

Amnesty International Report 2022/23; The State of the World's Human Rights; Greece 2022

Reports of unlawful use of force against peaceful protesters persisted. Pushbacks of refugees and migrants persisted. The authorities' crackdown on NGOs working to help refugees and migrants continued. A controversial bill that lacked effective safeguards for individuals subjected to surveillance became law. Violations of the rights of conscientious objectors to military service persisted. A collective complaint filed with the European Committee of Social Rights detailed the devastating health impacts of austerity measures.

Excessive use of force

Reports of unnecessary and excessive use of force by law enforcement officials during the policing of demonstrations persisted. In May, student Yiannis Dousakis sustained serious injuries to his mouth and jaw after riot police reportedly used unlawful force including stun grenades to disperse students peacefully protesting at Thessaloniki University.

In November, a court rejected the authorities' appeal against a first instance decision that found the Greek state responsible for the serious injury of journalist Manolis Kypreos by police in 2011.

Right to life

In May, a court found two men guilty of lethal bodily harm in connection with the death of LGBTI activist Zak Kostopoulos in 2018. Four police officers also charged in connection with Zak Kostopoulos's death were acquitted, raising concerns around impunity.

In September, a prosecutor proposed that seven police officers be referred for trial on charges of homicide with possible intent in relation to the killing of Nikos Sambanis, an unarmed 18-year-old Roma man who died following a fatal shooting by police in October 2021.

In December, Kostas Frangoulis, a 16-year-old Roma was shot in the head during a police chase and died in hospital eight days later. A police officer was charged with homicide with possible intent and illegally firing his weapon and was released on conditional bail.

Refugees' and migrants' rights

Over 18,000 refugees and migrants arrived by sea and land, compared with some 9,000 in 2021. The mortality rate increased dramatically, with 326 estimated dead and missing people, compared to 115 in 2021. As tragic shipwrecks in October and November led to dozens of deaths and missing people, UNHCR, the UN refugee agency, and the International Organization for Migration called for safe pathways.

On Samos, authorities continued to illegally detain some of the asylum seekers residing in the EU-funded “closed-controlled island facility”, by preventing them from exiting.

Pushbacks

NGOs and journalists continued to report pushbacks and other abuses against refugees and migrants on land and at sea. In several instances, groups were stranded in harrowing conditions on islets in the Evros river. In some cases, despite the European Court of Human Rights (ECtHR) ordering interim measures in favour of the individuals and asking Greece not to remove them, rescue operations by the authorities were reportedly late, or people were pushed back.

In March, the National Transparency Authority (NTA), a body tasked by the government to investigate pushbacks, announced the conclusion of an investigation which found no irregularities in the conduct of the Greek authorities. NGOs requested that the NTA release the full report, called for accountability and transparency and restated that the NTA could not be considered constitutionally independent.

The ECtHR delivered a milestone ruling in July concerning the sinking of a migrant boat off the island of Farmakonisi in 2014, when 11 of the 27 passengers died. The applicants argued that the boat had capsized because the Greek coastguard used dangerous manoeuvres to push them towards Türkiye. The ECtHR found Greece responsible for several violations, including of the right to life, due to shortcomings in Greece’s rescue operations and investigation of the incident. Several pushback cases remained pending before the ECtHR and the UN Human Rights Committee at the end of the year.

In October, news outlets leaked a report by OLAF, the EU’s anti-fraud agency, which examined serious allegations against the EU Border and Coast Guard Agency (Frontex), including the “possible involvement in and/or cover-up of illegal pushbacks” in Greece. The report found serious faults in Frontex’s handling of incidents, which raised fundamental rights issues.

Economic, social and cultural rights

In February the authorities announced the termination of the EU-funded ESTIA urban housing scheme for asylum seekers in vulnerable situations and reduced accommodation places. NGOs expressed concerns that those affected were transferred from apartments, with little notice, to camps in isolated locations, with negative implications for their access to essential services.

NGOs reported that recognized refugees returned to Greece under the EU’s Dublin Regulation faced obstacles, including in receiving identification documents, which affected their access to healthcare, housing and other services.

Human rights defenders

In June, the UN Special Rapporteur on the situation of human rights defenders denounced the criminalization of humanitarian assistance and the onerous registration requirements imposed on organizations working in this field.

Criminal proceedings against human rights defenders Sarah Mardini and Séan Binder arising from their work rescuing and assisting refugees and migrants remained open.

In December, the founder of the NGO Greek Helsinki Monitor, Panayote Dimitras, under criminal investigation for his work on the rights of refugees and migrants, was summoned to appear before a judge for felonies related to his work with asylum seekers and risked house arrest and a ban on his work for the NGO.

Right to privacy

In April, media reports revealed that the phone of Greek journalist Thanasis Koukakis had been infected by the spyware Predator between July and September 2021 and had also been wiretapped by the Greek National Intelligence Service (NIS) in 2020. The leader of the PASOK-KINAL opposition party and member of the European parliament Nikos Androulakis, and Christos Spirtzis, a former minister of the SYRIZA opposition party, were also targeted with Predator. The phone of Nikos Androulakis was additionally wiretapped by the NIS. A judicial investigation began in April into the spyware allegations, and in November another judicial inquiry was initiated after a newspaper published a list of high-profile individuals allegedly under state surveillance and/or targeted with Predator. In December, parliament passed a controversial bill that lacked effective safeguards for individuals subjected to surveillance, and legalized the use of spyware technology by the authorities.

Freedom of expression

In February, human rights defenders Panayote Dimitras and Andrea Gilbert were convicted of “false accusation” after they had submitted a complaint about what they deemed an antisemitic and discriminatory statement made by a senior bishop of the Greek Orthodox Church in 2017.

In May, a court in Athens heard a lawsuit against journalist Stavroula Poulimeni and the independent media cooperative Alterthess for allegedly breaching data protection laws by reporting on the conviction of a gold mining company's senior executive for environmental damage.

Freedom of assembly

In September, the president of the Federation of Greek Hospital Doctors' Associations was referred to trial after being charged under a controversial law on public outdoor assemblies for alleged insubordination and obstruction of traffic during a health workers' protest in September 2020.

Concerns arose about the prosecution of two Amnesty International activists indicted on several misdemeanor charges following their arrest by police after a protest in November.

Discrimination

In April, the Racist Violence Recording Network reported 72 incidents of racist violence in 2021.

The appeal trial in the case of the far-right Golden Dawn party commenced in June. In a landmark verdict in October 2020, the first instance court found, among other things, that the party's political

leadership had been guilty of running a criminal organization whose members had committed a series of violent crimes including against migrants and refugees.

Conscientious objectors' rights

Serious violations of the rights of conscientious objectors to military service continued, including trials and repeated sentencing by military courts. According to official data, revealed in 2022, in 2021 the percentage of recognition for conscientious objectors who invoke non-religious grounds had fallen to 0%. Several appeals to the Supreme Administrative Court against the discriminatory rejection of applications for conscientious objector status were pending at the end of the year. In December, a retrogressive proposed legal amendment sought to increase the number of military members of the committee examining such applications. Greece has not implemented the 2021 UN Human Rights Committee decision in the case of conscientious objector Lazaros Petromelidis, which found multiple violations of the ICCPR.

Violence against women and girls

During the year, 17 women were killed by their partners or former partners.

In October, a 19-year-old woman reported being raped by two police officers in Omónia police station in Athens. The two officers were charged with group rape and released on conditional bail. A third officer was charged as an accessory. The investigation was ongoing at year's end.

Economic, social and cultural rights

In November, Amnesty International filed a Collective Complaint with the Council of Europe's European Committee of Social Rights. This documented how the Greek authorities breached the rights to health and non-discrimination because of the impact of austerity measures introduced following the economic crisis of 2009-2010 and how this continued to affect the health system's ability to respond to the Covid-19 pandemic.

Detainees' rights

In October, civil society expressed concerns that new legislation reforming the Correctional Code would further limit prisoners' rights, including that of temporary release, and contribute to the persistent overcrowding in Greek prisons.

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