

2024 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

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^[1] 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

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

* 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

Border Violence Monitoring Network

Main Areas of Work

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

If "Other", please specify

Human rights of people on the move

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

500 character(s) maximum

The Border Violence Monitoring Network (BVMN) is an independent network of NGOs, associations and collectives that monitors human rights violations at the borders of Europe and advocates to stop violence against people on the move.

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

Surname

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

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

Questions for contribution

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^[3]. 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

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

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

People who experience rights violations in relation to border management practices and the asylum procedure in Greece not have access to adequate complaint mechanisms. Concerningly, in 2023 Greece tasked its National Transparency Authority (NTA) with undertaking an investigation into the forcible expulsion of 12 people on Lesbos island, despite serious concerns voiced by civil society and the European Parliament regarding the efficacy and independence of the NTA <https://www.gcr.gr/en/news/press-releases-announcements/item/2160-no-monitoring-of-fundamental-rights-violations-in-greece-without-independent-and-effective-mechanisms> . In 2023 the Ministry established a Fundamental Rights Complaints Mechanism <https://migration.gov.gr/en/fro-complaints-form/> but has not published detailed information on how the mechanism will function and possible outcomes for complainants. No perpetrators have been charged with crimes in relation to pushbacks to date.

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

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

People on the move in Greece continued to face restrictions on their ability to access justice in 2023, through significant barriers to registration of first and second instance asylum claims, the extensive use of administrative detention impacting detainees' access to legal services and information, and the sustained de facto policy of illegal pushbacks at the land and sea borders, which led to denial of access to territory and by extension the justice system in Greece.

On the Greek mainland, BVMN member organisation Mobile Info Team (MIT) found that access to asylum was highly restricted following a new system for registering first instance asylum claims introduced in

September 2022 (<https://www.mobileinfoteam.org/ric>). Barriers including long waiting times for appointments, remote locations of screening facilities and risks associated with travelling without documentation due to well-founded fears of apprehension and possible detention in pre-removal facilities, compounded to restrict the right to access the asylum procedure in Greece. In extreme cases applicants were apprehended and detained in pre-removal detention centres, despite having requested an appointment to register their claim for asylum, which in some cases prevented them from attending their appointment and registering a claim <https://www.mobileinfoteam.org/ric>. Additionally, the online platform for requesting asylum registration appointments was unavailable for a period of 3.5 months from 5th May 2023, suspending access to the procedure for the majority of asylum seekers on the mainland, who were left without documentation to prove their legal right to remain on the territory, leading to vulnerability to pushbacks and detention (<https://www.mobileinfoteam.org/alkyoni>).

Within the mainland screening facilities, access to legal support is restricted, resulting in a high likelihood of unfair asylum procedures as applicants are not supported by legal practitioners to prepare adequately for interviews (<https://www.mobileinfoteam.org/ric>).

Those registering subsequent asylum applications in Greece must pay a fee of €100 euro per person, meaning that access to asylum is not free of charge for those making second or further applications. A report by MIT showed that people left undocumented due to an inability to pay the subsequent application fee were apprehended by the police and detained in pre-removal detention centres on the Greek mainland (<https://www.mobileinfoteam.org/detention>).

On the Greek islands, applicants undergo a similar regime of de facto detention within EU-funded Closed Control Access Centres (CCACs). On both the islands and mainland, there is a lack of safeguards which breaches the international standards required when detaining an individual. As this regime of de facto detention is automatic, it deprives individuals of their right to an “individual assessment” (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32013L0033>), meaning vulnerabilities remain unassessed (ibid) and leaving individuals without access to legal information (ibid). The blanket de facto detention of individuals within mainland and islands screening centres is indicative of Greece’s failure to consider detention as a “last resort” (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32013L0033>).

In general appeals of detention orders are rare compared with appeals lodged against asylum service decisions. In 2022, the Hellenic Police issued over 30,000 detention orders but only 1.3% were challenged by administrative appeal, and only 2.7% of appeals were granted (<https://rsaegean.org/en/immigration-detention-in-2022/>). This is partially explained by the complete absence of state-provided legal aid; in 2022, no free legal aid was provided for detention or return proceedings (<https://rsaegean.org/en/immigration-detention-in-2022/>).

The continued practice of illegal pushbacks by Greek authorities presents a huge challenge to the right to asylum in Greece, as these operations are carried out without individual assessment of claims or adherence to asylum law. The continuation of this practice has been documented by BVMN in 2023 <https://borderviolence.eu/testimonies/> adding to mounting evidence of collective expulsions by Greek authorities <https://borderviolence.eu/reports/briefing-on-new-nyt-evidence-of-aegean-pushbacks/> <https://www.gcr.gr/el/news/press-releases-announcements/item/2111-new-gcr-report-reveals-violence-against-refugees-at-the-greek-turkish-borders-and-criminalization-of-legal-aid-organizations>

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

People who experience rights violations in relation to border management practices and the asylum procedure in Greece not have access to adequate complaint mechanisms. Concerningly, in 2023 Greece tasked its National Transparency Authority (NTA) with undertaking an investigation into the forcible expulsion of 12 people on Lesbos island, despite serious concerns voiced by civil society and the European Parliament regarding the efficacy and independence of the NTA <https://www.gcr.gr/en/news/press-releases-announcements/item/2160-no-monitoring-of-fundamental-rights-violations-in-greece-without-independent-and-effective-mechanisms> . In 2023 the Ministry established a Fundamental Rights Complaints Mechanism <https://migration.gov.gr/en/fro-complaints-form/> but has not published detailed information on how the mechanism will function and possible outcomes for complainants. No perpetrators have been charged with crimes in relation to pushbacks to date.

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

5000 character(s) maximum

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

In 2023 applicants of international protection faced barriers to justice due to delays within the asylum procedure. According to research by MIT the average waiting time to register an appointment at one of two registration centres on the mainland was 83 days (<https://www.mobileinfoteam.org/ric>). While waiting applicants have no access to documentation attesting to their right to remain on the territory. The European Commission and eight judgments issued in 2023 by Greek courts have ruled that the request of an appointment via the online platform constitutes 'making' of an asylum application (<https://www.mobileinfoteam.org/mss-submission>), yet people in possession of documentation proving their appointment for registering an asylum claim continue to be arrested and detained by the Greek authorities and labelled as 'undocumented' (<https://www.gcr.gr/en/news/ta-nea-apo-to-pedio/item/2156-updates-from-the-field-may-2023>).

In March 2023, the contract to provide interpretation in CCACs between the Ministry of Migration and Asylum and the European Union Agency for Asylum (EUAA) expired (https://www.efsyn.gr/ellada/koinonia/386468_eidos-ypo-exafanisi-oi-diermineis-stis-prosfygikes-domes-toy-b-aigaioy). As a result, asylum interviews were indefinitely postponed for anyone requiring interpretation services. Interpretation services have also been drastically reduced since October 2022 on the mainland, leading to delays and inefficiencies in the asylum procedure (<https://www.902.gr/eidisi/koinonia/331861/na-apokatastathei-amesa-i-ypiresia-asyloy>).

On the island of Samos, applicants are issued with a date of interview which can vary drastically, often depending on the availability of interpreters (<https://www.mobileinfoteam.org/mss-submission>). An applicant may also have their asylum interview rescheduled with a day's notice (https://rsaegean.org/wp-content/uploads/2022/10/BorderProcedure_Greek_islands_report.pdf), with it being common that people are informed in the late afternoon that they will be interviewed at 8am the following day (<https://borderviolence.eu/app/uploads/Monthly-Report-March-2023.pdf>).

The Greek government's communication to the Council of Europe dated 20th June 2023 (<https://www.mobileinfoteam.org/mss-submission>) does not provide any figures on the average processing times between first registration and the date of asylum interviews, nor the processing time between the date of issuing a summons for interview and the asylum interview. This would evidence the amount of time which applicants for international protection have to prepare for the interview and access legal advice and counselling as is their right. Such a figure is important to ensure that a reasonable amount of time is given to applicants between the invitation and the personal interview, as suggested by the EUAA's guidelines, while at the same time avoiding overly prolonged waiting times before asylum interviews (https://euaa.europa.eu/sites/default/files/Guidance_on_asylum_procedure_operational_standards_and_indicators_EN.pdf).

BVMN member organisation I Have Rights (IHR) has reported on delays in issuing asylum seeker cards for asylum seekers in the Samos CCAC, previously required by the authorities in order to leave the CCAC facilities (https://ihaverights.eu/wp-content/uploads/2022/09/JS_One-year-since-Greece-opened-new-prison-like-refugee-camps-NGOs-call-for-a-more-humane-approach.pdf). The regime of 25 days of de facto detention and delays issuing asylum seeker cards prevented applicants from leaving the CCAC to receive legal information and counselling prior to their substantive asylum interviews, as is their right under EU law and the general principles of Article 13 of the Convention. In the period between April 2022 and December 2022, IHR found that 6% of asylum seekers did not receive their asylum seekers card for over 25 days and were prevented from leaving the CCAC, resulting in them being subjected to a further period of arbitrary de facto detention. In internal correspondence written by representatives from the European Commission, obtained by Solomon and Al Jazeera, the delays issuing cards and preventing entry/exit past the 25 day period, was the result of the lack of a permanent doctor who could sign off on medical checks (as referred to above at paragraph 8) (<https://wearesolomon.com/mag/format/investigation/eu-details-violations-at-greeces-model-refugee-camps/>).

Other - please specify

5000 character(s) maximum

In 2023, Greece continued to detain large numbers of third country nationals in pre-removal detention where their access to legal procedures including asylum is highly restricted (<https://www.mobileinfoteam.org/detention>). Research published in February 2023 found that 80% of respondents held in pre-removal detention on the mainland did not have access to (free) legal services in detention (<https://www.mobileinfoteam.org/detention>). Detention orders issued to asylum seekers in Greece rose by a striking 697% in 2022 compared with the previous year (<https://rsaegrean.org/en/immigration-detention-in-2022/>), demonstrating its now systematic use. MIT found that 40% of respondents across pre-removal facilities were arrested by Greek authorities without being informed of the reason for their apprehension in a language they could understand, while 33% reported being forced to sign documents written in a language they could not understand. In the study by Borderline Europe (https://www.borderline-europe.de/sites/default/files/readingtips/criminalisation_of_migrants-study_by_borderline_europe_en.pdf) on Greece and elsewhere in the EU, they present similar findings of people on the move being forced to sign documents they do not understand or are unaware of why they have been apprehended. Furthermore, it is rare that these individuals are offered legal representation and even rarer that they can afford it. At times, when a translator is requested, the translator either does not speak the correct language (such as Farsi when the request was for Arabic) or the translator is an officer who happens to speak a language like English and does not have any training regarding translation. All of these factors contribute to the criminalisation of people on the move in Greece and elsewhere.

According to Borderline Europe, the average length of pre-trial detention for foreign nationals accused of smuggling is eight months. (https://www.borderline-europe.de/sites/default/files/readingtips/criminalisation_of_migrants-study_by_borderline_europe_en.pdf). In a case reported by Human Rights Watch in 2023, the length in pre-trial detention for Sarah Mardini and Sean Binder, notable human rights defenders, was about three months before they posted bail, but the wait until their trial was four years (<https://www.hrw.org/news/2023/01/16/sea-rescuers-still-waiting-justice-greece>). Borderline Europe also noted the conviction rate for charges of this nature was 90%, citing harsh detention conditions, the possibility of a suspended sentence, and defences with structural difficulties (https://www.borderline-europe.de/sites/default/files/readingtips/criminalisation_of_migrants-study_by_borderline_europe_en.pdf page 43).

In September 2023, a Greek court awarded €15,920 in compensation to an Afghan asylum seeker unjustly imprisoned for three years on charges of smuggling and causing a shipwreck (<https://www.theguardian.com/world/2023/sep/06/afghan-refugee-wrongly-jailed-in-greece-wins-thousands-in-compensation>). According to lawyers (<https://legalcentresvos.org/2023/09/05/press-release-2/>), the case is one of thousands, with people charged or convicted of smuggling making up the second largest prison population in Greece. Between January and August 2023, there were 41 police operations in Thessaloniki targeting undocumented people, resulting in the detention of approximately 3500 people for the purpose of checking documentation (<https://www.astynomia.gr/category/anakoinoseis-g-e-d-thessalonikis/>).

The EU Facilitators Package, legislation focusing on the smuggling of people on the move, leaves it up to each member state to decide if there is an exception regarding human rights defenders. Greece has not availed of this opportunity, leaving those working to protect human rights vulnerable to legal persecution “simply for doing their job” (<https://borderviolence.eu/app/uploads/In-Defence-Of-Defenders.pdf>)

In 2023, BVMN also reported on the continuing and increasing trend of criminalisation of people on the move. In the February 2023 Monthly Report, the organisation noted the regular use of raids and mass arrests, or “broom operations” against people on the move in Thessaloniki (<https://borderviolence.eu/app/uploads/Monthly-Report-February-1.pdf>). In addition, following the Pylos shipwreck in June of 2023, nine of the survivors were arrested on charges of participation in a criminal organisation, manslaughter and causing

a shipwreck. However, these charges are reportedly based on insubstantial evidence (see page 7 of the above link).

II. Anti-Corruption Framework

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

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

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

In 2023, BVMN continued to observe that Greece lacks adequate safeguards against state and political interference in the media. The country placed last in the EU's rankings in the World Press Freedom Index with a position of 107th (<https://rsf.org/en/country/greece>), seeing minimal improvements after 2022's wiretapping scandal and the 2021 unsolved murder of journalist Giorgios Karaivaz. SLAPPs against investigative journalists are commonplace (<https://rsf.org/en/country/greece>), an example of which being the SLAPP suit filed in 2023 against EfSyn, some of its executives, and three journalists regarding the aforementioned scandal. (<https://ipi.media/greece-media-and-journalists-targeted-in-second-lawsuit-by-pms-nephew-over-spyware-revelations/>) EfSyn remains one of the few independent journals reporting on migration matters, and reporting on incidents regarding the violations of rights of people on the move such as pushbacks as well as their work on corruption (see, for example, https://www.efsyn.gr/ellada/astynomiko/418534_epeisodia-sto-kentro-kratisis-allodapon-stin-amygdaleza or https://www.efsyn.gr/ellada/astynomiko/414880_alaloym-kai-pogkrom-prosagogonc). While the SLAPP in question is in direct link to the wiretapping

scandal and its links to corruption, it is important to note the connection of journalists covering migration and such attacks.

2023 has seen the development of some court proceedings against journalists, such as the sentencing of French-Canadian journalist Romain Chauvet for “disseminating false information” without solid evidence after being accused of a bomb threat (<https://rsf.org/en/greece-rsf-concerned-about-possible-conviction-french-canadian-reporter-accused-issuing-false-bomb>).

The future of media pluralism has been made even more uncertain by the ratification of a media law establishing an Ethics Committee at the end of December of 2022 (<https://www.mapmf.org/alert/25509>). Such legislation may have the capability to be used in ways that target independent news outlets by finding small journalistic mistakes and using them to bring proceedings.

Greece’s actions to restrict the freedom of media and the press, especially in the case of those reporting on pushbacks and the violations of rights of people on the move, have been thoroughly observed by BVMN. In February of 2023, the Network published In Defence of Defenders, a guide meant for journalists or human rights defenders to use in case they find themselves in need of engaging protection mechanisms and legal advocacy (<https://borderviolence.eu/app/uploads/In-Defence-Of-Defenders.pdf>). The guide dedicates a section to Greece and its laws, noting the hostile environment that has arisen for journalists (see page 109). It notes that recent laws such as Law 4855/2021 are quite vague with regards to what is “fake news”, commenting that officials in Greece are making reference to publications from Migrant Rights Defenders as being such (see page 107). This puts stress and doubt into the minds of journalists and could dissuade them from publishing in fear of being accused of writing falsities or, worse, being criminalised (see page 107). In May of 2023, Mare Liberum, a human rights organisation focused on the rights of people on the move, especially on the Turkish-Greek border, was forced to dissolve and cease reporting, citing bureaucratic and legal barriers to their work put in place by government entities (<https://mare-liberum.org/en/mare-liberum-muss-menschenrechtsarbeit-einstellen/>). They contended that the dissolution was due to the fact there are no safeguards in place for those in investigative journalism, forcing those acting within the organisation to risk their own personal safety. In summary, safeguards against state interference in the media in 2023 were scarce, if not completely absent.

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

As reported in 2022, 2023 has not seen much progress regarding rules and practices guaranteeing journalists' independence and safety. The European Commission made recommendations in the 2023 Rule of Law Report to “take forward the process of adopting non-legislative safeguards and start the legislative process in relation to the protection of journalists [...] in particular as regards abusive lawsuits against journalists and their safety” but this has largely not been actioned in Greece. While there have been some

developments, such as the establishment of a Task Force and the launching of a training centre dedicated to journalist safety by the OSCE (<https://www.osce.org/representative-on-freedom-of-media/536879>), journalists continue to experience victimisation and mistreatment. Koastas Vaxenavis and Vangelis Triantis, Greek journalists, were called to testify as suspects for their audit report published in February of 2023 for the purposes of deciding whether or not to bring criminal charges against them (<https://balkaninsight.com/2023/11/15/greek-journalists-summoned-as-suspects-for-their-reporting/>). The Council of Europe's Safety of Journalists Platform has denounced this, calling for the investigation to be dropped. Tritanis commented on "serious operational issues regarding the rule of law and protection of journalists", saying current Greek laws are "a clear attempt to intimidate any journalist who will want to do their job in the future".

In August 2023, Giorgios Papachristos, a journalist, was attacked at a football match. Papachristos had published critical reports regarding his attacker's business in the past. Vaxevasias, mentioned above, was also the target of insult (and witness to an attack on his family member) from someone Vaxevasias mentioned in one of his articles on corruption. (<https://europeanjournalists.org/blog/2023/09/04/greece-swift-investigations-required-after-two-attacks-against-journalists/>) In another example, three journalists and one photographer were detained on uncertain grounds in March while covering a rail disaster after a lawyer reported them to the police (<https://www.mapmf.org/alert/25696>). For the entirety of 2023, Mapping Media Freedom reported a total of 23 incidents in Greece; with five being physical assaults, four being threats or attacks on property including hacking, 11 verbal attacks, six legal incidents, and one regarding censorship (<https://www.mappingmediafreedom.org/>).

As stated by Tritanis, the current landscape for journalists working in Greece is one of fear, uncertainty, and worry, especially so for journalists covering rights of people on the move and migration issues. Journalists reporting on migration issues are subject to additional criminalisation and political repression considering the authorities and private individuals (see again the BVMN criminalisation toolkit), which places them at greater risk.

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

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

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

The Greek Ombudsman (GO) published its 2022 Annual Report in 2023. The report gives a general overview of the GO's activities over 2022, as well as issues in Greece's social, legal, and economic spheres (Greek Ombudsman, <https://www.synigoros.gr/el/category/default/post/ethsia-ek8esh-2022>)

The report observes deficiencies in the asylum procedure relating to the online platform for requesting registration appointments, the ending of the housing programme ESTIA in 2022, and the gaps created therein, mostly related to evictions of people on the move from their current accommodation, professional occupation and education. The augmentation of administrative detention orders is also noted - with the Ombudsman recommending that the respective authority must exercise "due diligence" for the implementation of a removal. Last point made in the report concerned reports of pushbacks and border violence. In 2021, the Ombudsman had received two reports from the FRONTEX Reporting Mechanism on illegal pushbacks at the Evros border, while four new reports were added in 2022. There is also an increasing trend of cases of people on the move reporting illegal pushbacks at the land or sea borders of Greece directly to the Ombudsman. According to the observations of the Ombudsman, what remains to be created is an independent Monitoring Mechanism for violations of fundamental rights at the borders.

The GO also published "The Return of Third Country Nationals", a special report for the year 2022, in June of 2023 (Greek Ombudsman, <https://www.theioi.org/ioi-news/current-news/ombudsman-publishes-special-report-on-return-of-third-country-nationals-in-2022>). The GO purports that while forced returns decreased by 15% in 2022, the number of people in administrative detention increased significantly, bringing into question the proportionality and effectiveness of the pre-removal detention system in Greece. The report also makes reference to the GO's cooperation with Frontex and its commitment to investigating illegal pushbacks. Following the 2021 report mentioning two complaints from the Frontex Complaints Mechanism regarding pushbacks and ignored attempts to apply for asylum, which the Ombudsman dismissed as "phenomena" that "will be avoided in the future" (<https://www.theioi.org/ioi-news/current-news/ombudsman-publishes-special-report-on-returns-of-third-country-nationals>), the 2022 report notes the filing of five similar complaints in 2022. The five cases deal with issues regarding theft of property and money, illegal detention, ill-treatment and violations of the right to non-refoulement, all of which are in violation of the EU Charter (<https://www.theioi.org/ioi-news/current-news/ombudsman-publishes-special-report-on-return-of-third-country-nationals-in-2022>). The GO notes that the investigations have since been handed over to the Hellenic Police, which it claims it intends to monitor and assess. Despite the Ombudsman claiming pushbacks will "be avoided" in the 2021 report, the five new complaints, as well as testimonies collected by BVMN in 2023, (for example: <https://borderviolence.eu/testimonies/april-6-2023-near-ipsala-turkey/> , and: <https://borderviolence.eu/testimonies/february-20-2023-near-samos-shores/>) demonstrate that pushbacks continue to occur at the Greek borders.

The Greek National Commission for Human Rights (GNCHR) produced a handful of relevant publications in 2023. One of particular note is the Observations on the Draft of the Third Periodic Report of the Hellenic Republic on the implementation of the ICCPR (GNHR, <https://www.nchr.gr/en/news/1589-gnchr-observations-on-the-draft-of-the-third-periodic-report-of-the-hellenic-republic-on-the-implementation-of-the-iccpr.html>). In this report, the GNCHR notes that Greece has made no progress in the implementation, extension of mandate, or information given to the Human Rights Committee in its draft response to the Committee's views. The GNCHR also explains that political speech regarding people on the move has continued to push discriminatory, inflammatory rhetoric which encourages systematic harassment and ill-treatment of people on the move by authorities (see page 11). Furthermore, the GNCHR expresses concerns that Greece's "three-tiered system" to address pushback complaints has not been effective, in

addition to oversights from the Hellenic Police and the Hellenic Coast Guard in tandem with Frontex, resulting in complaints of pushbacks and other ill-treatment being insufficiently investigated. The “three-tiered system” is structured as follows: as soon as a pushback complaint reaches the authorities, an affidavit administrative examination is ordered. The Ombudsman may also review cases. Lastly, complaints may be submitted to competent judicial authorities.

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

Continuation of above topic

Following the creation of the Recording Mechanism of Incidents of Informal Forced Return in 2022, the GNCHR published its first Interim Report this year (GNCHR, https://www.nchr.gr/images/pdf/nea_epikairothta/deltia_tupou/2023/Interim_Report_mechanism_en.pdf). The report provided statistics regarding demographics of people who experienced forced returns). The findings of the report were significant. Within, the GNCHR reports allegations of the principle of non-refoulement, the forced returns of individuals already possessing asylum status, and testimonies of other such informal forced returns. In 54 testimonies, victims alleged that they were not asked about their intent (or lack thereof) to apply for asylum, and, in the cases that the individuals had registered for asylum or other international protection, their status was ignored. Nine testimonies reported unofficial photography by alleged perpetrators. (see page 13 and 14). One testimony alleged that he had been ethnically profiled and separated from those of other nationalities to be searched, physically harmed, and deprived of money.

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

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

According to the 2022 Rule of Law Recommendations, Greece was advised to “Ensure that registration requirements for civil society organisations are proportionate in view of maintaining an open framework for them to operate”, and take further steps to evaluate the current registration system for civil society organisations (CSOs), including by initiating a structured dialogue with CSOs, and assess whether there is a need to amend it.

The legislative framework currently affecting the work of human rights defenders (HRDs) working with people on the move in Greece consists of legislation concerning the requirements for registration of NGOs operating in Greece (Law no. 4939/2022, 4662/2020, 4686/2020), as well as amendments to the national legislation concerning the dissemination of “false news” (Law no. 4855/2021 amendment to Article 191 of the Penal Code). This provision amended the Criminal Code in a way that spreading fake news that is “capable of causing concern or fear to the public or undermining public confidence in the national economy, the country's defense capacity or public health,” constitutes a criminal offence with a potential sentence of up to five years in prison upon conviction. This law is very vague in its definition of “fake news,” which means that journalists and Human Rights Defenders can face lawsuits and jail time for reporting on government policies if the government simply claims their reports are false.

<https://borderviolence.eu/app/uploads/In-Defence-Of-Defenders.pdf>

The framework imposing further registration requirements to HRDs was introduced in 2020 and, despite the criticism it has received, is still applied and raises concerns regarding the increasingly restrictive environment and the narrowing of the operational space for HRDs as well as the augmentation of the State control over the work of HRDs working with people on the move. CSOs are under an obligation to register in the respective Registry of the Ministry of Immigration and Asylum in order to obtain the required Certification to operate in Greece. The requirements for the above registration consist of an extensive reporting of personal identification and documentation, as well as financial activity information, therefore creating a disproportionate hurdle for CSOs to register and develop their activities in Greece, while at the same time raises questions concerning the compatibility of said provisions with the right to peaceful assembly (Article 11 of the Greek Constitution, Article 12 Charter of Fundamental Rights of the EU). Upon that, the decision for registration lies within the Ministry of Migration and Asylum, therefore raising questions concerning the transparency of these decisions and the possibility of rejection of requested registration on an arbitrary basis. Hence, it has become increasingly difficult to operate as a CSO, particularly when working with people on the move, while at the same time no safeguards were introduced during 2023 by the Greek Government to enhance and protect the work undertaken by HRDs. The above concerns were also expressed in the report of the Special Rapporteur, Mary Lawlor, on the situation of Human Rights Defenders during her visit to Greece in 2023, who highlighted the existence of a “restrictive legislative environment”, along with the “burdensome requirements within the registration process itself are in violation of the

obligations of Greece under international human rights law and are discriminatory”
<https://srdefenders.org/country-visit-report-greece/> .

In conclusion, despite the recommendations made by the Commission in the 2022 Rule of Law, Greece has made no changes to fulfil said Recommendations, and has retained the disproportionate requirements for the registration and operation of CSOs.

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

The situation for HRDs working with people on the move in Greece has been reported as increasingly hostile, characterised by harassment, intimidation, smear campaigns and administrative barriers leading to their criminalisation. Such concerns were reiterated by the Council of Europe Commissioner for Human Rights in January 2023, who stated that “smear campaigns targeting individuals defending human rights, cumbersome NGO registration procedures and undue pressure on journalists have undermined the protection of human rights and shrunk the civic space in the country. The ongoing criminalisation of individuals assisting refugees, asylum seekers and migrants, as well as activists defending and promoting human rights in Greece, is part of this trend” <https://www.coe.int/be/web/commissioner/-/greek-authorities-should-reverse-the-trend-undermining-the-work-of-human-rights-defenders-and-journalists> In March 2023, the civic space in Greece was downgraded from 2023 “narrowed” to ‘obstructed’ due to “the repeated targeting of civil society and activists working with refugees and asylum seekers, disproportionate responses to protests and continuous legal harassment and surveillance of journalists”.
<https://monitor.civicus.org/country-rating-changes/greece/>

Incidents of formal criminalisation have been reported against HRDs who have, in several cases, faced charges or criminal investigations against them on the grounds of smuggling and trafficking. Such tactics have been used in order to intimidate and create pressure on the work of CSOs, while their initiation is purposely leaked in the media. The latter is a tactic used in order to undermine trust in, intimidate and perpetuate a false image, enhance suspicion and mistrust towards the work and motives of CSOs, and negatively affect the provided support. The latter was also highlighted by the United Nations Special Rapporteur on Human Rights Defenders, Mary Lawlor, in March 2023, who raised concerns as to the misuse of criminal law against HRDs, as well as threats, smear campaigns and other intimidatory acts targeting them. <https://srdefenders.org/country-visit-report-greece/> In June 2023, the criminalization case of the 24 humanitarian activists, facing charges for smuggling, facilitation of illegal entry and for forming and participating in a criminal organisation in 2018, came to an end with the prosecutors appeal being rejected due to procedural flaws.

<https://borderviolence.eu/app/uploads/Jauary-Monthly-Report-2.pdf>, <https://www.hrw.org/world-report/2024/country-chapters/greece>. HRDs have also reportedly been subjected to smear campaigns when exposing governmental flaws or evidence of pushbacks, border violence, or other State policies affecting people on the move. During 2023, a human rights activist, for whom charges were brought in 2022 targeting his work monitoring human rights violations at the Greek borders, was made aware by information leaked to the Greek media of an investigation launched against him by the Money Laundering Authority and the freezing of his assets, something that appears to be an arbitrary criminal investigation.

<https://www.hrw.org/news/2023/06/19/greece-smear-campaign-against-rights-activist>

CSOs working with people on the move or exposing governmental flaws linked to the handling of migration,

are subjected to further criminalisation which may cause unbearable damage for CSOs, reaching even to the point of their dissolution.

<https://eu.boell.org/en/2023/06/21/world-refugee-day-2023>

<https://borderviolence.eu/app/uploads/Monthly-Report-June-1.pdf> This has been the case with the dissolution of Mare Liberum, in May 2023, an organisation monitoring Human Rights in the Aegean Sea, due to the ongoing repression by the local authorities on the Greek island of Lesbos and the increasingly restrictive legal framework.

<https://mare-liberum.org/en/mare-liberum-muss-menschenrechtsarbeit-einstellen/>

Last, along with formal proceedings against HRDs, arbitrary acts of informal criminalisation through police presence, disruption of activities, identification checks and acts of intimidation and harassment are a prominent threat for CSOs. A BVMN member organisation, whose main field of activity is providing for the basic needs of people on the move, operating in Thessaloniki, reported regular police monitoring in the organisations' operating area, in cars, bikes or sometimes in unmarked vehicles during 2023. They specifically reported an incident of an unexpected police control and inspection of the premises of the organisation in Greece, during which identification and registration papers were requested.

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

