies with the journalist unions such as the JOURNALISTS UNION OF MACEDONIA & THRACE (ESHEMTH) in Thessaloniki and the JOURNALISTS UNION OF ATHENS DAILY NEWSPAPERS (ESHEA) in Athens, on issues concerning journalist's protection during crisis reporting as well as on combatting disinformation.

2. Special reference should be made to the Committee of Deontology provided in Law 5005/2002 (GG A' 236)³⁰, to ensure adherence with the journalistic rules of ethics, which is composed by distinguished members with expertise in the media sector.

Specifically, the art. 25 of the above Law provides the constitution of the Committee for the observance of the principles of journalistic deontology and ethics. This Committee is charged with reviewing complaints by any interested party having legitimate interest against a print or electronic information medium, for not conforming to the rules of journalistic deontology and ethics, according to the Journalistic Professional Codes of Ethics and Deontology of the Journalists' Union of Athens Daily (ESHEA) and the Panhellenic Federation of Journalists' Unions (POESY), in force. The office term of the Committee shall be two (2) years, while most of the members of the independent Committee are representatives elected by the journalists, press unions, among their own members. The rest of the members of the Committee are

²⁹ Under par. 2 of article 3 of Law 3051/2002 (Government Gazette A' 220), as amended and in force, "the members of the Independent Authorities and their deputies, where provided for by the written provisions, are selected by decision of the Conference of Presidents, in accordance with article 101A of the Constitution, after a previous recommendation by the Committee on Institutions and Transparency, as defined in the Standing Orders of the Parliament. The decision of the Conference of Presidents notified without delay to the competent Minister, who must issue the act of appointment within a period of fifteen (15) days from the notification".

³⁰ Under law 5005/2022 (GG A' 236) entitled "Strengthening of the publicity and transparency of print and electronic media - Establishment of electronic registries of print and electronic media and other provisions under the competence of the Secretariat General for Communication and Media", there is a focus, among others, on the transparency of the ownership of media and the allocation of public advertisement, already in line with the provisions of EMFA.

representatives from Academic Institutions with a specialization in journalism, communication and mass media, who are appointed by the academic staff of the relevant departments, as well as a representative from the National Council for Radio and Television and from the non-profit organization "Foundation for the Promotion of Journalism of Athanasios Vassiliou Botsi", who serves as the President of the Committee (see the article 25 of Law 5005/2022, as well as the E/95/2023 Ministerial Decision (GG B' 921/2023³¹))

3. The SEE (Advertising Self-Regulation Council), as a self-regulatory body for the advertisement established in 2003 and formed by the Association of Advertising and Communication Companies and the Association of Greek Advertisers, is charged with the control of the advertising messages transmitted by all means, including the electronic media.

In 2023 the Advertising Code was amended following the ICC Marketing Communications Code in order to cover new advertising technologies and digital platforms.

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

1. As provided in Rule of Law report of 2023, the Law 5005/2002 in the context of strengthening publicity and transparency in the allocation of state advertising to print and electronic press based on objective and equitable criteria, for the first time provides for the establishment of a Registry for Print Media (MET) as well as a Registry for Electronic Media (MHT)³² and sets as a prerequisite to be a certified publication or website in order to be eligible for state advertising.

Within a modern digital environment, all print and electronic media service providers are called to register to these databases, in order to have access to state advertising, under transparent, objective, proportionate and non-discriminatory criteria and through open, proportionate and non-discriminatory procedures.

In the first year of the function of the above application the Registry for Print Media showed a major acceptance on behalf of stakeholders both of Print and Electronic Media. Up to now, 499 applications of Print Media have been submitted to the Secretariat General for Communication and Media, the 362 of which have been approved and relevant certification has been granted.

2. The Transparency Audit Department of the NCRTV maintains a Register of Businesses where the details of all radio³³, television³⁴ are registered in special sections, the submission of which is provided by relevant provisions, regardless of the legal form in which these businesses operate. Furthermore, under Law 4779/2021 which transposed the AVMSD, media service providers³⁵ established in Greece, whether linear or nonlinear, subscription or free-to-air, registered in the same Register, as foreseen in Decision 1/2022 of the President of the NCRTV (GG B' 3811).

³¹ https://www.et.gr/api/DownloadFeksApi/?fek_pdf=20230200921

³² <https://mt.media.gov.gr/>.

³³ <https://www.esr.gr/%cf%81%ce%b1%ce%b4%ce%b9%cf%8c%cf%86%cf%89%ce%bd%ce%bf/>

³⁴ <https://www.esr.gr/%ce%b5%cf%80%ce%af%ce%b3%ce%b5%ce%b9%ce%b1-%cf%84%ce%b7%ce%bb%ce%b5%cf%8c%cf%81%ce%b1%cf%83%ce%b7/>

³⁵ <https://www.esr.gr/%ce%bd%ce%ad%ce%b5%cf%82-%cf%85%cf%80%ce%b7%cf%81-%ce%bf%cf%80%cf%84%ce%b9%ce%ba%ce%bf%ce%b1%ce%ba%ce%bf%cf%85%cf%83%cf%84%ce%b9%ce%ba%cf%8e%ce%bd-%ce%bc%ce%ad%cf%83%cf%89%ce%bd/>

38. 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 licences, company operation, capital entry requirements, concentration, and corporate governance.**

With regard to specific developments safeguarding the independence of the public service media, in November 2023, the new law 5062/2023 (GG A' 183) "New system for the selection of administrations of public sector entities, strengthening their efficiency and other provisions» entered into force, providing for new fair conditions and procedures regarding the appointment of the head/members of public administration bodies.

The provisions of the above Law form a coherent and integrated framework for the selection of the administrations of legal entities in the public sector in accordance with the constitutional principles of equality and meritocracy and with particular emphasis on the essential qualifications required and, at the same time, ensuring the speedy completion of the process.

The new law regulates the process for the selection of the administrations of legal entities of the public sector taking into account their particularities. The new Law applies to all cases of selection of the Presidents, Vice-Presidents, Governors, Deputy, Directors or Appointed Legal Advisors, of legal entities under public law, as well as legal entities under private law of the public sector to whom the selection belongs in the Government, with the sole exception of the entities that fall under the scope of Chapter B' of Law 3429/2005 (A' 314) and Article 13A of Law 4310/2014 (A' 258).

The balance of the system provided by the Law lies upon the distinction of legal entities in three groups (A, B and C), with a criterion on the one hand of their scope and on the one hand their mission and purpose, taking into account the particularities of the policy areas in which the entities are competent. The implementation and supervision on and process of selection control is granted to the Supreme Personnel Selection Council (ASEP).

The new Law determines the selection process for the administrative bodies of legal entities in the public sector providing more transparent and fair criteria (issuance of tender notice of interest with the approval of ASEP, provision of written examination for the candidates, provision of grades for the formal qualifications of the candidates and provision of interview of the first seven (7) eligible candidates before an independent Committee). The Law also introduces an additional framework for the annual evaluation of the performance of administrative bodies based on the Performance Contract signed between them and the supervising Minister upon the assumption of their duties. The Performance Contract is posted on the website of the supervising Ministry and includes the annual goals and actions that are expected to be implemented during their term of office. In the event of non-achievement of the goals of the Contract, the term of office of the administrative bodies may be immediately terminated without compensation, in alignment with the provisions of the EMFA.

Specifically, according to the provisions of the Law, for the selection of the administrative bodies of the legal entities of groups A and C, a written exam is foreseen for the first time, in order for skills of the candidates related, indicatively, to reasoning, efficiency, ability to respond to position requirements and responsibility, to be verified. Specific formal qualifications of the candidates are also taken into account for the selection and in addition, a structured interview is provided. **ERT S.A. belongs to the group A of such legal entities according to the Ministers Council Act (ΠΥΣ 31 of 4.12.2023 (GG A' 199/2023) for the Grouping of public and private legal entities based on paragraph 2 of article 3 of Law 5062/2023 (GG A' 183)³⁶.**

The above Law is extremely innovative and concerns more than six hundred (600) public sector positions and, in particular, the Presidents, Vice-Presidents, Governors, Deputies Commanders, Deputy Commanders, Directors or Appointed Advisors of legal entities under public law, as well as legal entities of private law whose selection belongs to the Government, enhancing their independence.

- 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

i) Regulatory update and implementation of the licensing process of radio stations.

ii) Regulatory update and implementation of the licensing process of free-to-air non-informative (thematic) television stations and regional tv stations.

Following the art. 96 of Law 5079/23 (GG A' 215), the deadline for the licensing process for the content providers of free-to-air terrestrial digital television broadcasting of national non-informative content and regional scope, as well as of radio stations is set to the 31st.12.2024.

39. 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

The Registers of Print (MET) and Electronic Media (MHT) databases are accessible through the Digital Portal of the Public Administration (gov.gr), aligned with the provisions set in the EMFA. In particular, access to the following information is provided through the Portal: a) name, b) distinguishing title, c) legal form, d) registered office, e) address of organized office, f) VAT identification number and competent TAX Offices g) name and surname of publisher and/or website manager, manager, editorial director, h) details of ownership, i) periodicity, j) title of media and website name, k) circulation data, measurement or tracking of networking sites l) thematic units, m) public targeting to which they are addressed, n) geographical and circulation areas for the printed press and geographical targeting for the electronic press.

C. Framework for journalist's protection, transparency and access to documents

³⁶ https://www.et.gr/api/DownloadFeksApi/?fek_pdf=20230100199

40. Rules and practices guaranteeing journalist’s independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe’s Platform to promote the protection of journalism and safety of journalists.

1. With regards to the Council of Europe’s Platform to promote the protection of journalism and safety of journalists, Greece has noted several alerts, one of which was resolved. The post was related to the "threat for the freedom of the press from new legislation against disinformation" in Greece. The partner organizations of the platform decided to remove the content posted on 23.12.2021 of their complaint and close their alert on 2.11.2023 (status resolved). In total, for Greece we note:

Year 2022: - 16 alerts in total - 1 case resolved

Year 2023: · 8 alerts in total

From the above, it is evident that there is a significant decrease in the overall number of active alerts.

2. In terms of training Greek journalists and media professionals on issues on the protection of journalism and safety of journalists, in addition to the information provided under question 33, we note the following actions that took place under the support of the Secretariat General for Communication and Media:

- **Two one-day workshops “Safety of Journalists and Digital Media: Countering Cyber Attacks” and “Safety of Journalists and Natural Disasters: Crucial Issues on responsible and reliable information”, International Training Center for the Safety of Journalists and Media Professionals, 2.10.2023, Thessaloniki³⁷.**

The International Training Center for the Safety of Journalists and Media Professionals, supported by the Secretariat General for Communication and Media, organized in October 2023, two one-day workshops entitled “Safety of Journalists and Digital Media: Countering Cyber Attacks” and “Safety of Journalists and Natural Disasters: Crucial Issues on responsible and reliable information” in Thessaloniki. The two workshops aimed at training journalists on important security issues that arise during the practice of the journalistic profession in the modern world. Specifically, the themes of the events were journalist’s safety, digital media and cyber threats. The event focused on the preparation of journalists and media professionals and the creation of support tools to defend their work in war zones, in areas where they face crisis (natural disasters, humanitarian crisis etc.), in any form of threat.

- **Two-day Conference “Fake News, Religion and Combatting Disinformation, 30.10-01.11.2023, Thessaloniki.**

The Secretariat General for Communication and Media took part to the two-day conference held in Thessaloniki between 30 October and 1st of November 2023, under the theme “Fake News, Religion and Combatting Disinformation”, organized by Peace Journalism Lab, Aristotle University of Thessaloniki, Faculties of Mass Media and Journalism, and Theology and Konrad-Adenauer-Stiftung (KAS) - Representation for Greece and Cyprus.

³⁷ https://www.minocp.gov.gr/images/stories/2021/27012021-ethniko_sxedio2.pdf.

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

In this area:

1. The Task Force works vigorously with its members, the Hellenic Police and the Ministry of Citizen Protection under a mandate that covers the thematic of the physical safety of journalists during demonstrations, as well as special educational programs.

2. The National Plan for the Management of Public Open-Air Assemblies³⁸, in full force since 2021, aims, amongst other, the efficient management of demonstrations on behalf of journalists and media professionals. The National Plan provides for the safeguarding of the physical integrity of journalists, who may be working at the center of incidents. The above Plan was presented as part of the institutional framework for public assemblies, as in force (Law 4703/2020 for Public open-air assemblies and other provisions (GG A 131/10.7.2020), Presidential Decree 73/2020 for the Regulation of public open-air assemblies (GG A' 167/07.09.2020) and Presidential Decree 75/2020 for the Use of surveillance systems with the capture or recording of sound or images in public places (GG A' 173/10.09.2020)) by the competent authority, the Ministry of Citizen Protection, member of the Task Force, with details on the presence and safeguarding of the physical integrity of journalists, who may be at the center of incidents.

In addition, according to the National Plan, the Hellenic Police shall designate a specific area for journalists, which they may, if they so wish, voluntarily use in the event of incidents, for reasons of protection. In the event of injury, this area is also equipped with first aid facilities. Lastly, an Officer designated in advance acts as a link and channel of communication with them throughout the assembly in order to facilitate, if requested, the unhindered exercise of their mission and to assist them in the event of an injury.

All the above findings and relevant actions and proposals were included in the supplementary progress report of the Task Force (July 2023) sent to the European Commission, following the first progress report in March 2023, as provided for in the Commission Recommendation (EU) 2021/1534 on ensuring the protection, safety and empowerment of journalists and other media professionals in the European Union.

42. Access to information and public documents by the public at large and journalists (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)

1. The Transparency Program initiative

As reported, since the beginning of October, 2010, under the provisions of Law 3861/2010 (GG A' 112), as amended by Law 4727/2020 (GG A' 184), all government institutions are obliged to upload certain acts and decisions on the Internet. Each document is digitally signed and assigned a unique Internet Uploading Number (IUN) certifying that the decision has been uploaded at the "Transparency Portal"³⁹. Under the abovementioned legislation, these administrative acts and decisions are not valid unless published online.

³⁸ https://www.minocp.gov.gr/images/stories/2021/27012021-ethniko_sxedio2.pdf.

³⁹ <https://diavgeia.gov.gr/>

It should be highlighted that for the year 2023, over six million (6.000.000) acts and decisions have been uploaded to the Transparency Portal website.

43. 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

A. Initiative concerning the legal framework

I. Current legislation:

The current provision of art. 367 of Criminal Code, as interpreted by case law, protects the free exercise of the journalistic function as journalistic judgements and events related to the journalistic duty of informing public opinion do not constitute an unjust act.

II. Proposed provisions of the draft law of the Ministry of Justice «Legislative interventions in the Penal Code and in the Code of Criminal Procedure for the speeding up and the qualitative updating of the criminal trial - Modernization of the legislative framework in order to prevent and fight against domestic violence» aiming and/or contributing to the protection of the exercise of the profession of journalism.

The draft law was put into public consultation until 28-12-2023⁴⁰.

1. Removal of the article 362 of Penal Code (apli disfimisi) - a courageous and determined initiative to improve the enhancement of the freedom of the press:

With the provision of article 101 of the above draft law, it is proposed by the Greek government the removal of the criminal defamation provisions of article 362 of the Penal Code.

The above proposal aims to protect the freedom of expression of public speech. Also, free, unbound and unobstructed exercise of the profession of journalist is guaranteed.

The provision of defamation (362 of PC) might leave the journalists exposed in several cases, to malicious lawsuits and claims even in the cases of dissemination of demonstrably true facts out of their duty to inform public opinion.

Therefore, it was considered appropriate to abolish the crime of defamation of 362 of PC, even though such provision remain in force in the national legal orders of other Member States, in order to further eliminate the risk of abuse of the provision in question with the aim of silencing free journalistic speech and freedom of expression in general.

After the proposed removal of art. 362 only the act of defamation under article 363 (sikofantiki disfimisi) will remain punishable, as also provided to the corresponding criminal codes of the continental legal orders of Europe. The substance of this specific crime includes any intentional dissemination of false facts with the knowledge of their falsity with the purpose of damaging the victim's honor and reputation. Therefore, it only includes behaviors (knowledge of lies, intention to harm) that are classified outside the protected framework of freedom of

⁴⁰ <http://www.opengov.gr/ministryofjustice/?p=17064>

speech and in any case oppose the basic principles and code of ethics of the journalistic profession.

2. Proposed horizontal provision relating to the accelerated procedure and the rejection of manifestly unfounded charges against journalists which also apply to the cases of defamation under article 363 of PC or the crime of insult

With article 54 of the draft law, it is proposed, amongst others, the addition of provisions to paragraph 3 of article 43 of the CPC. The addition is deemed imperative in order to be rejected, by act of the competent Prosecutor, which is submitted for approval to the prosecutor of the Court of Appeal, charges concerning also the above crimes that are not based on the law or are manifestly unfounded or manifestly ineligible for judicial assessment.

This provision will contribute to the relief of the prosecution authorities from unnecessary bureaucratic processing and handling unfounded lawsuits or unsupported by law or inadmissible to judicial assessment, but will also protect journalists from the abuse of such inadmissible and unfounded lawsuits against them.

3. Proposed horizontal provision for the imposition of particularly high costs against those whose appeal was rejected as manifestly unfounded - (article 580 CPC-article 84 of the draft bill)

With the proposed additions to paragraphs 1, 2 and 4 of article 580 of CPC, the limits of the amount of expenses imposed by the court, by the judicial council or by the prosecutor respectively, are determined in proportion to the provision of article 577 of CPC, to those who have filed a lawsuit which is obviously/ manifestly unfounded in its substance or inadmissible for judicial assessment or completely false or in cases where such lawsuit was filed with malice or gross negligence.

4. Proposed horizontal provision of advance payment of the court expenses of the criminal trial in cases of offenses dependent on a report or accusation made by the person subjected to the offense such as the offense of defamation according to the article 363 of PC, the offense of insult etc. (article 51 of the CPC- 55 of the draft bill)

The proposed legislative intervention in article 51 of the Criminal Procedure Code, i.e. the advance payment of the court expenses of the criminal trial, with a penalty of inadmissibility, by the person depositing the accusation is intended to avoid the unprovoked submission of unfounded or even malicious accusations. Needless to say that exemptions from the above obligation of advanced payment are provided for those who do not have sufficient financial resources (economically weaker).

5. The proposed horizontal provision of article 57 of the draft law (article 59 of CPC) provides the temporary closure of the case and the suspension of the criminal trial when its outcome depends on another civil trial (proposed in the bill) until the issuance of an irrevocable decision on the latter.

B. Other important initiative of Ministry of Justice for slapp' s

1. Special seminars by the National School of Judges which are already taking place.

Additionally, to the framework of the establishment and operation of the International Training Centre for the Safety of Journalists and Media Professionals, a workshop on the safety of journalists in the exercise of their profession was organized on 2 October 2023 with the support of the General Secretariat of Communication and Information. In addition, training was provided for legal professionals and on the potential targets of strategic lawsuits to discourage public participation in order to improve their knowledge and skills to deal effectively with such litigation. The country has already ensured that special seminars on "SLAPP" lawsuits are held at the National School of Judicial Officers to inform and train judges.

2. The creation according to the article 358 of Law 4700/2020, of a special Statistical Service within the Ministry of Justice (Office for collection and processing of Judicial Statistics (JustStat)), which will collect statistics from all the courts of the country with the aim of sending them to the European Commission. The establishment, organization and operation of the above Office is provided in the Presidential Decree 47 (GG A' 114/17.06.2022).

More information on the Juststat is provided under question 19

C. SLAPPs Observatory

POESY (Panhellenic Association of Journalists' Union) established a SLAPPs Observatory⁴¹ in Greece for monitoring corresponding incidents, an initiative launched within the Task Force. Through the collection of data, the Observatory set up a communication channel with the persecuted and the monitoring of corresponding incidents, and is able to provide assistance and formulate positions, in cooperation with POESY's members, aiming to contribute to the overall treatment of the SLAPPs phenomenon. All personal data are being treated with confidentiality for research reasons.

Other – please specify

A number of state-aid initiatives have taken place in Greece initiated by the Greek government as financial measures and managed by the Secretariat General for Communication and Media in 2023.

-Unified Journalists' Supplementary Security Fund at the Single Organisation for Auxiliary Insurance and Care - EDOEAP.

The EDOEAP program (Joint Ministerial Decision 165/29.7.2021- GG B' 3449) was launched in 2021 as a state-aid program to support media companies that suffered the effects of the coronavirus pandemic: newspapers of national circulation, regional and local newspapers and magazines, content providers of regional TV stations, radio stations and electronic media. **The program was horizontal and based on objective and equitable criteria for supporting media companies through the coverage of the 2% contribution on the annual turnover of each beneficiary to the EDOEAP fund.** The program had a budget of €18.5 million and supported 697 large, medium and small-sized companies, local, regional and national, helping them to repay their contributions to their insurance fund (EDOEAP), under objective criteria according to the size of each business. This resulted in benefiting both businesses and the insurance fund. The effectiveness of the intervention as well as the prolonged unstable climate created

⁴¹ <https://www.poesy.gr/paratiritirio-slapps/>

by the pandemic during 2021, led to the initiative of immediate implementation of a new aid program for all affected companies (Joint Ministerial Decision 81/24.5.22 - Official Government Gazette B' 2568). The program had a budget of €8.5 million and was based on the same objective and equitable criteria according to the insurance contributions of media companies to their insurance fund.

In 2023, another EDOEAP program took place under Joint Ministerial Decision E298/21-04-2023 (GG B' 2673), as amended, **based on objective and equitable criteria, financing the 2% contribution on the annual turnover of the digital terrestrial free-to-air television broadcasters of national coverage to the EDOEAP fund.** The measure provides support based on a scheme in the form of direct grants, with a budget of €9 million.

- **DeMinimis, Joint Ministerial Decision E297/21.4.2023 (GG B' 2670)** as amended, started in 2023 and will be completed in 2024. The allocated budget for DeMinimis state-aid initiative is 1.000.000€ million. The program establishes a regime aid in the form of a grant of the difference costs for the provision of digital transmission services (DIGEA) of program content of the year 2022 with the corresponding to the year 2023, for the **support and development of regional TV stations** in the year 2023. More specifically, beneficiaries of the state-aid are Greek, regional private broadcasting companies that are providers of digital terrestrial television broadband content, free-to-air of regional scope, based on certain criteria.

-**DeMinimis, Joint Ministerial Decision E/299/2023 (GG B' 2674)** as amended, started in 2023 and has been already completed. The allocated budget for DeMinimis state-aid initiative is 6.000.000€ million. The program establishes a regime aid in the form of a **grant for the support and the respective development of regional and local print media, especially newspapers.** More specifically, the beneficiaries of the state-aid are Greek, regional and local media printed companies that, under certain criteria, will be granted for the year 2023.

-**DeMinimis, Joint Ministerial Decision E/300/2023 (Official Government Gazette B' 2665)** as amended, started in 2023 and has been already completed. The allocated budget for DeMinimis state-aid initiative is 5.000.000€ million. The program establishes a regime aid in the form of a **grant for the support and the respective development of national newspapers.** More specifically, the beneficiaries of the state-aid are Greek, national media printed companies that, under certain criteria, will be granted for the year 2023.

Collective Labor Agreement

Additionally, following the **Collective Labor Agreement**, signed in August 2022 with duration for the period 2022-2023 between the Greek State and the journalistic unions, on defining the working conditions of journalists employed by the State, public legal entities, local Authorities, and public enterprises, journalists were fortified with all necessary safety equipment and insurance as well as financial benefits (other than salary):

- (i) €5 allowance per working day, paid to each employee, except those on any form of leave, for up to twenty-two days a month, in the form of a prepaid card.
- (ii) A monthly amount up to €300 per child to employees, the children of whom attend nurseries.

(iii) €300 annually to be deposited in two installments of €150 each, for Easter and Christmas holidays, to each employee, except those who are on leave without pay, in the form of an individual prepaid card.

(iv) €250 per 2 years for the renewal of electronic equipment.

Events, training and workshops

A number of events, training and workshops took place in Greece in 2023 for journalists and media professionals with regards to their empowerment, safety and protection in media settings:

_ESIEA⁴² Workshop on “The safety of journalists in war zones and dangerous situations - earthquakes, fires, extreme weather and protests”, 9/1/2023 - 6/3/2023, Athens⁴³.

The 3-month workshop focused on the issue of journalistic coverage of wars and crises in the modern era and emphasized that journalists are now a target when carrying out their duties in war conflicts, but also in countries where there is no war. Internet and new digital media have changed the terms of coverage of events and a number of journalistic challenges, such as, for example the verification and differentiation of sources and "managing the dependence on 'Citizen Journalism'" are at stake. During the ongoing workshop, a Simulation Exercise in a war zone took place on 15.02.2023 in Attica by the staff of the Special Warfare Command (DEP)⁴⁴.

_ESIEA Workshop on “Introduction to Digital Environment”, 8 June 2023, Athens⁴⁵.

Participants were familiarized with the basic principles and operations of the internet and the understanding of the architecture of digital applications, as valuable benefits and provided the impetus for future in-depth study.

_ESIEA Workshop on “Artificial Intelligence: Challenges and Opportunities for Journalism”, 11.10.2023, Athens⁴⁶. More than 120 journalists and media professionals took part in the workshop organized for the first time by ESIEA on issues dealing with generative AI in journalism, sources cross checking and filtering of content through critical thinking, to combat disinformation and fake news.

_Training Program for Young European Journalists, 27-29 November 2023, Athens⁴⁷. The Training Program for Young European Journalists was co-organized by the Office of the European Parliament in Greece, the Symbiosis School of Political Studies of the Council of Europe in Greece and Inside Story, in Athens, from 27 to 29 November. The program addressed developing knowledge and skills about European affairs and issues related to the

⁴² Journalist’s Union of Athens Daily Newspapers.

⁴³ <https://www.esiea.gr/me-megali-epityxia-oloklirothike-sime/>.

⁴⁴ <https://www.esiea.gr/tin-tetarti-15-fevroyariou-i-askisi-me-s/>.

⁴⁵ <https://www.esiea.gr/oloklirothike-xthes-to-seminario/>.

⁴⁶ <https://www.esiea.gr/oloklirothike-simera-to-seminario-me-th/>.

⁴⁷ <https://www.esiea.gr/prosklisi-se-programma-katartisis-ne/>

European Parliament, among which issues dealing with media pluralism and democracy, disinformation and fake news.

- **Lectures by the Educational Foundation of ESIEM-TH⁴⁸ on natural disasters and artificial intelligence** with Aristotle University of Thessaloniki, Department of Journalism and Mass Media, as part of the Series of Lectures and Seminars on AI and information, in cooperation, started on 14 November 2023.⁴⁹

- **POESY One-day conference on “Artificial Intelligence and the Media and Journalism: Challenges and Prospects”, 8 December 2023, Athens⁵⁰.** POESY organized a one-day conference in Athens under the support of the Secretariat General of Communication and Media and sponsored by Athens Macedonian News Agency.

- **One-day conference by XENOFON, the Organization for the Collective Management of the Intellectual Rights of Journalists, on the occasion of World Press Freedom Day, 3 May 2023.⁵¹** XENOFON was founded on the initiative of ESIEA and other journalistic associations of the country – ESIEM-TH, ESPET, ESIEPEN, ESIETHSTE-E.

IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES

I. On the civil society organisations Registers

44. Please provide information on measures taken to follow up on the recommendations received in the 2023 Report regarding the system of checks and balances (if applicable).

1. Follow up on the establishment and function of the register of civil society organisations (CSOs) established and operating in Greece, according to the provisions of Law 4873/2021

The application has been completed and as of October 17th 2023, the two (2) databases provided by the provisions of Law 4873/2021 i.e. a) the Public Database and b) the Special Register have been put into full operation at the disposal of citizens and CSOs, through the Single Digital Portal of the Public Administration (okoip.gov.gr). Upon notification by the competent Directorate CSOs and Public Beneficial Bodies of the Ministry of Internal Affairs, the application has already received the first applications for registration.

2. Follow up on the NGO Registry of MoMA

Since the creation of the NGO Registry, MoMA has been receiving regular feedback from CSOs on several aspects of the Registry and its functions. Especially for the launch of the Registry of NGO Members, suggestions were taken into account for the formulation of its function and the submission of NGO members’ registration material. It is also important to note that the processing speed for NGO Registry submissions has remarkably increased since its launch.

⁴⁸ Journalist’s Union Macedonia and Thrace.

⁴⁹ <https://esiemth.gr/techniti-noimosyni-ke-enimerosi-kyklos-dialexeon-ke-seminarion/>.

⁵⁰ <https://www.poesy.gr/ta-symperasmata-tis-imeridas-tis-poes/>

⁵¹ <https://www.poesy.gr/imerida-dimosiografia-kai-pnevmatik/>

3. Next steps concerning interoperability of the Registers of both Ministries

Following RoL report 2023 recommendation, collaboration was maintained between MoI and MoMA to ensure that the interoperability of the two Registries requires a minimal amount of resubmission of necessary documents and certifications, safeguarding efficiency and avoiding duplication of processes. The two Ministries are currently collaborating on establishing an electronic validation process, through which an organization's registration in either Registry will be verified, and status updates will automatically be incorporated. A roadmap for further interoperability features is being drafted by the two Ministries, to be implemented within the following months. Specifically, with the agreement of the General Secretariat of Public Administration Information Systems, as competent authority for interoperability issues, the above cooperation resulted in the joint drafting of a proposal regarding the direct interoperability between the Registries kept and maintained by the Ministry of Interior & MoMA.

The said proposal consists of the following:

_Immediate implementation of the following two interoperability measures, through the realization of a relevant web service by the contractors of the above Ministries, as follows:

_The contractor of the Ministry of Interior will create a web service. In case a SCO wishes to be registered to the Registry of MoMA, the application of this web service will be checking (through the tax registration number of the SCO concerned), if it has already registered in any of the Registers of the Ministry of Internal Affairs mentioned above (i.e. a) the Public Database and b) the Special Register of Law 4873/2021). It is recalled that pursuant to Law 4873/2021, the registration in the Ministry of Internal Affairs' databases is provided as a condition for claiming funding and determines the amount of state funding that the registered Organizations are entitled to claim.

_The contractor of MoMA will integrate the above web service into his own relevant Register, with the purpose of flagging the NGOs registered in the databases of the Ministry of the Interior Affairs, in order to inform the competent service of the MoMA either to proceed with the processing of the funding request, or to advice the candidate SCO to apply for registration in the Register of the Ministry of Interior in compliance with Law 4873/2021.

As a next step, a Working Group with the participation of the competent services of the General Secretariat of the Ministry of Interior, Immigration and Digital Governance will be established, within the scope of expanding the interoperability of Registries providing: a) common data fields and common required supporting documents and b) marking on the bases of the Ministry of the Interior of the registration of a SCO in the Registry of MoMA, in the context of the simplification of administrative procedures and the mapping of the activity of the registered SCOs in our country. It is pointed out that the "once and only" principle will be applied to the data storage, in order to simplify the process for the benefit of the registered SCOs.

In accordance with the above, a circular of the General Secretariat of Public Administration was addressed to the public authorities and institutions of all Ministries maintaining SCOs Registers, in order to set up corresponding Working Groups for the designing and implementation of the required interoperability. Each one of the above is invited to nominate not later than 30.01.2024 two (2) representatives (i.e. a General Secretary and an official with expertise in the field of relevant responsibilities), in order, in cooperation with the General Secretariat of Information Systems of the Public Administration of the Ministry of Digital Governance, to immediately implement the process of processing the next steps for the full interoperability of all such public registries, given that the provisions of articles 10 and 27 of Law 4873/2021, provide the possibility of a relevant joint decision on the above issue. The

above have also been included as a milestone in Q4 of the Annual Action Plan of the Ministry of the Interior Affairs.

II. On the effectiveness of consultation in practice of stakeholders on draft legislation, including by allowing sufficient time for public consultation.

According to the provisions of Law 4622/2019 on the Executive State (A'133), draft bills are consistently subject to public consultation for a minimum of two (2) weeks. **Within 2023, not a single bill was submitted to Parliament without previous public consultation** as required by the law (see also answer on question 45).

Furthermore, draft bills of great importance, are usually being subjected to public consultation for twice as long as foreseen for simple bills, thus promoting the principle of better regulation. Prior to public consultation of Law 4622/2019, a broad public dialogue between all the stakeholders takes place for a considerable period of time, specifically on important draft bills. The most recent example is the draft bill of the Ministry of Justice on the amendment of Criminal Code and Criminal Procedural Code⁵² subjected to public consultation for one (1) month. Furthermore, a broad public dialogue between all the stakeholders has been taken place over a considerable period of time. Also many of their comments and proposals during the public dialog and the public consultation were incorporated to the draft bill. Also, with regard to the Judicial Charter (i.e. the judicial map of the civil and criminal courts of the country), the Ministry of Justice held a large number of meetings with parliamentarians, presidents of bar associations, the leadership of the judiciary and members of the judiciary from all over the country. Thus, a broad public dialogue has been achieved and is taking place over a considerable period of time even before the initiation of public consultation.

A. The process for preparing and enacting laws

45. Framework, policy and use of impact assessments and evidence based policy-making, stakeholders/public consultations (particularly consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase.

In implementation of the reforms provided by Law 4622/2019 on the Executive State (GG A' 133), a comparison in the legislation pre-2019 and currently, highlights significant improvements aimed at increasing accessibility and effectiveness of legislation and thus enhancing the rule-of-law. Such improvements include, inter alia, a table of contents preceding each bill; substantive headings in each article; a concise explanation introducing each amendment of existing legislation; the compilation of all delegation clauses and transitional provisions in distinct articles. Importantly, in 2023, digital tools have been completed that will streamline the lawmaking process. Furthermore, draft bills are regularly subject to public consultation **for a minimum of two weeks** whereas compliance with parliamentary rules and procedures has improved dramatically.

Public consultation. Draft bills are consistently subject to public consultation for a minimum of two weeks. **Within 2023, not a single bill was submitted to Parliament without previous**

⁵² Draft bill "Interventions in the Criminal Code and the Code of Criminal Procedure for the acceleration and qualitative improvement of the criminal trial - Modernization of the legislative framework for the prevention and combating of domestic violence".

public consultation as required by the law on the executive state. As far as the duration of public consultation is concerned, after the June 2023 parliamentary elections **83,3% of draft bills (20 out of 24)** were subject to public consultation for at least two weeks. Additionally, draft bills of fundamental importance are subject to public consultation for additional time; for instance, **the bill on amendments to the Criminal Code and Criminal Procedure Code was open to public consultation for one month.**

Codification of legislation. During 2023, the Central Codification Committee continued its intensive work on codification of legislation in implementation of a comprehensive codification plan approved by the Council of Ministers on an annual basis. In three years, from 2020 to 2023, fifteen codes have been completed (compared with just ten, in twenty years from 2000 to 2020). A significant number of additional codes will be completed within 2024, including areas of fundamental importance such as labour law, tax law, education law, and consumer protection law. In addition, in a development of historic importance, **in late 2023 the National Codification Portal was completed; starting in 2024 all individuals and legal entities will have free and immediate access to updated primary and secondary legislation, thus considerably enhancing the rule-of-law in Greece.**

Parliamentary amendments. In recent years, the total number of parliamentary amendments decreased quite significantly; while during the 2015-2019 legislative period it amounted to 5,1 amendments per draft bill, it reduced to 1,7 amendments per draft bill during the 2019-2023 legislative period. **In the current legislative period, that started in July 2023, the number of amendments reached a historic low of 0,8 amendments per draft bill.** To address the traditionally high overall number of parliamentary amendments, novel techniques are used, for instance consolidating in a single bill a number of disparate provisions stemming from the same Ministry. Contrary to amendments, such bills follow the normal steps of the legislative procedure, in particular public consultation and full parliamentary debate, thus further enhancing the quality of law-making.

46. 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)

Urgent and super-urgent legislative procedures. Following a consistent trend since 2019, the use of urgent and super-urgent legislative procedures that allow for limited parliamentary debate has been minimized despite the pandemic of COVID-19 and the global energy crisis, arguably justifying *par excellence* legislation on an urgent basis. Compared with 7,11 bills annually during the 2015-2019 legislative period, only *three* bills have been approved with the urgent procedure since August 2019 (one in 2021 and none in 2022 and 2023). Similarly, whereas from 2015-2019 4,22 bills annually were approved with the super-urgent legislative procedures, the total number of super-urgent bills since July 2019 amount to eight, notably including only one bill in 2021 and none in 2022 (for the first time since 2009). Notably, in 2023, for the second consecutive year, not a single bill has been submitted to Parliament in implementation of either the urgent or super-urgent procedure, as was standard practice in previous years.

Last-minute amendments. Furthermore, in a development of fundamental importance, whereas a usual bad practice in Greece had been the submission of last-minute amendments

during the debate in the Parliament's plenary session, hours or literally minutes, before its completion, such amendments are not submitted anymore. In fact, since May 2021 one single amendment has been submitted to Parliament by the Government on the day of debate in the Parliament's plenary session. Based on the same methodology over the years, amendments submitted after the parliamentary deadlines accounted for the bulk of parliamentary amendments in previous years (74% in 2017, 70% in 2018, 82% in 2019, 56% in 2020); in contrast, they accounted for 11% of amendments in 2021 and 0,69% in 2022. For the first time in 2023 not a single last-minute amendment was submitted to Parliament.

47. Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight.

Emergency legislation. Emergency legislation that is adopted by the Government and subsequently ratified by the Parliament ("acts of legislative content") is provided in Article 44 of the Greek Constitution under strict conditions.⁵³ During 2023, four such acts were enacted in full compliance with the constitutional requirements. The two first acts (in June and July 2023) aimed at addressing urgent public health needs as the Parliament was not in session; the third act (in September 2023) addressed the emergency situation caused in the Thessalia region by the "Daniel" storm; finally, the fourth act (in December 2023), against the backdrop of a number of serious incidents associated with endemic fan violence, provided for all Super League I football matches to be held behind closed doors for two months so as to ensure full compliance with the legal requirements regarding safety in sports venues and protection of life and bodily integrity of all participants.

48. Regime for constitutional review of laws

1. The diffuse nature of constitutional review of laws

In Greece there is no Constitutional Court. The Greek Constitution guarantees the constitutionality review (art. 93 par. 4 and 87 par. 255). Control over the law's constitutionality has a diffuse nature, it can be carried out by any court. According to these provisions, every court has the right and the duty to examine the constitutionality of the law and safeguard the application of the Constitution in each concrete case pending before it.

2. The court of art. 100 of the Constitution

In cases of conflict between the Highest Courts concerning the constitutionality of the law, a special court, the "Supreme Special Court", is competent to solve such dispute/disagreement about the constitutionality of the law. According to Article 100⁵⁶ of the Greek Constitution,

⁵³ Article 44 para 1: "Under extraordinary circumstances of an urgent and unforeseeable need, the President of the Republic may, upon the proposal of the Cabinet, issue acts of legislative content. Such acts shall be submitted to Parliament for ratification, as specified in the provisions of article 72 paragraph 1, within forty days of their issuance or within forty days from the convocation of a parliamentary session. Should such acts not be submitted to Parliament within the above time-limits or if they should not be ratified by Parliament within three months of their submission, they will henceforth cease to be in force".

⁵⁴ Article 93 par. 4. The courts shall be bound not to apply a statute whose content is contrary to the Constitution

⁵⁵ Article 87 "1. Justice shall be administered by courts composed of regular judges who shall enjoy functional and personal independence. 2. In the discharge of their duties, judges shall be subject only to the Constitution and the laws; in no case whatsoever shall they be obliged to comply with provisions enacted in violation of the Constitution.

Article 87 1. Justice shall be administered by courts composed of regular judges who shall enjoy functional and personal independence. 2. In the discharge of their duties, judges shall be subject only to the Constitution and the laws; in no case whatsoever shall they be obliged to comply with provisions enacted in violation of the Constitution.

⁵⁶ Article 100 1. A Special Highest Court shall be established, the jurisdiction of which shall comprise: ... e) Settlement of controversies on whether the content of a statute enacted by Parliament is contrary to the Constitution, or on the interpretation of provisions of such statute when conflicting judgments have been pronounced by the Supreme

this court is composed by judges of all three Highest Courts and its decisions are binding for all other courts.

3. The “pilot” case process

Law 3900/2010 (art. 1) introduced the institution of the "pilot case process" before the Supreme Court, enabling litigants and administrative courts to directly address the Council of State, cases with issues of a more general nature, under the condition that such case has not already been discussed before the administrative court.

4. The advisory function of Council of State

According to article 95 par. 1 of the Constitution, the State Council gives an opinion to the Administration, on the legality of the draft regulatory presidential decrees.

49. 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

In 2023, upon the relevant proposal of the Minister of State, Minister for Finance and Minister of Interior, the establishment plan of the Greek National Commission for Human Rights was issued (Presidential Decree 74/2023, GG 128/A/23-6-2023). The above-mentioned decree determines the organizational structure of GNCHR (i.e. the structure, tasks and powers of its departments, the procedure for the selection, appointment and recruitment of its employees, provisions concerning the selection and the powers of the head of the units etc.)

In addition to the above, in December 2023 ended the transition period whereby the Greek National Commission for Human Rights (GNCHR) financial department was supported administratively by the Ministry of National Economy and Finance. The GNCHR is henceforth a fully independent and autonomous operating authority (pursuant to the provisions of Law 4780/2021).

50. 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.

In GNCHR's statute law, it is provided that “at the end of each year, the Ministries shall submit a report with their observations on the protection of human rights in the field of their responsibility, indicating with special reference the points where they have adopted recommendations made by the Commission” (see art. 22 of Law 4780/2021). This provision is being partially implemented by the Ministries (à la carte).

To GNCHR's knowledge:

(a) The Ministry of National Defense, [pursuant and in compliance to GNCHR's relevant recommendations](#), withdrew the art. 62⁵⁷ of draft Law “Provisions in favor of Armed Forces personnel, streamlining of Armed Forces legislation, organization of the National Guard and other provisions” (already Law 5018/2023), regarding the amendment of the composition of

Administrative Court, the Supreme Civil and Criminal Court or the Court of Audit. 2. The Court specified in paragraph 1 shall be composed of the President of the Supreme Administrative Court, the President of the Supreme Civil and Criminal Court and the President of the Court of Audit, four Councilors of the Supreme Administrative Court and four members of the Supreme Civil and Criminal Court chosen by lot for a two-year term. The Court shall be presided over by the President of the Supreme Administrative Court or the President of the Supreme Civil and Criminal Court, according to seniority. In the cases specified under sections (d) and (e) of the preceding paragraph, the composition of the Court shall be expanded to include two law professors of the law schools of the country's universities, chosen by lot

57

the Special Committee competent for the examination of applications for alternative civil service for conscientious objectors.

(b) the Ministry of Labour and Social Security took a number of legislative, procedural and administrative measures:

i. Law 4997/2022 - GG A' 219/2022 (i.e. art. 43 for the extension of the special benefit for the protection of maternity - amendment of art. 142 of Law 3655/2008, article 44 for the extension of maternity leave to the cases of adoption - amendment of paragraph 2 of article 44 of Law 4488/2017, art. 47 for the non-discrimination in access to work for HIV-positive people etc.)

ii. Presidential Decree 34/2022 (GG A' 93/13.05.2022) for the "Amendment of Annexes I, II and III of Presidential Decree 396/1994 (A' 220), as applicable, within the aim of adapting Greek legislation to the provisions of Directive (EU) 2019/1832 of the Commission of 24 October 2019 "on the amendment of Annexes I, II and III of Council Directive 89/656/EEC regarding purely technical adaptations" (EU L279/31.10.2019)."

iii. Ministerial decisions:

a. 29510/1-4-2022 (GG B' 1542/01.04.2022) for the provision of "Compensation provided for the delivery services employees in replacement of providing them with protective helmets as well as for the use of their own mean of transport".

b. P/49550/1405/20-5-2022 (GG B' 2501/20.05.2022) for the "Procedure for the substantial participation in a tripartite consultation between the Competent Authority, the managers and owners of Non-Productive Facilities, and the representatives of the employees with the object of defining standards and policies for the prevention of serious accidents pursuant to paragraph 8 of article 6 of Law 4409/2016 (A' 136)."

c. 73066/2022 (GG B' 4359/17.08.2022) for the "Approval of the National Strategy for Health and Safety at Work 2022-2027", taking into consideration the Communication of the European Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions "EU Strategic Framework for Health and Safety at Work in the period 2021-2027. Safety and health at work in a changing world of work" [COM(2021) 323 final/ 28.6.2021]

d. 80016/17-8-2022 (GG B' 4629/01.09.2022) for the "Categorization of violations and determination of the amount of fines imposed by the Labor Inspectorate for violations of: a) common labour law, b) violence and harassment at work, c) digital work card system, as well as d) for proven violations of labour law and health and safety at work "

iv. Joint Ministerial Decisions:

a. Δ1α/ΓΠ.οικ.24415/4-5-2022 (GG B' 2193/04.05.2022) for the "Amendment of the joint ministerial decision Δ1α/G.P.ok.64232/15.10.2021 "Implementation of the mandatory measure of the diagnostic test for the disease caused by the corona virus COVID-19 to the employees of the private sector who provide work with a physical presence at the workplace" (B' 4766)"

b. 105583/911-2022 (GG B' 5747/09.11.2022) for the provision of teleworking at employee's request and

v. Circular 56163/15-6-2022⁵⁸ for the Prevention of workers heat stress during summer,

⁵⁸ https://ypergiasias.gov.gr/wp-content/uploads/2022/06/15.06.2022_%CE%95%CE%93%CE%9A%CE%A5%CE%9A%CE%9B%CE%99%CE%9F%CE%A3-%CE%98%CE%95%CE%A1%CE%9C%CE%99%CE%9A%CE%97-%CE%9A%CE%91%CE%A4%CE%91%CE%A0%CE%9F%CE%9D%CE%97%CE%A3%CE%97.pdf

all the above within the scope of the [recommendations made by the GNCHR](#) on the subject of health and safety of employees.

Furthermore, GNCHR, as the NHRI in Greece, monitors Greece's compliance with the judgments and interim orders (Rule 39) issued by the European Court for Human Rights (ECHR).

Within this framework, GNCHR submitted written interventions before the competent state authorities in support of interim orders issued by the Court on 17 cases of third country nationals seeking international protection in Greece.

In response, GNCHR received five (5) follow-up letters by the Hellenic Police Headquarters and one (1) by the Ministry of Citizen Protection. According to the information gathered by the GNCHR, out of the seventeen (17) cases, eight (8) had a successful outcome, meaning that the competent authorities managed to detect the applicants and provide them with food, water, clothing and appropriate medical care.

For more information on this matter, please see the [Annual Report for 2022](#) (Chapter 5 (1)) of the Recording Mechanism of Informal Forced Returns. The establishment of the GNCHR's Recording Mechanism was welcomed by the European Commission in its 2023 Rule of Law Report for Greece (p. 25).

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

1. Publication and notification according to the Administrative Procedure Code

The Administrative Procedure Code i.e. Law 2690/1999 (Government Gazette A 45/1999), as amended, regulates most of the issues relating to the issuance process and the validity of administrative acts.

The requirements that an administrative act must fulfil in order to be effective are mainly provided in the above Administrative Procedure Code (APC) (articles 16 – 20 of APC).

According to Article 18 of the above Code, the individual administrative act (deed) is completed by signing and dating thereof or by its publication if the law stipulates that it should be published. The regulatory administrative deed is complete by its publication in the Official Gazette, unless a special method of publication is stipulated. In the event of publication in the Official Gazette, the publication date is the date of the issue of the Gazette provided that, on such date, any interested party may be given a copy of the issue or a certified photocopy of the relevant proof. If the published text has graphic or accounting errors, a correction thereof may be published, which should be limited to the correction of such errors.

Thus, the promulgation of regulatory administrative acts shall be effected by their publication in the Government Gazette, unless otherwise provided and the promulgation of individual administrative acts is effected in principle by their signing and dating. It is provided, however, that they shall be notified to the interested party.

Formal force of administrative acts begins as of their issuance, regardless of whether they are regulatory or individual. The acts which require notification commence from their service to the addressee.

2. The previous hearing of the interested party (art 6 of APC)

Before any action or measure against the rights or interests of a specific person, the administrative authorities are obliged to invite the interested party to express his/her opinion, in writing or orally, concerning the relevant issues.

The invitation to the hearing is in writing, states the place, day and time of the hearing and determines the subject of the measure or the action. The invitation is forwarded to the interested party at least five (5) full days before the hearing date.

The interested party is entitled to be informed of the relevant evidence and proceed to counter-evidence. The observance of the said procedure, as well as the consideration of the views of the interested party, should be ascertained by the Justification of the administrative deed.

3. The access to documents (art 5 of APC)

Any interested party is entitled, by written application, to be informed of administrative documents. Administrative documents are documents drawn up by public services, such as reports, studies, minutes, statistical data, circulars, replies of the Administration, opinions and resolutions. The right is exercised: a) by studying the document at the premises of the service or b) by issuing a copy, unless the reproduction thereof can prejudice the original. The relevant reproduction cost is incurred by the applicant unless the law stipulates otherwise. The refusal of the-right should be justified and notified in writing to the applicant within one (1) month after the submission of the application.

4. The Transparency Program initiative (Diavgeia) (see answer on the question under number 42)

Institutions in the Greek government upload their acts and decisions on the Transparency Portal. Each document is digitally signed and assigned a unique number ensuring that acts and decisions are not valid unless published online. An open data tool enables the re-use of published information making of all administrative acts available in formats that are easy to access, navigate and comprehend, regardless of the citizen's knowledge level of the inner processes of the administration.

52. 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).

Greek Constitution provides a system of administrative justice, within which all administrative disputes, without any exception, fall within the jurisdiction of the administrative legal bodies. According to its provisions, the control over the administration is carried out by the administrative jurisdictions (art 94-95): State Council (the inventory of its powers is drawn up by art. 95 par. 1), Administrative Courts of appeal and Administrative Courts of first instance. This system was created by Law 1406/1983, which lays down the general rule that 'ordinary administrative tribunals' hold jurisdiction for administrative disputes recognized by the law as 'full jurisdiction' disputes.

Organization of the court system and courts competent to hear disputes concerning acts of administration Recourses against an administrative act

<p>‘objective’ administrative law disputes Recourses for excess of power application for annulment - recourse to quash</p> <p>In case of ‘objective’ administrative law disputes, the review is limited to the legality of the challenged administrative act, i.e. to the decision making process itself, The judge can cancel the act, after having controlled its legality</p>	<p>‘substantive’ administrative law disputes Recourses of full jurisdiction administrative appeal</p> <p>in case of ‘substantive’ administrative law disputes, the review extends to the merits. The judge can not only cancel the disputed act, but, also, reform it.</p>	
<p>Competent courts The State Council has general jurisdiction over ‘objective’ administrative law disputes except for certain categories, which may be subject to the jurisdiction of the Ordinary Administrative Courts in the first instance.</p> <p>1. State Council Always has competency regarding recourses for excess of power against regulatory acts.</p> <p>2. Administrative Courts of Appeal have competency regarding disputes caused by a series of administrative acts provided in law (for example disputes regarding the appointment and the situation of civil servants of the State etc.)</p> <p>3. Administrative Courts of first instance have competency regarding disputes caused by a series of administrative acts provided in law (for example, visa refusal, refusal of entry into the territory, administrative expulsion, registration on the list of unwanted foreigners, etc.</p>	<p>Competent courts The Ordinary Administrative Courts and the Court of Audit have jurisdiction over all ‘substantive’ administrative law disputes except for those made subject to the jurisdiction of the Council of State</p> <p>1. Administrative courts of first instance In principle, they have competency regarding (specific) administrative disputes that the legislation describes as disputes of full litigation (i.e. disputes of a tax nature, disputes related to benefits from a social security agency, disputes related to the protection of disabled persons, war victims and disaster victims, etc.</p> <p>2. Administrative Courts of Appeal In principle, they have competency in contractual matters, the disputes caused by administrative acts related to the interpretation, execution or cancellation of the contract are disputes of full jurisdiction.</p> <p>3. The State Council has competency regarding the disputes of full jurisdiction that are submitted to it (for example the «recourse of civil servant»: this is recourse of full jurisdiction, provided by the Constitution (art. 103 par. 4 of the Constitution) in favour of civil servants against acts of dismissal and demotion</p>	
<p>The rules related to the administrative justice, the competence of the administrative courts and the status of the adjudicators are, essentially, provided by the Constitution and law (e.g. in principle law on the State Council and Code of administrative litigation procedure)</p>		
<p>The law relating to the Council of State (presidential decree 18/1989 as amended and in force)</p>	<p>The Law 2717/1999 (Code of Administrative litigation procedure), as amended and in force</p>	
<p style="text-align: center;">Administrative acts excluded from judicial review</p> <p>1. Litigation recourses are provided only against enforceable administrative acts. Consequently, the acts that are not enforceable, although an administrative body issues them, are not subjected to the control of the judge. 2. Government acts (for example declaration of war, dissolution of the Assembly etc.) cannot be appealed against.</p>		
<p style="text-align: center;">Summary proceedings</p>		
<p>In the Council of State that are intended to obtain suspension of the implementation of an administrative provision These summary proceedings are governed, in the case of the Council of State, by article 52 of presidential decree 18/ 1989</p>	<p>In administrative tribunals are intended to obtain suspension of the implementation of an administrative provision, the provisional settlement of a situation or provisional adjudication of part of a debt These summary proceedings are governed in the case of the administrative tribunals, by articles 200-215 of the code of administrative litigation procedure.</p>	

Petitions for judicial review (annulment) of enforceable acts of the administrative authorities for excess of power are heard in principle by the Council of State which decides in first and last instance. Certain categories of judicial review (annulment) cases fall under the jurisdiction of administrative courts, following a special provision by law, for reasons pertaining to their nature and importance. On the contrary, it is the ordinary administrative courts that have the original competence to decide cases by exercising full jurisdiction, while the Council of State has the competence to hear petitions for reversal of final judgments reached by the appellate or first - and - last instance administrative courts in such cases. In certain categories of cases the Council of State has also the competence to decide cases by exercising full jurisdiction, either by virtue of an express constitutional provision (as in cases of dismissal or in cases of downgrading of civil servants) or by virtue of a law issued upon constitutional authorization.

53. Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

In Greece's legal system the supreme courts [Council of State, Court of Cassation on civil and penal cases (Areios Pagos) and the Court of Audit, as well any other court judging on last instance fall under the obligation to refer questions to the Court of Justice of the European Union (CJEU) for a preliminary ruling. The Greek courts are in constant dialogue with the CJEU on questions of interpretation of rules of European law, as well as the validity of European acts.

The Council of State has requested an expedited preliminary ruling procedure (art. 106 of the Rules of Procedures of the Court of Justice), in specific cases regarding public procurement procedures or international protection legislation. Most questions referred for a preliminary ruling are in the areas of economic activity (for example Public procurement procedures, broadcasting and audiovisual legislation, food safety control legislation, aids to farmers, equality in access to employment), the environment, taxation and international protection. There are no specific procedural provisions on the conditions and procedure relating to requests for a preliminary ruling or any guidelines or other routine documents: the same procedure that applies to all cases is also applied to the cases in question. The parties can raise the request for a preliminary ruling either by their introductory appeal or later during the proceedings by memo, but the question can be also raised by the Court ex officio.

The Court applies the CILFIT criteria (decision of 6.10.1982, C-283/81), in order to determine whether there is a need to make a request for a preliminary ruling, and takes into consideration the *Consorzio* decision (C-561/19, **Consorzio** Italian Management και Catania Multiservizi SpA κατά Rete Ferroviaria Italiana SpA). The Court always conducts an analysis of the relevant EU law provision and examines the way it has been interpreted by the CJEU, as well as whether there are any pending cases regarding preliminary rulings from other countries. In addition to relevant CJEU case law, the Court considers how courts of other countries (mainly France, Belgium, Germany, Austria, Italy) interpret the provision in order to be able to assess whether the issue in question constitutes an "acte claire".

The request is always contained in a judgement. The judgement contains a reference to the EU law, the relevant CJEU case law, national law and case law, the issues raised, a description of the relevant circumstances, the position of the parties, a description of why there is a need to make a request for a preliminary ruling and the concrete/precise question for which the court wishes to obtain an answer. Usually the Court does not state its own view on the answer to be given to the question referred. The parties are given an opportunity to comment on the need for a request for a preliminary ruling, by submitting comments on the other party's request for a preliminary ruling or the court's explanation as to why it is considering making a request (as stated in the rapporteur's report before the public hearing of the case), but they are not given the opportunity to comment on the Court's draft of the request.

Following the issuance of the judgment from the CJEU, the Council of State continues with the proceedings of the previously suspended procedure and continues the legal examination of the case in light of the CJEU's preliminary ruling: the usual adversarial procedure is followed and the parties are given the opportunity to comment on the CJEU interpretation and its impact on the specific case.⁵⁹

⁵⁹ Submission of preliminary questions to the CJEU - examples

i. **Council of State - D' 2446/2023:** Recovery of Community aid received due to a subsidy in the market and cotton picking of the period 2000-2001. Interpretation of article 3 of Regulation 2988/1995.

The Court of Audit⁶⁰: Articles 165 et seq. of the Court's Uniform Procedural Code (Law 4700/2020 -GG A' 127) concern its' appellate jurisdiction following an appeal on a point of law ("αναίρεση"). Appeals on a point of law (applications for annulment) are lodged before the Plenum of the Court of Audit only against final decisions of its judicial Chambers and solely for the reasons referred to in Article 170 of Law 4700/2020. According to the first indent of para.1 of Article 174 of Law 4700/2020, which reflects a standing procedural principle, the assessment of the evidence and facts by the Chambers is not subject to appellate review by the Court, sitting in plenary session. In the second indent, though, of the same paragraph of Article 174 of Law 4700/2020, it is explicitly stipulated that when the Plenum of the Court of Audit, in its' appellate jurisdiction, submits a preliminary question to the Court of Justice of the EU, (or a request for an opinion to the European Court of Human Rights), it may also take into consideration, for the completeness of the question, elements of the factual background of the case which are not mentioned in the judgment under appeal but which appear in the file of the case as constituted at the time of the delivery of the judgment under appeal. By virtue of this exceptional procedural provision, in case the referral of a preliminary question before the CJEU is deemed necessary, its proper formulation and articulation, also in light of facts which may not be mentioned in the judgment under appeal but appear in the file of the case, is further facilitated.

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

The provisions currently in force have been laid out in 2022 Rule of Law Report. Specifically, pursuant to art. 95 para 5 of the Constitution, the Public Administration is bound to comply with court judgments. The breach of this obligation renders liable any competent agent. Law 3068/2002 (GG A' 274) specifies the measures necessary for ensuring compliance.

ii. **Council of State - D' 1349 and 1350/2023** on whether the National Radio and Television Council (NRC) is competent to impose fines on the owners of online websites for broadcasting low-quality audio-visual content and for violating the obligation to respect human dignity.

iii. **Council of State - Plenary Session 177/2023**: preliminary questions regarding the national list (Ministerial Decision 458568/15-12-2021 GG B' 2425/17-12-2021), which includes Turkey as a safe third country, for asylum seekers whose applications are rejected as inadmissible.

iv. **Council of State - 2511/2022**: Conservation of wild birds and their habitats-Submission of preliminary questions to the CJEU on the interpretation of the provisions of paragraphs 1 and 2 of article 4 of Directive 2009/147/EC, in conjunction with the provisions of paragraphs 2, 3 and 4 of article 6 of Directive 92/43/EEC.

v. **Council of State - 235/2019**: Issues of the legal interest of an excluded candidate at the stage of awarding public contracts – Submission of preliminary questions to the CJEU on the interpretation of articles 1 (par. 3), 2 (par. 1, items a and b) and 2a (par. 2) of Directive 92/13/ of the Council of February 25, 1992, on the coordination of legislative, regulatory and administrative provisions on the application of Community rules to the contracting procedures of entities operating in the water, energy, transport and telecommunications sectors (OJ L 76), interpreted in connection of the Fastweb judgments (C-100/12) , PFE (C-689/13), Archus and Gama (C-131/16) and Lombardi (C-333/18).

⁶⁰ Submission of preliminary questions to the CJEU - examples

i. Recently, the Court of Audit, in the exercise of its jurisdictional competence regarding the hearing of disputes arising from public accounting officers' accountability (Article 98 para.1 section f of the Constitution) and more specifically in the context of proceedings pertaining to the repayment of financial aid received from the European Regional Development Fund by its final recipient for the purposes of the regularization of the public and EU accounts, submitted to the CJEU, according to Art. 267 TFEU, preliminary questions⁶⁰, by virtue of its Judgment (Plenary Session) 545/2022⁶⁰:

ii. The Court of Justice of the EU (Eighth Chamber), by its judgment in case C-313/22 ("Achilleion Anonymi Xenodocheiaki Etaireia v Elliniko Dimosio") which was delivered on 13.7.2023, replied to the questions submitted by the Court of Audit.

Furthermore, considering the European Court of Human Rights and the implementation of its decisions, we note the following:

A. According to the provisions of Article 12 of Law 4831/2021, the President of the Legal Council of the State is the Agent of the Hellenic Republic before the European Court of Human Rights (ECtHR) and the coordinator of the National Authorities responsible for the execution of judgments of the aforementioned Court.

In particular, the competences of the President of the Legal Council of State regarding the execution of judgments of the ECtHR are the following:

1. To inform the National Authorities of the content of the ECtHR judgments ("dissemination" of judgments), which find violations of Articles of the ECHR and/or its Protocols by highlighting the cause of the violations and analyzing the judgments' reasoning. Furthermore, in the context of the obligation to execute these judgments, the Agent by means of the same "dissemination" document informs the National Authorities of the individual and general measures of execution he/she considers appropriate;
2. To cooperate with the competent National Agencies, as well as the Agencies of the Council of Europe for the identification of the necessary measures of compliance with ECtHR judgments and to supervise the development of the relevant national procedures;
3. To request the competent financial Agencies to proceed with the payment of the sums awarded by the final judgments of the ECtHR;
4. To inform the Committee of Ministers of the Council of Europe, through the Permanent Representation of Greece to it, on the progress of general and individual measures of execution taken to comply with the judgments of the ECtHR;
5. To inform National Authorities about the important ECtHR case law and how to best implement the ECHR at national level;
6. To inform National Authorities of documents and memoranda of the Department for the Execution of Judgments of the ECtHR of the Secretariat of the Council of Europe, setting out general principles for the execution of ECtHR judgments;
7. To cooperate with the Agents of other Member States for the common management of various issues arising during the stage of the execution of judgments of the ECtHR;
8. To participate, in consultation with the Permanent Greek Representation, in the meetings of the Permanent Representatives Committee (Committee of Ministers) related to the execution of the ECtHR judgments or in conferences of other relevant Bodies involved with the adoption of measures for the better implementation of the ECHR.

B. On 31-12-2023, the execution of 67 cases was pending before the Committee of Ministers, 6 of which are leading cases under enhanced supervision ["Sidiropoulos and Papakostas" group of cases (ill-treatment by law enforcement agents), "Bekir Ousta" group of cases (denial to register associations in Thrace), "Nisiotis" group of cases (conditions of detention in detention facilities), M.S.S. group of cases (detention and living conditions of adult migrants – asylum proceedings), case of "House of Macedonian Civilization and Others" (denial to register an association in Florina), "Kanellopoulos" group of cases (non-payment of compensation for expropriated land in urban plan expropriations).

It is noted that the number of judgments pending implementation concerning applications against Greece is constantly decreasing according to the table below:

Year	Number of Judgments pending execution on 31st December of each year
2023	67
2022	70
2021	93
2020	120
2019	195
2018	238
2017	305
2016	311
2015	302
2014	558
2013	495

C. During the period from 01.01.2023 to 31.12.2023, the Committee of Ministers, having considered that all necessary and sufficient individual and general measures of execution had been taken, decided to terminate the supervision of the execution of 35 ECtHR judgments, concerning applications against Greece.

These judgments concerned, in particular, the following violations:

- (a) non-execution of judgments of national courts in cases of lifting of urban plan expropriations of land ("Bousiou") and the regulation of parental communication with the child ("Paparrigopoulos" and "Anagnostakis");
- (b) discrimination against a member of the Muslim minority of Thrace, due to the mandatory application by the domestic courts of Islamic religious Law (Sharia) ("Molla Sali");
- c) living conditions of an unaccompanied minor ("Rahimi");
- d) Violation of the right to private life of a detainee due to the imposition of disciplinary penalties for refusal to undergo a physical check ("Syrianos") and others.

During the aforementioned period: a) a total amount of EUR 3,785,189.87 was paid to 190 beneficiary applicants, which was awarded to them by the ECtHR as just satisfaction, b) dissemination documents were sent in 11 cases and c) "Action Plans" and "Action Reports" were sent in 18 cases⁶¹.

D. In the year 2022, the President of the Legal Council of State, in the context of taking general measures for the execution of ECtHR Judgments, sought, in cooperation with the competent authorities, the adoption of the provisions of the draft Law that had been transmitted in June 2020, by the President of the Legal Council of State to the Special Permanent Committee for

⁶¹ D. During the period from 01.01.2022 to 31.12.2022, the Committee of Ministers decided to end the supervision of the execution of 48 ECtHR judgments. These judgments concerned, in particular, the following violations: a) non- execution of judgments of national courts ("Papachela and Amazon S.A."); b) conditions of detention in detention facilities and provision of medical care ("Serifis" group of cases and certain cases of the "Nisiotis" group of cases); c) restrictions on freedom of expression due to non-compliance with the ECHR standards of protection of personality against the freedom of expression (certain cases of the "Vasilakis" and "Katrami" groups of cases); d) denial of access to court, due to a formalistic interpretation of the conditions for the admissibility of legal remedies in criminal proceedings ("Kallergis"); (e) failure to decide speedily on the lawfulness of the applicant's detention - shortcomings in the provision of appropriate medical care during detention and lack of effective remedy (Lavrentiadis); (f) violation of property rights, due to the reasoning of court decisions in civil litigation over land ownership rights against the State or a legal entity of public law ("Kosmas Group" of cases). During the aforementioned period: a) a total amount of EUR 1,059,532.66 was paid to 190 beneficiary applicants, which was awarded by the ECtHR as just satisfaction, b) dissemination documents were sent in 5 cases and c) "Action Plans" and "Action Reports" were sent in 23 cases.

the Monitoring of ECtHR Judgments of the Parliament, and in particular the draft provision establishing a legal remedy by which detainees serving a sentence or who are temporarily being detained may raise complaints about the conditions of their detention. On 27.10.2022, Article 6A of the Correctional Code, added by the provision of Article 8 of Law No.4985/2022 (A' 203) entered into force. Pursuant to the aforementioned Article, temporary detainees and inmates serving their sentence are entitled to bring an action before the competent Court for the Enforcement of Sentences for failure to comply with the standards of the living conditions for detainees.

By a document no 173609/572724/19.12.2022 of the President of the Legal Council of the State, the President and the Prosecutor of the Greek Supreme Court (Areios Pagos) were notified of the case law of the ECtHR as regards detention conditions and the criteria for the effectiveness of national remedies used to lodge complaints about detention conditions by detainees. Subsequently, the relevant Circular No. 3/2023 of the Prosecutor of the Greek Supreme Court was issued.

In the context of the dissemination of the ECtHR's Judgment on the application "Loizou v. Greece", which concerned the ineffective investigation of the applicant's complaint of ill-treatment by police officers during his arrest, the Prosecutor of the Supreme Court issued Circular No.4/2022.

E. Regarding the existence of remedies through which objections could be raised for the non-execution or incorrect execution of ECtHR judgments, we note the following:

There is no national remedy to challenge the non-execution or improper execution of ECtHR judgments.

Since, in accordance with the provisions of Article 46 of the ECHR, the execution of ECtHR judgments is supervised by the Committee of Ministers of the Council of Europe, 'remedies' have been established for raising objections to the non-execution or incorrect execution of ECtHR judgments.

In particular, under Rule 9.1 of the Rules of the Committee of Ministers, applicants may submit "Communications" to the Committee in which they can complain about the failure of the respondent state to pay just satisfaction and/or take the appropriate and adequate individual measures of compliance. Pursuant to Rule 9.2 of the above Rules, non-governmental organisations and other entities may raise, by means of 'Communications', objections concerning the failure to take general compliance measures or the appropriateness and adequacy of the general compliance measures taken or proposed.

Question 55. 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)

MoMA has instituted a specific framework for CSOs to engage with migrants and refugees, and especially those residing in MoMA facilities or accessing its services, in order to safeguard public interest and ensure the protection of asylum seekers and beneficiaries of international protection. In 2020, MoMA launched the NGO Registry, calling all CSOs that are active in the areas of international protection, migration, and social integration to register, as a prerequisite for participation in the implementation of activities related to the aforementioned areas within Greece. All of the 30 CSOs currently funded through MoMA are successfully registered, while the NGO Registry numbers a total of 84 organizations, and remains open for more CSOs to submit their applications. Registered CSOs are also required to register their members (both employees and volunteers) to the Registry of NGO Members.

Since the creation of the NGO Registry, MoMA has been receiving regular feedback from CSOs on several aspects of the Registry and its functions. Especially for the launch of the Registry of NGO Members, suggestions were taken into account for the formulation of its function and the submission of NGO members' registration materials. It is also important to note that the processing speed for NGO Registry submissions has markedly increased since its launch. Regarding the new Registry for CSOs of the Ministry of Interior (MoI), launched in 2023, MoMA remains in communication with the relevant MoI services to ensure that the interoperability of the two Registries requires a minimal amount of resubmission of necessary documents and certifications, safeguarding efficiency and avoiding duplication of processes. Indicatively, the two Ministries are currently collaborating on establishing an electronic validation process, through which an organization's registration in either Registry will be verified, and status updates will automatically be incorporated. A roadmap for further interoperability features is being drafted by the two Ministries, to be implemented within the following months.

56. 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.

See the response in question 58 (under **Next priorities 2024**)

Question 57. Organization of financial support for civil society organizations 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)

A portion of the services provided by MoMA to third-country nationals during all stages of their stay in Greece, from first reception to integration, are provided through collaboration with civil society organizations (CSOs); financial support is provided to the CSOs undertaking all or specific components of the implementation of these services. Indicatively, some of the services for which MoMA maintains collaborations and provides funding to CSOs, through MoMA funding schemes or other financing mechanisms, are:

- Distribution of cash assistance to asylum seekers
- Accommodation and supplementary services to unaccompanied minors
- Interpretation for Asylum Service and Reception and Identification Service procedures
- Non-formal education for refugee and asylum seeker children
- Integration program for recognized refugees and beneficiaries of temporary protection (rental subsidy, Greek language learning, employability counseling)

The Special Service for the Coordination and Management for Migration and Home Affairs Funds is an organic part of MoMA, under the General Secretariat for Migration Policy. It is the Managing Authority for the Asylum and Migration Fund (AMIF), the Border Management and Visa Instrument (BMVI) and the Internal Security Fund (ISF) for the 2021-2027 programming period, through which several of the above programs are implemented. MoMA collaborates with the relevant Managing Authorities for other funds (e.g. ESF+), as well as other financing mechanisms (e.g. Swiss Contribution).

During the launch, implementation, evaluation, and closure of projects operated in partnership with MoMA, and especially for those directly funded through MoMA, there is frequent communication with implementing partners from civil society throughout all levels of project implementation and monitoring. MoMA provides guidance and feedback on quality service provision, progress in reaching project targets, budget monitoring and absorption,

procurement and logistics procedures, etc.; CSO partners report on project milestones, and communicate needs and lessons learned emerging from project implementation. All relevant MoMA directorates and departments are involved, with the overall aim of ensuring the success of each project carried out in joint partnership.

During the 2021-2027 programming period, as established in Ministerial Decision 457538/2023, the Monitoring Committee for Home Affairs Funds will include four (4) elected representatives of CSOs registered by MoMA's NGO Registry, thus marking an important development for the institutionalization of CSOs' contribution to the programming and financing of MoMA projects.

Next priorities (2024):

Within the coming months, the Special Service for the Coordination and Management for Migration and Home Affairs Funds will run elections for CSOs to elect members to represent civil society in the Monitoring Committee for the programmatic period 2021-2027.

Question 58. Rules and practices on the participation of civil society organizations 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.)

1. Ad hoc advocacy communication:

MoMA has an open-door policy for all relevant stakeholders, including CSOs, maintaining open channels of communication. CSOs often approach MoMA and its leadership, in order to request or submit information related to advocacy issues. Such requests are handled in the spirit of fostering collaboration and respecting civil society's institutional role in flagging advocacy issues, especially those emerging from their frontline work in the field of migration and asylum.

Next priorities (2024):

In the coming months, MoMA aims to further structure its internal system of handling ad hoc advocacy communication with CSOs, designating specific focal points for coordinating information handling and responding – when necessary – to CSO queries.

2. Structured dialogue with civil society:

This last category represents one of MoMA's most crucial current priorities related to civil society relations. MoMA maintains an organic collaboration, as well as continuous dialogue, with civil society along several axes and aims to cement a system of structured dialogue with CSOs in the coming months. Beyond the aforementioned inclusion of CSOs in the financial planning process through their participation in the Monitoring Committee for Home Affairs Funds, as established in Ministerial Decision 457538/2023 (see answer to question 55), further steps have already been made in this direction, extending invitations to civil society to exchange on specific subjects; for example, a meeting was held on asylum seeker reception and the NGO Registry on 23/10/2023, hosted by the responsible General Secretary, with 23 CSOs participating. Most importantly, on 21/12/2023, MoMA's political leadership invited 32 civil society organizations to an open dialogue, where there was an active question and answer session on challenges CSOs are facing, as well as best practices developed. Another meeting is scheduled within January 2024, between MoMA's political leadership and organizations/associations representing migrant and refugee communities, with the same agenda.

The above meetings are launching the process for strengthening the structured dialogue system, which will take place over the coming months. It must be stressed that the process will be participatory, to the degree possible, incorporating CSO suggestions and ideas for the structured dialogue system.

Next priorities (2024):

- i. Designate a regular and efficient update process for civil society stakeholders to map their services and activities for migrants and refugees.
- ii. Institute regular meetings with CSO representatives along specific thematic axes related to MoMA's mandate, in order to raise concerns related to CSOs' scope of action (including concerns on safeguarding human rights in the asylum and migration processes, the enabling framework for the actions of human rights defenders, and any other relevant issues), examine suggestions, and identify solutions to challenges. Specific MoMA focal points will be designated to represent and liaise with all services concerned.
- iii. Enhance the public consultation process on legislative measures. Currently, CSOs have access to the Open Governance portal for public consultation, which is open to all citizens, as defined by article 61 of law 4622/2019 on the Executive State. Additionally, during the preparation of new legislative measures, MoMA calls upon and will continue to call upon the CSOs with relevant expertise to contribute data from their fieldwork, and their assessments of the legislation's potential impact and repercussions. Beyond the Open Governance portal for public consultation, MoMA wishes to extend the consultation process with specific CSOs that have considerable experience on specific migration and asylum issues, and have been established as valuable MoMA partners over time. A specific pathway for this consultation process will be defined within MoMA during the year. A key step in this process is the creation of a comprehensive record of CSOs with activity in the areas of migration and asylum clearly laying out their specific areas of expertise, so that these actors can be called upon to contribute their views during the consultation process, per their experience.

E. Initiatives to foster a rule of law culture

59. 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, education initiatives etc.)

1. Under the new law 5026/2023, the Central Audit Committee (C.A.C.) publishes its results on audits in a more organized and transparent way, separating people who actually hold a public office from their partnership relatives (wife/husband etc.). So, it provides to every member of the civil society the opportunity, to check, compare [even through the years] and submit to the C.A.C., upon his/her will, observations/objections/accusations for the in-depth reexamination of the submitted asset declarations and therefore actively contributing to fostering of a society-participating rule of law culture.

2. The Research Laboratory for Transparency, Corruption and Economic Crime of the Law School of Aristotle University of Thessaloniki, in collaboration with the National Commission for Human Rights and the Thessaloniki Bar Association, organized a conference⁶² on the

⁶² <https://websites.auth.gr/anticorruptionlab/actions/synedrio-endarnamosi-kratous-dikaiou/>

https://websites.auth.gr/anticorruptionlab/wp-content/uploads/sites/52/2023/02/H_Endinamosi_tou_kratous_Dikaiou_Sunedrio_Programma_2023.pdf

theme: "Strengthening the rule of law in European legal orders and in Greece", on 17.03.2023 (17.00-20.30) and 18.03.2023 (10.00-15.00), at the Chamber of Commerce and Industry, Tsimiski 29, 546 24 Thessaloniki.

The conference included thematic sections such as: a) Harmonization of democracy and rights in the rule of law, b) Criminal repression and the rule of law, and c) Effective judicial protection of the weakest persons in private law.

3. For the seminars concerning Rule Of Law organized by the National School of Judiciary see above answer on question 14.