

# 2024 Rule of Law Report - targeted stakeholder consultation

Fields marked with \* are mandatory.

## Introduction

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The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, four editions of the Rule of Law Report have been published in 2020, 2021, 2022 and 2023.

The Commission would like to invite stakeholders to provide contributions to the 2024 Rule of Law Report. This survey provides information on the type of information and topics that will be covered in the 2024 Rule of Law Report, in order to allow stakeholders to provide input. More targeted input may be requested at a later stage of preparation of the 2024 Rule of Law Report, including in the context of country visits, or bilateral contacts.

The 2024 Rule of Law Report will continue to deepen the assessment under the existing four pillars, and will also follow-up on the implementation of the recommendations to Member States, that were issued as part of the 2023 Rule of Law Report. The contribution to be provided should include **(1) information on measures taken to implement the recommendations addressed to the Member State in the 2023 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and (2) any other significant developments since January 2023<sup>[1]</sup> falling under the ‘type of information’ outlined in section II.**

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

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

## Type of information

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

## **A) Legislative developments**

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

## **B) Policy developments**

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

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

- Important case law by national courts
- Important decision/opinions from independent bodies/authorities
- State of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, heads of independent authorities included in the scope of the questionnaire[2])

## **D) Any other relevant developments**

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

Please also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable.

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

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

## **About you**

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\* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☒ Civil society organisation/NGO

- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities
- ☐ Other

\* Organisation name

250 character(s) maximum

Federation of Western Thrace Turks in Europe (ABTTF)

Main Areas of Work

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

If "Other", please specify

Rights of national minorities, discrimination, human rights defenders, fight against hate speech

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

500 character(s) maximum

www.abtff.org

Transparency register number

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

\* Country of origin

Please add the country of origin of your organisation

- ☐ Afghanistan
- ☐ Albania
- ☐ Algeria
- ☐ Andorra
- ☐ Angola
- ☐ Antigua and Barbuda
- ☐ Argentina
- ☐ Armenia
- ☐ Australia
- ☐ Austria
- ☐ Azerbaijan

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

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

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

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

First name

Halit

Surname

Habip Oglou

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

**\* Publication of your contribution and privacy settings**

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

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

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2024 rule of law report.pdf](#)

## Questions on horizontal developments

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

Overview topics for contribution

[List of topics 2024 RoL Report.pdf](#)

Please provide any relevant information on horizontal developments here

*5000 character(s) maximum*



The ethnic Turkish identity of the Turkish community in Western Thrace living in Greece is not recognised, but is recognised as a minority on religious grounds. Although there are three ECtHR judgments regarding the freedom of association, known as the Bekir-Ousta group of cases, Greece has not executed the judgments since 2008. Although the Turkish community is autonomous in education, there are no Turkish kindergartens, their number is rapidly decreasing due to the closure of primary schools. The number of Turkish secondary schools and high schools at the secondary school level is very low, and the issue of double-shift schooling and modern school buildings in Xanthi Minority Secondary and High School, which was brought to the agenda of the EP, continues.

[https://www.europarl.europa.eu/doceo/document/E-9-2023-002144\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-002144_EN.html)

[https://www.europarl.europa.eu/doceo/document/E-9-2023-001398\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-001398_EN.html)

[https://www.europarl.europa.eu/doceo/document/E-9-2023-003346\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003346_EN.html)

[https://www.europarl.europa.eu/doceo/document/E-9-2023-003485\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003485_EN.html)

## Questions for contribution

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The following four pillars (I.-IV.) are sub-divided into topics (A., B., etc.) and sub-topics (1., 2., 3., etc.). For each of the topics and sub-topics, you are invited to provide (1) information on measures taken to implement the recommendations addressed to the Member State in the 2023 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2023 Rule of Law Report and (2) any other significant developments since January 2023<sup>[3]</sup>. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). Significant developments can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

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

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

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

Member State covered in contribution [only one choice possible]

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

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia

- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☒ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

## I. Justice System

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

*5000 character(s) maximum*

The 2023 Greece report recommended taking further steps to evaluate the current registration system for non-governmental organisations and starting a structured dialogue with NGOs. In its decision dated December 2023, the Committee of Ministers of the Council of Europe continues to indicate that, despite the legislative change made in 2017, the ECtHR judgments are still not executed. The associations from the Bekir-Ousta group of cases indicate that they have exhausted the domestic legal remedies and that the Greek authorities must now take measures to execute the aforementioned judgments. Greece does not fulfill the obligation of the respondent States to fully and effectively execute all ECtHR judgments in accordance with t Article 46 (1) of the Convention.

### A. Independence

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

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

Promotion of judges and prosecutors (incl. judicial review)

*5000 character(s) maximum*

Allocation of cases in courts

*5000 character(s) maximum*

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

Independence/autonomy of the prosecution service

*5000 character(s) maximum*

An association, established in Komotini under the name “Western Thrace Fenerbahçe Association” as a sports association founded by the fans of Fenerbahçe Sports Club, a sports club in Türkiye, was officially registered on 11 October 2022. The establishment of a fans association in our region incredibly disturbed the Honorary President of the Supreme Court of Appeals and former Prime Minister Vassiliki Thanou, who holds an important position in the judiciary in our country. In her article published on the website Dikastiko.gr, Thanou noted that the words “Western Thrace” in the name of the Western Thrace Fenerbahçe Association is not used to refer to the region and claimed that only Türkiye persistently mentioned the “Western Thrace” region, in contradiction with the national interests of Greece.

Thanou claimed that the Civil Court of First Instance of Komotini, which registered the petition for the establishment of the Western Thrace Fenerbahçe Association, made a mistake and that the legal

acceptance of the aims of the association was erroneous. Honorary President of the Supreme Court of Appeals, Vassiliki Thanu requested the revocation of the registration decision of the “Centre for the Macedonian Language” established by the Macedonians living in Florina and argued that this was a national issue. Shortly after Thanu’s intervention, the Florina prosecutor ordered the registration of the “Centre for the Macedonian Language”. A lawsuit was filed to revoke the recognition decision. The Western Thrace Fenerbahce Association also experienced the same fate. Indeed, a lawsuit was filed with the signature of Prosecutor of Rodopi Maria Kapetanyanni, requesting the revocation of the registration of the Western Thrace Fenerbahce Association.

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

5000 character(s) maximum

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

5000 character(s) maximum

The hearing of the case filed for the revocation of the Western Thrace Fenerbahçe Association was postponed on Wednesday, 22 March, at the One-Member Civil Court of First Instance of the Prefecture of Rodopi, and the case file was closed after the prosecutor withdrew the objection application at the hearing on 14 June 2023. Two days after the hearing, on 16 June 2023, a second lawsuit was filed by the Prosecutor’s Office of First Instance of Rodopi requesting the revocation of the registration of the aforementioned association. In the case filed by the Prosecutor of the Court of First Instance of Rodopi, the use of the words “Western Thrace” is objected to. It is claimed that the use of the words “Western Thrace” in the indictment is misleading regarding the region being Greek and creates the perception that the members of the association are Turkish citizens or members of the ethnic Turkish minority that is structured and present in the region, rather than Greek Muslims.

The hearing of the second case filed by the Prosecutor’s Office of First Instance of Rodopi was discussed on 6 September 2023. Kafkasköy Pontus Association, which intervened in the case against the Fenerbahçe Association, also participated. Objections to the revocation of the registration of an association that has not acted outside the statute since its establishment are cases filed with political motivation.

## B. Quality of justice

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

*2)*

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

5000 character(s) maximum

#### Resources of the judiciary (human/financial/material)

*(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)*

5000 character(s) maximum

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

*5000 character(s) maximum*

The Committee of Ministers has consistently advised the Greek authorities to take additional measures for the wide dissemination of ECtHR jurisprudence in the country and the systematic training of local judges at all levels in order to ensure that national courts take decisions in full and effective compliance with ECtHR jurisprudence on the registration or dissolution of associations, but as of now, there is no concrete development on this issue. Although there were three ECtHR judgments which were ruled in 2008 regarding the Bekir-Ousta group of cases, the registration application of the Cultural Association of the Turkish Women of the Prefecture of Xanthi was rejected by the Court of Cassation in 2017 for the same reasons criticised by the ECtHR, and this association also subsequently applied to the ECtHR.

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

## C. Efficiency of the justice system

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

Length of proceedings

*5000 character(s) maximum*

The Turkish and Greek signboards at the entrance of the association building of the Xanthi Turkish Association, which was the first Turkish association in Western Thrace and was established in 1927, were removed on 7 December 1983, and a short time later, the governor of Xanthi at the time said the following: "There are no Turks in Western Thrace". A closure case was filed with the allegation that our association "poses a threat to public order and national security". A long judicial process began and our legal struggle in domestic law lasted for 22 years. At the end of this long process, in February 2005, the General Assembly of the Greek Court of Cassation unfortunately approved the closure of the Xanthi Turkish Union. The Xanthi Turkish Union took the case to the European Court of Human Rights. In its judgment declared in 2008, the European Court of Human Rights (ECtHR) convicted Greece for its decision to close the Xanthi Turkish

Union and ruled that Greece violated the European Convention on Human Rights with this decision. However, Greece has insisted on not executing the ECtHR judgments regarding the Xanthi Turkish Union and other Turkish minority associations for the past 15 years. Greece, which ignores the calls and pressures of the Committee of Ministers of the Council of Europe, the Department for the Execution of Judgments of the European Court of Human Rights and other international organisations to execute the judgments of the ECtHR, is experiencing a great contradiction with its own rhetoric. As the Xanthi Turkish Union, we are fighting for the execution of the ECtHR judgments, the restoration of the legal status and legal personality of our association, and the end of 40 years of anti-democratic practices, oppression and discrimination.

Other - please specify

*5000 character(s) maximum*

## II. Anti-Corruption Framework

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

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

*5000 character(s) maximum*

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

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

## B. Prevention

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

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)

*5000 character(s) maximum*

If available to you, for the three preceding questions, you are also invited to 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.).

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

*5000 character(s) maximum*

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)

5000 character(s) maximum

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

5000 character(s) maximum

## C. Repressive measures

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

Other - please specify

5000 character(s) maximum

## III. Media pluralism and media freedom

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

*5000 character(s) maximum*

We share ongoing concerns about media independence and transparency of media ownership in the 2023 Greece report. Indeed, in our country, there are examples of marginalisation, discrimination and targeting in the media, beyond prejudice and stereotypes against the Turkish community in Western Thrace. Within the political arena, issues related to the Turkish community in Western Thrace are treated as national issues and our community is perceived as a threat to the integrity of our country and as an extension of other powers and accepted as such; Since this situation is reflected in this way in all of the media outlets, including the mainstream media, there is a total campaign of smear, stigmatisation and marginalisation of our community. There are no precautions taken in this regard.

The only province where SYRIZA won more than the ruling New Democracy in the 21 May elections was in the prefecture of Rodopi, where the Turkish community in Western Thrace constitutes the majority in terms of the population. There, Özgür Ferhat, a member of the Turkish community from SYRIZA's branch present in the prefecture of Rodopi, is the candidate who received the most votes among all of them. Indeed, following the election results in Rodopi, a political smear campaign was launched and Turkish MPs and candidates were used as material in the election campaign and became targets. By claiming that Özgür Ferhat's vote rate was a result of Türkiye's involvement in the election, the will and free choices of the voters were ignored, and there were attempts at discrediting Özgür Ferhat within the political circles and the media. The smear and targeting campaign carried out in the political arena found echos within the media, and furthermore, attempts were made to manipulate the will of the voters by using provocative and aggressive language in the news in the press, including in the mainstream media. This situation deepens the structural and systematic discrimination against the Turkish minority.

While defending media pluralism and freedom of expression, it is necessary to prevent the stigmatisation, smearing and discrediting in the political sphere and in the media, and to prevent the Turkish minority from being instrumentalised by using it as election campaign material. Steps must be taken to prevent the spread of hate speech and hate-based ideas and to punish them by banning aggressive language in the political circles and within the media outlets.

## A. Media authorities and bodies

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

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

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

5000 character(s) maximum

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

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

5000 character(s) maximum

Safeguards against state / political interference, in particular:

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

5000 character(s) maximum

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

5000 character(s) maximum

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

Rules and practices guaranteeing journalists' 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

5000 character(s) maximum

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

5000 character(s) maximum

Access to information and public documents by 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)

*5000 character(s) maximum*

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

*5000 character(s) maximum*

Other - please specify

*5000 character(s) maximum*

Pursuant to Article 8 of Law No. 4779/2021, audiovisual media services may not be used against a group of people or a member of a group based on racial characteristics, colour, national or ethnic origin, ancestry, religion, disability, sexual orientation, gender identity or gender characteristics. We would like to remind you that it must not contain incitement to violence or hatred, as defined by it. However, the ECRI Report on Greece published on 28 June 2022 reported that the refugees, asylum seekers and other migrants, as well as Roma and members of LGBTI communities, continue to be frequent victims of hate speech, occasionally involving politicians and even state officials.

Recognising that freedom of thought and expression is a fundamental right in democracies, the circulation of hateful materials in the media, including the internet, remains a serious issue. The U.S. Country Reports on Human Rights Practices: Greece notes that there are news reports that the government does not censor the media, but indicated that there are pressures upon the media organisations to forego unfavourable stories about the government.

It is true that media organisations generally do not publish news that may be unfavorable to the government. The Turkish community in our region is perceived as representatives of our kin-state Türkiye, whose very existence is a tool for irredentist foreign policy. Historically, the Western Thrace Turks were perceived to be the representatives of the period of Ottoman yoke. Such views have produced an understanding that portrays the Turkish community as being “Trojan horses” that are seen as obstacles to national unity and integrity and public order.

As is consistently seen in the case of the Turkish community in Western Thrace, the media is used as a tool of provocation and manipulation for the community at large, which can lead to hostility towards members of a certain group.

Representatives of the Turkish community in Western Thrace and their media are concerned that issues concerning the Turkish community are perceived and addressed as a national issue, and therefore any views or news critical of it generally do not have the opportunity to publish their news or opinions in the mainstream media, even to suggest recommendations on the government’s policy towards the Turkish community are not published in the mainstream media. Persistent hate speech in the media and a clear manifestation of hatred towards Türkiye makes the Turkish community in Western Thrace, all of whom are

Greek citizens, vulnerable targets.

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

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)

5000 character(s) maximum

### A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1] /public consultations (including 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

[1] This includes also the consultation of social partners

5000 character(s) maximum

An example of this situation is the violation of the freedom of religion and belief of the Turkish community in Western Thrace and the religious autonomy as defined by the treaties. It is underscored that the Constitution defines the freedom of religion and conscience as inviolable, and the Greek Orthodox Church, which is the dominant religion in the country, the Greek Jewish Community and the “Muslim Minority in Thrace” are defined as having legal personality status under public law.

The Turkish community in Western Thrace has the right to elect their own religious leaders (Muftis) in accordance with the international treaties. The 1913 Treaty of Athens states that “Each Mufti shall be elected by Muslim voters within the jurisdiction of the relevant Mufti.” However, with Law No. 1920 adopted in 1991, the right of Muftis to be elected by the Turkish Minority was taken away and muftis were appointed from among the candidates nominated by the Ministry of Education and Religious Affairs. Subsequently, it was claimed that steps were taken on the issue that has been accumulated for 30 years with Presidential Decree No. 52/2019 and Law No. 4964/2022 and that the regulations regarding the modern functioning and organisational structure of the Offices of the Muftis.

Presidential Decree No. 52/2019 further damages the autonomous structure of the Turkish Minority in the religious field, since the mufti offices have been completely subordinated to the Ministry of Education and Religious Affairs and have been transformed into ordinary public offices. All organisations representing our minority and Turkish MPs in the Greek Parliament opposed this decree and also applied for its revocation. The Council of State rejected the request for the revocation of the Presidential Decree, concluded that the Decree was not contrary to international treaties, the Constitution and procedural law in Greece, and once again ignored the religious autonomy of the Turkish community.

At this point, the state does not intervene in the Greek Orthodox Church which is defined as the dominant religion in the country, nor in the Jewish Community of Greece, but the Turkish community in Western Thrace, that is, the Muslim Minority with a religious reference, is under state control and intervention. In simple terms, while the Jewish Community is free and autonomous in the religious field, the Muslim Minority is not free and autonomous, although it has been rendered autonomous in accordance with the international

treaties. While this is a violation of religious freedom, it is also a direct discrimination against the Muslim minority in the country.

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)

*5000 character(s) maximum*

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

*5000 character(s) maximum*

Regime for constitutional review of laws

*5000 character(s) maximum*

## B. Independent authorities

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

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

## C. Accessibility and judicial review of administrative decisions

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

*5000 character(s) maximum*

Judicial review of administrative decisions:

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

In this regard, the non-execution of the ECtHR judgments with respect to the Bekir-Ousta group of cases for the past 15 years can be mentioned as an example. The Committee of Ministers monitoring process continues, but there is no follow-up mechanism regarding the public administration and the state institutions in case the ECtHR judgments are not executed. Finally, before the Committee of Ministers' examination in December, the Secretariat of the Committee of Ministers met with the Greek authorities in Athens on 8 November. As a result of the meeting between the Secretariat of the Committee and the Deputy Minister of Foreign Affairs, Greece indicated that they intend to establish a Committee of Experts to advise the Greek authorities on the steps to be taken in the Bekir-Ousta group of cases. This situation only shows the intention of the Ministry of Foreign Affairs. Concretely, no steps have been taken other than the legislative amendment in 2017.

## D. The enabling framework for civil society

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

*5000 character(s) maximum*

The report recommends taking further steps to evaluate the current registration system for non-governmental organisations. In its statement on 16/01/2023, the Commissioner for Human Rights of the Council of Europe said that in Greece, human rights defenders have expressed concern about the hostile environment in which civil society and journalists work. Moreover, the Commissioner noted that smear campaigns targeting individuals defending human rights, burdensome NGO registration procedures and undue pressure on journalists undermined the protection of human rights and narrowed civic space in the country.

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

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

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

*5000 character(s) maximum*

Other - please specify

*5000 character(s) maximum*

## Contact

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