

European Rule of Law Mechanism: input from Member States 2021 Rule of Law Report (Greece)

Justice System

A. Independence

1. Appointment and selection of judges, prosecutors and court presidents

The promotion of Court presidents is provided for under Article 49 of the Courts Organization Code. Especially paragraphs 5 and 6 of the aforementioned Article stipulate that: “5. Promotion to the ranks of State Counselor, Judge and Deputy Public Prosecutor of the Supreme Civil and Criminal Court (Areios Pagos), Counselor and Deputy Commissioner of the Court of Audit, Commissioner and Deputy Commissioner of Ordinary Administrative Courts, President and Public Prosecutor of the Civil and Criminal Courts of Appeal and President of the Ordinary Administrative Courts of Appeal, is made by absolute election and presupposes the existence of exceptional qualifications in the face of the above judicial officers who gather the formal qualifications. As substantive qualifications are evaluated especially morality, vigor, judgment and perception, quantitative and qualitative performance, scientific training and social performance. 6. By absolute election are also judged the rest judicial officers, besides those mentioned in the previous paragraph, who gather to a particularly competent degree the above substantive qualifications and can thoroughly fulfill the duties of the higher rank.”.

More specifically Article 90 para. 5 of the Greek Constitution stipulates that: “Promotion to the ranks of President or Vice-President of the Council of State, of the Supreme Civil and Criminal Court and of the Court of Audit shall be effected by virtue of a presidential decree issued on the proposal of the Cabinet, by selection among the members of the respective supreme court, as specified by law. Promotion to the rank of Public Prosecutor of the Supreme Civil and Criminal Court shall be effected by virtue of a similar decree, by selection among the members of the Supreme Civil and Criminal Court and Deputy Public Prosecutors of this Court, as specified by law. Promotion to the rank of General Commissioner of the Court of Audit shall be effected by virtue of a similar decree, by selection among the members of the Court of Audit and of the respective General Commission, as specified by law. Promotion to the rank of General Commissioner of Administrative Courts shall also be effected by virtue of a similar decree, by selection among the members of the respective General Commission and the Presidents of the Administrative Courts of Appeal, as specified by law.

The tenure of the President of the Council of State, of the Supreme Civil and Criminal Court and of the Court of Audit, as well as of the Public Prosecutor of the Supreme Civil and Criminal Court and of the General Commissioners of the administrative courts and of the Court of Audit may not exceed four years, even if the magistrate holding this office has not reached the retirement age. Any period of time which remains until completion of the retirement age, shall be calculated as actual pensionable service, as specified by law.”. According to par. 3.a) of Article 49 of the Courts Organization Code: “Promotion to the ranks of President of the Council of State, President and Public Prosecutor of the Supreme Civil and Criminal Court, President and General Commissioner of the Court of Audit are made by virtue of a presidential decree upon the proposal of the Cabinet. The Cabinet, following the opinion of the Conference of Parliament’s Presidents and the recommendation of the Minister of Justice, Transparency and Human Rights, selects those promoted from among those who have the legal qualifications. The opinion of the Conference of Presidents is requested by the above Minister and does not bind him during the formulation of his proposal to the Cabinet.”.

2. Irremovability of judges; including transfers, dismissal and retirement regime of judges, court presidents and prosecutors

According to Article 88 para. 4 and 5 of the Greek Constitution: “4. Magistrates may be dismissed only pursuant to a court judgment resulting from a criminal conviction or a grave disciplinary breach or illness or disability or professional incompetence, confirmed as specified by law and in compliance with the provisions of article 93 paragraphs 2 and 3. 5. Retirement from the service of the magistrates shall be compulsory upon attainment of the age of sixty-five years for all magistrates up to and including the rank of Court of Appeal judge or Deputy Public Prosecutor of the Court of Appeal, or a rank corresponding thereto. In case of magistrates of a rank higher than the one stated, or of a corresponding rank, retirement shall be compulsory upon attainment of the age of sixty-seven years. In the application of this provision, the 30th of June of the year of retirement shall in all cases be taken as the date of attainment of the above age limit.”.

6. Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal liability of judges.

Article 90 of the Courts Organization Code states that: “1. Judicial officers shall be governed in their disciplinary capacity by the provisions of this Code when, by virtue of their capacity, they participate in courts, councils and committees or perform administrative duties under special provisions. 2. No one shall be prosecuted for a second time for the same disciplinary offense. New disciplinary action for the same offense is unacceptable. Once a decision has been made on the first disciplinary action, the information provided on the second one completes the case file. 3. For the same disciplinary offense only one disciplinary penalty can be imposed. 4. If several laws were in force from the commission of the disciplinary misdemeanor until the issuance of an irrevocable decision, the law containing the most favorable provisions for the prosecuted shall apply. 5. The disciplinary trial is independent of any other. 6. The disciplinary proceedings are not affected by the promotion or other change in the official status of the persecuted, unless it brings about a change in the substantive jurisdiction of the disciplinary court or council, in which event the case is referred to the competent disciplinary body, court or council. 7. The promotion of a judicial officer does not remove disciplinary damnation for misdemeanor committed before his promotion. 8. Grace, remediation and removal in any other way of the criminal inferno of the act or removal in whole or in part of the consequences of the criminal conviction do not remove the disciplinary inferno of the act. 9. Criminal proceedings do not suspend disciplinary proceedings. The disciplinary judge may order the suspension of the disciplinary proceedings until the criminal proceedings are over. 10. Findings contained in an irrevocable decision of a criminal court or an irrevocable writ on the existence or non-existence of certain facts are also accepted in the disciplinary proceedings.”.

According to Article 91 of the Courts Organization Code: “1. A disciplinary misconduct is committed by culpable and imputable action or omission of a judicial officer, inside or outside the service, which is contrary to his obligations deriving from the Constitution and the existing provisions or is incompatible with his office and damages his prestige or the prestige of justice. 2. Disciplinary misconduct of a judicial officer are: a) acts that show lack of faith and devotion to the country and its democratic regime; b) any violation of a provision that refers to the administration of justice, the internal organization and operation of the courts and the officer’s capacity as magistrate; c) the use of his capacity for selfish purposes; d) indecent or improper behavior in or out of service; e) unjustified delay in the performance of his duties. The seriousness of the case, the degree and experience of the judicial officer, the workload in general and his individual and family circumstances are taken into account for the justified or unjustified delay. In any case, it is not unjustified to issue a civil court decision within six (6) months from the hearing of the case, unless these are cases in which

more specific deadlines are set by the Code of Civil Proceedings. The delay is considered unjustified when the case file is removed or returned by the judge handling it due to non-issuance of a decision within eight (8) months from the discussion of a civil or administrative case; f) breach of official confidentiality; g) the concealment of a lawful reason for exclusion or exception; h) his participation in an organization whose purposes are secret or imposes secrecy on its members.³ Several acts which are a continuation of the same misdemeanor are considered as a whole, the gravity of which is taken into account for the determination and measurement of the sentence. 4. The following shall not constitute disciplinary misconduct of a judicial officer: (a) his refusal to apply provisions in catalysis of or contrary to the Constitution; (b) the expression of an opinion in public, unless the obvious purpose is to reduce the validity of justice or in favor of or against a particular party or other political organization; (c) the participation and development of activity in recognized associations of judges or other associations and the expression of an opinion and critical opinion made in the context of participation in a union of judicial officers.”.

Article 95 para. 1 of the Courts Organization Code stipules that: “1. Disciplinary jurisdiction over judicial officers is exercised by courts and disciplinary boards.”.

In Greece the same criminal law provided for ordinary citizens also applies with regards to the criminal responsibility of magistrates. Greek law does not recognize any kind of immunity for magistrates/judicial officers.

With regards to questions numbered 1-6 in the questionnaire, it shall be noted that a process is under its way to establish a legislative preparatory committee that will draft the new Code of the Organization of the Courts and the Status of Judicial Officers. Also, by virtue of the Decision no. 2298/2.9.2020 of the President of the Supreme Court, a working group has been formed to prepare a draft Code of Conduct for Judicial Officers and Public Prosecutors of Civil and Criminal Justice, in accordance with the standards set by the respective texts of the European and International Courts. At last, and in particular with regards to question number 6, it is noted that by virtue of the Act of 21.11.2019 of the President of the Council of State a committee has been established for the drafting of the Code of Conduct for Administrative Justice, which is expected to complete its work by the end of 2021. On the same issue, on 29 September 2020 the Council of State organized a seminar in Athens for the International Association of Supreme Administrative Jurisdictions (<http://www.aihja.org/>).

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

In the context of a competition for the digital upgrade of the Integrated System for the management of judicial cases pending before the Administrative Courts (see below under B.14), a redesign of the Council of State’s website has been planned in order to make it more accessible to the general public, to contain more information on the principles governing the judicial system (judicial independence, impartiality, etc.) and to further highlight its work.

B. Quality of justice

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

A new draft code of judicial officers is in the process of consultation, including the creation of two new branches (IP documentation and auxiliary judicial work and IP communication and International Relations), which are expected to enhance the quality of the work produced and contribute to the acceleration of the administration of Justice <http://www.opengov.gr/ministryofjustice/?p=14442>

13. Training of justice professionals

In the syllabus of the 6th semester of the National School of Judicial Officers, a course for the

judicial communication has been introduced since 2021, which is expected to familiarize students with the importance of the image of justice for the facilitation of the citizens' trust in justice and to contribute to the proper management of institutional communication for the purpose of highlighting the principles that govern justice (independence, impartiality, accountability).

- *National School of Judicials: Indicative list of recent training programmes and seminars*

EDUCATIONAL SEMINAR OF JUDICIAL OFFICERS

«I. Pilot trial before the Court-preliminary questions before the European courts II. PROBLEMS OF COMPLIANCE OF THE ADMINISTRATION TO JUDICIAL DECISIONS 13/2-14/2/2021

- Online meeting for the launch of the Council of Europe HELP course on INTRODUCTION TO THE EUROPEAN CONVENTION ON HUMAN RIGHTS AND THE EUROPEAN COURT OF HUMAN RIGHTS -2020

National seminars

13-14 February pilot trial before the CTE-preliminary questions before the European courts issues from the compliance of the administration to judicial decisions

European cooperation

1) breaking the BARRIER program concerns criminal judges and prosecutors and will try to overcome the barrier of different language to deal with the protection of human rights from the preliminary hearing to the main hearing (the legal framework of procedural rights, Strengthening the rights of suspects and accused in criminal proceedings – the role of National Human Rights Institutions, legal aid, access to a lawyer etc.)

The proposal was tabled by the Centre for European Constitutional Law (which is the programme's activity coordinator) and the eighteen-month programme (beginning October 2019), which has already been extended by the European Commission until February 2022.:

- 1) Austria: LUDWIG BOLTZMANN GESELLSCHAFT-ÖSTERREICHISCHE VEREINIGUNG ZUR FÖRDERUNG DER WISSENSCHAFTLICHEN FORSCHUNG*
- 2) Spain: CONSEJO GENERAL DEL PODER JUDICIAL*
- 3) Greece: CENTRE FOR EUROPEAN CONSTITUTIONAL LAW - ΕΘΝΙΚΗ ΣΧΟΛΗ ΔΙΚΑΣΤΙΚΩΝ ΑΙΤΟΥΡΓΩΝ (NATIONAL SCHOOL OF THE JUDICIARY)*

They've already become pilot. From October 2021 until February 2022 there will be 2 two-day seminars (one for students and one for active judicial officers at the headquarters of the NRA). The participants will be Greek, Spanish and Austrian (according to the principles of the program) and a seminar in Brussels (with the participation of all three countries).

2) October 2020-December 2020 the Council of Europe Help course on INTRODUCTION to the EUROPEAN CONVENTION on HUMAN RIGHTS and the EUROPEAN COURT of HUMAN RIGHTS (cooperation with the Council of Europe's help program in Greek with Greek tutor Mr. Petros Alikakos, President of the Court of First Instance).

The program was a great success and will be repeated in 2021 from March to May again (same subject and teacher-new trainees)

14. Digitalisation (including resilience of justice systems in COVID-19 pandemic)

Through the action plan on E-Justice, the Ministry of Justice has implemented and continues to implement actions that contribute to the upgrading of the services provided, the

simplification and drastic reduction of bureaucratic obstacles and the provision of electronic services to citizens, businesses and Public Services, interoperability with other public bodies, while creating the conditions for speeding up procedures in the area of justice for the benefit of all parties involved.

Within the framework of the project (NSRF 2914-2020) the computerization of all courts of the territory will be carried out:

-In the context of a reduction of dispersion of COVID-19, the electronic submission of an application and receipt of court certificates was implemented.

-The tender process of the following projects is expected to start soon:

"Creation of an electronic Insolvency register and interconnection with C.E. MANUALLY and other registers of the European Union", in the context of the implementation of regulation (EU) 2015/848 on cross-border insolvency proceedings.

"Videoconferencing services in courts and penitentiaries", which concerns the:

The remote testimony/examination of a witness in a case being heard, who in the course of trial is away from the venue, even when he is abroad.

The remote testimony/examination of a witness of a case, or an accused person, when held in a penitentiary.

The remote presence of a translator for cases where a translator is required.

As well as providing information services on the course of the court cases, of the signs and the paintings of the courts.

On 25/01/2021 began the productive operation of recording / hearing of criminal proceedings in the Athens Court of First Instance and is expected to gradually extend to the Athens Court of Appeal, as well as the courts of Appeal and the Courts of First Instance of Piraeus.

Furthermore, the Ministry of Justice in synergy with the Ministry of Digital Governance:

- Since December 2020, grant remote digital signatures to the bodies that fall within its competence, in the context of strengthening the provided, through existing Information Systems in Justice.*
- Since the beginning of March 2021, the digital application and receipt of the official electronic copy of judgements has started in a pilot function and it concerns Courts in Peiraeus and Thessaloniki (<https://www.gov.gr/ipiresies/dikaioisune/dikasteria/elektronikes-dikastikes-apophaseis>).*
- Promotes actions of digital transformation and simplification of justice processes, aiming at improving the daily lives of all-inclusive citizens and supporting the development dynamics of the country.*

A tender procedure is under its way for the redesign of the information system of administrative justice, in order to support the complete dematerialization of the process (electronic management of cases from the filing of the appeal or instrument until the adoption of the decision, teleconferences, videoconferences, upgrading of the portal of administrative courts etc.) http://www.adjustice.gr/webcenter/portal/ste/pageste/epikairoitita/diagonismoi?afLoop=6111754821263101#!%40%40%3F_afLoop%3D6111754821263101%26centerWidth%3D65%2525%26leftWidth%3D0%2525%26rightWidth%3D35%2525%26showFooter%3Dfalse%26showHeader%3Dtrue%26_adf.ctrl-state%3D1bvipx64vm_78.

Article 36 ("Remote Conferences") of CHAPTER E' ("ARRANGEMENTS FOR THE ORGANIZATION AND FUNCTIONING OF THE COURTS") of Law 4745/2020 (Government Gazette Issue 214/A /6-11-2020), which states that: "Exceptionally, conferences in all national courts can be held remotely with the use of technological means that ensure their secrecy, provided that due to insurmountable impediment the physical participation of one or more judges is not possible." Since 22.6.2020 between the General Secretariat for justice and Human Rights of the Ministry of Justice and the General .

Secretariat for Digital Governance and simplification of procedures, a memorandum of cooperation has been signed on "actions for digitization and simplification of Justice procedures".

In particular, actions to digitalize and simplify Justice are divided as follows:

Actions for digitization and simplification:

1.Digital Signatures

2.Electronic Court Certificates

3.Electronic copy electronic court decisions

4.Intangible Consensual Divorce

This action concerns the digitization and simplification of the procedure for issuing a consensual divorce through gov.gr.

5.Wills

This action concerns the creation of a single system of wills,

6.Electronic Issue of Certificate

7.Dematerialisation and other issues of legal stamps

8.Interactive Online Pre-Trial Services

9.Electronic Filing of An Application

It is related to the previous action and mainly concerns the electronic filing of an application via a platform portal.olomeleia.gr in which lawyers file electronic documents.

10.Teleconferencing and other services teleconferencing

The purpose and orientation of this action is to adjudicate an interim order by video-conferencing.

11.Electronic Consensual Notes

This action includes the electronic submission of a mortgage notice application, with a digital signature, as well as electronic handling of samples and placing them on a platform.

12.Electronic Payment Orders

Electronic payment orders include the electronic filing of an application for a decision with a digital signature and attached court documents in support of the appeal.

13.Electronic Performance Statements

The possibility of electronic representation statement is given to avoid confidence in the courtrooms.

14.Electronic Panels

15.Electronic Performance

This action concerns the electronic service of civil, criminal and administrative documents.

16.Digital recording, storage and disposal of minutes of court hearings.

17.Creation Of electronic insurance Register

18.Digitization of files and Courts' data

B. Special Questions of Criminal Justice

1.National Criminal Register,

2.Electronic Reports of Criminal Courts

3. Electronic monitoring of the development of a criminal case (Flow message).

4.Electronic message with digital signature and digital submission justifying documents.

5.Electronic criminal justice decisions,

C. Special Administrative Justice Issues

Regarding digitalization and simplification of administrative justice, efforts have been focused and oriented on digitalization procedures both regulatory Administrative Courts, Council of State and the Court of Audit.

Pursuant to Decision no. 13041/3.3.2021 of the Project "Digital Recording, Storage and Disposal of Court Hearing Minutes In Public-Private Partnership" Monitoring And

Acceptance Committee, issued in accordance with Decision no. 6916 of the Minister of Justice (Government Gazette Issue 490/B/09.02.2021), the Criminal Courts of Thessaloniki, including the Courts of Minors, have been integrated into the electronic system of minutes keeping.

D. Other Questions

Finally, actions are made with gov.gr, towards the creation of files with court decisions with anonymized content.

15. 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)

By virtue of Article 358 of Law 4700/2020 (Government Issue A ' 127), an office for the collection and processing of judicial statistics (JustStat) was established in the Central Department of the Ministry of Justice, with the object, inter alia, of the systematic collection of statistical data, the creation of quantitative and qualitative variables, in order to submit documented views to the competent judicial bodies for the creation, extension and updating of, the measurement of the performance of each judicial unit by area and degree of jurisdiction and each Judicial District as a whole, to facilitate their evaluation by the competent judicial bodies and the annual evaluation of the effectiveness of new legal regulations relating to the administration of justice, as well as related measures <http://www.et.gr/index.php/nomoi-proedrika-diatagmata> a provision has been made in the agency of the Ministry of Justice (P.D. 6/2021). The issuance of a presidential decree is expected (a draft which is already being processed by the Council of State) in order to operate this department.

16. Judicial map and specialization of courts

Article 359 of Law 4700/2020 (A ' 127) provides that within the Civil Courts of First Instance and Courts of Appeal of Athens and Thessaloniki special chambers may be set up for the adjudication, in the ordinary procedure, of legal remedies and appeals, which fall within their *ratione materiae* and have as their object disputes concerning national and EU law of electronic communications, energy and protection of personal data.

C. Efficiency of the justice system

17. Length of proceedings

New legislation regarding the acceleration of justice and its proceedings:

- Law 4745/2020 "arrangements for speeding up the adjudication of pending cases of Law 3869/2010 (Settlement of debts of over-indebted natural persons) as to the reasonable duration of the civil proceedings»

Other -please specify

- Improve the efficiency of the justice system [suggestions for the RRF]

1. Description of the component

Policy area/domain: Private investment, economic & institutional transformation Summary: An ambitious agenda to improve the efficiency of the justice system. First, accelerate. This means a set of reforms aimed at accelerating justice (special chambers, JustStat, changes in the organizational structure of the courts). Second, digitize. This means e-justice (upgrade of record keeping systems of the courts, digitalization of archives, expansion of IT systems, and skills and digital skills for judges and judicial staff). Third, upgrade infrastructure. This means targeted investment in buildings and the creation of a structured e-registry. Objectives: The aim of the component is to increase the efficiency of the justice system. This goal would be achieved through a comprehensive set of reforms and investments. These

reforms and investments also enhance economic and social resilience, digital and green transition, social and territorial cohesion. The component is also interrelated to reforms and investments included in other components. For example an efficient and well functioning justice system helps address private indebtedness and facilitate reducing the stock of NPEs, as these reforms are part of our national strategy for the reduction of private debt. Finally, this component will facilitate the successful implementation of the RRF National Plan itself. Reforms and investments: Reforms - Reform 1: Accelerate the administration of Justice - Reform 2: Digital Transformation of Justice (E-Justice) and digitization of the archives of the Justice System - Reform 3: Skills and digital skills for judges and judicial employees (judicial staff) Investments - Investment 1: Enhancing infrastructures of the Greek judicial system Estimated cost: EUR 500 million of which 100% is covered by the RRF.

- Covid-19 and Justice Function:

With a legislative decree, measures were adopted in order to address the danger of the spread of the coronavirus, its socio-economic impact and to ensure the good functioning of the market and the public sector. All data exchange involved in the application of these measures is subject to the provisions of the General Data Protection Regulation (GDPR). The Greek Government in order to counter COVID-19 pandemic has undertaken a wide range of emergency measures which apply in both the public and private sector. The violation of such measures can be punished by imposing administrative sanctions and also imprisonment up to 10 years (Art. 285 of the Criminal Code regarding the violation of the preventive measures against diseases). Some of them include the following: Restrictions on movements and gatherings, closing of schools, universities and educational centers, air traffic to certain countries, suspension of businesses and workplaces, the nationwide closure of all shopping centers, cafes, restaurants, bars, museums and archaeological sites and food outlets, excluding supermarkets, pharmacies and food outlets that offer take-away and delivery only, was announced, all parks, recreation areas and marinas were also closed and many others.

As an example herebelow you can find one of the latest measures imposed (January 2021):

According to Joint Ministerial Decision 1293 (Government Gazette Issue 30/B/08-01-2021) - Extraordinary measures to protect public health from the risk of further spread of coronavirus COVID-19 throughout the state for the period from Monday, January 11, 2021 at 6:00 until Monday, January 18, 2021 at 6:00 for the operation of the courts the following measures have mainly been taken:

- Up to fifteen (15) people in the room.
- Keeping a distance of one and a half (1.5) meters.
- By way of decision of the competent administrative body of the relevant court or prosecutor's office, which is posted on the wall at the entrance of the court or prosecutor's office and on their website, if they have one, the specific issues relating to the proper conduct of their work are defined, as well as all necessary measures, which are held under their responsibility, for the safe operation of the court or prosecutor's office in light of the COVID-19 coronavirus pandemic.

(...)

2. (a) The following shall be suspended:

aa) works of judicial formations of the Council of State and of the national regular administrative courts, except (...)

(...)

g) Conferences are held remotely using official technological means, as well as emergency conferences with physical presence.

h) Decisions are published.

• 4. a) Temporarily are suspended:

aa) The works of the judicial formations of the Court of Auditors, except (...)

bf) Conferences are held remotely using official technological means.

bg) Decisions are published. (...)

• 5. a) The following are temporarily suspended:

(aa) litigation before civil and criminal courts, except (...)

bib) Trial of flagrant misdemeanors, if they concern an accused person who is detained under the provisions of flagrant proceedings.

(...)

bid) Trials of felonies concerning temporarily detained accused persons, whose ceiling of temporary detention is supplemented on a case by case basis.

bie) Criminal proceedings concerning crimes, the limitation period of which is completed within the period from the beginning of the suspension until 31.12.2023, as well as misdemeanors, the limitation period of which is completed within the period from the beginning of the suspension until 31.12.2022.

(...)

Conferences, as well as the handling of any action concerning the functioning of the judicial services and prosecutors' offices, shall, if possible, be carried out remotely using technological means. To facilitate the information of parties, witnesses and lawyers, the adjournment of the trial and the appointment of a new court shall be notified by the Registrar to the Bar Association of the seat of the Court and, if the Court has a website, shall be posted therein.

(...)

- Special measures due to Covid-19 in the Council of State:

In the context of the corona virus pandemic (COVID-19) and with a view to balancing on one hand the right to judicial protection, the principle of publicity of the trial and the unhindered administration of justice, and on the other hand the protection of Public Health, there is constant information to the public through the website of the Council of State on all measures taken and the procedural arrangements adopted. In particular, depending on the epidemiological data, appropriate procedural arrangements are established (suspension of deadlines discussion of cases only if both sides agreed not to make oral development in the audience, special deadline for submission of a memorandum etc.), as well as measures to protect employees of the COE (judicial officers and officials), lawyers and litigants, in order to avoid personal presence where possible and to encourage distant communication (use of masks, distance keeping, regular disinfection of the building, case action plan, digitalization of procedures, teleconferences, etc.). It is noted that

from today (1.2.2021) the functioning of the Council of State has returned to a normal regime of discussions, with full, however, observance of security measures.
http://www.adjustice.gr/webcenter/portal/ste/pageste/epikairotitita/anakoinwseis?_afrLoop=6115137059807603#!%40%40%3F_afrLoop%3D6115137059807603%26centerWidth%3D65%2525%26contentID%3D%26leftWidth%3D0%2525%26rightWidth%3D35%2525%26showFooter%3Dfalse%26showHeader%3Dtrue%26_adf.ctrl-state%3Dgw92qbt39_206

Court of Audit:

HELLENIC COURT OF AUDIT WORK PROGRAM 2021:

The Hellenic Court of Audit (HCA) performs, annually, mandatory audits in public management fields in accordance with the law, as well as on the basis of risk analysis.

Concerning the **RULE OF LAW**, SECURITY, an audit on “Good Governance Improving the living conditions of the Roma: Have the relevant international obligations for the social inclusion of the Roma been respected?” will be carried out.

Especially concerning Covid -19:

-The allocation of public money to halt the economic impact of the pandemic is reviewed, where each financial instrument is examined to ensure transparency, the required internal controls (data cross-checks, raw data verifications) and accountability.

List of audit topics:

Safeguarding of state property: Is medical equipment of state hospitals subject to an efficient protection system?

Safeguarding of state property: Are medical consumables subject to a quality assurance system regarding their proper disposal?

Have costly procurements been properly utilized according to the original planning of fulfilling specific needs or have they been long left idle?

FUNDAMENTAL SOCIAL RIGHTS, SERVICES OF GENERAL ECONOMIC INTEREST

a) Health 1. Covid-19: Criteria for the allocation of public resources in insufficiency: the problem with intensive care units.

b) Labour 2. Covid-19: Financial aid (lump sum) to non-subsidized long-term unemployed citizens: Are the selection criteria clear and well defined? Are the relevant documents associated with selection procedure sufficient and adequate? Is there an ex-post audit executed to detect any irregularities?

3. Hellenic Fund for Entrepreneurship and Development - Hellenic Development Bank: Financial tools to support Small and Medium size Enterprises (MSMEs) in times of crisis (financial or health.

Reviews concerning 11 Greek hospitals served for internal information of the Court and for programming the annual audit for 2021.

II. Anti-corruption framework

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

18. List of relevant authorities (e.g. national agencies, bodies) in charge of prevention detection, investigation and prosecution of corruption.

- The Greek authorities in charge of the prevention detection, investigation and prosecution of corruption are the following:

- *National Transparency Authority;*
- *Hellenic Single Public Procurement Authority;*
- *Economic Police and Cyber Crime Subdivision;*
- *General Directorate for Financial Control -Audit Coordination Committee (ESEL);*

- *Financial Audit Committee (EDEL);*
- *Directorate General for Financial and Economic Crime Unit (SDOE);*
- *Anti-Money Laundering Authority of Activities and Financing of Terrorism and Control of Financial Statements (FIU);*
- *Court of Auditors;*
- *Ombudsman (Synigoros tou Politi);*
- *Financial Prosecutors' Office was recently established by Law 4745/2020, which led to merging two pre-existing structures, namely the Corruption Prosecutor and the Financial Prosecutor. The Financial Prosecutors' Office for the investigation of corruption, tax and financial crimes is responsible for investigating all cases of corruption and financial crimes against the state, local authorities, public legal entities and the European Union, and crimes that cause serious harm to the national economy. The Law also applies to Ministers and Deputy Ministers concerning relevant crimes committed (except for crimes that, according to the Constitution, fall under the Parliament's jurisdiction), as well as members of the National and the European Parliament, Secretary Generals Secretary Specials, Governors, Deputy Governors and Vice-Presidents of State-funded (and subsidized) private legal entities.*

The following presentation explains the resources allocated to the National Transparency Authority:

(I) Legal resources: *According to Law 4622/2019 (articles 82-103 and 118-119), the National Transparency Authority (hereinafter NTA) is established as an Independent Authority with a robust anti-corruption mandate in order to a) enhance integrity, transparency, and accountability in the action of public institutions, b) prevent, detect, and respond to fraud and corruption in public and private bodies and organizations, c) achieve measurable results in the fight against corruption, and d) raise awareness against corruption. Law 4622/2019 seeks to consolidate overlapping competences, coordination impediments, and fragmentation of audit bodies, by merging six pre-existing key state entities (five Inspectors-Controllers Bodies and the General Secretariat Against Corruption). Thus, the NTA undertakes the entire range of the responsibilities, obligations, and rights previously exercised by them. According to article 82 para. 2, the Authority enjoys functional independence, administrative and financial autonomy and is not subject to the control or supervision by government bodies, state institutions or other administrative authorities. The Authority is subject to parliamentary control while the President and the members of the Management Board and the Governor of the Authority, in the performance of their duties, are bound only by the law and their conscience, and are not subject to any hierarchical control, nor to any administrative supervision by government bodies or other administrative authorities or any other public or private organization. The President, the members of the Management Board, and the Governor of the Authority, shall enjoy personal and functional independence.*

According to article 83 para. 1 of said Law, the Authority exercises its competences in all the bodies and services of the general government, including legal persons governed by public law, first- and second-tier local authorities, their enterprises and the supervised by them legal entities governed by public and private law, state legal persons governed by private law and public enterprises or enterprises whose management is directly or indirectly designated by the State by way of an administrative act or as a shareholder, even where such undertakings are expressly exempted from public sector rules, in accordance with their founding laws. The competence of the Authority also extends to private bodies concluding any type of contract with public sector bodies as defined in Article 51 of L. 1892/1990, as in force. The Authority also exercises its competence on private entities which trade with public sector bodies referred to in the previous subparagraph in any way or are publicly funded in any proportion. Also, within the Authority's scope fall private bodies engaged in any

economic activity which is regulated in any way by the State and which concerns the provision of services or goods to citizens or businesses, or bodies which are active in areas related to the public interest. The jurisdiction of the Authority extends throughout the territory. The Authority collaborates with competent judicial and prosecutorial authorities as well as with all administrative authorities and institutions in matters of financial control, accountability, transparency and the fight against fraud and corruption (article 85 para. 2).

(II) Financial resources: *According to article 82 para. 2 of Law 4622/2019 the appropriations for the operation of the Authority are entered under the same entity in the budget of the Ministry responsible for personnel of public administration. According to article 92 para. 2, the Authority under the responsibility of its Head of Financial Services shall submit its draft budget directly to the National General Accounting Office by 31st of July each year. According to article 92 para. 6, the total budget cannot be lower than 100% of the average sum of the budget of the abolished bodies, namely General Secretariat Against Corruption, the Body of Inspectors-Controllers for Public Administration and the General Inspector of Public Administration. It needs to be noted here that for the fiscal year 2020, the initial budget allocated to the Authority comes up to 5.086.000,00 euros and is covered by the budget of the Ministry of Interior. The budget can be modified according to the operational needs of the Authority.*

(III) Personnel resources: *The personnel serving or seconded to the pre-existing bodies abolished in accordance with article 82 para. 4, is automatically seconded to the Authority for their remaining period of service (article 118 para.2). In total, the actual personnel serving in the Authority comes up to 390 persons and is analyzed as follows:*

General Directorate/Unit	Inspectors-Auditors		Administrative Staff	
Inspections and Audits' Unit	260		-	
	Central	Regional Units		
	190	70		
Directorate General for Financial and Administrative Services and e-Government	-		74	
			Central	Regional Units
			57	17
Directorate General for Integrity and Accountability			42	
Directorate for Strategic Planning and Behavioural Analysis			10	
Directorate General for Awareness Raising and Actions with Society			3	
Directorate for Internal Audit and Investigations			1	
Total			130	
Grand Total	390			

Article 3 Auditing Committee

Transparency in political parties' finances and high-ranking officials of the State and of local government is controlled pursuant to article 29 of the Constitution, by a special

independent body, the “Auditing Committee of Assets Declarations of article 3A Law: 3213/2003 or otherwise “3A Auditing Committee”.

Consists of 11 members, Supreme Judges in majority, including heads of other authorities i.e. the Administrator of National Transparency Committee and the Chairman of Anti money Laundering Authority.

The said operates independently as to finance and administration. It is operationally supported by the Greek Parliament, with areas available for meetings, space in Parliament’s portal for the special webpage of the Committee and exclusive disposition of an autonomous Special Service leveling to Directorate which is staffed by personnel of 20 people, supervisor of which shall be a special scientist as to issues of transparency.

For political parties financing, several significant adjustments are presently being applied in order to combat corruption. For financing of political parties/coalition of parties there exists and materialized in full development a compact and full legislative framework (Law 3023/2002, as in force at present) provisions of which define with accuracy obligations and rules in overall of financial management thereof (political parties/coalitions of parties). Following the recent amendment of the said law, with commencement of the application on 01/01/2018, in first auditing year (2018), by the said law, sanctions were moved and money penalties were imposed to political parties as the said law provides for, for violations of the relevant legislation ascertained.

Greece presently possesses one of the most complete, transparent and valuable legal frameworks for Asset and Funds Source Declaration (POTHEN). Submission of Asset Declaration is made completely computerized since 2016, while by now are promoted and have been realized miscellaneous reforms for enforcing the already existing system, effectiveness of which is constantly improved. In 2018 declarations of fiscal years 2015, 2016 and partly of 2017, were submitted afresh, due to amendment of the Law. Submission afresh was completed on 30th April 2019 and on the same final date declarations of year 2017 pending were submitted. On this present day all declarations of the four years (fiscal years 2015 up to 2018) have been successfully submitted and exist in electronic system while submission of fiscal year 2019 declarations is expected to be completed as well, final date of which due to Covid-19 pandemic has been extended.

Submission of Asset Declaration to the system is made through a single application to the four independent, constitutional auditing bodies, with competency in diverse categories of persons:

- i) For auditing Assets Declarations of high ranked officials of the State and local government the Committee of article 3A competent for auditing political parties finance and public funds, as to political persons, elected, judges and prosecutors.*
- ii) For auditing Assets Declarations of many categories of civil servants, as well as persons carrying out managerial duties in certain private entities the Auditing Unit of Asset Declarations of the Anti - money Laundering Authority.*
- iii) For auditing Assets Declarations of Security and Coast Guard Bodies, the Service of Internal Affairs of the Hellenic Police, and*
- iv) For auditing Assets Declarations of the Bodies of Administrative Audit (supervisors, auditors, researchers) the National Transparency Authority.*

In addition, pursuant to the law an Asset Declaration may be audited on ad hoc basis by other supervising carriers on demand.

-The Committee of article 3A’ Law 3213/2003 operates on the basis of legislative framework of provisions of articles 3, 3A and 3B of Law 3213/2003, as amended and in force, provisions of article 21 Law 3023/2002, as amended and in force, provisions of Law 4456/2017 as well as provisions of Law 2690/1999 (Code of Administrative Administration) as in force from time to time on the basis of the Regulation of operation thereof. Auditing of liable persons set out to the said laws as well as abidance by any form of liabilities deriving from the

provisions thereof, has been assigned to the Committee, which operates, as special body, pursuant to paragraph 2 article 29 of the Constitution.

The Auditing Committee is competent to audit fully any kind of books declarations, documents and other records produced by the auditing persons and liable persons and may receive sworn or without oath declarations on discretion thereof, in cases the submission imposition of administrative sanctions is provided, or any other record considered necessary for audits of competence thereof.

The Committee issues justified findings for audits carried out and in case of ascertainment of penal crimes commitment forwards the said to the competent Public Prosecutor. In cases there is a ground of forfeiting parliamentary office, the Committee forwards findings to the Supreme Special Court of article 100 of the Constitution.

The Committee is constituted by:

- a) The Chairman of the Special Permanent Committee of Institutions and Transparency, as Chairman, with his alternate, appointed by decision of the Chairman of the Parliament.
- b) The Areopagite as regular member, with his alternate.
- c) Two (2) Advisors of the State, as regular members, with their alternates.
- d) The Advisor of the Court of Auditors as regular member with his alternates.
- e) The Deputy State's Attorney of the Supreme Court as regular member, with his alternate appointed by Act of the Public Prosecutor of Supreme Court, following question of the Minister of Justice Transparency and Human Rights.
- f) The Chairman of the Anti - Laundering Authority as regular member with his alternate.
- g) The General Supervisor of Public Administration as regular member with his alternate.
- h) The Deputy Governor of the Bank of Greece as regular member with his alternate.
- i) The Member of the Parliament of the largest parliamentary group in power participating in Government, as regular member with his alternate.
- j) The Member of the Parliament of the largest parliamentary group in power not participating in Government, as regular member with his alternate, appointed by statement subscribed by the Leader of the Official Opposition.

During audit of Asset Declarations of Magistrates and Prosecutors, duties of Chairman of the Committee are carried out by the senior Magistrate of its members. In case aforesaid, the Chairman of the Special Permanent Committee of Institutions and Transparency or his alternate participates in the Committee as member.

According to article 24 Law 4249/2014 the **Economic Police Division** is responsible for the prevention, search and suppression of economic crimes which are committed against the economic benefits of public sector and of national economy in general as part of the organized crime activities and as part of the search, prevention and suppression of the undeclared and non-insurance employment and tax-pay evasion even in the cases which do not consist of criminal acts.

Among the crimes which fall into the Division's competence (art. 32, Presidential Decree 178/2014 as amended) the following economic crimes are included:

Those crimes which harm or threaten the interests of the Greek public sector and the larger public sector in general and also the interests of EU, and especially the ones which concern fraud, corruption and unreliability which influence the economic interests of the public and EU and are related directly with Public procurements of Legal Entities Of Public Sector (ΝΠΙΔΔ), the public sector and the Legal Entities of Private Sector (ΝΠΙΠΔ) which are funded by the state or EU 's budget.

Those crimes which cause an impact on the public revenues and seriously influence the regular function of the market such as legislation for tax and customs crimes and especially

illegal commercial activities of significant great value, illegal trafficking and goods' adulteration and other products and violations regarding intellectual property, licenses, commercial signs, and other relevant commercial rights.

***Hellenic Court of Audit (Synedrio)** is the Hellenic Supreme Financial Court and Audit Institution auditing the use of public funds in Greece. The Court's jurisdictional, auditing and advisory competences are founded on the Constitution of Greece.*

The sentence "The Court of Auditors has a dual nature, acting partly as a court and partly as an administrative authority entrusted with auditing public accounts" in the report of 2020 has to be changed with the previous one.

The Court's mission is to contribute decisively to the quality and efficiency of public financial management in Greece with impartiality and professionalism and to build taxpayers' confidence that their money is spent in accordance with the principles of legality, economy, efficiency and effectiveness.

Its work is imbued with the principles of independence, respect for human dignity by defending fundamental rights, with a high sense of responsibility and ensuring transparency, accountability and the rule of law in the public sector.

The auditors of the Hellenic Court of Audit when carrying out their auditing tasks are imbued with the following values, as described in the audit manual.

*1. **Integrity** - straightforward, honest and sincere to the auditee*

*2. **Objectivity** - unbiased, with no conflicts of interest or the abusive impact of external factors and relationships between the auditor and the auditee.*

*3. **Professional Competence and due diligence** – making every effort to maintain professional knowledge and skills to ensure the efficiency and performance of the auditors' capabilities, through ongoing lifelong learning procedure based on the latest legislation, best practices and contemporary audit tools.*

*4. **Confidentiality** – Sensitive data obtained by the audit activities are fully ensured and protected. The auditors do not disclose any information to third parties, for any harmful purposes of the auditee or for personal or third parties' benefit.*

*5. **Professional Conduct** - compliance with the legislative and regulatory framework.*

- *Audit manuals are drawn up for each specific audit category, describing the specific audit procedures for conducting each audit:*

- *Financial Audit*

Compliance Audit

Performance Audit

Assessment of the Efficiency of the Internal Control Systems

Revenues received by Local Government Authorities and Public Sector Entities

Public grants and Funding

Abusive Accumulation of public tasks / posts

- ***The Charter of Ethics of the Judges of the Hellenic Court of Audit was approved (Decision No. ΦΓ8/55595 Government Gazette, Issue B' No. 4942/9.11.2020)***

New LAW 4700/2020:

Uniform procedural document for the Hellenic Supreme Financial Court, amendments to the Code of Laws, orders for effective enforcement.

Rules of Procedure: Internal Control Systems

The Commissioners carry out an audit of effectiveness of internal control systems - Article 341 - Law 4700/2020

Decision ΦΓ8/57805

Plenum of the Hellenic Court of Audit:

"Rules of Procedure for the Administrative and Audit Services of the Court of Audit"

Article 23

Audit of Internal Controls and Internal Audit Functions

- 1. The Court of Audit monitors and evaluates the effectiveness and adequacy of the Internal Audit Functions and the internal controls of all General Government entities. The above audits include both general IT controls and application controls.*
- 2. The purpose of the audit, which is conducted according to the guidelines of a relevant manual, is to identify the weaknesses and risks pertaining to internal controls and the operation of Internal Audit Functions, which hinder the prevention, detection or timely correction of material misstatements at the assertion level related to particular classes of transactions, account balances and disclosures or the achievement of the general objectives of the entity.*

Rules of Procedure - Internal Control Systems - Decision 55081.

-Art. 333 of law 4700/2020: The Hellenic Single Public Procurement Authority amicus curiae in pre-contractual cases.

Financial Crime Prosecutors

With Article 53 entitled "prosecutors of Economic Crime" of Chapter I "Department of economic crime-amendments to the code of Criminal Procedure" of N. 4745/2020 (Government Gazette a 214/6-11-2020), which essentially merged the prosecutor's Office of Economic Crime and the prosecutor's offices of corruption of Athens and Thessaloniki and which is as follows:

«1. The title of the second chapter of the second section of the First Book of the Code of Criminal Procedure is replaced by the following: "prosecutors of economic crime".

2. The title and Article 33 of the Code of Criminal Procedure are replaced as follows:

'Article 33

Economic Crime Prosecutors

In the prosecutor's Office of Appeals of Athens, an Economic Crime Department is created that operates in accordance with the provisions of the Internal Service Regulation. In the Department of Economic Crime of the Athens prosecutor's Office of Appeals serve four (4) prosecutors or deputy prosecutors of Appeals who are placed for a term of three (3) years, with their equal number of alternates (...) prosecutors of economic crime perform their duties with full and exclusive employment, while their alternates with part-time work, and the Department's work is assisted by at least eight (8) prosecutors, of which seven (7) at least

from those who serve in the prosecutor's Office of Athens and one (1) at least from those who serve in the prosecutor's Office of Thessaloniki (...)

3. The title and Article 34 of the Code of Criminal Procedure are replaced as follows:

'Article 34

Local jurisdiction of economic crime prosecutors

The territorial jurisdiction of economic crime prosecutors extends throughout the territory. ».

4. The title and Article 35 of the Code of Criminal Procedure are replaced as follows:

'Article 35

Duties of economic crime prosecutors

1. Prosecutors of economic crime carry out a preliminary examination either in person or by ordering the general or special investigative officers to verify the commitment of any kind of tax, financial and any other related crimes, if they are committed against the Greek state, local authorities, legal entities governed by Public Law and the European Union or seriously harm the national economy. Also, in their competence are the felonies committed by ministers or Deputy Ministers and not occupied by the regulations of par. 1 of Article 86 of the Constitution, as well as felonies committed, in the performance of their duties or in their capacity, by members, members of the European Parliament representing Greece, general and special secretaries of government, governors, deputy governors or presidents of boards of directors or CEOs or appointed advisers of legal persons governed by Public Law and elected single-person bodies of local authorities, any official within the meaning of approx. A ' of Article 13 BC and those who serve permanently or temporarily and in any capacity or relationship: A` to legal persons of private law established by the state and by legal persons of public law, provided that the founding legal persons participate in their administration or those legal persons are charged with carrying out state programs of economic reconstruction or development and B) to legal persons of private law, to, even if the perpetrators have ceased to bear this status, if they are related to the pursuit of economic benefits of themselves or third parties or the infliction of harm to the state, legal entities of public law or local authorities or the above legal entities of private law.

2. Subject to para. 3, The Chief Prosecutor of the Department of Economic Crime has the supervision, guidance and coordination of the actions of the general in the approx. A ' of par. 1 of Article 31 and special investigative officers, in particular officials of the Economic Crime body (P.D.The.E.), the Directorate of Economic Crime Investigations (d.E.The.E.) and the Directorate of Economic police, in relation to cases, for which the above officials have been dealt with as investigating officers, within the framework of their powers. The Chief Prosecutor of the Department of Economic Crime is informed of all complaints or information received by the services of the previous paragraph for crimes of his competence, evaluates and investigates this information, as well as any other relevant news that comes to his knowledge in any way and means promoting those cases that seriously harm the interests of the Greek state and the European Union.

3. (...), 4. (...)

5. Prosecutors of economic crime are supported in their work by a number of Special scientists deemed necessary to carry out the preliminary examination (...)

5. The title and Article 36 of the Code of Criminal Procedure are replaced as follows:

'Article 36

Powers of economic crime prosecutors

1. The prosecutors referred to in Article 33 shall, provided that the principle of proportionality is respected, have access to any information or information useful for the exercise of their work, not subject to the restrictions of the law on tax, banking, brokerage and any other secrecy, with the exception of the lawyer's, as well as to any form of a public authority or body that keeps and processes personal data in

accordance with applicable traceability rules. Especially the access to any information or element of telecommunications privacy (n. 2225/1994) is allowed in cases where the objective substance of a felony is recorded and documented.

2. The prosecutors of Article 33, when conducting a preliminary examination to verify the commission of crimes of their competence, may proceed, by reasoned order, to commitments of bank accounts, contents of bank boxes and assets in general (movable and immovable), for the purpose of safeguarding the interests of the State, for a period of up to nine (9) months that may be extended by, in view of the above, preliminary examination. (...)

B. Prevention

19. Integrity framework: asset disclosure rules, lobbying, revolving doors

- (I) Asset disclosure rules: The Greek asset declarations system is governed by Law 3213/2003 on Declaration and Audit of Assets of Public Officials, Media Owners and Other Individuals, Government Gazette A' 309/31.12.2003, which obliges specific categories of persons including the Prime Minister, Ministers, high ranked and senior public officials, judges, prosecutors, and journalists, among others, to submit an asset declaration form. The above-mentioned categories of persons are obliged to submit an initial declaration, regarding their assets and income, that will serve as a benchmark during the annual audits so as to determine the origin, acquisitions and/or additions to their wealth. The submission of the initial declaration is obligatory while the asset declaration form is submitted on an annual basis. The verification of the above-mentioned declarations is monitored by four main oversight bodies depending on the category of the person that submits the declaration, namely the National Transparency Authority (hereinafter NTA), the Asset Declaration Committee of the Greek Parliament, Unit C' for Asset Declarations of the Greek Financial Intelligence Unit and the Appellate Court Prosecutor who monitors the Internal Affairs Agency of Law Enforcement Bodies.

According to article 3 para.1 of Law no. 3213/2003 (as modified), the NTA is one of the competent authorities for monitoring the submission of asset declarations by specific categories of public officials. The Authority's jurisdiction covers specific categories of officials, and are provided under para. 3 sub-para. (b) (as modified) of the aforementioned law. For reasons of completeness, it is worth mentioning that the Authority is responsible for monitoring the asset declarations of the following categories of public officials:

- The civil staff of the Ministry of Maritime Affairs and Insular Policy;*
- The Heads of Forestry Offices and Forests Services and their appointed deputies;*
- The members of all Inspection and Audit State Bodies with the exception of the members of National Transparency Authority who submit their asset declarations to Unit C' of the Anti-Money Laundering Authority according to article 96 para. 20 of Law no. 4622/2019; the Heads of organic units of any Inspection, Internal Audit or Internal Affairs Service of the State, public law entities and local authorities, of both first and second degrees, as well as officials serving in these units, performing any audit duties;*
- The General Directors of the Ministry of Finance, the Heads of Directorates of Tax Offices (D.O.Y.), Intra-regional Auditing Centers (D.E.K.), Auditing Center for Taxpayers with High Income (KE.FO.ME.P.), Auditing Center for Big enterprises (K.E.ME.EP), Heads of Auditing Departments and all employees serving in the Auditing Departments of the above authorities, as well as all employees performing auditing duties in these authorities, the Head of the Directorate of Companies with High Income, Heads of Customs Directorates, Heads of General Departments and Customs Procedures of Customs Authorities, all Customs employees with auditing duties, Heads of Directorates and Departments as well as employees of Customs Auditing Services (EL.Y.T.), and employees of the Directorate for Observing and Auditing Suspensive Status (DI.P.E.A.K.), Heads of Departments of State Land Registry*

Authorities;

-The Heads of Directorates of Internal Affairs of the Financial Crime Prosecution Unit (S.D.O.E.), Heads of Regional Directorates and Departments auditing them, as well as employees – auditors serving in the above offices;

-The Heads and employees of departments for buildings of all organizational levels in the Local Governments. The regular and deputy members, as well as the rapporteurs of Arbitration Appeals Committees, the Councils, the Regional Councils and the Central Council on Urban Planning and Controversy, the Councils, the Regional Councils and the Central Council of Architectural Councils, the Central Archaeological Council and the Central Council of Modern Monuments;

-The Heads of Foreigners' Directorates of Decentralized Administrations;

-The Heads of Commissioner Services of the Court of Audit;

-The Heads of Directorates of the Financial Control Departments (Y.D.E.) and the Financial Services of Supervision & Control (D.Y.E.E.) of the State's General Accounting Office;

-The president, members and employees of the Anti-Money Laundering Authority;

-The staff of the National Medicine Agency (E.O.F.), the Hellenic Food Authority (E.F.E.T.), the Hellenic Tourism Organization (E.O.T.) and the Payment and Control Agency for Guidance and Guarantee Community Aid (OPEKEPE) and the Ministry of Tourism which exercises monitoring or licensing duties and the heads of the above services, as well as the Heads of the respective units in any rank of the above services.

On the initiative of the NTA, a Common Regulation on Asset Declarations Audit Procedures was adopted by competent bodies and published in September 2020 (Government Gazette B' 3947/15.09.2020) specifying the auditing process (art. 2), the process of requesting information and data (art. 4), the drafting of reports and the submission of files (art. 5), among others.

-Lobbying: *The need to ensure integrity and transparency within the context of lobbying activities and the absence of a framework that would regulate the interaction between institutional bodies and lobbyists has led the National Transparency Authority (hereinafter NTA) to develop and propose a draft legislation in July 2021 that aims to cover this gap. The proposed legislation is developed in five chapters: Chapter 1 on the rationale, scope and definitions of the law, explains that the law aims to ensure integrity and transparency in the performance of lobbying activities and clarifies that it covers the interaction of lobbyists with institutional organs, their rights and obligations. This chapter defines institutional organs, lobbyists, lobbying activities and exceptions, among others. Chapter 2 on general principles in the context of lobbying activities, emphasizes the respect for fundamental human rights such as freedom of expression, information, and participation in the country's social, economic and political life, and explains lobbyists' rights and obligations in the context when communicating with public officials as well as public officials' obligations. Chapter 3 establishes a Transparency Registry to which lobbyists have the obligation to register by providing general information on the type of areas of interest and lobbyist activities, among others. In addition, the Chapter requires from lobbyists to submit an annual report with specific information on types of decisions targeted and types of lobbyist activities undertaken, among others. Chapter 4 provides for the monitoring of the Transparency Registry by the NTA and provides for sanctions in case of violations. Chapter 5 entails some final provisions. The above-mentioned draft law proposal has been shared with various competent authorities and is expected to enter the Parliament in the first semester of 2021.*

- Revolving Doors: *Article 73 of Law 4622/2019 provides for obligations after leaving service to a) members of the Government and Deputy Ministers, (b) General and Special Secretaries, and Coordinators of the Decentralized Administrations, (c) Presidents or Heads of Independent Authorities, and Presidents, Vice-Presidents, Governors, Deputy Governors, Directors or appointed advisors to legal persons governed by public law and private law (as mentioned in article 68). According to said article, for one year after they leave their post,*

these persons have the obligation to obtain authorization for any professional or business activity that relates to the activity of the entity to which they were appointed, if it could raise any conflict of interest, as described in article 71. The authorization requires the submission of a petition to the Ethics Committee established at the National Transparency Authority of Greece which has the responsibility examine such requests in accordance with article 74 and has the power to impose sanctions in accordance with article 75.

- *The General Secretariat for Human Resources' Management in the Public Sector of the Ministry of Interior has signed a memorandum of understanding with the newly founded National Transparency Authority (NTA). The MOU concerns the cooperation of the two bodies in order to prevent and fight corruption in the public sector as well as to create accountability, transparency and integrity tools and mechanisms. The pillars of the aforementioned cooperation concern a) fight against corruption in the public administration, such as support of the sanction mechanisms through the disciplinary, administrative or penal procedure, the promotion of cooperation among the competent bodies, as well as the planning of training programs for officers and members of the disciplinary boards, b) prevention through the development of accountability mechanisms and behavior rules for executives, such as transparency in lobbying procedures, internal audit controls and risk management in order to safeguard integrity in the public sector, the prediction of integrity officers and integrity officers' network and c) raising awareness in the society and the public sector, by promoting the mentality of integrity through education, surveys and integrity awards. The Ministry of Interior also participates in the implementation of the National Strategic Plan Against Corruption through specific projects such as the implementation of the National Integrity System and the update of the integrity legislation concerning public employees and elected officials in the local government. Furthermore, according to the founding law of the NTA the Ethics Committee of the NTA (article 74 L.4622/2019) gives an opinion on drafts of Codes of Ethics for public employees that are forwarded to the Committee by the Prime Minister. The Ministry of Interior upon cooperation with the NTA is expected to forward to the Greek Parliament the legislation for integrity officers and the Internal Audit Control within the next period of time.*

- **Article 3 Committee**

Framework of Integrity: Rules of assets publicity, interest groups, transition to or from the public to the private sector and general transparency to receiving decisions with the participation of the public (including access of the public to information)

19A. Issuance of joint decision of the Minister of Finance and Chairman of the Parliament of a list where exact duties and competencies of those set out in paragraph 9 article 3 Law 4556/2018 (Politically exposed persons) are defined, following movement of the Special Service of the Auditing Committee of Asset Declaration.

19B. In the context of general transparency, Asset Declarations of persons of cases a' up to e' of paragraph 1 article 1 Law 3213/2003 as amended and in force, are published in Hellenic Parliament website and the modus is described by the Decision jointly subscribed by the Ministers of Finance and Justice.

GOVERNMENT GAZETTE OF THE HELLENIC REPUBLIC

25 SEPTEMBER 2019 ISSUE SECOND

Sheet number 3569

DECISIONS

Number 3219

Publication of the content and Records of Asset Declarations (D.P.K.)

THE MINISTERS OF FINANCE – JUSTICE

(...)

1. *Asset Declarations (D.P.K.) of persons of cases A' up to e', paragraph 1 article 1 Law 2313/2003, as amended and in force, are published with the form of electronic file on website of the Hellenic Parliament upon care of the Chairman of the Committee of article 3A of the said law.*
2. *The subject of publicity includes the following records:*

- a. Surname, name father's name, capacities under which the declaration is submitted and the date of duties assignment of the liable (Appendix I Table 01 Code, 5, 6, 7, 10 and 18 Law 3213/2003 as in force)
- b. Surname, name and father's name of the husband / civil partner, of the liable Appendix I Table 02 Code, 6, 7, 8, Law 3213/2003 as in force)
- c. Income from any source (Appendix I Table 04 Law 3213/2003 in force).
- d. Investment products of local and foreign companies, any kind of bonds, mutual funds, derivatives as well as any financial bank product, of insurance company, or any other financial institution (Appendix I Table 05, Law 3213/2003 as in force).
- e. Safe deposit boxes leasing in banks, savings institutions and other local or foreign financial institutions, (Appendix I, Table 06 Law 3213/2003 as in force).
- f. Deposits in Banks, Savings Bank and other local or foreign financial institutions as well as other financial accounts - monetary accounts, excepting IBAN (Appendix I, Table 07 except for Code 6 Law 3213/2003 as in force)
- g. Realities, property assets and rights in rem thereof, excepting the street or location number, name and surname of the Notary Public (acquisition and divestment/ change of the above) (Appendix I Table 09 except for Codes 7, 8, and 23 Law 3213/2003 as in force).
- h. Vehicles of every use, excepting their circulation number (Appendix I Table 10 except for Code 4, Law 3213/2003 as in force)
- i. Vessels, excepting ship's registry number or ship's classification number (Appendix I Table 11 excepting Code 4, Law 3213/2003 as in force).
- j. Air transport means, excepting Registry number (Appendix I Table 12 except for Code 4, 3213/2003 as in force).
- k. Participations in any kind of business, excepting Tax Reg NO (AFM) of the Business (Appendix I Table 13 except for Code 7 Law 3213/2003 as in force).
- l. Loan obligations and debts (Appendix I Table 14 Law 3213/2003 as in force)

Taking measures for securing protection of public interest witnesses and encouragement of corruption denouncement

(...)

Denouncements in general may be reported to POTHEN.GR platform. As far as the Committee 3A, is concerned, denouncements shall be referred to the Committee, are discussed in sessions thereof and probed. Relevant report is made in Regulation of the Operation of the Committee 3A, in article 5 paragraph 4.

ARTICLE 5

Auditing Asset Declaration

Further, the Committee takes under consideration any case of competence thereof forwarded to the said in order to be probed by the Public or Court Authorities as even any case of competence thereof introduced ipso jure to be probed, following motion of the Chairman thereof or at least of four of each members. In addition, the Committee investigates denouncements of civilians by name addressed to the said concerning liable parties of competence thereof. No name denouncements or denouncements deriving from a person who declares a non existent name and surname are placed directly in File, upon Act of the Chairman and concordant opinion of members of the Committee, unless there occur exceptional grounds, which are expressly set out:

20. Rules on preventing conflict of interests in the public sector

- Article 71 of Law 4622/2019 provides for certain obligations during the performance of duties to a) members of the Government and Deputy Ministers, (b) General and Special Secretaries, and Coordinators of the Decentralized Administrations, (c) Presidents or Heads of Independent Authorities, and Presidents, Vice-Presidents, Governors, Deputy Governors, Directors or appointed advisors to legal persons governed by public law and private law (as mentioned in article 68). These persons have the obligation to exercise their duties with integrity, objectivity, impartiality, transparency and social

responsibility and act exclusively for the public benefit (para. 1). They are required to refrain from the management of certain cases declaring a conflict where such conflict of interest exists. A conflict of interest is defined as any situation that would objectively influence the impartial exercise of their duties (para. 2). Such is the case where there is a benefit, financial or not, for themselves or their spouses and relatives, or a detriment financial or not for the persons with whom there is a special hostility (para. 3). Furthermore, the persons appointed to the positions of the article 68 must declare to the Presidency of the Government of any conflict interests that may later arise as soon as they become aware of it (see article 72, para.2). As to the procedural obligations in order to avoid a conflict of interest (article 72), a specific procedure needs to be followed for the avoidance of conflicts of interest with the filing of a declaration within one month from appointment. More specifically, the persons specified in article 68 are required to declare (a) their professional activities (including those of their spouses) during the last three years and (b) their participation (including that of their spouses) in the capital or management of enterprises. They must also (c) submit a copy of their asset declaration form for the last three years, (d) declare any other activity (including any activity of their spouses) and (e) submit a copy of their criminal record. According to para. 2, they have the obligation to declare to the Presidency of the Government any conflict of interest that may later arise. It needs to be noted here that the National Transparency Authority of Greece is in the process of developing gift policies for the public sector.

- The Civil Servants' Code (Law 3528/2007) includes restrictions and incompatible works for civil servants:

Civil servants may perform private work or employment for pay, upon permission, provided it is consistent with the duties associated with their posts and does not obstruct the smooth performance of their duties. Said permission is granted for a specific work or hiring, upon the consenting reasoned opinion of the service board, and is revocable in the same manner.

Civil servants may not exercise commercial business professionally.

Civil servants are required to declare to their service any participation in legal persons of private law of any form whatsoever, with the exception of associations and charitable foundations. Civil servants are prohibited from participating in any personal commercial company, limited liability company or joint venture and from serving as managing director or special managing director in a corporation or administrator in any commercial company. Upon permission, civil servants may participate in the administration of a corporation or farming co-operative, subject to the reservation of the preceding section. Said permission is granted upon opinion of the service board.

Civil servants, their spouses and underage children are not allowed to acquire stock in corporations subject to their service's special official control. Any civil servants or their spouses or minor children holding stock in corporations which fall under the ban of the previous section at the time of the appointment thereof, or acquiring such stock during the period of their service as a result of inheritance, are required to submit a statement to that effect to their service and, within one year, either transfer said stock or request their own transfer to another authority in the same civil service or reassignment to another civil service or legal person of public law. The transfer or reassignment is compulsory for his service. During the period lapsing until the transfer or the shares or the conclusion of the civil servants' reassignment, the latter come under the conflicting interests' impediment of Article 36 of the Code. Civil servants may participate under their official capacity in co-operatives, the administration of corporations or limited liability companies controlled by the State, legal persons of public law, local authorities and public enterprises, when special provisions provide for that participation.

Civil servants are not permitted to perform work incompatible, under the provisions in effect, with the office of an MP. The capacity of a civil servant is incompatible with the capacity of a lawyer, unless provided otherwise by special provisions. Independently of the contractual relation, a civil servant may not be appointed to a second post: a) in civil service, b) in legal persons of public law, c) in local authorities including the associations thereof, d) in public enterprises and organizations, e) in legal persons under private law; belonging to the State or receiving regular subsidies, according to the provisions in effect, by state funds, up to no less than 50% of their annual budget, or controlled by the State, which holds no less than 51% of their share capital, and f) in legal persons under private law, belonging to, or receiving regular subsidies from the legal persons of points (b), (c), (d) and (e), up to

no less than 50% of their annual budget, according to the provisions in effect or their articles of association, or controlled by said legal persons, which hold no less than 51% of their share capital.

The Civil Servants' Code also includes impediments due to conflicting interests:

A civil servant may not undertake the settlement of an issue or participate in the issuing of acts, either in person or as member of a collective body, when either himself or his spouse or a relative by blood or affinity up to the third degree of kinship, or a person with whom the civil servant has a close friendship or peculiar animosity, has a manifest interest in the outcome of the case. The violation of the provision of the preceding paragraph constitutes grounds for the annulment of the relevant administrative act. Civil servants who are married between them or relatives by blood or affinity up to the third degree of kinship may not participate in the same collective body. The civil servant is obliged to request his exception from any action described above if he has an impediment.

Similar provisions regarding impartiality and conflicting interests are included in Article 7 of the Administrative Procedure Code:

The administrative bodies, one-member or collective ones should provide guarantees of impartial judgement in the performance of their duties. The one-member bodies, as well as the members of the collective bodies, should refrain from any action or procedure constituting participation in decision-making or expression of opinion or proposal if: a) the satisfaction of their personal interest is related to the course of the case or b) they are spouses or relatives by blood or affinity, unlimitedly in straight line and up to the fourth degree in oblique line, with one of the interested parties or c) they have a special bond or peculiar relation or animosity with the interested parties. If the body or member of collective body finds that there are grounds for their abstention, they should immediately state them to their superior authority or the chairman of the collective body respectively, and refrain from any action. In such cases, the superior authority or the collective body decides on the matter as soon as possible. An application for the exclusion of a one-member body or a member of a collective body may be submitted by the interested parties at any state of the procedure. The application is submitted to the superior authority or the chairman of the collective body or to the deciding body, as the case may be. For all other matters, the provisions of the last sentence of the previous paragraph are also applicable in this case. The exclusion may also be order *ex officio* by the superior authority or the collective body.

The aforementioned restrictions and impediments are examined by the HR Units in every public service, where public officials regardless of their rank submit applications for permissions.

Violation of the aforementioned provisions may constitute a disciplinary offence such as breach of civil servants' duties, performance of work or of a project for pay without the service's prior permission and violation of the principle of impartiality and may lead to disciplinary proceedings.

Moreover, according to art. 19 of L. 3213/2003, certain categories of civil servants and other officials in the public sphere are obliged to submit an electronic declaration of interests. The officials are the persons who are obliged to submit yearly declarations of assets according to L. 3213/2003. Law 3213/2003 established the legal framework for the "Declaration and audit of the assets of members of parliament, public officials and servants, mass media owners and other categories of individuals". The declaration constitutes a detailed report of all available assets domestic and abroad of the obligated natural persons as of 31 December of the previous year, as well as outside activities from which a conflict of interest could emerge with respect to their function relating to the public sector. The implementation of the provisions of the existing legal framework, with respect to most categories of the obligated natural persons, is under the responsibility of "The Source of Funds Investigation Unit (SFIU)" of the "Anti-Money Laundering, Counter-Terrorist Financing and Source of Funds Investigation Authority".

The disciplinary proceedings are separate and independent of the penal or other proceedings. The public prosecutor of the first instance criminal court is required to announce immediately to the supervising authority of a civil servant the institution of any criminal proceedings against him.

After the announcement and within 20 days the competent disciplinary bodies need to decide on whether they will initiate disciplinary proceedings against the civil servant. In case of criminal conviction disciplinary proceedings are mandatory.

Moreover articles 71-76 of L. 4622/2019 include provisions regarding the conflict of interests of

Ministers and high-level officials (i.e. General Secretaries, Presidents of legal entities and Independent Authorities). These provisions concern their duties and how to avoid conflict of interests. The officials who fall under these provisions have to submit a relevant declaration to the Presidency of Government within one month after their appointment. The Prime Minister has issued a decision (No 150/2019, B' 4550) regarding the specific procedure in order to avoid conflict of interests for the aforementioned officials. The same officials are obliged to submit a petition to the Ethics' Committee in order to exercise any professional or business activity for one year after leaving their post in the public sector for any reason. The Ethics' Committee is founded in the National Transparency Authority and has several responsibilities among which to impose fines in case of breach of the aforementioned provisions or/and to prohibit the further appointment of a person in a high-level post for a period up to 5 years. All the decisions of the Ethics' Committee are published on the website of the NTA, besides other publicity obligations (DIAVGEIA). Some of the aforementioned provisions apply also to members of the high-level officials' offices.

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

- (I) Whistleblower protection: Greece has established a Legislative Drafting Committee with the mandate to transpose Directive 2019/1937 into the Greek legal framework. The Legislative Drafting Committee is composed of Judges and representatives from the Ministry of Justice, the Ministry of Interior, academia, lawyers, and the National Transparency Authority. Members of the Committee are in the process of drafting provisions while they attend expert group meetings organized by the European Commission. The Committee is expected to submit its work within the prescribed timeframe.

(II) Encouragement of reporting of corruption: The National Transparency Authority (hereinafter NTA) of Greece has introduced an online complaint form that is available on its web-site where citizens can submit a complaint, by reporting a violation of law, and upload relevant material. Citizens can provide their contact information, or choose to remain anonymous. The Authority follows an one gate-many entry points logic, as links to the NTA's portal are also available across public sector websites. Complaints may also be submitted with post or fax, or be filed at its premises, while a special e-mail address is also available. For the submission of complaints an e-mail can also be sent to kataggelies@aead.gr. NTA applies a comprehensive Complaints Management System (CMS) to assess and prioritize the handling of incoming complaints based on standardized processes. The methodology of CMS builds on i) a set of go-no go criteria and ii) a set of weighted criteria. Each incoming complaint is assessed and scored. The score it receives determines the classification and the level of prioritization for each individual case.

In addition and following the ratification of the Council of Europe Convention on the Manipulation of Sports Competitions (the Macolin Convention), Greece proceeded with the establishment of the National Platform for Sports Integrity (EPATHLA) within the General Secretariat of Sports with the participation of the National Transparency Authority, the Hellenic Gambling Commission, the Sports Prosecutor and the Hellenic Police. The Platform collects information on sports manipulation and submits them to competent authorities, coordinates actions against sports manipulations, including educational and raising awareness programs, receives, collects and examines information on illegal gambling in sports, submits information to competent authorities regarding violations of the Macolin Convention and collaborates with various authorities on national and international level. For this purpose, the National Platform has developed a website to which complaints regarding sports manipulation may be submitted. The website can be accessed at epathla.digigov.webnomore.dev

- According to article 26 paragraph 4 of the Civil Servants' Code, as modified in 2014 (Law 4254/2014), the public officials who have been declared as whistleblowers according to the provisions of the Penal Procedure Code shall not be omitted during promotion procedures, shall not be punished or undergo disciplinary proceedings, shall not be dismissed or discriminated in any way in matters

regarding their professional progress or be unfavorably transferred or reassigned, during the time necessary for the judicial investigation of the case.

According to article 110 paragraph 6 of the Civil Servants' Code, as modified in 2014 (Law 4254/2014), in case a public official, who gave information to the police that were crucial to uncover and prosecute bribery cases, is prosecuted according to the disciplinary proceedings, the disciplinary body responsible, in order to continue the prosecution, shall prove that the prosecution is not owed to the aforementioned substantial contribution of the public official.

The decision to declare someone a whistleblower is made by the District Attorney according to the provisions of the Penal Procedure Code (art. 47).

Moreover, the Ministry of Justice has created a legislative committee responsible to integrate Directive 1937/2019 on the protection of persons who report breaches of Union law into national law. The Ministry of Interior is represented in the aforementioned committee for matters concerning the public sector.

22. List the sectors with high-risks of corruption in your Member State and list the relevant measures taken/envisaged for preventing corruption and conflict of interest in these sectors, (e.g. public procurement, healthcare, other).

In the context of fulfilling its mandate to enhance transparency, integrity and accountability in the action of government bodies, administrative authorities, state institutions, and public organizations, and to prevent, deter, detect, and respond to fraud and corruption in public and private bodies and organizations, the National Transparency Authority (hereinafter NTA) collaborates with a number of public bodies so as to develop sectoral policies and strategies aimed at preventing and combating corruption in core areas of the public administration. For instance, the NTA in cooperation with the Ministry of Health are working on the development of an Anti-Corruption Strategy in the health sector. In addition, the NTA collaborates with the Ministry of Environment and Energy to assess corruption risks and develop a risk mitigation plan for the Directorate of Environmental Permitting and the Environmental Inspectorate of Northern and Southern Greece. Furthermore, the NTA has conducted a risk assessment of existing procedures for granting and acquiring Greek citizenship and naturalization that was submitted to the Secretariat General for Citizenship. The NTA collaborates with the Ministry of Justice with the aim of strengthening the integrity of judges and prosecutors as well as with General Secretariat of Sports with the aim of developing tools that will strengthen the integrity of athletes, coaches and referees.

It is worth mentioning here that the Independent Authority for Public Revenue (IAPR) since 2019 has developed an anti-corruption strategy for 2019-2021. On July 2020, the Hellenic Single Public Procurement Authority in cooperation with the competent authorities started the procedure for the revision/update of the National Strategy for Public Procurement which includes a distinct chapter on promoting transparency and preventing fraud and corruption.

Public Procurement Sector

First measure: Launching a reporting platform for fraud and corruption or general irregularities in the field of public procurement, which meets the conditions for the implementation of Directive 2019/1937, for the protection of witnesses of violations, threats or damage to the public interest (whistleblower).

HSPPA has adopted the relevant reporting platform, within the framework of the European Program "WIDELY EXPANDING ANONYMOUS TIPPING TECHNOLOGY DEPLOYMENT, OPERATION, AND TRUSTWORTHINESS TO COMBAT CORRUPTION IN EASTERN AND SOUTHERN EUROPE", with the support of Transparency International Greece and the Hermes Center for Transparency and Human and Digital Rights.

The main features of this reporting method are:

- The report is made by completing a questionnaire, which is sent anonymously, if the person who submits it so wishes. Anonymous reports are only considered if they are sufficiently detailed.
- The report is received by the relevant executive or department, which manages it,

maintaining the confidentiality of the person submitting the report.

- *When sending the report, the petitioner receives a 16-digit numeric code, which must be kept in order to be able to maintain access to his report, verify the response of the competent official or department of HSPPA and contact the recipient of the report, responding to requests for clarification or further information.*

- *The report can be made from any digital device (personal computer, tablet, smartphone). The protection of anonymity is guaranteed in any case.*

This is a horizontal measure concerning the detection of fraud and the imposition of sanctions. It falls within the scope of public procurement and is related to the prevention of corruption among staff members, including management. It is a new operational measure, which falls within the scope of "online reporting" and aims to carry out targeted audits. The platform was launched in December 2020, in the sense that it affects all areas of the EU budget.

Irrespective of the above, it should be noted that HSPPA, already in the very early stages of its function, has shown its determination to assist and provide all necessary information to the parties involved in public procurement with regard to combating corruption. In this respect, HSPPA issued in 2015 its Guidance No 9/2015 on "Combating Corruption in Public Procurement Procedures", the purpose of which was to present the legislative framework in force pertaining to combating fraud and corruption in public procurement and to encourage the use of best practices for the prevention and identification of corruption incidents in the field of public procurement.

Furthermore, as defined in Art. 2 par.2 i) bb) of L. 4013/2011 in combination with the provisions of Art. 24 and 262 (conflict of interest) of L. 4412/2016, HSPPA shall collect and evaluate the decisions of contracting authorities on the measures taken for the effective prevention, identification and remedy of incidents of conflicts of interest arising in the conduct of procurement procedures. In this context, HSPPA, aiming to achieve the standardization of the elements collected relating to incidents of conflict of interest in public procurement, and to assist contracting authorities in their duty to provide relevant information, has issued (in 2017) and published on its website a standard document prescribing the minimum content of the required information on conflict of interest to be notified to HSPPA.

23. Measures taken to address corruption risks in the context of the COVID-19 pandemic

In response to the pandemic and the need to enforce the legal and regulatory framework, the National Transparency Authority of Greece (hereinafter NTA) has enhanced its audits with the view of contributing to the common national goal to combat COVID-19. The NTA along with the Hellenic Police, the Municipal Police and the Hellenic Coast Guard are empowered to enforce the restrictions/measures imposed by the Government. Numerous audits/inspections have been carried out to welfare institutions and health centers to confirm the legality of measures and prevent the use of exigent circumstances as an excuse to avoid compliance. To strengthen accountability and transparency, a summary of these results is published in the NTA's web site. In collaboration with the Ministry of Labor and Social Affairs, the NTA has also developed a guide for safe conduct addressed to employees who work in social welfare institutions (September 2020), as well as a guide to protect against COVID-19 fraud techniques (treatment scams, supply scams, health provider scams, charity scams among others, April 2020). Recently, the Authority created an online COVID-19 Toolbox that can be accessed by all bodies involved in ensuring compliance with measures and protection of public health. The Toolbox aims to ensure uniformity in the inspection process, sharing of expertise and best practices, transparency and accountability in the carrying out of audits.

First measure: Guidance 24/2020

(decision 1/15.04.2020 of Hellenic Single Public Procurement Authority/ HSPPA)

"Special issues of award and management of public procurement, in the context of dealing with the health crisis of COVID-19 virus, as well as measures to prevent its dispersion "

This measure concerns the prevention of fraud and falls within the field of public procurement. It is related to the prevention of corruption but also to the transparency in public procurement and improvement of public procurement management.

In particular, following the emergency legislation in public procurement due to the pandemic health crisis and the questions submitted regarding the award and management of contracts in this context, HSPPA issued Guideline 24/2020 on options and flexibilities for public buyers under the EU public procurement framework and the national emergency provisions. The Guidance is intended to help public authorities use on the one hand the flexibilities provided by the provisions of EU Directives (as incorporated into national law. 4412/2016), under the conditions laid down in it and on the other hand to implement properly the special, exceptional and for limited period of time, provisions introduced by Legislative Content Acts, Transparency concerns are pointed out in particular in relation to contracts and direct awards made in this emergency situation that have not been published, and do not fulfil ex-post transparency requirements either.

The guidance was issued within the competence of the Authority to issue Guidelines, in accordance with article 2 par. 2 point d of law 4013/2011. It was issued on 15.04.2020 and it is a horizontal measure.

Second measure: *Proposal for the addition of new procedure types for covid-19 in the Central Electronic Register of Public Procurement (hereinafter KIMDIS) and sending a document to the contracting authorities and the contracting entities, in order to use it properly.*

HSPPA, in the context of its supervisory and auditing competences, but also of its function as "guardian" of the legality required by national and EU legislation in the field of public procurement, develops a series of initiatives towards the preservation of transparency, integrity and fight against phenomena of corruption and fraud, with regard to the direct contract awards of public sector aiming to address the unprecedented effects of coronavirus spread (COVID-19).

In this case, HSPPA, considering the risk from the absence of a mechanism to ensure the mandatory posting (by the contracting authorities/ contracting entities) to KIMDIS of direct award decisions as well as the contracts related to COVID-19, and the possible loss of important metadata and files, which are elements of the respective posting and aiming at the best possible tracking of the contracts concluded within the framework of emergency legislative acts due to COVID-19:

a) requested by a document (01.07.2020) to the competent Ministry to send the complete data of the award decisions posted on KIMDIS for the period from January till June of 2020 and, b) took the initiative, in collaboration with the Ministry of Digital Governance, to configure the necessary parameters in the pop-up list of options in the mandatory field "Type of Procedure", in order to include the options "Direct Award - COVID-19" and "Negotiation without prior publication - COVID-19".

HSPPA will use this data through online system audits to draw conclusions on the misuse of negotiated procedure without prior negotiation and the emergency provisions for derogations from national legislation due to COVID-19, as well as on the impact of the epidemiological crisis on public procurement, generally.

The above new types of procedure in KIMDIS have been set up in productive operation on 23.07.2020. Subsequently, HSPPA, with its document no. 6901/08.12.2020, informed all contracting authorities/contracting entities for the above obligation. More specifically, contracting authorities/contracting entities shall enter in the Register (KIMDIS) the details of the public contracts awarded with exceptional procedures (i.e. direct award or negotiated procedure without prior publication) due to COVID-19, selecting the appropriate procedure from the pop-up list of options (menu) of the field "Type of Procedure".

This measure aims at the detection of fraud and the eventual imposition of sanctions. It falls within the field of public procurement and is related to transparency in public procurement

and improving the effectiveness of controls. It is a new operational and horizontal measure, which falls within the scope of IT tools and risk indicators, while aiming at conducting targeted controls.

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

(I) Law on Internal Control System: A draft law on Internal Control System has been developed with the initiative of the National Transparency Authority (hereinafter NTA) in collaboration with the Ministry of Finance, Ministry of Interior, Ministry of Digital Transformation, the Legal Council of the State and the Hellenic Court of Audit aiming to provide for the first time in Greece a complete regulatory framework on internal control to all bodies of the general government in accordance with international principles and good practices. The draft law clarifies the operational scope of the internal control legal framework which was previously characterized by fragmented and contradictory provisions as well as the competences of institutions with control, supervisory and coordinating power. The implementation of the Internal Control System and the operation of the Internal Audit Unit will contribute to the protection of public interest, provision of quality public services, achievement of the institution's goals as well as to the overall reduction of fraud and corruption incidents.

The NTA in the context of its responsibility for the development of the institutional, organizational and operational framework for the National Internal Control System, the Internal Audit function and the risk management function has developed a practical guide that records the Financial Management Internal Control procedures (January 2020). The methodology was based on generally accepted international internal control standards and best practices, as developed, in particular, by COSO and IIA. At an initial stage, the guide is addressed to Ministries, decentralized administration bodies and independent authorities and aims to provide transparency in the management of public resources and enhance accountability. At a later stage it aims to be gradually implemented in the entire public sector.

(II) Law 4706/2020 on Corporate Governance and Capital Market Modernization introduces new provisions for the restructuring and modernization of the corporate governance system for companies with listed shares or other securities in a regulated market. The Law is expected to contribute in a decisive way to the prevention and the confrontation of serious incidents of accounting or other type of fraud as well as to enhance the ability of private entities to respond effectively to risks that may hinder the achievement of its objectives.

Article 3 Auditing Committee

Provisions concerning crimes and penalties of special penal law 3213/2003

ARTICLE 6

Non submission or submission of inaccurate statement

“1. Within thirty (30) days from the lapse of time period defined in paragraph 2 article 1 Law 3213/2003 submission of the statement is allowed following payment of e deposit of amount two hundred (200) euro for liable parties submitting statement to the Auditing Committee of article 3A and fifty (50) euro for the rest of liable parties.

Following the lapse of thirty (30) days of the previous passage, statement submission is allowed upon settlement of e deposit of amount four hundred (400) euro for liable parties who submit statement to the Auditing Committee of article 3A and one hundred (100) euro for the rest of liable parties. Upon joint decisions of the Ministers of Finance and Justice the amount of deposits may be amended”.

****Paragraph 1 as replaced by article 7 paragraph 1, Law: 4571/2018, Official Gazette A 186/30/10/2018, replaced as above by article 209 paragraph 5 Law 4635/2019, Official Gazette A 167/30/10/2019.*

“2. Liable party omitting to submit a statement following the lapse of sixty (60) days from the lapse of dead line set out in paragraph 2 of article 1 or submits inaccurate or incomplete statement shall be punished with imprisonment and money penalty up to one hundred (100.000) thousand euro. Inaccurate is the statement, when declared assets or increase thereof is not justified by any kind lawfully obtained income of the liable. If the liable

commits the crime aiming at concealing an asset of value higher than thirty thousand (30.000) euro, shall be punished with incarceration of at least two (2) years, and money penalty from then thousand (10.000 euro up to five hundred thousand (500.000) euro”.

**** Paragraph 2, as amended by article 66 Law 4409/2016, Official Gazette A 136, has bene replaced as above by article 7 paragraph 1 Law 4571/2018, Official Gazette A 186/30/10/2018.*

- 1. “The culpable party of the third passage” of the previous paragraph is punished with up to ten (10) years and money penalty from twenty thousand (20.000) euro up to one million (1.000.000) euro, if the overall value of the concealed property of the same and the rest of persons for which he ought to submit a statement exceeds in overall the amount of three hundred thousand (300.000) euro, regardless of whether concealment is attempted with non-submission of statement or submission of inaccurate or incomplete statement .*

**** The phrase “The culpable party of the second passage” of paragraph 3 has been replaced as above by article 7 paragraph 3 Law 4571/2018, Official Gazette A 186/30/10/2018.*

- 2. Should acts of the first passage of paragraph 2 have been committed due to negligence, money penalty is imposed. The court committee or the court, by freely assessing all circumstances, may consider the said acts as non-punishable.*
- 3. The third party who knowingly jointly commits to submission of inaccurate statement and especially to omitting Asset Declaration shall be punished with incarceration and money penalty as well.*

“... unless he is more severely punished by another provision”.

**** The phrase within «...» of paragraph 5 has been added by article 7 paragraph 4 Law 4571/2018, Official Gazette A 186/30/10/2018.*

- 1. Natural persons and employees of legal entities of article 5 Law 3691/2008 violating the obligation of notification of paragraph 5 article 3 hereto are punished with incarceration up to two years.*
- 2. The court may order indicated measures for dissemination of information in reference to the conviction for crimes of the present law, including Decision posting on internet as well as full or in parts publication thereof in mass media”.*
- 3. “Court and tax authorities which take over following the outcome of the Bodies of Audit, forward to the competent Auditing committee a copy of the relevant court judgment or decree or Auditing Sheet”.*

**** Paragraph 8 has been added by article 7 paragraph 5 Law 4571/2018, Official Gazette A 186//30.10.2018.*

**** article 6, as replaced by article 227 Law 4281/2014, Official Gazette A 160, has been replaced as above by article 177 Law 4389/2016, Official Gazette 94/27.5.2016.*

**** NOTICE Pursuant to article 59 Law 4753/2020, Official Gazette A 227/19.11.2020*

“Excepting those defined in paragraph 2 article 1 and article 19 Law 3213/2003 (A’ 309), Asset Declarations and financial interests, initial with the acquisition of the capacity of the liable since 1.1.2020 and 30/11/2020 and annual of year 2020 (fiscal year 2019), are submitted up until 28.2.2021”.

“ARTICLE 6A

The spouse, the estranged spouse or the party of civil partnership omitting to declare his own assets or of his minor children following the lapse of the time period of ninety (90) days from summoning of the Auditing Body, as defined in case c of paragraph 1 article 2, or declaring the said inaccurately or incomplete, shall be punished with incarceration and money penalty up to one hundred thousand (100.000) euro. Incomplete is the declaration when declared assets or increase of the said is not justified from any kind legally acquired income of the liable. In case the said persons commit the crime aiming at concealing assets of value higher than thirty thousand (30.000) euro, shall be punished with

1. *incarceration of at least two years and money penalty from ten thousand (10.000) euro up to five hundred thousand (500.000) euro.*
2. *The liable party of the third passage of the previous paragraph shall be punished with imprisonment of up to ten (10) years and money penalty rising from twenty thousand (20.000) euro up to one million (1.000.000) euro, if the overall value of concealed assets of the same and of their minor children exceeds in overall the amount of three hundred thousand (300.000) euro, regardless of the fact that concealment is attempted with non submission of declaration or submission of inaccurate or incomplete declaration .*
3. *If the acts of the first passage of paragraph 1 have been committed due to negligence, money penalty is imposed. The court committee or the court, by freely assessing all circumstances may deem the said acts as unpunishable.*
4. *A third party, who knowingly jointly acts to submission of inaccurate statement and especially to omission of assets declaration, shall be punished with incarceration and money penalty unless he is punished more severely .*
5. *Natural persons and employees of legal entities of article 5 Law 36912008 who violate the obligation of notification of paragraph 5 article 3 hereto are punished with incarceration of up to two years.*
6. *The court may order indicated for dissemination of information in relevance to conviction of crimes of the present law, including posting the decision on internet, as well as full or in parts publication thereof in mass media:”*
7. **** Article 6a has been added with article 8 Law 45712018, Official Gazette A 186/30.10/2018.*

The provisions of Articles 22, 25 and 26 par. 2 n. 4689/2020 (Government Gazette a' 103/27-5-2020), incorporating provisions of Directive (EU) 2017/1371 of the European Parliament and the Council of 5 July 2017 on combating, through criminal law, fraud affecting the financial interests of the Union, which are as follows:

'Article 22 (bribery and bribery of an official relating to the financial interests of the European Union): 1. The provisions of par. 1 and 2 of Article 235 P.K., where the above-mentioned official actions or omissions damage or may damage the financial interests of the European Union, apply also in cases where the act of bribery is performed a) by any official of the European Union, within the meaning of para. 5 of the same Article, irrespective of the state in which the relevant institution or body of the European Union has its head office, or (B) by any person holding a public office or service for another state.

C. Repressive measures

25. Criminalisation of corruption and related offences

In the Greek legal order, corruption is dealt with by a series of pieces of legislation, notably the ratification of the UN Convention Against Corruption with Law 3666/2008 but also with its criminalization through the related offences, provided for in the current Criminal Code and the offence of bribery of political persons in Article 159, bribery of political persons in Article 159A, bribery of an official in Article 235 , bribery of an official in Article 236, bribery and bribery of judicial officers in Article 237, trafficking of influence-intermediaries in Article 237A, embezzlement, or local authorities in Article 375 par. 3, fraud against the legal person of the Greek state , legal persons of public law or local authorities in Article 386 par. 2, the infidelity against the legal entity of the Greek state, the legal entities of public law or local authorities in Article 390 par. 2. Moreover, the Greek state, with Law 4022/2011 adopted the institution of the prosecutor of corruption, which was responsible for investigating and prosecuting all kinds of tax, financial and any other related crimes, committed against the Greek state, local authorities, legal entities of Public Law and the European Union or seriously harming the national economy responsibilities. The economic prosecutor, whose duties and

powers are regulated by articles 33 to 36 of the CPP, has now been entrusted to the Economic Prosecutor.

27. Potential obstacles to investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation)

An obstacle to the investigation and prosecution of high-level cases is the limitation of para. 1 of Article 86 of the Constitution according to which: " 1. Only the Parliament has the power to prosecute those who served or served as members of the government or Deputy Ministers for criminal offences committed in the performance of their duties" and law 3126/2003 "on the responsibility of ministers", according to which "misdemeanors or felonies committed by the minister in the performance of his duties, are adjudicated in accordance with the provisions of this law by the at article 86 of the Constitution Special Court , even if the minister has ceased to have this status".

III. Media pluralism

A. Media authorities and bodies

28. Independence, enforcement powers and adequacy of resources of media regulatory authorities and bodies

As it was mentioned during our first meeting in 2020, the independence of the Greek Regulatory Authority (NCRTV) is established in our Constitution (art. 15 para. 2 and 101A) since 2001. In the Draft Proposal for the transposition of the new Directive 2018/1808 into the Greek legislation some amendments are proposed in the spirit of the revised AVMS Directive. The Draft Proposal was finalised in July 2020 and submitted to public consultation in December 2020.

The abovementioned Draft Proposal includes a new provision according to art. 30 of the 2018/1808 Directive, which aims to remind:

- a) The independence of the Authority against the government and other state entities. Nevertheless NCRTV is subject to the Parliament's control.
- b) The Authority's objectives, namely the assurance of media pluralism, cultural and linguistic diversity, consumer protection, accessibility, non-discrimination, proper functioning of the internal market and the promotion of fair competition

A paragraph is also included concerning the economical independence of the Authority. NCRTV has its own operating budget, which it executes with full autonomy. Yet, its decisions should be submitted to the General Accounting Office in order to be approved and executed. The Draft Proposal provides the establishment of a Department of Financial Services within the NCRTV responsible for the authorisation of any act.

Finally, it is mentioned (according to art. 30) that the members of the Authority may be dismissed if they no longer fulfill the conditions required for the performance of their duties only for specific reasons provided by law. The dismissal decision shall be duly justified and it is subject to annulment before the State Council (Highest Administrative Court). It is an important addition since there wasn't any similar provision on that matter in our national legislation.

i) The National Council for Radio and Television (NCRTV) is a Greek independent administrative authority that supervises and regulates the radio/television market, founded in 1989. Its legal framework is primarily defined in the Greek Constitution (Article 15, paragraph 2). The NCRTV was established further by Law no.1866/1989, amended by Law no.2863/2000 and Law no. 3051/2002, which has been respectively amended by Law 4339/2015 and the newly established law 4779/2021.

ii) The Secretariat General for Communication and Media is one of the Secretariats that form the Presidency of the Government. Its main mission is to provide timely and accurate information to the public regarding the Government's work, to regulate on various media and audiovisual matters as well as to exercise its supervisory responsibilities on the Athens News Agency - Macedonian Press Agency (ANA-MPA) and the National TV broadcaster (ERT AE). The Secretariat General for Communication and Media is also charged with the

competence of policy-making on media, taking into consideration the evolution of technology. It is also responsible for the application of the law in the media industry. The Presidential Decree no.82/2017 (Article 27) describes the legal framework of State supervision on media. The recent Law no 4622/2019, transfers the regulatory and State supervisory responsibilities to the Presidency of the Government.

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

See above Q. 29

i) The National Council for Radio and Television (NCRTV) is a nine-member body, consisting of a President, a Vice President and seven members, (Act N.2863/2000, as amended by Law 4357/2016), who are appointed by the Plenary of the Presidents, a special body of the Parliament in charge of the nomination of the independent authorities, and in which all political parties are represented.

The nominees have to be elected by 3/5 of the members of the Plenary of the Presidents of the Parliament. The members of the national regulatory authority (NCRTV) are appointed for a period of six years, they are not renewed and they enjoy absolute personal and operational independence in the performance of their duties guaranteed by the provisions of the Greek Constitution.

The NCRTV members are persons of high status, enjoy social approval and are distinguished for their scientific expertise and their professional ability in the legal, academic and media field.

ii) The Secretary General for Communication and Media is appointed by the Prime Minister and his term of office is the same as the elected Government.

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

Article 8 of Law 2863/2000 on the establishment of the National Council of Radio and Television stipulates the operation within each private television station of an Ethics Committee charged with the monitoring of the content and the presentation of any informative or entertaining television program. Such Committees have been established in every private television station, as notified to NCRTV, but they have never been actually activated until now.

The National Council for Radio and Television (NCRTV) has the following functions:

Regulatory: The NCRTV proposes to and advises the competent Minister on the type and number of digital terrestrial television and radio licenses, as well as on the starting price of the auction procedures, issues the relevant Calls for Applications and grants all types of operating licenses to broadcasters.

It further compiles Codes of Ethics for news broadcasts, advertisements and entertainment programs.

Inspections: With regard to the content of radio and television programs, the NCRTV systematically monitors the observance of the rules of ethics, the content quality, the plurality of information, the protection of minors and the respect of human dignity. With regard to the ownership status of private media, it monitors compliance with the applicable law restrictions and incompatibilities and publishes the relevant data in order to comply with the principle of transparency.

Sanction: In cases of violation of the law, it imposes fines or other administrative sanctions, while, in serious cases, revocation of the operating licenses may be imposed.

B. Transparency of media ownership and government interference

31. The transparent allocation of state advertising (including any rules regulating the matter); other safeguards against state / political interference

According to Article 22 (i) of Law 4339/2015 on free-to-air digital TV licensing state advertising falls under the jurisdiction of the General Secretariat for Information and Communication

The Secretariat General for Communication and Media supervises public services and organizations in the implementation of their media plans and actions which include state advertising. The categories of state advertising are thoroughly described in Law 2328/1995 (Article 9) and Presidential Decree 261/1997.

Each public service and organization that elaborates media plans with a budget that exceeds € 30,000 is obliged to submit an application to be approved by the Secretariat General for Communication and Media. In the submitted application the aims of the media plan, the content and timeline of the foreseen actions, the material and human resources required and the results expected must be clearly presented (Cabinet Act 50/2015, article 3).

It is mandatory that these media plans include the allocation of each public service's and organization's budget for state advertising costs among national and regional media (TV, radio, newspapers and magazines).

The percentage of the budgeted cost to be spent on the regional media is set to at least 30% of the total media plan cost, for each media category (TV, radio, newspapers and magazines) (presidential decree no. 261/1997, article 4, par. 2). In case the intended minimum rate of 30% participation of regional media in the allocation of the total advertising expenditure is not met, a fine equal to the residual advertising expenditure remaining is imposed, so as to complete the intended participation rate (presidential decree no. 261/1997, article 4, par. 2).

Each decision concerning the approval of the media plans described above is uploaded at the "Transparency Portal" of the Greek Government, to ensure transparency and information of the public.

Every following calendar year, all public services and organizations that received the approval from the Secretariat General for Communication and Media mentioned above, are required to submit a report for the media plan conducted the previous year (presidential decree no. 261/1997, article 4, par. 7, combined with presidential decree no. 60/1997, article 3 and Cabinet Act 50/2015), as well as detailed lists of their expenditures allocated in the previous year for all types of advertising services.

32. Rules governing transparency of media ownership and public availability of media ownership information

As it was mentioned during our first meeting in 2020, transparency of media ownership is ensured by the registration of media owner's identity and percentages in the Media Register held within the Authority. Media Ownership Register is uploaded in the Authority's website and it is fully accessible by the public. Apart the information on ownership, the Register also includes update related to transfer of shareholders of TV stations.

The indication of the ultimate owner is guaranteed by law since all national legislation on media licensing includes regulations related to media transparency. The recent Law 4339/2015 on free-to-air digital TV licensing contains provisions aiming at ensuring the transparency of media ownership, such as nominal company shares (art. 5 par. 1) or incompatible activities (art. 6 par. 2-3).

Law 3310/2005 (article 3) defines the incompatibilities between the owners of media and the owners of enterprises that sign public contracts. Apart from the owners, the same provision applies to partners, key shareholders, board members or executives in the media market. The incompatibilities are inspected by the National Council for Radio and Television (NCRTV).

The new Law (4779/2021) further enhances transparency of media ownership and public availability of media ownership information by introducing the obligation for media service providers to register in the National Regulatory Authority's (NCRTV) Business Register.

It is a fact that freedom of information includes the protection of journalists' sources and content, with respect to copyright issues. In this context, the Secretariat General for Media and Communication launched, as a national operational measure, the online media registry “e-media” (<http://emediamedia.gov.gr/login>), under Law 4339/29.10.2015 (Art.52-54). The “e-media” registry is addressed to all media owners with online presence (websites), encouraging them to voluntarily register their activities online, thus ensuring a transparent, balanced and fair functioning of the media industry in the non-linear environment.

C. Framework for journalists' protection

33. Rules and practices guaranteeing journalist's independence and safety

Greece is significantly active in the area of protection of human rights, including journalists' rights, acknowledging the need for an integrated approach which involves actions from all public authorities that take into account the human rights dimension in the course of their operation.

Greek authorities have an excellent cooperation with the “Platform to promote the protection of journalism and safety of journalists” of the Council of Europe. The Greek State has provided information about all the alerts through the Permanent Representation of Greece to the Council of Europe.

Within its area of competence, the Secretariat General for Communication and Media places special focus on the upholding of human rights in the media environment by empowering people that work and support it, namely, media professionals and journalists.

34. Law enforcement capacity to ensure journalists' safety and to investigate attacks on journalists

There is no specific provision in the law concerning the safety of journalists. In case of any attack on journalists, the law (civil and penal) will protect them as any other Greek citizen.

35. Access to information and public documents

The access to information and public documents is a fundamental right registered in the Greek Constitution (article 5A). This right is also recognized in law 2690/1999, completed with provisions of law 2880/2001 (article 8) and replaced with provisions of law 3230/2004 (article 11). There is a codification of these provisions in the Presidential decree N.28/2015. Law N.3861/2010 reinforces transparency in the public sector, as the majority of public documents are posted on a platform and every Greek citizen has access to it.

- Information related to measures taken in the context of the COVID-19 pandemic:

The Minister of Health, the Deputy Minister for Civil Protection and representatives of the scientific committee have been appointed for the handling of the corona virus crisis. They have been giving frequent live press conferences, informing the public about the current state of the epidemic and the effectiveness of the measures adopted by the government. The press conferences have been broadcasted by public television and most private content providers, including in sign language. The press conferences have been providing authoritative information on several important issues, such as, for example, the progress of vaccinations. Furthermore, journalists have the opportunity to ask questions in real time and draft articles in research which provide objective information.

In addition, according to the Legislative Act of March 14th, 2020 regarding urgent measures in the context of the Covid19 pandemic (article 30), special consideration was given to the launch of an information campaign in order to raise public awareness about Covid19. In

response, a campaign, spread across all categories of Media, was indeed launched, informing the public about measures taken and good practices to be followed for the prevention and limitation of the pandemic spread.

36. Lawsuits and convictions against journalists (incl. defamation)

With the aim of modernizing and ensuring the smooth operation of the broadcasting market, in light of addressing the emerging challenges of digital transformation, Greece - along with the transposition of the AVMSD into national Law - is currently introducing amendments to existing legislation proceeding thus to a comprehensive intervention to regulate the audiovisual environment, always in the context of advocating and promoting pluralism in the media, as an essential pillar of the right to information and freedom of expression. In particular, the new Act:

- supports television stations in dealing with the effects of the pandemic;
- supports the regional and local media to deal with the effects of the pandemic,
- adds flexibility to the operation of TV station license holders, regarding the employment relationship of the staff they employ,
- enhances transparency by introducing the obligation to register in the National Regulatory Authority's (NCRTV) Business Register for media service providers;
- confirms and enhances the NCRTV role as the independent authority supervising the AV sector
- sets a strict obligation regarding funding allocation for the NCRTV for year 2021.

Information related to financial measures taken in the context of the COVID-19 pandemic, in order to support the Media sector

The corona-virus pandemic has affected all productive sectors of the country, media outlets included, creating conditions for unprecedented and unpredictable market volatility.

In these difficult and demanding conditions for the Greek economy and its resilience, the Government has taken a number of measures to alleviate the consequences of this crisis for the entire media sector. The guiding criterion for the institutional interventions that have been selected is the support of the companies but also the protection of the employees in them. Thus, a network of protective regulations were formed for the whole of the Greek economy, so that by overcoming the health crisis, we can ensure that it will not leave a permanent scar on the country's economy.

Media outlets and their employees received exactly the same protection and support from the Government as any other affected company i.e. the suspension of employment contracts and work by rotation, however with an allowance for those whose contracts were suspended as well as coverage of insurance deductions by the state for those entitled to said allowance and the suspension of loan instalments.

Additional measures concerning print media, in order to facilitate the distribution of newspapers to the public, provided by another ministerial decision that obligated the commercial food retail stores to sell newspapers, since those were the only stores accessible to the public during the lockdown.

Restriction of freedom of expression in the media in Greece was not identified, in fact quite the opposite: from the first moment of the pandemic, the Greek Government moved quickly to address the health and economic consequences of this crisis, implementing a coherent and dynamic plan, supporting society and the economy, with a sense of justice, within the available domestic and European resources.

IV. Other institutional issues related to checks and balances

A. The process for preparing and enacting laws

38. 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)

In year 2020, 306 judgements were issued under emergency proceedings against 3023 judgements under ordinary proceedings (percentage 0,1%).

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

- **judicial review (including constitutional review) of emergency regimes and measures in the context of COVID-19 pandemic**

11 regular procedures and 12 urgent procedures were adopted on matters related to the coronavirus pandemic (COVID-19).

In light of the COVID-19 pandemic all enforcement proceedings, including auctions, had been suspended for the most part of 2020 and still remain so pursuant to consecutive Joint Ministerial Decisions.

However, during the lockdown judicial officers have managed to issue many decisions which were pending before the Courts. In addition, it should be noted that during the second lockdown, following more specific regulations issued by the Ministry of Justice, the hearing of many cases took place before the criminal and mainly the civil and administrative courts. Thus, a large volume of pending cases has already been cleared. For the rest of the trials that have been postponed during the pandemic, the Ministry of Justice has already legislated for the possibility of in-house redefining of the cases' hearing date, so that they can be conducted in a short time, without any additional burden placed upon the parties. At the same time, important reforms have been implemented, such as mediation which reduces the submission of new cases before the Courts, but also the digitalisation of proceedings, such as Court hearing minutes in criminal trials that will substantially speed up the issuance of judicial decisions.

B. Independent authorities

41. Independence, 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.

The President and appointed members of an independent authority, where such establishment and functioning is provided by the Greek Constitution, are elected for a six-year nonrenewable term of office and in the performance of their duties benefit functional independence as they are selected and appointed in accordance with Article 101 of the Greek Constitution, which explicitly foresees that their selection is made by decision of the Conference of Parliamentary Chairmen made by the increased majority of three fifths of its members.

C. Accessibility and judicial review of administrative decisions

43. Implementation by the public administration and State institutions of final court decisions

Law 3068/2002 (GG A' 274) Compliance of the administration with the judicial decisions, promotion of judges of the administrative courts to the extent of the Council of State and other provisions

Cf. the website of the European Court of Auditors:
<https://www.ecd.europa.eu/pn/Pa%20o.s/SupremeAuditInstitutions.ispx>

43. Implementation by the public administration and State institutions of final court

decisions.

D. The enabling framework for civil society.

44. Measures regarding the framework for civil society organisations (e.g. access to funding, registration rules, measures capable of affecting the public perception of civil society organisations, etc.)

The legal framework for the function of Greek and foreign NGOs is included in the following:

-Ministerial Decision 7586/18/2018, for the function of the Registry of Greek and foreign NGOs which activate in issues of international protection, migration and social integration.

-Joint Ministerial Decision (3063/27.3.2020) about the function of the updated Registry for the NGOs.

-Art. 58, Law 4686/2020 (A 96, 12.5.2020) which provides among other issues for the legal framework for the inclusion of Greek and foreign NGOs (voluntary organizations and also Civil Society's organizations) in the relevant Registry.

-at the beginning of February, an amendment has been submitted to the Greek Parliament for consultation and vote on the NGOs' Registry by the Ministry of Migration and Asylum.

E. Initiatives to foster a rule of law culture

45. Measures to foster a rule of law culture

-The Ministry of Justice has initiated a dialogue with the Administration of the National School of Judges for the modernization of the School's function, the enrichment of its syllabus and the continuous education and training of judicial officers. For example, the draft of Family Law reform provides for special programs within the National School of Judges for the training of judicial officers.

-The Deputy Minister for Justice and Human Rights has undertaken the initiative to establish a mechanism within the Ministry of Justice for the purpose of strengthening the participation and involvement of the Ministry with regards to the implementation of the European Charter of Fundamental Rights by domestic stakeholders. Emphasis is given towards informing the latter about the Charter and access to justice, as well as training the judiciary. This initiative is based on the cooperation between the Ministry of Justice and the Ministry of Foreign Affairs.