



Civic Space Report 2024

GREECE





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About this report

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Key trends

- 🔍 **Criminalisation of solidarity against those working with refugees and asylum seekers remains a concern.**
- 🔍 **Strict registration rules and the existence of multiple registries for CSOs continues to hinder their work.**
- 🔍 **Surveillance and arbitrary lawsuits against independent journalists a major concern as press freedom is ranked worst in the EU.**

Summary

Civic space in Greece has further deteriorated resulting in a ratings downgrade from “narrowed” to “obstructed by the CIVICUS Monitor.¹ In 2023 this trend continued with limited efforts by the government to reverse the development, despite international condemnations and recommendations from European and international institutions.

In its 2023 Rule of Law report on Greece, the European Commission recommended that the government takes forward the process of adopting non-legislative safeguards and starts the legislative process to protect journalists. No progress has been made in this regard as attacks, weak legal protection, surveillance, abusive strategic lawsuits against journalists and civic actors and government interference in the media landscape continued. While an investigation for the use of Pegasus spyware against journalists, activists and opposition politicians has been initiated by the National Intelligence Service (EYP), progress has been slow, and no charges have been brought. Instead, the government hindered investigations.

¹ <https://monitor.civicus.org/country/greece/>; <https://monitor.civicus.org/country-rating-changes/greece/>

Migrants, refugees, Roma communities and LGBTIQ+ people continued to face discrimination and abuse by law enforcement authorities and push backs of asylum seekers and human rights violations on the Greek borders continued. CSOs working to support migrants and refugees faced intimidation, criminalisation and vilifying rhetoric from the government.

While the Commission recommended that the government adopts effective and timely public consultations on draft legislation, the government has failed to implement this recommendation. Instead, the lack of effective and timely consultation of stakeholders persisted.

It also recommended that the government takes steps to evaluate the current registration system for civil society organisations (CSOs). While there were some efforts to evaluate the current registration system, no progress has been made on this recommendation as neither the relevant legislation nor any registration procedures have changed. On the contrary, a new central registry was created, which does not replace the various pre-existing registries, adding one more layer of bureaucracy and burdensome procedures for CSOs. The lack of implementation of civil dialogue and the realisation of the right to participate remains a challenge.

Institutional, political and socio-economic landscape

Parliamentary elections were held in Greece in 2023. The conservative New Democracy party that has been in power since 2019, was victorious again and it is expected that the party will follow a similar agenda for the next four years. New far-right parties made it to the parliament while left-wing parties lost significant votes, increasing the risk of shifting the political agenda further right and as a consequence eroding the rule of law and fundamental rights in the country.

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The economic situation remains stable, with economic activity expected to grow in the coming years.² However, high prices have affected many more households and people in Greece, who only recently managed to recover from a 10-year-long financial crisis. Despite promises for reform, the justice system remains the slowest in the EU and impacts on the work of civic actors.

In the 2023 Rule of Law Index the country ranks 29th out of 31 countries in the EU, European Free Trade Association and North America.³ Greece also had the lowest score for press freedom in 2023 in the EU according to the Reporters without Borders (RSF) Index.⁴ The European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE Committee) mission concluded that the rule of law situation in Greece is on the edge as it faces very serious threats,⁵ following a visit to Greece in March during which officials refused to meet the delegation.⁶

For more than 18 months, investigations regarding use of surveillance spyware by Greek authorities against at least 40 targets, including journalists (known as the 'PredatorGate' scandal) have been slow and obstructed. This raises concerns about the functioning of the justice system and the independence of independent authorities involved in the investigations. Furthermore, the Governor of the National Transparency Authority (NAT), who investigated the wiretapping case in 2022 and found no breaches of Greek or EU legislation, resigned in July 2022. No new Governor has been selected to date, disregarding legislation that governs the watchdog.⁷ As raised in our previous submission, NAT's competency and independence have been questioned on several occasions including in 2022 when it investigated pushbacks of migrants and refugees and found no misconduct.⁸

In February 2023, two trains collided in Tempe, killing 57 people. This was the deadliest train disaster in Greek history. Millions of people participated in rallies for the lack of safety measures, some of which were met with police violence. A letter sent by the Prime Minister to the Prosecutor of the Supreme Court regarding the case, was characterised as a 'direct violation' of the principle of separation of powers by members of the Board of Directors of the Athens Bar Association.⁹ A year

² https://economy-finance.ec.europa.eu/economic-surveillance-eu-economies/greece/economic-forecast-greece_en

³ <https://govwatch.gr/en/reports/world-justice-project-rule-of-law-index-2023/#:~:text=This%20year%20alone%2C%20the%20rule,includin%20Greece>

⁴ <https://rsf.org/en/country/greece>

⁵ <https://www.euractiv.com/section/politics/news/eu-parliament-mission-rule-of-law-in-greece-faces-very-serious-threats/>

⁶ [https://www.europarl.europa.eu/RegData/etudes/STUD/2023/745609/IPOL_STU\(2023\)745609_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2023/745609/IPOL_STU(2023)745609_EN.pdf)

⁷ <https://govwatch.gr/en/finds/i-mi-prokirixi-diagonismoy-gia-tin-plierosi-tis-thesis-toy-dioikiti-tis-ead/>

⁸ <https://www.gcr.gr/en/news/press-releases-announcements/item/1940-national-transparency-authority-should-publish-the-full-investigation-regarding-pushbacks-in-accordance-with-the-principle-of-transparency>

⁹ <https://govwatch.gr/en/finds/zitima-paraviasis-tis-diakrisis-ton-exoysion-apo-epistoli-toy-prothyoyrgoy-pros-ton-eisaggelea-toy-areioy-pagoy/>

later investigations remain incomplete while families of victims, opposition parties and the public blame the government for attempting to cover up state responsibilities.¹⁰

In June 2023, a fishing vessel carrying approximately 750 refugees capsized near Pylos in the Greek Search and Rescue (SAR) zone. According to evidence gathered by CSOs, the media and other actors, the vessel was in distress. However, the Hellenic coast guard did not immediately launch a SAR operation,¹¹ an omission that led to the death of more than 600 people. Despite credible evidence, official investigations into the Coast Guards actions have not made any meaningful progress, raising concerns about the investigation procedures and the prospect of accountability. As a result, the Greek Ombudsman opened an inquiry into the Coast Guard's actions in November.¹² Despite the tragic incident, shipwrecks and pushbacks continue to take place.

Refugees and migrants, Roma people and LGBTQI+ groups continue to face discrimination and abuses by law enforcement authorities and are often not able to exercise their rights and freedoms. In November, a 17-year-old Roma boy was shot dead by the police after a chase.¹³ He was the third Roma teenager shot dead by the police in three years. Other types of abuses by authorities against Roma people are also common. Indicatively, in July, a 25-year-old Roma woman took legal action against a police officer for the abuse of power and unlawful violence, following an assault against her while she was pregnant.¹⁴

Refugees and migrants continue to face discrimination. Major incidents include the death of a Syrian man by a police officer, who allegedly used his weapon unlawfully¹⁵ as well as other instances of verbal and physical violence against this group. Pushbacks of asylum seekers remains a serious issue¹⁶ that has allegedly led Frontex's human rights chief to call for the suspension of the agency's operations in the country.¹⁷ Migrants are also systematically criminalised for smuggling despite lack of evidence.¹⁸

The European Commissioner for Home Affairs Ylva Johansson sent two letters to the Greek government expressing concerns about the country's non-compliance with EU migration legislation

¹⁰ <https://www.keeptalkinggreece.com/2024/02/27/tempi-train-tragedy-victims-families-justice/>

¹¹ <https://rsaagean.org/en/pylos-timeline-archive/>

¹² <https://www.hrw.org/news/2023/12/13/greece-6-months-no-justice-pylos-shipwreck>

¹³ <http://www.errc.org/news/another-romani-teen-shot-dead-by-greek-police>

¹⁴ <https://www.news247.gr/ellada/kaminia-katangelia-gia-epithesi-astinomikou-se-egkio-roma-koumanto-kano-ego/>

¹⁵ <https://govwatch.gr/en/finds/thanatifora-via-apo-astynomiko-kata-paravasi-tis-nomothesias/>

¹⁶ <https://govwatch.gr/en/finds/epanaproothiseis-kai-afairesi-antikeimenon-se-varos-prosfygon-apo-tis-ellinikes-arches/>

¹⁷ <https://govwatch.gr/en/finds/stelechos-frontex-anafores-gia-epanaproothiseis-prosfygon-apo-tin-ellada/>

¹⁸ <https://extranet.greens-efa-service.eu/public/media/file/1/8433>

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in relation to social protection and detention measures for refugees.¹⁹ Moreover the European Court of Human Rights (ECtHR) has in at least two instances in 2023 yet again condemned Greece for violations due to the living conditions of migrants²⁰ and for the failure of the state to conduct an effective investigation into allegations of torture of a migrant²¹ respectively. Numerous other cases are pending, while gaps remain in the execution of several ECtHR judgements. Greece is one of the top countries for interim measures by the ECtHR concerning pushbacks which authorities continue to ignore.²²

Hate speech and harmful narratives are often used by authorities to encourage xenophobic and intolerant attitudes. In August, during the Evros wildfire, one of the largest in the EU that killed 20 migrants, government representatives as well as representatives from other political parties suggested without evidence that migrants were responsible for the fire. These statements amplified anti-migrant sentiments, led to racist reactions on social media and attacks during which people threatened and detained migrants inside a trailer.²³ Another example is the harmful term 'illegal immigrant', which was used by the Hellenic police in their communications until April, despite the Supreme Court Prosecutor's Office calling for its removal since 2018.²⁴

In March, a new 'Migration Code' raised concerns,²⁵ and despite strong criticism by CSOs, the legislation was only partly improved.²⁶ In December, the Parliament approved amendments facilitating legal employment for migrants and asylum seekers in Greece, a move welcomed by international organisations²⁷ and NGOs, albeit some of them were criticised for its limited scope.²⁸

Despite no major incidents taking place in 2023, LGBTIQ+ groups also face discrimination by religious authorities, in education, by the media, politicians and more. Attacks against them are not uncommon. In May, the LIBE Committee encouraged the European Parliament's Committee on

¹⁹<https://govwatch.gr/en/finds/epitropos-giochanson-paraviaseis-tis-enosiakis-nomothesias-gia-toys-prosfyges-apo-tin-ellada/>

²⁰<https://ihaverights.eu/the-european-court-of-human-rights-again-condemns-the-living-conditions-of-asylum-seekers-on-samos/>

²¹<https://govwatch.gr/en/finds/yprothesi-b-y-kata-elladas-katadiki-tis-elladas-gia-paraviasi-toy-arthroy-3-tis-esda/>

²²<https://www.gcr.gr/en/news/press-releases-announcements/item/1984-information-note>

²³<https://rvrn.org/en/racist-violence-recording-network-expresses-serious-concern-over-escalating-targeting-of-refugees-and-migrants/>

²⁴<https://govwatch.gr/en/finds/anakoinosi-eleda-gia-ti-chrisi-meiotikon-gia-tin-prosopikotita-oron-apo-tin-el-as/>

²⁵<https://rsaegean.org/en/immigration-code/#:~:text=On%207%20March%202023%2C%20the,until%20last%20Tuesday%2C%20March%2014.>

²⁶https://www.efsyn.gr/ellada/dikaiomata/382896_beltioseis-ston-kodika-metanasteysis-meta-tin-kritiki

²⁷<https://www.unhcr.org/gr/en/56269-unhcr-and-iom-welcome-new-amendment.html>

²⁸https://www.efsyn.gr/ellada/dikaiomata/416173_eleda-gia-tropologia-kairidi-nai-nomimopoiisi-alla-poly-ligi-kai-poly-arga and <https://parallaximag.gr/parallax-view/mia-tropologia-sti-sosti-kateythynsi-plin-omos-domika-aneparkis>

Petitions (PETI Committee) to keep open a petition on the killing of the LGBTIQ+ activist, Zacharias Kostopoulos, and impunity for police violence in Greece. It also expressed concerns about the way the trial was conducted in 2018 and the acquittal of police officers.²⁹ On a positive note, steps have been taken in recent years by the government to ensure greater equality. In 2023, the government announced the legalisation of same-sex marriages which was met with a lot of criticism by conservative groups. The relevant bill was adopted in February 2024 despite dozens of MPs from the ruling party opposing it.³⁰ The country also moved up four places in the 2023 Rainbow Europe Map and Index by ILGA Europe due to its ban on intersex genital mutilation (IGM).³¹

Following an increase in domestic violence and femicide (Greece had the highest increase in femicides among 20 countries in 2021 according to the Mediterranean Institute for Investigative Reporting),³² the government came under pressure to combat it. A new bill by the Ministry of Justice which aimed to amend the Criminal Code and improve the legislative framework on preventing and combating domestic violence was met with concerns. The bill not only contradicts the provisions of the Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention) but also does not take into consideration the recommendations of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) evaluation report for Greece.³³ In the recommendations, the need for the active participation of feminist and women's organisations in public consultations was highlighted, nevertheless these organisations were not involved in the drafting of the bill and were only able to provide written comments in the final consultation that took place in December. The law was adopted in February 2024 without considering important comments and recommendations that were provided during the consultation.

²⁹ https://www.efsyn.gr/ellada/dikaiomata/389397_hastoyki-libe-stin-ellada-gia-tin-yphthesi-toy-zak

³⁰ <https://www.bbc.com/news/world-europe-68310126>

³¹ <https://www.ilga-europe.org/report/rainbow-europe-2023/>

³² <https://miir.gr/en/the-undeclared-war-on-women-in-europe-part-1/>

³³ <https://rm.coe.int/grevio-s-baseline-evaluation-report-on-legislative-and-other-measures-/1680ad469d>

Civic freedoms: regulatory environment and implementation

Freedom of association

As reported in previous submissions, since 2020 a series of legislative measures have hampered the exercise of freedom of association in Greece, especially for CSOs and individuals working on migration-related issues. National, European, and international human rights bodies have raised concerns about the Registries of the Ministry of Migration and Asylum.³⁴ NGOs have either been able to register after the competent authorities have intervened³⁵ or have been refused registration altogether, forcing them to cease their activities.³⁶ Following pressure, in 2023 the Ministry of Migration and Asylum unofficially communicated that the registration requirements would be reviewed and amended, but no such actions have been taken to date. Public information regarding how many CSOs were accepted or rejected in 2023 is not available and the selection criteria remains unclear.

According to the EU Commission's 2023 Rule of Law report, there are nine registries in the country and their parallel existence remains an issue. In October, the Ministry of Interior launched two more digital databases, a Public Database and a Special Registry that will collect information about CSOs, their operations and the state funding they receive (Joint Ministerial Decision 6216/2023).³⁷ While the registries are important to ensure transparency and NGO regulations, over 300 NGOs expressed concerns about the legislation when it was proposed in 2021, in particular over the databases³⁸ which introduce many registration requirements. This could weaken and hinder CSOs' work and create bureaucratic burdens for smaller organisations. Furthermore, the databases do not replace other

³⁴ <https://rsaegean.org/en/registry-of-ngos-working-with-refugees-and-migrants-in-greece-under-scrutiny/>

³⁵ <https://rsaegean.org/en/rsa-completes-registration-ngo-registry/>

³⁶ https://www.efsyn.gr/ellada/koinonia/388450_apohorisi-rapisma-tis-mko-mare-liberum

³⁷ <https://www.ypes.gr/diefthyinsi-organoseon-koinonias-ton-politon-o-koi-p-kai-koinofelon-foreon/>

³⁸ <https://higgs3.org/koini-dilosi-287-organoseon-gia-to-neo-nomoschedio-tis-ktp/>





registries and organisations registered in one of the other mentioned registries will not be automatically registered in the new one. CSOs will have to follow all registration procedures and resubmit an electronic application every year to remain registered, which is necessary to access national funding.

In private communication, the Ministry of Civil Protection and Climate Crisis mentioned that it is in the process of creating its own registry which will increase the number of registries in the country and the administrative burden for CSOs.

Freedom of peaceful assembly

The 2021 Law 4703/2020 regulating peaceful assemblies remained in force despite concerns by civil society, the opposition and other actors.³⁹ Systematic police violence and impunity of law enforcement officers during demonstrations and protests also remained a serious concern.

Incidents of police violence during demonstrations and protests include but are not limited to:

-  Police violence during a communist party rally in March 2023.⁴⁰
-  Two police violence incidents in March during a demonstration for a fatal train crash that killed dozens of people.⁴¹
-  Attacks on journalists covering protest marches, one in September in Larissa⁴² and one in December in Athens.⁴³
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Furthermore, in Athens, protests in support of Palestine are frequent and predominantly peaceful. On 18 October, 10,000 people took part in a demonstration organised by left-wing groups.⁴⁴ However, the riot police fired tear gas to disperse demonstrators that were marching towards the

³⁹ <https://ecnl.org/news/greece-new-law-public-assemblies-restricting-civic-space>

⁴⁰ <https://govwatch.gr/en/finds/kataggelia-aproklitis-epithesis-tis-astynomias-kata-melon-kai-stelechon-toy-kke-sti-thessaloniki/>

⁴¹ <https://www.news247.gr/gnomes/mazepste-tous-prin-thrinisoume-thimata/>

⁴² <https://govwatch.gr/en/finds/kataggellomeno-peristatiko-astynomikis-vias-kata-toy-dimosiografoy-giorgoy-faki/>

⁴³ <https://thepressproject.gr/poreia-gia-grigoropoulo-agria-kai-anaitia-epithesi-ton-mat-se-fotoreporter-sta-exarcheia-psekase-tous-rich%CE%84tous/>

⁴⁴ <https://www.ekathimerini.com/news/1222870/riot-police-quell-pro-palestinian-protest-in-athens/>

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Israeli Embassy in Athens.⁴⁵ No arrests or injuries were reported, and the protest ended quickly afterwards.

In November, the police arrested a Palestinian man for raising the Palestinian flag during a protest against Israel's escalating violence in Gaza. The police brought criminal charges against him, even though the grounds for the charges were unclear. It was later reported that the man was exposing the Greek state to the risk of reprisals or disruptions of friendly relations with an ally (article 141 of the Criminal Code).⁴⁶

Freedom of expression

Steps taken in previous years to enhance transparency in media through new legislation have not yielded concrete results, and the challenges highlighted in last year's EC Rule of Law report, such as the need to improve the working environment for journalists, were not addressed. As a result, press freedom continues to decline and trust in the media is among the lowest in Europe.⁴⁷ The arbitrary surveillance of journalists, government interference, abusive lawsuits and weak legal protections are some of the main reasons that Greece had the lowest score for press freedom in the EU. Moreover, the murder of crime reporter Giorgos Karaivaz in 2021 remains unsolved, despite the arrest of two suspects in 2023. This impunity sends a worrying signal and as a result attacks against journalists are continuing.⁴⁸

Despite numerous complaints, the wiretapping of journalists by the National Intelligence Service (EYP) and their use of the Predator spyware between 2020 and 2022 has been poorly investigated and there have been no convictions. Instead the government has attempted to hinder investigations. Since his election in 2019, the EYP has been under the oversight of the Prime Minister. Recommendations to amend the content of the legislation regulating surveillance (Law 5002/2022) have not been taken into account.⁴⁹

A December 2022 new media Law that established an ethics committee and two registries, for Print Media (MET) and for Electronic Press (MHT), are seen by some as controversial as they could exclude critical media. There are also concerns about the independence of the ethics committee.⁵⁰ Similar concerns have been raised about the Hellenic Broadcasting Corporation (ERT) and the Athens-Macedonian News Agency which since 2019 are directly overseen by the Prime Minister, as well as

⁴⁵ <https://www.youtube.com/watch?v=xLjwaGXAmPw>

⁴⁶ <https://www.keeptalkinggreece.com/2023/11/07/palestinian-man-flag-arrest-reprisals/>

⁴⁷ <https://rsf.org/en/country/greece>

⁴⁸ Attacks against journalists in 2023: <https://www.mapmf.org/alert/30611> and

<https://www.mapmf.org/alert/30608>

⁴⁹ <https://rsf.org/en/greece-s-predatorgate-draft-law-surveillance-falling-short-european-standards-must-be-amended>

⁵⁰ <https://www.mapmf.org/alert/25509>

the independence of the National Council for Radio and Television (NCRTV) whose composition changed in September following unconstitutional procedures which raised concerns.⁵¹

According to Mapping Media Freedom⁵² over 20 attacks took place in 2023 against journalists and the media. As demonstrated in the examples of police violence during rallies and protests, journalists are frequently victims of police violence when covering such events. Often, they are also faced with Strategic Lawsuits Against Public Participation (SLAPPs) by politicians or powerful businessmen when reporting critically on them. An indicative SLAPP started in 2022 and continued in 2023, when lawyer Alexis Kougiaris filed a lawsuit against journalist Dimitris Angelidis for 30,000 euros compensation from the journalist and equally from the newspaper the journalist works for. The lawyer claimed that an article that Angelidis wrote regarding the Lignadis trial, whom Kougiaris is representing, is abusive, defamatory and slanderous.⁵³ In 2023, former government official Grigorios Dimitriadis, allegedly involved in the Greek wiretapping scandal, took a series of legal actions against media and journalists over reports for his involvement in the scandal.⁵⁴

A similar incident concerns writer and former MP Petros Tatsopoulos who was arrested after expressing a critical opinion about TV presenter and parliamentarian Filippos Kampouris, for defamation and slander. In this instance, the arrest for defamation was characterised as anachronist and against freedom of expression and the press.⁵⁵

Overall, media pluralism in Greece is weak and the current government has strong links with the media. The government's control over the media affects public opinion and pluralism. Media owners are often strong business people with political connections and as a result, self-censorship among journalists is common. In addition, the economic context remains challenging, following a 10-year long financial crisis, despite the new legislation that aims to enhance transparency.

On a positive note, the amendment to the criminal code, which made spreading 'fake news' punishable and could lead to disproportionate restrictions on press freedom, was repealed.⁵⁶

⁵¹ <https://govwatch.gr/en/finds/allegations-and-doubts-around-the-objectivity-and-independence-of-the-national-council-for-radio-and-television-ncrtv/> and <https://www.dsa.gr/νέα/ανακοινώσεις/προσφυγή-δσα-στο-στε-για-αδαε-και-εσρ>

⁵² <https://www.mappingmediafreedom.org>

⁵³ <https://www.mapmf.org/alert/25511>

⁵⁴ <https://balkaninsight.com/2023/12/08/greek-union-condemns-former-govt-officials-mass-slapps-against-media/>

⁵⁵ <https://govwatch.gr/en/finds/syllipsi-toy-syggrafea-petroy-tatsopoyloy-meta-apo-minysi-gia-sykofantiki-dysfimisi/>

⁵⁶ <https://www.dikastiko.gr/eidhsh/apokalypsi-aposyrthike-i-aystiri-diataxi-peri-fake-news-191-pk-mikroteres-poines-kai-pio-periorismeni-chrisi-provlepei-i-nea-diataxi/>

Safe space

The space in which civil society operates remains challenging. The Commission expressed concerns regarding the situation of civil society in last year's Rule of Law report. Both verbal and physical attacks against CSOs and human rights defenders, especially those working on migration, have continued in recent years. While in 2023 no new major cases have been reported, similar attacks are likely to occur in the future, as the authorities' hostile rhetoric against CSOs and migrants has not stopped. New challenges brought by climate change (floods, wildfires etc) and the inability of the government to effectively deal with them, may lead to new racist and xenophobic attacks against migrants (like the one in Evros described above) and other vulnerable groups and those who support them.

Climate actors are also increasingly at risk, including the National Observatory of Athens (NOA) which launched a petition in November against the government's decision to transfer oversight of the institute from the Development Ministry's General Secretariat of Research and Innovation (GSRI) to the Climate Crisis and Civil Protection Ministry. The decision was taken following the wildfires in the Evros region in the summer of 2023 which were the worst in the country's history. The actions and poor preparedness by the government drew criticism from experts, including NOA. The government claimed that this reform would assist the ministry's preparedness, however, the scientific community questioned the motives behind the reform and are concerned that it could jeopardise NOA's autonomy and integrity.⁵⁷

Cases of criminalisation of solidarity from previous years are still pending. These include the case against 24 activists, who since 2018 have been accused of charges including espionage and the establishment of a criminal organisation, and against whom legal proceedings have been launched. The court has not issued a final decision yet, prolonging their ordeal.⁵⁸ In January 2024, the trial for the misdemeanour charges for 16 of the 24 activists was initiated after six years. Due to this case and the ongoing case against Greek Helsinki Monitor Director Panayote Dimitras, who was charged with restrictive measures linked to his work on migration, the Council of Europe Commissioner for Human Rights Dunja Mijatovic has appealed to Greece to show respect for the work of human rights

⁵⁷ <https://bnnbreaking.com/world/greece/greek-scientists-rally-against-governments-attempt-to-seize-control-of-national-observatory/>

⁵⁸ <https://www.amnesty.org/en/latest/news/2023/05/greece-prosecution-appeal-prolongs-ordeal-of-rescue-workers/>

defenders and journalists.⁵⁹ Similarly the UN human rights office has also called for the charges against the 24 activists to be dismissed, stressing that the chilling effect of the criminalisation of solidarity in Greece is worrying.⁶⁰

In a new case in June 2023, officers arrested a lawyer and an interpreter at the port of Thessaloniki for allegedly facilitating the unlawful entry of third-country nationals in Greece.⁶¹ Furthermore, during the summer the police announced that it had in collaboration with the National Intelligence Service (EYP) filed a criminal case against two NGOs that had set up a network facilitating the illegal entry of migrants from Turkey to Greece.⁶² While it is unclear whether further actions have been or will be taken, such announcements are not uncommon and are used to intimidate organisations and human rights defenders.

As described in the previous section, SLAPPs against civic actors and especially journalists are becoming increasingly common. Police violence did not only take place during demonstrations and protests but in several other instances including:

- 🔍 Police arbitrarily arrested students and employees and used violence against bystanders at a university campus in August.⁶³
- 🔍 Police used violence against football fans before a match in January, without justification.⁶⁴
- 🔍 Police officers used chemicals and violence against people who wanted to attend a criminal trial, including the father of the victim who was beaten by the police in 2020.⁶⁵

According to the Ombudsman, overall reports of arbitrariness of law enforcement officers in 2022 decreased by 30 per cent compared to the previous year which is in principle a good development. However, one of the reasons for the decrease is the gradual lifting of the COVID-19 related restrictive measures that had significantly increased complaints about police violence and arbitrariness in previous years (by 41 per cent in 2021). Another reason could be the tendency to circumvent the National Mechanism for the Investigation of Arbitrary incidents. The lack of adequate investigation and impunity for enforcement officers who are involved in incidents persists despite the

⁵⁹ <https://www.coe.int/en/web/commissioner/-/greek-authorities-should-reverse-the-trend-undermining-the-work-of-human-rights-defenders-and-journalists?redirect=%2Fen%2Fweb%2Fcommissioner%2Fhuman-rights-defenders>

⁶⁰ <https://www.ohchr.org/en/press-releases/2023/01/trial-human-rights-defenders-greece-helping-migrants>

⁶¹ <https://govwatch.gr/en/finds/syllipsi-dikigoroy-kata-tin-askisi-ton-kathikonton-toy/>

⁶² <https://www.tanea.gr/2023/07/29/greece/eksarthrosi-diktyou-diakinisis-metanaston-apo-tin-tourkia-sti-lesvo-me-tin-emploki-mko-se-8-mines-eferan-4-000-anthropous/>

⁶³ <https://govwatch.gr/en/finds/kataggelies-gia-aprokliti-epithesi-kai-anaities-prosagoges-sto-e-m-p/>

⁶⁴ <https://govwatch.gr/en/finds/chrisi-chimikon-kata-filathlon-tis-aek/>

⁶⁵ <https://govwatch.gr/en/finds/kataggelia-peristatikoy-astynomikis-vias-sta-dikastiria-toy-voloy/>

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Ombudsman's recommendations for the improvement of investigations and prevention of similar behaviour by law enforcement officers in the future.⁶⁶

On a positive note, two police officers accused of assaulting a citizen in March 2021 were found guilty and were given suspended sentences of one and two years respectively.⁶⁷

The illegal surveillance and use of spyware against journalists, politicians and other public figures by EYP was confirmed in a report by the EU Parliament's Committee of Inquiry to investigate the use of Pegasus and equivalent surveillance spyware (PEGA Committee) in May. The PEGA Committee highlights in the report that the current government's legal amendments have weakened crucial safeguards, and political appointments to key positions are an obstacle to scrutiny and accountability. *Ex ante* and *ex post* scrutiny mechanisms have been deliberately weakened, and transparency and accountability are evaded. Critical journalists or officials fighting corruption and fraud face intimidation and obstruction.⁶⁸ It concluded that Greece violated EU law and made ten recommendations to the Government, including to urgently restore and strengthen the institutional and legal safeguards, restore full independence of the judiciary and all relevant oversight bodies, and ensure that the authorities can freely and unhindered investigate all allegations of the use of spyware.⁶⁹

No progress regarding the recommendations has been reported so far and no charges have been brought for the use of spyware. The work of the independent authority ADAE (Hellenic Authority for Communication Security and Privacy), that investigates these cases, has been continuously obstructed. In January, experts and civil society condemned the statement by Supreme Court prosecutor Isidoros Doyakos that the ADAE does not have the competence to investigate surveillance cases.⁷⁰ In addition, in September the government with the support of the far-right Greek Solution party abruptly changed the independent authority's leadership, hindering investigations.⁷¹ Members of ADAE have been summoned as suspects for leaking classified information, while its President Christos Rammos has been threatened by parliamentarians and the government. In October 2023, two prosecutors who asked ADAE to cross-check whether 90 targets of the Predator spyware have also been surveilled by EYP, were removed from the case and the investigation was moved from the first-instance prosecutor's office to the Supreme Court.⁷² In January 2024, the disciplinary

⁶⁶ https://issuu.com/efsyn/docs/171023-emidhpa_ekthesh_web_1_

⁶⁷ https://www.ethnos.gr/greece/article/269330/neasmynrhomofonaenoxoioidyostynomiko_igiatonxylodarmopolithto2021athoothhkeotritos

⁶⁸ https://www.europarl.europa.eu/doceo/document/A-9-2023-0189_EN.html

⁶⁹ https://www.europarl.europa.eu/meetdocs/2014_2019/plmrep/COMMITTEES/PEGA/RD/2023/01-24/1269773EN.pdf

⁷⁰ <https://govwatch.gr/en/finds/antiraseis-15-syntagmatologon-kata-tis-gnomodotisis-ntogiakoy-gia-tin-adae/>

⁷¹ <https://govwatch.gr/en/skepseis-me-aformi-tin-prosfati-epilogi-ton-melon-tis-adae-kai-toy-esr/>

⁷² <https://www.politico.eu/article/greek-government-spying-regulators-wiretapping-predatorgate-scandal/>

investigation against Vasiliki Vlachou, the former prosecutor for EYP who had allegedly signed a series of surveillance orders, was archived.⁷³

Funding for civil society

Limited measures were taken to include CSOs in the planning, monitoring and implementation of funds, especially of EU funds, disregarding the European Commission's guidelines. As a result, access to state funding opportunities is limited and information is fragmented. Delays in the continuation of programmes, in the renewals of contracts and the payment from the government's side is common, leaving organisations and people in need in limbo for months. Indicatively, in 2023 Metadrasi, an organisation providing interpretation services for migrants and refugees, announced that it had to reduce its interpretation services by 80 per cent for these reasons.⁷⁴ A positive development is the creation of a Monitoring Committee for migration-related programmes funded by EU funds which will include four NGO representatives.⁷⁵

Strict registration requirements for NGOs, a prerequisite to accessing national funds, make access to these funds even more difficult, especially for smaller organisations. Other sources of funding are usually project-based, preventing long-term planning and affecting growth and viability. At the same time, due to the multiple crises happening in other places and regions, donors' interest in Europe is declining with Open Society Foundations, which announced the termination of a large part of its work in Europe starting from 2024 onwards, being one such example.⁷⁶ The small group of independent and investigative media in the country also lacks financial support.

⁷³ <https://left.gr/news/sto-arheio-i-peitharhiki-ereyna-se-varos-tis-vasilikis-vlahoy-gia-tis-parakoloythiseis>

⁷⁴ <https://www.rosa.gr/prosfygiko/metadrasi-i-kivernisi-kovei-tous-diermineis-sta-kentra-metanaston-prosfigon/>

⁷⁵ <https://tamey.gov.gr/mc2021-2027/>

⁷⁶ <https://www.theguardian.com/business/2023/aug/19/george-soross-retreat-from-europe-could-turn-off-the-lights-for-human-rights>

Civil dialogue and the right to participation

A meaningful dialogue framework and cooperation between the Greek government and CSOs is still missing. The Commission's observation in last year's Rule of Law report that *'While draft bills are consistently subject to public consultation and follow-up reports address the comments submitted, concerns regarding the lack of effective and timely consultation of stakeholders persists'* is still a challenge as adoption of omnibus legislation, last-minute amendments and frequent amendments of recently adopted legislation (including to the provisions of the Criminal Code entered into force in 2019) was a common practice in 2023. Examples where ministries shortened the public consultation processes without justification include the Ministry of Interior,⁷⁷ the Ministry of Migration and Asylum,⁷⁸ the Ministry of Health in three instances,⁷⁹ the Ministry of Environment,⁸⁰ the Ministry of Education and Religious Affairs,⁸¹ and the Ministry of Culture and Sports.⁸² The country has also received over 1,7 million euros in EU funds to codify its legislation into a National Coding portal, a project that should have been concluded by now but remains a work in progress.⁸³

Moreover, the government often does not seek the assistance or input of competent bodies or civil society with relevant expertise for the drafting of bills. One such example is the drafting of a bill related to the rights of conscientious objectors where the Ministry of National Defence did not seek the advice of the National Human Rights Commission despite this being recommended by the Council

⁷⁷<https://govwatch.gr/en/finds/mi-aitiologimenei-syntmisi-toy-chronoy-diavoyleysis-apo-to-ypoyrgeio-esoterikon-ioylios-2023/>

⁷⁸<https://govwatch.gr/en/finds/mi-aitiologimenei-syntmisi-toy-chronoy-diavoyleysis-gia-ton-kodika-metanasteysis/>

⁷⁹ <https://govwatch.gr/en/finds/mi-aitiologimenei-syntmisi-toy-chronoy-diavoyleysis-apo-to-ypoyrgeio-ygeias-martios-2023/> , <https://govwatch.gr/en/finds/mi-epitrepti-syntmisi-toy-chronoy-diavoyleysis-apo-to-ypoyrgeio-ygeias-martios-2023/> and <https://govwatch.gr/en/finds/mi-aitiologimenei-syntmisi-toy-chronoy-diavoyleysis-apo-to-ypoyrgeio-ygeias-fevroyarios-2023/>

⁸⁰<https://govwatch.gr/en/finds/mi-aitiologimenei-syntmisi-toy-chronoy-diavoyleysis-apo-to-ypoyrgeio-perivallontos-kai-energeias-fevroyarios-2023/>

⁸¹ <https://govwatch.gr/en/finds/mi-aitiologimenei-syntmisi-toy-chronoy-diavoyleysis-apo-to-ypoyrgeio-paideias-kai-thriskeymaton-fevroyarios-2023/>

⁸²<https://govwatch.gr/en/finds/mi-aitiologimenei-syntmisi-toy-chronoy-diavoyleysis-apo-to-ypoyrgeio-politismoy-kai-athlitismoy/>

⁸³ <https://www.digitalplan.gov.gr/ergo-2014-2020/56/ethniki-pyli-gia-tin-kodikopoiisi-kai-anamorfosi-tis-ellinikis-nomothesias>

of Europe.⁸⁴ Similarly, in its evaluation report on Greece, GREVIO stressed that the authorities should, as a matter of priority, consult various women's rights organisations to ensure full compliance with the provisions of the Istanbul Convention, a recommendation that is not being followed.⁸⁵

Challenges with access to information persist as the information available is often insufficient or fragmented, hindering the work of CSOs and the people they support and failing to ensure transparency. Requests for access to information by civil society frequently do not receive replies, even though both the Constitution and legislation guarantee the right of access to information (article 5A of the Constitution, Law 2690/1999 that ratifies the Administrative Procedure Code, Law 4727/2020 that regulates digital rights issues in the public sector).

⁸⁴ <https://govwatch.gr/en/finds/paraleipsi-tis-kyvernisis-na-zitisei-ti-syndromi-tis-eeda-kata-tin-epexergasia-nomoschedioy-gia-ta-anthropina-dikaiomata/>

⁸⁵ <https://rm.coe.int/grevio-s-baseline-evaluation-report-on-legislative-and-other-measures-/1680ad469d>

Civil society resilience

Despite barriers, challenges and low levels of trust, partly due to the government's hostile stance towards CSOs and civic actors, civil society remained active in 2023 trying to defend democracy, the rule of law and fundamental rights.

CSOs and investigative media continued to report on pushbacks and shed light on the Pylos shipwreck and numerous other human rights violations against migrants and other vulnerable groups. CSO networks, such as the Racist Violence Recording Network⁸⁶ and the Recording Mechanism of Incidents of Informal Forced Returns,⁸⁷ have been systematically recording and reporting incidents of racist violence and forced returns while also working with European and international networks and bodies to amplify their voices and put pressure at various levels. The Hellenic League for Human Rights' intervention denouncing the use of the term 'illegal migrant' by the Hellenic Police led to the removal and replacement of the term⁸⁸ while the participation of CSOs in the public consultation, for a new Immigration Code, led to the improvement of the bill, despite the consultation period being very short.⁸⁹

For years, civil society has been demanding participation in the monitoring of EU funds and the amendment of registration procedures required for the registries at the Ministry of Migration and Asylum. Both demands have been taken into consideration by the government in 2023, following pressure from various actors, even though it remains to be seen how they will be implemented in practice.

More systematic cross-sectoral collaboration across thematic fields of work (such as climate change and migration) but also between CSOs and other sectors, such as trade unions and universities, would make civil society stronger and more resilient.

⁸⁶ <https://rvrn.org/en/>

⁸⁷ <https://www.nchr.gr/en/news/1544-press-release-presentation-of-the-recording-mechanism-of-incidents-of-informal-forced-returns-and-its-first-interim-report.html#:~:text=The%20Recording%20Mechanism%20aims%20to,transparent%2C%20and%20scientific%20recording%20methodology.>

⁸⁸ <https://govwatch.gr/en/finds/anakoinosi-eleda-gia-ti-chrisi-meiotikon-gia-tin-prosopikotita-oron-apo-tin-el-as/>

⁸⁹ https://www.efsyn.gr/ellada/dikaiomata/382896_beltioseis-ston-kodika-metanasteysis-meta-tin-kritiki

Recommendations

Targeted recommendation:

- 🔍 Refrain from criminalising humanitarian actors and human rights defenders solely for helping refugees and migrants in need and urgently adopt guidelines which clarify that assistance to people seeking international protection does not constitute a crime.
- 🔍 Immediately replace all CSO registries with one central registry and simplify requirements to ensure that the registry and information required are in line with European and international standards on the freedom of association;
- 🔍 Urgently Initiate structured dialogue with CSOs to ensure that registration requirements are proportionate and do not hinder their work and activities;
- 🔍 Amend Law 4703/2020 which restricts the right to peaceful assembly in line with international standards;
- 🔍 Urgently implement the recommendations made by the Pega committee, including to prevent arbitrary and disproportionate surveillance and restore the independence of oversight bodies, including ADAE;
- 🔍 Immediately carry out a thorough and independent investigation into the arbitrary surveillance on journalists;
- 🔍 Conduct thorough investigations into violence against journalists and media, and adopt new protective measures to ensure their safety;
- 🔍 Refrain from publicly vilifying civil society and sharing negative public narratives about them;
- 🔍 Take effective measures to address abusive litigation, including Strategic Lawsuits Against Public Participation (SLAPPs) in line with the Europe Commission's April 2022 Recommendations on protecting journalists and human rights defenders who engage in public participation from manifestly unfounded or abusive court proceedings;

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- 🔍 Respect the right to peaceful assembly in line with international standards and investigate violations during protests by law enforcement officers and take measures to stop police violence and impunity;**
- 🔍 Provide financial support to the NGO sector, including through EU funding, and increase clarity and transparency around EU funding and opportunities for NGOs participation;**
- 🔍 Take urgent and structured measures to include CSOs in the planning, monitoring and implementation of EU Funds, as per the EC's guidelines, including by organising regular meetings with CSOs, including CSO representatives in monitoring Committees, ensuring that selection criteria are transparent and establishing clear guidelines so that the opinion of all partners is taken into account and that consultations are effective.**
- 🔍 Ensure open, transparent and regular dialogue between civil society and policymakers at national and EU levels;**
- 🔍 Provide adequate time for public consultation on legislative changes;**
- 🔍 Improve the operational framework for CSOs, following a meaningful consultation process with them, to ensure their effective protection against attacks and other forms of harassment.**
- 🔍 Promote transparency and accountability within the government and government bodies.**



About European Civic Forum

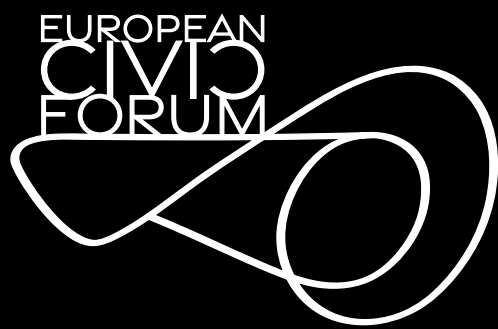
European Civic Forum (ECF) is a pan-European network of more than 100 associations and NGOs across 30 European countries,

Founded in 2005 by our member organisations, we have spent nearly two decades working to protect civic space, enable civic participation and build civil dialogue for more equality, solidarity and democracy in Europe.



About Civic Space Watch

Civic Space Watch collects findings and analyses from actors in Europe on the conditions for civil society to operate, capturing national and trans-European trends in civic space. Through ongoing monitoring of social media and regular contact and interviews with a strong network of members and partners on the ground, we strive to provide easy access to resources and improve information sharing within civil society across Europe.



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