



**Permanent Mission of Greece
to the United Nations Office and
other International Organizations
in Geneva**

No.: 6170.7/AS 930

NOTE VERBALE

The Permanent Mission of Greece to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and has the honor to attach herewith the reply of His Excellency Mr. Nikos Dendias, Minister for Foreign Affairs of the Hellenic Republic, to the joint communication (Ref: AL GRC 2/2022) addressed to him by the Special Rapporteur on the situation of human rights defenders, the Independent Expert on human rights and international solidarity and the Special Rapporteur on the human rights of migrants.

The Permanent Mission of Greece to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, September 13, 2022

Encl. : As stated

To:
The Office of the High
Commissioner for Human Rights
In Town

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THE MINISTER FOR FOREIGN AFFAIRS

Athens, 8 September 2022

Ref.: E/404

*Dear Special Rapporteurs,
Dear Independent Expert,*

In response to the Joint Communication under Ref: AL GRC 2/2022, dated 19 July 2022, I have the honor to inform you of the following:

Greece is committed to the protection of Human Rights and has demonstrated a very proactive stance in this field. Based on a long-standing and solid democratic tradition and equipped with functioning contemporary state and independent institutions tasked with supporting and upholding the rule of law, Greece remains among the most advanced countries of the world, as well as of the European Union, regarding the protection of Human Rights and Fundamental Freedoms. This commitment is enshrined in the Greek Constitution which, inter alia, protects fully the freedom of expression and of press in Article 14. This is also evident by the standing invitation extended by the Greek Government to all thematic Special Procedures, already in March 2001.

Based on this standing invitation, country visits by mandate holders of the UN Human Rights Special Procedures have taken place. The most recent was that of Ms Lawlor under the mandate on the situation of human rights defenders. During her visit (13-22 June 2022), various meetings were held with competent Authorities from a broad range of State actors, as well as with members of civil society organizations.

Acknowledging the need for an integrated approach, which involves all State and Government Authorities, towards respect of Human Rights in their daily activities, the competent Greek Authorities have investigated the allegations raised in the Joint Communication in question and have informed us of the following:

Information on investigations carried out

The Hellenic Police performs its law enforcement duties on the basis of the provisions established in national and European Union law, and in compliance with Greece's

***H.E. Ms Mary Lawlor
Special Rapporteur on the situation of human rights defenders***

***H.E. Mr Felipe Gonzalez Morales
Special Rapporteur on the human rights of migrants***

***H.E. Obiora C. Okafor
Independent Expert on human rights and international solidarity***

international obligations. As a result, the protection of rights and fundamental freedoms of all individuals, including human rights defenders, is a key priority. To this end, all necessary measures are taken with a view to safeguarding the personal freedoms of human rights defenders. In case of individual complaints or reports submitted to the Hellenic Police regarding assaults or threats, the Hellenic Police promptly investigates the facts of each case and takes all necessary measures envisaged by law.

Information on measures taken to promote the work of human rights defenders, in particular those working on migration/refugee issues

For a detailed overview and important information on the impact that the recent refugee crisis has had on Greece as a front-line EU member state receiving large numbers of mixed arrivals, please see our replies already provided to the a) Joint Communication under Ref: UA GRC 1/2020, dated 13 March 2020 and b) Joint Communication under Ref: OL GRC 1/2021, dated 31 March 2021.

As mixed arrivals continue, the competent Greek Authorities are implementing relevant European Union and national legislation, always taking into account the Human Rights aspect of border protection. Protecting Greece's land and sea borders is a legal obligation based on national and international law, as well as a right exercised by all countries.

Regarding the protection of the Greek sea borders, which are also EU borders, competent Authorities namely, the Hellenic Coast Guard, are executing their duties in full compliance with Greece's international obligations and, in particular, with relevant provisions of the United Nations Convention on the Law of the Sea (UNCLOS), the International Convention for Safety of Life at Sea (SOLAS) and the International Convention on Maritime Search and Rescue (SAR), as well as in accordance with EU legislation, including Regulation 656/2014 on "Rules for the surveillance of the external sea borders".

This being the legal framework of operations, it is evident that allegations about illegal actions do not correspond to the well-established Standard Operating Procedures followed by the highly competent, and well-trained on Human Rights issues, personnel.

Due to the unwavering humanitarian commitment of the Hellenic Authorities, thousands of lives have been saved since 2015, and continue to be saved every day. This constitutes the most concrete proof that such allegations are unfounded. According to recent data, 1,299 lives have been saved during SAR operations in 30 incidents at sea from the beginning of the year. Furthermore, a considerable number of traffickers has been apprehended and referred to the competent prosecutorial Authorities. Combatting the scourge of trafficking and smuggling people in need, as well as the inhumane instrumentalization of human suffering requires the coordinated actions of all States and the punishment of those involved.

Regarding our land borders, particularly in the Evros region, which are also EU borders, the competent Greek Authorities are systematically supporting the implementation of FRONTEX Joint Operations. It is important, at this point, to recall that, in March 2020, a cruel and unprecedented instrumentalization of human suffering occurred at the Greek-Turkish land borders, upon the instigation of the Turkish side. Besides the absolutely inhumane character of such actions, which are deplorable and should be condemned by all, it should be further noted that Turkiye remains a first country of protection, as well as a safe third country for certain third-country nationals it hosts there. Turkiye should adhere to its obligations stemming from international and EU law, as well as from bilateral agreements, including its obligation to prevent the irregular secondary movement to third countries, notably the EU via the Greek borders, of migrants and refugees.

In this framework, Greece has always welcomed and appreciated the involvement and positive contribution of individual human rights defenders as well as of NGOs that work on promoting International Protection, asylum and assistance to those in need. Many NGOs have been supporting the work of State Authorities during the 2015-2016 refugee crisis as well as during the Covid-19 pandemic. Many of those continue to do so today. Their actions are not only valuable for refugees, asylum seekers, and people in need, but also for the local communities that welcome and integrate them.

According to the essence of the rule of law, such activities need to be clearly regulated based on legal criteria that guarantee transparency, accountability and the safety of all involved. In this framework, a special Registry has been established within the Ministry of Migration and Asylum for Greek and Foreign NGOs and their members. The purpose of this Registry is to ensure transparency and coordination of actions undertaken by NGOs in Greece within the migration / refugee sector. Moreover, it is useful in identifying additional needs of beneficiaries of assistance, often belonging to vulnerable groups. In this way, the services and assistance provided can have a more widespread and holistic positive impact to the lives of people who had to flee their homes, leave everything behind and run to safety.

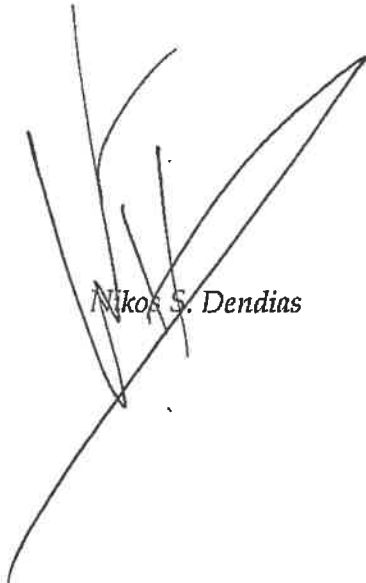
This Registry is in line with relevant Greek and EU legislation, fully respecting the freedom of association. The Registry does not, in any way, prohibit or negatively impact the work of NGOs. On the contrary, it aims at providing equal terms and a conducive environment for all NGOs by setting high standards of services to be offered.

It also makes their funding more sustainable by ensuring that all relevant procedures promoting transparency and accountability are followed. In addition, it should be noted that the NGO-member Registry is particularly necessary when dealing with vulnerable women, children and unaccompanied minors.

Information on measures taken to promote on understanding the work and role of human rights defenders among elected representatives

The Greek National Centre for Public Administration and Local Government, through its Training Institute, has organized several training seminars for Public Administration and Local Government officers on Human Rights.

In closing, we would like to assure you that, both the news release and the "End of Mission Statement" as issued by the Special Rapporteur about human rights defenders, Ms Laxlor, upon completion of her country visit to Greece (13-22 June 2022) have already been forwarded and disseminated to all competent Ministries.



Nikos S. Dendias