



Human Rights Council
Working Group on the Universal Periodic Review
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Compilation on Greece

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies^{1, 2}

2. The Working Group on discrimination against women and girls noted that Greece had ratified nearly all of the core international human rights treaties and had shown a strong commitment to cooperating with United Nations human rights mechanisms.³ The Committee on the Elimination of Racial Discrimination, the Working Group on Arbitrary Detention, the Special Rapporteur on the human rights of migrants, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Working Group on discrimination against women and girls and, in a joint submission, the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF) and the International Organization for Migration (IOM) recommended that Greece ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.⁴

3. The Working Group on Arbitrary Detention and the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, recommended that Greece ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.⁵ The Working Group on Arbitrary Detention and, in their joint submission, UNHCR, UNICEF and IOM recommended that Greece ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.⁶

4. In their joint submission, UNHCR, UNICEF and IOM, and the Special Rapporteur on migrants, recommended that Greece ratify the Labour Inspection (Agriculture) Convention, 1969 (No. 129), of the International Labour Organization (ILO).⁷ The same Special



Rapporteur recommended that Greece ratify the Migration for Employment Convention (Revised), 1949 (No. 97), and the Domestic Workers Convention, 2011 (No. 189).⁸ In their joint submission, UNHCR, UNICEF and IOM recommended that Greece ratify the Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29).⁹

5. UNHCR, UNICEF and IOM also recommended that Greece ratify Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already included in the Convention and in the first Protocol thereto as amended by Protocol No. 11, and the 1961 Convention on the Reduction of Statelessness.¹⁰

6. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that Greece ratify the Convention against Discrimination in Education.¹¹

7. Greece submitted a midterm report on the implementation of the recommendations from the second cycle of the universal periodic review.¹²

8. Greece made an annual contribution to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in 2021, including to the United Nations voluntary trust fund on contemporary forms of slavery.¹³

III. National human rights framework¹⁴

9. In 2020, the Working Group on discrimination against women and girls noted that the Greek National Commission for Human Rights did not have a dedicated focus on monitoring and eliminating discrimination against women, but addressed the issue in a cross-cutting manner in various areas of its work. It added that the Commission must be adequately resourced and able to function independently and effectively.¹⁵

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination¹⁶

10. In 2016, the Committee on the Elimination of Racial Discrimination recognized the positive aspects incorporated in the new anti-racism law (Law No. 4285/2014), but it remained concerned that the law did not criminalize the dissemination of ideas based on racial superiority and did not provide for a procedure to declare illegal and prohibit racist organizations.¹⁷ The Committee urged Greece to effectively prevent, combat and punish racist hate speech and hate crimes, declare illegal and prohibit organizations that promoted and incited racial discrimination, such as Golden Dawn, strengthen training for the judiciary and the police, and undertake intensive national campaigns aimed at combating racist attitudes.¹⁸

11. In 2019, the Committee against Torture, while acknowledging the legislative and other measures taken by Greece to tackle hate crime, expressed concern about reports reflecting an increase in the incidence of racist and xenophobic violence, especially against refugees, migrants and members of the Roma community.¹⁹ The Committee recommended that Greece investigate all forms of hate crime, that it prosecute, convict and punish perpetrators and that it provide training on hate crime to law enforcement officials and the judiciary.²⁰

12. In their joint submission, UNHCR, UNICEF and IOM noted that, despite the positive institutional developments in the field of preventing racism and xenophobia, such as the creation of the National Council against Racism and Intolerance under the Ministry of Justice, important areas like access to justice and access to services for supporting victims of racist violence still required improvement.²¹

B. Civil and political rights

1. Right to life, liberty and security of person²²

13. The Committee against Torture expressed concern about reports of excessive use of force by law enforcement officers acting to disperse demonstrators, including cases of police violence and extensive use of tear gas against migrants and asylum seekers protesting in reception centres such as those on Lesbos and Samos.²³ The Committee recommended that Greece review the crowd control procedures applied by the Hellenic Police in the context of demonstrations, ensure effective investigations into all allegations relating to the excessive use of force and increase efforts to provide training to all law enforcement officers.²⁴

14. While welcoming the efforts made by Greece to reduce prison overcrowding and improve health-care services in prisons, the Committee against Torture expressed concern that high occupancy rates and poor living conditions remained serious problems in the prison system.²⁵ The Working Group on discrimination against women and girls was pleased by efforts to uphold women's human rights in detention, including through, the provision of primary, secondary and higher education and rehabilitation programmes.²⁶ The Committee against Torture recommended that Greece continue its efforts to improve conditions of detention and alleviate the overcrowding of penitentiary institutions, including through the application of non-custodial measures.²⁷ The Working Group on Arbitrary Detention made a similar recommendation.²⁸

15. In 2019, the Committee on the Rights of Persons with Disabilities was concerned about discriminatory legal provisions and the practice of involuntary hospitalization and deprivation of liberty of persons with psychosocial or intellectual disabilities.²⁹ The Committee recommended that Greece repeal all laws allowing for the involuntary deprivation of liberty on the basis of impairment and that it end the use of forced treatment, restraints and coercive methods.³⁰

16. While noting the entry into force of the new Penal Code on 1 July 2019, the Committee against Torture considered that the definition of the crime of torture set forth in article 137A remained incomplete and was narrower than the one contained in the Convention.³¹ The Committee recommended that Greece bring the contents of article 137A of the Penal Code into line with article 1 of the Convention.³²

17. The Committee against Torture and the Working Group on Arbitrary Detention welcomed the designation of the Greek Ombudsman as the national preventive mechanism against torture.³³ Nonetheless, the Committee was concerned about the lack of stable, regular and sufficient budgetary allocations and the absence of full-time staff assigned to the Office of the Greek Ombudsman.³⁴ The Committee recommended that Greece ensure the operational autonomy of the national preventive mechanism and provide it with the necessary financial and personnel resources.³⁵

18. In March 2020, the Special Rapporteur on migrants expressed concern about reports of pushbacks of asylum seekers and migrants in violation of the prohibition of collective expulsion and of assaults and violence against asylum seekers by Greek security officers and unidentified armed men aiming to push them back to the border.³⁶ In June 2021, the Special Rapporteur noted the concerns raised in numerous submission regarding border governance at the land and sea borders between Greece and Turkey, including allegations of pushbacks over the land border and in the Aegean Sea.³⁷

2. Administration of justice, including impunity, and the rule of law³⁸

19. In 2020, the Working Group on Arbitrary Detention noted positively that, under the amended Penal Code (Law No. 4619/2019), penalties had been reduced and the use of non-custodial measures was encouraged.³⁹ The Working Group also noted, however, that while individuals were normally presented before the Public Prosecutor within 24 hours of arrest, such presentation before the prosecutorial authorities could not be equated with presentation before a judge as required under the International Covenant on Civil and Political Rights.⁴⁰

20. The Working Group received numerous reports that, despite efforts by the authorities to expand the list of interpreters, there was a lack of interpreters for persons deprived of their

liberty. The Working Group raised concerns regarding obstacles about the right to legal aid, the opportunity to address the court and the presumption of innocence. It recommended that Greece provide interpretation services to all persons deprived of their liberty.⁴¹

21. The Committee against Torture recommended that Greece take effective steps to ensure in practice that confessions obtained under torture or ill-treatment were ruled inadmissible and that it expand specialized training programmes for both judges and prosecutors.⁴²

22. The Working Group on discrimination against women and girls was pleased to learn that, in the justice sector, women were well represented and that there had been a consistent increase in women judges on the Supreme Court.⁴³

23. The Committee on the Rights of Persons with Disabilities was concerned that court buildings were not fully accessible to persons with disabilities and that there were insufficient accessible legal services and legal information, including in Braille, Easy Read formats and sign language.⁴⁴ The Committee recommended that Greece ensure effective access to justice, legal services and legal aid, cost-free assistive technologies and quality translation and interpretation in sign language, Braille and other alternative formats.⁴⁵

3. Fundamental freedoms and the right to participate in public and political life⁴⁶

24. UNESCO recommended that Greece decriminalize defamation and place it solely in the civil code, according to international standards.⁴⁷

25. The Committee on the Rights of Persons with Disabilities was concerned about the barriers that persons with disabilities faced in accessing information, owing, inter alia, to the lack of documents in accessible formats and the lack of sign language interpretation.⁴⁸ The Committee recommended that Greece ensure that providers of services to the public, particularly public broadcasters, telecommunications operators and public libraries, provide information in accessible formats, such as sign language, Braille, Easy Read formats and captioning.⁴⁹

26. The Committee against Torture was seriously concerned about consistent reports of intimidation and harassment of human rights defenders and humanitarian workers and volunteers.⁵⁰ The Committee urged Greece to ensure that human rights defenders and humanitarian workers and volunteers were protected against threats and intimidation and that they were not prosecuted for engaging in aid work, including by participating in maritime search-and-rescue activities.⁵¹ In March 2020, the Special Rapporteur on migrants expressed concern about the increase in hostility and violence against humanitarian workers, human rights defenders and journalists working at the border area and in the Greek Aegean Sea.⁵² In March 2021, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on migrants raised concerns that the recently adopted Law No. 4648/2020 and the Joint Ministerial Decision 10616/2020, which introduced new onerous legal requirements and conditions for the registration of non-profit organizations working with migrants and refugees, might have a detrimental impact on their operations.⁵³

27. The Working Group on discrimination against women and girls noted that, although there had been gradual progress over the years, the participation of women in political life in Greece lagged behind at every level – local, regional, national and European.⁵⁴ The Working Group recommended that Greece apply temporary special measures to bring a gender balance to public administration.⁵⁵

28. The Committee on the Rights of Persons with Disabilities was concerned that persons with intellectual or psychosocial disabilities subject to judicial support were deprived of their right to vote and about the lack of accessibility of voting procedures.⁵⁶ The Committee recommended that Greece revise the voting framework to ensure that persons with disabilities could fully participate in political and public life and exercise their right to vote.⁵⁷

4. Prohibition of all forms of slavery⁵⁸

29. The Committee against Torture took note of the efforts made by Greece to combat trafficking in persons, but it remained concerned at the slowness of the screening procedures

to identify potential victims, especially among asylum seekers and migrants.⁵⁹ The Committee recommended that Greece intensify its efforts to prevent and combat trafficking in human beings, including by putting in place effective procedures for the identification and referral of victims among vulnerable groups; enhance efforts to investigate claims of human trafficking; and ensure access to secure shelters and counselling services.⁶⁰

30. In their joint submission, UNHCR, UNICEF and IOM noted that the National Referral Mechanism for victims of trafficking in human beings, supervised and coordinated by the Office of the National Rapporteur on Trafficking in Human Beings, had been established in 2019.⁶¹ They also noted positively that the Ministry of Foreign Affairs had been developing an action plan against human trafficking, including child trafficking.⁶²

5. Right to privacy and family life⁶³

31. In their joint submission, UNHCR, UNICEF and IOM noted that sharia law had been made optional in matters of family and/or inheritance law.⁶⁴

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work⁶⁵

32. The Working Group on discrimination against women and girls noted that Greece had historically had low labour force participation among women, that the national action plan for gender equality (2016–2020) aimed, *inter alia*, to reduce unemployment and underemployment among women and that the new law on substantive gender equality (Law No. 4604/2019) encouraged the development of equality plans by both the public and private sector.⁶⁶ In terms of the gender pay gap, the ILO Committee of Experts on the Application of Conventions and Recommendations noted that the average monthly salary of women remained substantially lower than that of men in almost all economic sectors, that the employment rate for women remained 21 percentage points below that of men and that women were mostly concentrated in low-paid jobs.⁶⁷ The Working Group on discrimination against women and girls recommended that Greece remove barriers to the full and equal participation of women in the labour force; implement measures to close the gender pay gap; and increase the participation of women in entrepreneurship.⁶⁸

33. The Committee on the Rights of Persons with Disabilities was concerned about the high level of unemployment among persons with disabilities.⁶⁹ The Committee recommended that Greece take effective measures to ensure the inclusion of persons with disabilities, particularly women with disabilities, in the open labour market.⁷⁰

34. The Committee on the Elimination of Racial Discrimination was concerned about the poor working conditions of migrant workers, especially those working in the agriculture sector and in the informal economy.⁷¹ The Committee recommended that Greece take immediate measures to end any manifestation of labour discrimination and economic exploitation of migrant workers, including by extending labour protection to all workers and reinforcing the labour inspectorate.⁷² The ILO Committee of Experts urged Greece to take all necessary steps to address effectively any cases of discrimination against men and women migrant workers in terms and conditions of employment, especially in the agricultural sector.⁷³

2. Right to an adequate standard of living⁷⁴

35. The Committee on the Rights of Persons with Disabilities was concerned that the rights of persons with disabilities had been negatively affected by the incoherence of the domestic legislation regarding the exclusion of welfare allowances on the grounds of disability and by reported instances of unequal treatment in the distribution of welfare allowances.⁷⁵ The Committee recommended that Greece revise the relevant legal provisions and practices on welfare allowances and tax exemptions for persons with disabilities and develop further measures to ensure an adequate standard of living for persons with disabilities.⁷⁶

36. In their joint submission, UNHCR, UNICEF and IOM noted that children from Roma communities, refugee and migrant children, including unaccompanied children and children in institutions, were disproportionately vulnerable to poverty.⁷⁷ They recommended that Greece develop a national action plan against poverty based on evidence, with explicit targets and resources linked to combating child poverty.⁷⁸

3. Right to health⁷⁹

37. The Working Group on discrimination against women and girls was concerned about the very high rate of abortions, the very low use of high-quality, effective methods of contraception and the high rate of caesarean sections performed without medical justification.⁸⁰

38. The Committee on the Rights of Persons with Disabilities was concerned about the insufficient access of persons with disabilities to health-service facilities and medical equipment and about the insufficient measures taken to guarantee access to comprehensive health-care services, including sexual and reproductive health services.⁸¹ The Committee recommended that Greece put in place a long-term strategy containing effective measures to guarantee persons with disabilities access to health services; and render health facilities, equipment and instruments accessible, particularly to ensure access to sexual and reproductive health services in urban and rural areas.⁸²

4. Right to education⁸³

39. UNESCO noted that, in the context of coronavirus disease (COVID-19), in Greece online education had been provided to the extent possible, with a particular focus on the last grade of secondary school. During school closures, asynchronous teaching was compulsory and real-time teaching was supported through WebEx services, a school network platform and television, but there was insufficient necessary information technology equipment. It added that an emergency law related to the education system's response had been adopted.⁸⁴

40. The Working Group on discrimination against women and girls was pleased to note the high level of educational attainment for girls at all levels. It also noted, however, that achievement among women in education did not translate into their progression in the economic sphere. The Working Group was also pleased to learn that there were three streams of gender equality, sexual orientation and gender identity content within the school curriculum; however, it noted that the content had been described as limited in scope.⁸⁵ The Working Group recommended that Greece review the school textbooks and curricula in all schools, public and private, to eliminate gender stereotypes and ensure non-discrimination and gender equality in the core curriculum.⁸⁶

41. UNESCO noted the importance of ensuring that people with disabilities could access education, including through appropriate infrastructure and materials. It referred to the fact that visually impaired people were not provided with appropriate materials, as many textbooks were either not translated into Braille or inaccurately translated.⁸⁷ The Committee on the Rights of Persons with Disabilities was concerned about the lack of comprehensive, clear legislation or strategy on, or allocation of funds to, inclusive education and about the lack of accessible environments, buildings, educational material, equipment, as well as individualized support, provided to students with disabilities.⁸⁸ The Committee recommended that Greece increase its efforts to guarantee inclusive education; adopt a coherent strategy on inclusive education in the mainstream educational system; and ensure the accessibility of school and university environments by promoting universal design, the provision of specific measures and individualized support, taking into account Sustainable Development Goal 4.⁸⁹

42. In their joint submission, UNHCR, UNICEF and IOM reported that equal access and quality of education remained a challenge particularly affecting asylum-seeking, refugee, migrant and Roma children.⁹⁰ They recommended that Greece develop a long-term educational strategy with identified funding gaps to fully integrate all refugee and migrant children, Roma children and children with disabilities in public schools.⁹¹

43. In their joint submission, UNHCR, UNICEF and IOM reported that human rights education skills development had been introduced in the national curriculum.⁹²

44. UNESCO noted the poor conditions of education in reception and identification centres for refugees and migrant populations.⁹³ UNESCO recommended that Greece strengthen its efforts to provide access to education for all, especially migrants and refugees.⁹⁴

D. Rights of specific persons or groups

1. Women⁹⁵

45. The Working Group on discrimination against women and girls welcomed the adoption of Law No. 4604/2019 on promoting substantive gender equality and preventing and combating gender-based violence, which also included provisions on combating gender stereotypes. It welcomed the adoption of the national action plan on gender equality, 2016–2020.⁹⁶ In their joint submission, UNHCR, UNICEF and IOM noted that a comprehensive framework institutionalizing the national mechanisms for promoting gender equality and combating gender-based violence had been inserted in the national legislation in 2019 and that the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) had been ratified in 2018. They added that, following the adoption of the new Penal Code, the definition of rape included the lack of consent of the victim.⁹⁷ The Committee on the Rights of Persons with Disabilities referred to the challenges faced by women and girls with disabilities.⁹⁸

46. The Working Group on discrimination against women and girls noted positively the General Secretariat for Gender Equality and its Observatory on Gender Equality issues, but noted that a challenge for the General Secretariat was its inadequate human and financial resources.⁹⁹ The Working Group recommended that Greece increase investment in existing institutions, including the General Secretariat, to ensure that they had adequate and sustainable human, financial and technical resources.¹⁰⁰

47. The Working Group was concerned that there was uneven coordination of support services for victims of the various forms of gender-based violence. It added that there were insufficient shelters and emergency accommodations.¹⁰¹ The Working Group recommended that Greece ensure universal access to high-quality services for victims/survivors of gender-based violence and access to justice for them, in particular women in vulnerable situations, such as women belonging to minority groups, including access to adequate shelters and long-term support.¹⁰²

48. The same Working Group welcomed the specific training provided for judges, prosecutors, police officers, health-service providers, journalists and teaching staff and the efforts made by the Office of the Public Prosecutor of the Supreme Court, the General Secretariat for Gender Equality and other State entities to raise public awareness aimed at preventing all forms of violence against women and girls.¹⁰³

2. Children¹⁰⁴

49. In their joint submission, UNHCR, UNICEF and IOM reported that the current system of children in out-of-home care still relied heavily on large-scale institutions and that the use of family/community-based alternative care remained limited, resulting in children remaining in institutions. They noted that support for families and mechanisms to prevent family separation were inconsistent, resulting in children ending up in institutional care with little chance of reunification.¹⁰⁵

50. The Committee on the Rights of Persons with Disabilities was concerned about the protracted nature of the deinstitutionalization of children with disabilities.¹⁰⁶ The Committee recommended that Greece ensure the expeditious deinstitutionalization of children with disabilities and take effective measures to guarantee their right to be cared.¹⁰⁷

51. The Working Group on discrimination against women and girls noted the continuous reduction of the already insufficient day-care structures for children.¹⁰⁸ The Special Rapporteur on migrants referred to the situation of migrant children.¹⁰⁹

52. The Committee against Torture and the Working Group on Arbitrary Detention welcomed the enactment of Law No. 4554/2018 regulating the institution of guardianship of

unaccompanied and separated minors.¹¹⁰ The Committee and the Working Group were concerned that unaccompanied migrant and asylum-seeking children continued to be placed in immigration detention (“protective custody”) until a shelter placement became available.¹¹¹ The Working Group welcomed the recent European Union initiative for the relocation of unaccompanied children from Greece.¹¹² The Committee recommended that Greece ensure that children were not detained solely because of their immigration status.¹¹³ The Working Group recommended that Greece assign a professional guardian to every unaccompanied minor, in accordance with Law 4554/2018.¹¹⁴

53. In their joint submission, UNHCR, UNICEF and IOM commended the establishment in 2020 of the Special Secretariat for the Protection of Unaccompanied Minors.¹¹⁵ They expressed concern that many children went missing and noted that, despite the establishment of the guardianship system and the foster care registry, those mechanisms were only partially operational.¹¹⁶ They added that the development of a national legal framework on age assessment procedures was not always followed by harmonized, child-friendly practices in the field, which led to children being registered as adults.¹¹⁷ UNHCR, UNICEF and IOM further reported that, as of March 2021, 695 unaccompanied children had been assessed regarding their best interest and transferred to States members of the European Union in the framework of the relocation scheme.¹¹⁸

3. Persons with disabilities¹¹⁹

54. The Committee on the Rights of Persons with Disabilities was concerned about the slow progress in the implementation of the existing legal framework on accessibility and the absence of a national strategy on the implementation of accessibility standards governing the built environment, goods and services, including transport, media and information services.¹²⁰ The Committee recommended that Greece adopt the necessary legal and other measures, including the adoption of regulations and a comprehensive national action plan on accessibility with sufficient budget allocations, concrete deadlines and an effective monitoring mechanism.¹²¹

55. The Committee was concerned about the lack of measures taken to abolish the denial or restriction of legal capacity, and to ensure that supported decision-making measures were available for persons with disabilities.¹²² The Committee recommended that Greece bring its legislation into line with the Convention on the Rights of Persons with Disabilities, taking into account its general comment No. 1 (2014).¹²³

4. Minorities and indigenous peoples¹²⁴

56. The Committee on the Elimination of Racial Discrimination was concerned that Muslims living in Thrace region were recognized only as a religious minority, and that other Muslims, including those living on the islands of Rhodes and Kos, could not fully enjoy their rights under the International Convention on the Elimination of All Forms of Racial Discrimination.¹²⁵

57. The same Committee was concerned that the situation of Roma present in the State had not improved. It noted that Roma had faced obstacles in gaining access to basic social services, encountered stereotypes and continued to be disproportionately subjected to frequent identity checks and arbitrary arrests by the police.¹²⁶ The Committee recommended that Greece redouble its efforts to improve the enjoyment of economic, social and cultural rights by all Roma and take appropriate measures to combat unlawful conduct by police or other law enforcement officials.¹²⁷

58. The Working Group on discrimination against women and girls noted that, despite efforts made through the national strategy for the social inclusion of Roma people for 2012–2020, the appointment of special prosecutors and the creation of special police units, high levels of discrimination, exclusion and stereotypes persisted.¹²⁸ The Working group welcomed the creation of the Special Secretariat for Roma Social Inclusion.¹²⁹

5. Migrants, refugees, asylum seekers and internally displaced persons¹³⁰

59. The Working Group on discrimination against women and girls and the Working Group on Arbitrary Detention recognized that Greece had faced the challenge of receiving unprecedented numbers of migrants and refugees since 2015.¹³¹

60. The Committee against Torture, the Working Group on Arbitrary Detention, the Special Rapporteur on migrants and, in their joint submission, UNHCR, UNICEF and IOM were concerned at reports referring to the breach of the principle of non-refoulement, with allegations of summary forced returns – so-called pushbacks – of asylum seekers and migrants intercepted at sea and at the land border in the north-east of the Evros region, with no prior risk assessment of their personal circumstances.¹³² The Committee against Torture recommended that Greece guarantee that all asylum seekers had the opportunity of an individual review, with automatic suspensive effect against expulsion decisions, and were protected from refoulement and collective return.¹³³ In their joint submission, UNHCR, UNICEF and IOM recommended that Greece adopt clear rules and operating procedures related to rights-based conduct at the border by the competent law enforcement officers; that it establish an effective and independent border monitoring mechanism at the European Union external borders; and that it investigate the reported pushbacks.¹³⁴

61. The Special Rapporteur on migrants noted that, following the European Union-Turkey statement of 18 March 2016, migrants arriving on the islands had only two options: to apply for asylum or to be returned to Turkey. This had resulted in 90 per cent of migrants trying to apply for asylum in Greece, stretching the capacity of the Greek Asylum Service. Moreover, migrants were no longer transferred from the Greek islands to the mainland, resulting in overcrowded situations in the reception and identification centres on the islands.¹³⁵

62. The Committee against Torture noted that migrants and asylum seekers were exposed to appalling and unsanitary living conditions, especially in overcrowded reception and identification centres.¹³⁶ In their joint submission, UNHCR, UNICEF and IOM noted that the centres on Samos, Lesbos, Chios, Kos and Leros often operated above their official capacity, that centres were overcrowded, that living conditions were substandard and that the services in terms of shelter, medical and psychosocial support, hygiene and sanitation, safety and security were inadequate. They also noted the various challenges faced by the State in recruiting adequate staff, including medical staff.¹³⁷ They further noted that, in 2020, following the significant decline of new arrivals due to the COVID-19 pandemic and increased border control measures, the situation had improved substantially in the reception and identification centres on Leros, Kos and Evros, while the living conditions in the centres on Samos, Chios and Lesbos had remained difficult.¹³⁸ They recommended that Greece: ensure that reception conditions at the border locations were safe and adequate for all mixed arrivals; strengthen reception capacity for asylum seekers; and prevent gender-based violence, ensuring unrestricted access of everyone to medical services, psychosocial support and free legal aid.¹³⁹ Similar recommendations were made by the Committee against Torture, the Committee on the Elimination of Racial Discrimination and the Special Rapporteur on migrants.¹⁴⁰

63. Although the Working Group on discrimination against women and girls noted a number of positive developments in support of refugee women, including Law No. 45/31 of 2018 giving undocumented persons the right to report gender-based violence without fear of deportation, it had also received reports referring to the lack of trained staff at police stations and of interpretation services at hospitals.¹⁴¹ The Working Group recommended that Greece ensure the meaningful participation of refugee and asylum-seeking women in decision-making on matters affecting their lives in the camps and that it monitor and review the health, safety and living conditions of refugees.¹⁴²

64. In their joint submission, UNHCR, UNICEF and IOM affirmed that Greece had considerably increased the reception capacity for asylum seekers in the mainland since 2016, from approximately 1,100 places in 2015 to 54,100 places in March 2021, not including the capacity of the reception and identification centres. In urban contexts, the Emergency Support to Integration and Accommodation Programme of UNHCR had provided dignified conditions and support services to vulnerable asylum seekers. UNHCR, UNICEF and IOM noted that, in 2018, the Greek authorities had further increased the accommodation capacity

by providing protection and accommodation services in hotels for vulnerable persons transferred from the islands to different locations in the mainland in the framework of the Filoxenia project), which was concluded in February 2021.¹⁴³

65. The Special Rapporteur on migrants acknowledged efforts to strengthen the Greek Asylum Service at the national and regional levels.¹⁴⁴ In their joint submission, UNHCR, UNICEF and IOM reported that the Asylum Service had greatly enhanced its overall capacity in terms of staff and operations across the country since 2016, noting that in 2020 the Asylum Service and the Appeals Authority had largely cleared their decision backlogs.¹⁴⁵ Furthermore, they noted that, despite the increase in Asylum Service registration capacity and in supporting staff, the Asylum Service faced access and registration obstacles, particularly in the mainland, which had become more challenging with the COVID-19 restriction measures. They reported that asylum seekers also faced difficulties in pre-registering their applications through Skype.¹⁴⁶ The Working Group on Arbitrary Detention was concerned about the new Law No. 4636/2019, which included more restrictive provisions regarding the detention of asylum seekers.¹⁴⁷ In their joint submission, UNHCR, UNICEF and IOM recommended that Greece strengthen the pre-registration system, which was being conducted through Skype, as well as the referral mechanisms; ensure an individual assessment of the merits of applications and of the admissibility procedures, in line with international and European Union quality standards.¹⁴⁸

66. The Working Group on Arbitrary Detention noted that the use of administrative detention of migrants had significantly increased.¹⁴⁹ The Committee against Torture was concerned at reports that, in practice, detained migrants and asylum seekers were often denied fundamental legal safeguards, such as access to a lawyer.¹⁵⁰ In their joint submission, UNHCR, UNICEF and IOM referred to detention and the penalization of irregular entry since March 2020.¹⁵¹ They remained concerned about the poor detention conditions in pre-removal detention centres, given the limited provision of hygiene and non-food items, the limited supply of relief items, the limited access to recreational activities and communication and the long-term detention in police stations in seriously substandard conditions.¹⁵² The Committee against Torture recommended that Greece guarantee that detained asylum seekers and migrants have access to counsel, including legal aid services, and that it also guarantee judicial review to challenge the legality of administrative immigration detention.¹⁵³ In their joint submission, UNHCR, UNICEF and IOM recommended that Greece ensure that asylum seekers are detained only as an exceptional measure, for a minimum period and only where absolutely necessary after a proper individual assessment.¹⁵⁴

67. In their joint submission, UNHCR, UNICEF and IOM also noted that a deputy minister for migration and asylum responsible for integration had been appointed in January 2021, showing further commitment to the integration of migrants.¹⁵⁵

6. Stateless persons¹⁵⁶

68. In their joint submission, UNHCR, UNICEF and IOM further noted that Greece had not yet established a statelessness determination procedure.¹⁵⁷

Notes

¹ Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Greece will be available at www.ohchr.org/EN/HRBodies/UPR/Pages/GRIndex.aspx.

² For relevant recommendations, see A/HRC/33/7, paras. 134.1–134.7, 135.1, 136.1–136.5 and 137.1–137.11.

³ A/HRC/44/51/Add.1, para. 7. See also A/HRC/45/16/Add.1, paras. 7–9.

⁴ CERD/C/GRC/CO/20-22, para. 26; A/HRC/45/16/Add.1, para. 107; A/HRC/35/25/Add.2, para. 113; and A/HRC/32/50/Add.1, para. 69 (a); A/HRC/44/51/Add.1, para. 7; and joint submission of UNHCR, UNICEF and IOM for the universal periodic review of Greece, p. 11.

⁵ A/HRC/45/16/Add.1, para. 107; A/HRC/31/60/Add.2, para. 82 (o).

⁶ A/HRC/45/16/Add.1, para. 107; and joint submission, p. 7.

⁷ Joint submission, p. 11; A/HRC/35/25/Add.2, para. 114.

⁸ A/HRC/35/25/Add.2, para. 114.

- ⁹ Joint submission, p. 11.
- ¹⁰ *Ibid.*, pp. 5 and 11.
- ¹¹ UNESCO submission for the universal periodic review of Greece, para. 9.
- ¹² See <https://ohchr.org/EN/HRBodies/UPR/Pages/UPRImplementation.aspx>.
- ¹³ See www.ohchr.org/Documents/AboutUs/FundingBudget/VoluntaryContributions2021.pdf.
- ¹⁴ For relevant recommendations, see A/HRC/33/7, paras. 134.8–134.10 and 134.20.
- ¹⁵ A/HRC/44/51/Add.1, para. 14. See also CERD/C/GRC/CO/20-22, paras. 6–7; and A/HRC/31/60/Add.2, para. 81 (a).
- ¹⁶ For relevant recommendations, see A/HRC/33/7, paras. 134.21–134.23, 134.35–134.36, 134.44–134.45, 134.47–134.67, 136.8–136.10, 136.22 and 137.12.
- ¹⁷ CERD/C/GRC/CO/20-22, para. 12.
- ¹⁸ *Ibid.*, paras. 13 and 17 (b) and (d).
- ¹⁹ CAT/C/GRC/CO/7, para. 46.
- ²⁰ *Ibid.*, para. 47.
- ²¹ Joint submission, p. 11.
- ²² For relevant recommendations, see A/HRC/33/7, paras. 134.24–134.25, 134.68–134.76 and 134.78.
- ²³ CAT/C/GRC/CO/7, para. 26.
- ²⁴ *Ibid.*, para. 27.
- ²⁵ *Ibid.*, para. 36. See also A/HRC/45/16/Add.1, paras. 48–54.
- ²⁶ A/HRC/44/51/Add.1, para. 83.
- ²⁷ CAT/C/GRC/CO/7, para. 37 (a). See also para. 37 (b).
- ²⁸ A/HRC/45/16/Add.1, para. 109 (g)–(h).
- ²⁹ CRPD/C/GRC/CO/1, para. 21.
- ³⁰ *Ibid.*, para. 22.
- ³¹ CAT/C/GRC/CO/7, para. 10.
- ³² *Ibid.*, para. 11.
- ³³ *Ibid.*, para. 42; and A/HRC/45/16/Add.1, paras. 24 and 102.
- ³⁴ CAT/C/GRC/CO/7, para. 42.
- ³⁵ *Ibid.*, para. 43. See also A/HRC/45/16/Add.1, para. 108 (a).
- ³⁶ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25736&LangID=E.
- ³⁷ A/HRC/47/30, para. 55.
- ³⁸ For relevant recommendations, see A/HRC/33/7, paras. 134.37–134.43, 134.46, 134.77, 134.88–134.89 and 136.12.
- ³⁹ A/HRC/45/16/Add.1, para. 26.
- ⁴⁰ *Ibid.*, paras. 35 and 103 (a).
- ⁴¹ *Ibid.*, paras. 39, 41–43, 46–47 and 109 (e).
- ⁴² CAT/C/GRC/CO/7, para. 33 (a)–(b).
- ⁴³ A/HRC/44/51/Add.1, paras. 49 and 51.
- ⁴⁴ CRPD/C/GRC/CO/1, para. 19 (a).
- ⁴⁵ *Ibid.*, para. 20.
- ⁴⁶ For relevant recommendations, see A/HRC/33/7, paras. 134.93–134.97, 136.14–136.17, 136.21 and 137.13–137.15.
- ⁴⁷ UNESCO submission, para. 10.
- ⁴⁸ CRPD/C/GRC/CO/1, para. 32 (a).
- ⁴⁹ *Ibid.*, para. 33.
- ⁵⁰ CAT/C/GRC/CO/7, para. 48.
- ⁵¹ *Ibid.*, para. 49.
- ⁵² See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25736&LangID=E.
- ⁵³ See communication GRC 1/2021, available from <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26314>.
- ⁵⁴ A/HRC/44/51/Add.1, paras. 45. See also paras. 46 and 53.
- ⁵⁵ *Ibid.*, para. 91.
- ⁵⁶ CRPD/C/GRC/CO/1, para. 42.
- ⁵⁷ *Ibid.*, para. 43.
- ⁵⁸ For relevant recommendations, see A/HRC/33/7, paras. 134.84–134.87.
- ⁵⁹ CAT/C/GRC/CO/7, para. 50.
- ⁶⁰ *Ibid.*, para. 51.
- ⁶¹ Joint submission, p. 4.
- ⁶² *Ibid.*, p. 6.
- ⁶³ For relevant recommendations, see A/HRC/33/7, paras. 134.123 and 136.11.
- ⁶⁴ Joint submission, p. 4.
- ⁶⁵ For the relevant recommendation, see A/HRC/33/7, para. 134.97.
- ⁶⁶ A/HRC/44/51/Add.1, paras. 19, 21 and 26. See also para. 28.

- ⁶⁷ See
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- ⁶⁸ A/HRC/44/51/Add.1, para. 90 (a)–(c).
- ⁶⁹ CRPD/C/GRC/CO/1, para. 38 (a).
- ⁷⁰ *Ibid.*, para. 39.
- ⁷¹ CERD/C/GRC/CO/20-22, para. 24.
- ⁷² *Ibid.*, para. 25.
- ⁷³ See
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- ⁷⁴ For relevant recommendations, see A/HRC/33/7, paras. 134.98–134.108.
- ⁷⁵ CRPD/C/GRC/CO/1, para. 40 (a)–(b).
- ⁷⁶ *Ibid.*, para. 41.
- ⁷⁷ Joint submission, p. 1.
- ⁷⁸ *Ibid.*, p. 7.
- ⁷⁹ For relevant recommendations, see A/HRC/33/7, paras. 134.15, 136.9 and 136.19.
- ⁸⁰ A/HRC/44/51/Add.1, paras. 84–85.
- ⁸¹ CRPD/C/GRC/CO/1, para. 36.
- ⁸² *Ibid.*, para. 37.
- ⁸³ For relevant recommendations, see A/HRC/33/7, paras. 134.109–134.110, 135.2 and 136.23.
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- ⁸⁵ A/HRC/44/51/Add.1, paras. 38–39 and 41.
- ⁸⁶ *Ibid.*, para. 90 (k).
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- ⁸⁸ CRPD/C/GRC/CO/1, para. 34 (a)–(b).
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- ⁹⁰ Joint submission, p. 6.
- ⁹¹ *Ibid.*, p. 7.
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- ⁹⁵ For relevant recommendations, see A/HRC/33/7, paras. 134.26, 134.29–134.34, 134.79–134.82, 135.3 and 136.20.
- ⁹⁶ A/HRC/44/51/Add.1, paras. 9–11. See also: joint submission for the universal periodic review of Greece, p. 4.
- ⁹⁷ Joint submission, p. 4.
- ⁹⁸ CRPD/C/GRC/CO/1, paras. 9–10.
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- ¹⁰⁰ *Ibid.*, para. 89 (a).
- ¹⁰¹ *Ibid.*, para. 62.
- ¹⁰² *Ibid.*, para. 92 (b).
- ¹⁰³ *Ibid.*, paras. 61–64. See also CAT/C/GRC/CO/7, paras. 24–25.
- ¹⁰⁴ For relevant recommendations, see A/HRC/33/7, paras. 134.11–134.19, 134.27–134.28, 134.83, 134.90–134.92, 134.146, 134.151–134.154, 136.6, 136.13 and 136.26.
- ¹⁰⁵ Joint submission, p. 6.
- ¹⁰⁶ CRPD/C/GRC/CO/1, para. 11.
- ¹⁰⁷ *Ibid.*, para. 12 (a).
- ¹⁰⁸ A/HRC/44/51/Add.1, para. 34.
- ¹⁰⁹ A/HRC/35/25/Add.2, paras. 90–93.
- ¹¹⁰ CAT/C/GRC/CO/7, para. 5 (d); and A/HRC/45/16/Add.1, para. 65.
- ¹¹¹ CAT/C/GRC/CO/7, paras. 5 (d), 22 and 23; and A/HRC/45/16/Add.1, paras. 67–72. See also CERD/C/GRC/CO/20-22, para. 22 (a).
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- ¹¹³ CAT/C/GRC/CO/7, para. 23 (a).
- ¹¹⁴ A/HRC/45/16/Add.1, para. 110 (c) (i).
- ¹¹⁵ Joint submission, p. 2.
- ¹¹⁶ *Ibid.*, p. 6.
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- ¹¹⁹ For relevant recommendations, see A/HRC/33/7, paras. 134.111–134.115.
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- ¹²³ *Ibid.*, para. 18.
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- ¹²⁶ *Ibid.*, para. 20. See also A/HRC/44/51/Add.1, para. 75; and A/HRC/32/50/Add.1, paras. 64–66 and 77.
- ¹²⁷ CERD/C/GRC/CO/20-22, para. 21 (a) and (c).
- ¹²⁸ A/HRC/44/51/Add.1, para. 73.
- ¹²⁹ *Ibid.*, para. 82.
- ¹³⁰ For relevant recommendations, see A/HRC/33/7, paras. 134.124–134.145, 134.148–134.150, 136.24–136.25 and 137.20.
- ¹³¹ A/HRC/44/51/Add.1, para. 65; and A/HRC/45/16/Add.1, para. 56. See also CERD/C/GRC/CO/20-22, para. 22; and A/HRC/35/25/Add.2, para. 5.
- ¹³² CAT/C/GRC/CO/7, para. 16; A/HRC/45/16/Add.1, paras. 87–88; A/HRC/47/30, para. 55; and joint submission, pp. 1 and 5. See also A/HRC/35/25/Add.2, para. 52.
- ¹³³ CAT/C/GRC/CO/7, para. 17 (c). See also A/HRC/35/25/Add.2, paras. 115–116 and 137; and A/HRC/45/16/Add.1, para. 110 (f).
- ¹³⁴ Joint submission, p. 5.
- ¹³⁵ A/HRC/35/25/Add.2, paras. 9–10.
- ¹³⁶ CAT/C/GRC/CO/7, para. 20. See also CERD/C/GRC/CO/20-22, para. 22 (b)–(c); and A/HRC/35/25/Add.2, paras. 9, 28, 39, 55, 57, 59 and 63–64.
- ¹³⁷ Joint submission, p. 8.
- ¹³⁸ *Ibid.*
- ¹³⁹ Joint submission, p. 9.
- ¹⁴⁰ CAT/C/GRC/CO/7, para. 21 (b)–(f); CERD/C/GRC/CO/20-22, para. 23 (a)–(d); and A/HRC/35/25/Add.2, paras. 124–126.
- ¹⁴¹ A/HRC/44/51/Add.1, para. 67.
- ¹⁴² *Ibid.*, para. 92 (b)–(c).
- ¹⁴³ Joint submission, p. 3.
- ¹⁴⁴ A/HRC/35/25/Add.2, para. 68.
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- ¹⁴⁶ *Ibid.*, pp. 9–10.
- ¹⁴⁷ A/HRC/45/16/Add.1, paras. 17–19. See also: Joint submission, p. 10.
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- ¹⁴⁹ A/HRC/45/16/Add.1, para. 56.
- ¹⁵⁰ CAT/C/GRC/CO/7, para. 20. See also CERD/C/GRC/CO/20-22, para. 22 (b)–(c); and A/HRC/35/25/Add.2, paras. 9, 28, 39, 55, 57, 59 and 63–64.
- ¹⁵¹ Joint submission, p. 12.
- ¹⁵² *Ibid.*
- ¹⁵³ CAT/C/GRC/CO/7, para. 21 (b)–(c).
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- ¹⁵⁶ For the relevant recommendation, see A/HRC/33/7, para. 134.4.
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