

Universal Periodic Review (UPR) - Greece

Our Observations & The official Statement, before
the 49th session of the UN Human Rights Council

Our observations

Greece was recently under Universal Periodic Review (UPR).

Following its third Universal Periodic Review, Greece was issued with a total of 239 recommendations. The government accepted 216, partially-accepted three more, and took note of the remaining 20. It provided clarifications on its approach, stating that “[it] is to accept those on which measures have already been or are currently being implemented or where measures are envisaged to be taken before its next voluntary mid-term report or its next UPR in 2026.”

We provide a delineation of these recommendations and the implications of Greece’s response below.

Among the various themes addressed by 239 recommendations which Greece received, were the ratification of human rights treaties, children’s rights, migrants rights, and humanitarian work.

Children's rights

The government of Greece has accepted all recommendations addressing directly or indirectly children’s rights, with the exception of recommendation 130.3 and 130.4, which advised the ratification of the additional protocols of the CRC, and the Convention against Discrimination in Education. Greece did not accept recommendation 130.3, and explained that “at this stage, Greece is not in a position to take steps towards the ratification of the Optional Protocols to [...] the CRC.” Greece did not provide clarification on recommendation 130.4.

The recommendations generally called for the reinforcement of children’s rights by ensuring access and integration of minority, migrant children, and children with disabilities into the Greek education system; securing and improving access to health care to all children, including children on the move; providing the necessary financial and personnel resources to guarantee the implementation of protection measures that can prevent violations of children’s rights; and undertaking measures and reinforce existing ones to reduce child vulnerability.

Rights of refugees and migrants

Greece has accepted a large number of recommendations addressing refugee and migrants rights, however it had several reservations.

While it accepted recommendation 130.60, which asks “Continue efforts to improve conditions of detention, alleviate the overcrowding of penitentiary institutions, reform the immigration detention system and ensure that migrants deprived of liberty are treated with both dignity and humanity,” it asserted that the issues raised “are better addressed through enhanced bilateral and international cooperation.”

The Greek government also took note of multiple recommendations, such as recommendation (130.65) which solicited the eradication of “police violence and excessive use of force by law enforcement officials against peaceful protesters, including the use of tear gas against migrants and asylum seekers” without further clarification.

Many recommendations presented to the Greek government addressed the issue of illegal pushbacks, by calling for the respect of the non-refoulement principle as well as ending barriers to investigation into pushback practices or other illegal removal of refugees from Greek territory.

Greece took note of five recommendations regarding this, and accepted over 10 others, fully or partially. Moreover, it made it clear that it only accepts the first part of the recommendation 130.222, which asks to “Intensify efforts to assess asylum claims and stop collective deportations and returns of migrants.” The Greek state clarified that “[the Hellenic Coast Guard] is complying with relevant EU Regulations regarding interception of boats entering Greek territorial waters,” and that “at land borders the Hellenic Police is ensuring that all third country nationals crossing the border illegally are being treated according to relevant national legislation and international law.”

Humanitarian work

The Greek government has accepted a range of recommendations indirectly addressing the Law 4825/2021, by calling for the cessation of intimidation and punishment of human rights defenders, civil society organizations and humanitarian workers, as well as those who investigate said prosecution.

Greece denied the prosecution of NGO staff for their humanitarian work, and asserted instead that “what is being prosecuted is any illegal interference in the area of competence of the Hellenic Coast Guard,” since “the purpose of the recently adopted Law 4825/2021 is to incorporate NGOs and their members’ / volunteers’ assistance to the national command and control scheme for search and rescue operations of the Hellenic Coast Guard.”

The Greek state also did not accept the recommendations 130.96, 130.97, which state “Stop prosecuting, including criminally, human rights defenders who investigate cases of summary forced returns or collective expulsions (so-called pushbacks)” and “End the intimidation, threats and harassment suffered by human rights defenders, in particular when carrying out humanitarian work” respectively.

Find below the DCI Statement before the 49 th session of the UN Human Rights Council

Defence for Children International (DCI) statement before the 49 th session of the UN Human Rights Council

Item 6 – UPR adoption of Greece
Human Rights Council
March 23rd, 2022

49th session

Defence for Children International would like to thank the UPR Working Group and all States that participated in the review.

We welcome the Government of Greece's acceptance of 219 of the recommendations out of the 239 recommendations proffered.

We are particularly pleased that the Government accepted all the recommendations to protect children who are victims of sexual abuse, exploitation and trafficking, and to reduce the institutionalisation of children by significantly increasing the use of family- and community-based alternative care. During the reporting period, Greece has adopted the first national action plan on the rights of the child, aimed at combating child poverty and protecting children on the move. We also welcome the voluntary pledge to ensure that children are not detained solely because of their status under immigration law and to improve the conditions of unaccompanied minors.

However, the general recommendation to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure was rejected without qualification. We are gravely concerned that current measures to address access to justice for children are grossly inadequate.

Given the various incidents of push backs that have come to the public's attention, we urge the Greek state to establish a transparent and effective mechanism in order to prevent and counter pushbacks against migrants and refugees, and to guarantee the fair access of all actors to an impartial reporting mechanism, without facing any reprisals.

Additionally, we urge the Government to seriously consider all noted recommendations including ending the criminalisation of human rights work, which constitutes a real threat to democracy and the rule of law.

It goes without a doubt that all noted recommendations expose children to vulnerability and impede their access to justice.

Thank you.