Signatures, ratifications and accepted provisions


It ratified the Revised Social Charter on 18 March 2016, accepting 96 of the 98 paragraphs.

It accepted the Additional Protocol providing for a system of collective complaints on 18/06/1998, but has not yet made a declaration enabling national NGOs to submit collective complaints.

The Charter in domestic law

Under Article 28(1) of the Constitution: “International conventions as of the time they are sanctioned by statute and become operative according to their respective conditions, shall be an integral part of domestic Greek law and shall prevail over any contrary provision of the law. The rules of international law and of international conventions shall be applicable to aliens only under the condition of reciprocity.”

Table of accepted provisions

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Grey = accepted provisions
Monitoring the implementation of the European Social Charter

I. Collective complaints procedure

Collective complaints (under examination)

Greek Bar Associations v. Greece (Complaint No. 196/2020)
The complaint was registered on 28 May 2020.

International Commission of Jurists (ICJ) and European Council for Refugees and Exiles (ECRE) v. Greece (Complaint No. 173/2018)
The Committee declared the complaint admissible and decided to indicate immediate measures on 23 May 2019.

Panhellenic Association of Pensioners of the OTE Group Telecommunications v. Greece (Complaint No. 165/2018)
The Committee declared the complaint admissible on 6 December 2018.

Collective complaints (proceedings completed)

1. Complaints inadmissible or where the Committee has found no violation

   a. Inadmissible

Panhellenic Association of Pensioners of the OTE Group Telecommunications v. Greece (Complaint No. 156/2017)
The Committee declared the complaint inadmissible on 22 March 2018.

European Federation of Employees in Public Services v. Greece (Complaint No. 3/1999)
The Committee declared the complaint inadmissible on 13 October 1999.

   b. No violation

European Federation of Employees in Public Services (EUROFEDOP) v. Greece (Complaint No. 115/2015)
- No violation of Article 1§2 of the 1961 Charter (right to work - freely undertaken work (non-discrimination, prohibition of forced labour, other aspects)
- No violation of Article 18§4 of the 1961 Charter (right to engage in a gainful occupation in the territory of other States Parties - right of nationals to leave the country)
Decision on the merits of 13 September 2017.
Follow up:
- Resolution CM/ResChS(2017)10 on 13 December 2017 of the Committee of Ministers.

2. Complaints where the Committee has found a violation which has been remedied

World Organisation against Torture v. Greece (Complaint No. 17/2003)
- Violation of Article 17 (children's right to social, economic and legal protection) of the 1961 Charter
Decision on the merits of 7 December 2004.
Follow up:
- Resolution ResChS(2005)12 on 8 June 2005 of the Committee of Ministers.
- Assessment of the European Committee of Social Rights on the follow up (4 December 2015)

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1 The European Committee of Social Rights ("the Committee") monitors compliance with the Charter under two procedures, the reporting system and the collective complaints procedure, according to Rule 2 of the Committee's rules: « 1. The Committee rules on the conformity of the situation in States with the European Social Charter, the 1988 Additional Protocol and the Revised European Social Charter. 2. It adopts conclusions through the framework of the reporting procedure and decisions under the collective complaints procedure ». Further information on the procedures may be found on the HUDOC database and in the Digest of the case law of the Committee.

2 Detailed information on the Collective Complaints Procedure is available on the relevant webpage.
3. Complaints where the Committee has found a violation and where progress has been made but not yet examined by the Committee

**Greek General Confederation of Labour (GSEE) v. Greece (Complaint No.111/2014)**
- Violation of Article 1§2 (the right to work);
- Violation of Article 2§1 (the right to just conditions of work);
- Violation of Article 4§1 (the right to a fair remuneration);
- Violation of Article 4§4 (the right to a fair remuneration);
- Violation of Article 7§5 (the right of children and young person to protection);
- Violation of Article 7§7 (the right of children and young person to protection);
- Violation of Article 3§3 (the right to safe and healthy working conditions);
- No violation of Article 2§5 (the right to just conditions of work).

**Decision on the merits on 23 March 2017.**

Follow up:

4. Complaints where the Committee has found a violation and where progress has been made but which has not yet been remedied

**Maragopoulous Foundation for Human Rights v. Greece (Complaint No. 30/2005)**
- Violation of Articles 11, 2§4, 3§1 and 3§2 (right to health and right to safety at work) of the 1961 Charter

**Decision on the merits on 6 December 2006.**

Follow up:
- Assessment of the European Committee of Social Rights on the follow up (4 December 2015)
- 2nd Assessment of the European Committee of Social Rights on the follow up (6 December 2018)

**European Roma Rights Centre v. Greece (Complaint No. 15/2003)**
- Violation of Article 16 (right of the family to social, economic and legal protection) of the 1961 Charter

**Decision on the merits on 8 December 2004.**

Follow up:
- Resolution ResChS(2005)11 on 8 June 2005 of the Committee of Ministers.
- Assessment of the European Committee of Social Rights on the follow up (4 December 2015)
- 2nd Assessment of the European Committee of Social Rights on the follow up (6 December 2018)

**International Federation for Human Rights (FIDH) v. Greece (Complaint No. 72/2011)**
- Violation of Article 11§1, 2 and 3 (right to protection of health) of the 1961 Charter

**Decision on the merits on 23 January 2013.**

Follow up:
5. Complaints where the Committee has found a violation which has not yet been remedied

University Women of Europe (UWE) v. Greece (Complaint No. 131/2016)
- Violation of Article 4§3 (Right to a fair remuneration - non-discrimination between women and men with respect to remuneration)
- Violation of Article 20 (Right to equal opportunities and treatment in employment and occupation without sex discrimination)
Decision on the merits of 6 December 2019.

Pensioner’s Union of the Agricultural Bank of Greece (ATE) v. Greece (Complaint No. 80/2012)
- Violation of Article 12§3 (right to social security) of the 1961 Charter
Decision on the merits of 7 December 2012.
Follow up:
- Assessment of the European Committee of Social Rights on the follow up (4 December 2015)
- 2nd Assessment of the European Committee of Social Rights on the follow up (6 December 2018)

Panhellenic Federation of pensioners of the public electricity corporation (POS-DEI) v. Greece (Complaint No. 79/2012)
- Violation of Article 12§3 (right to social security) of the 1961 Charter
Decision on the merits of 7 December 2012.
Follow up:
- Assessment of the European Committee of Social Rights on the follow up (4 December 2015)
- 2nd Assessment of the European Committee of Social Rights on the follow up (6 December 2018)

Pensioners’ Union of the Athens-Piraeus Electric Railways (I.S.A.P.) v. Greece (Complaint No. 78/2012)
- Violation of Article 12§3 (right to social security) of the 1961 Charter
Decision on the merits of 7 December 2012.
Follow up:
- Resolution Res ChS (2014) 8 on 2 July 2014 of the Committee of Ministers.
- Assessment of the European Committee of Social Rights on the follow up (4 December 2015)
- 2nd Assessment of the European Committee of Social Rights on the follow up (6 December 2018)

Panhellenic Federation of Public Service Pensioners v. Greece (Complaint No. 77/2012)
- Violation of Article 12§3 (right to social security) of the 1961 Charter
Decision on the merits of 7 December 2012.
Follow up:
- Assessment of the European Committee of Social Rights on the follow up (4 December 2015)
- 2nd Assessment of the European Committee of Social Rights on the follow up (6 December 2018).

Federation of employed pensioners of Greece ((IKA –ETAM) v. Greece (Complaint No. 76/2012)
- Violation of Article 12§3 (right to social security) of the 1961 Charter
Decision on the merits of 7 December 2012.
Follow up:
- Assessment of the European Committee of Social Rights on the follow up (4 December 2015)
- 2nd Assessment of the European Committee of Social Rights on the follow up (6 December 2018).

General Federation of employees of the national electric power corporation (GENOP-DEI) / Confederation of Greek Civil Servants’ Trade Unions (ADEDY) v. Greece (Complaint No. 66/2011)
- 5 -

- Violation of Articles 7§7 (right of children and young persons to protection),
- Violation of 10§2 (right to vocational training),
- Violation of 12§3 (right to social security)
- Violation of 4§1 (right to a fair remuneration) of the 1961 Charter;
- No violation of Articles 1§1 and 7§2 and 9 of the 1961 Charter

Decision on the merits of 23 May 2012.

Follow up:
- Resolution CM/ResChS(2013)3 on 5 February 2013 of the Committee of Ministers.
- Assessment of the European Committee of Social Rights on the follow up (4 December 2015)
- 2nd Assessment of the European Committee of Social Rights on the follow up (6 December 2018).

General Federation of employees of the national electric power corporation (GENOP-DEI) / Confederation of Greek Civil Servants’ Trade Unions (ADEDY) v. Greece (Complaint No. 65/2011)
- Violation of Article 4§4 (right to a fair remuneration) of the 1961 Charter;
- Non applicability of Article 3§1a of the 1988 Additional Protocol to the 1961 Charter.

Decision on the merits of 23 May 2012.

Follow up:
- Assessment of the European Committee of Social Rights on the follow up (4 December 2015)
- 2nd Assessment of the European Committee of Social Rights on the follow up (6 December 2018).

International Centre for the Legal Protection of Human Rights (INTERIGHTS) International Centre for the Legal Protection of Human Rights (INTERIGHTS) v. Greece (Complaint No. 49/2008)
- Violation of Article 16 (right of the family to social, economic and legal protection) of the 1961 Charter

Decision on the merits of 11 December 2009.

Follow up:
- Resolution CM/ResChS(2011)1 on 6 July 2011 of the Committee of Ministers.
- Assessment of the European Committee of Social Rights on the follow up (4 December 2015)
- 2nd Assessment of the European Committee of Social Rights on the follow up (6 December 2018).
II. Reporting system

Reports submitted by Greece

Between 1986 and 2020, Greece submitted 27 reports on the application of the 1961 Charter and 3 reports on the application of the Revised Charter.

The 2nd report, submitted on 04/06/2019, concerns the accepted provisions relating to Thematic group 4 "Children, families, migrants" (Articles 7, 8, 16, 17, 19, 27 and 31).

Conclusions with respect to these provisions have been published in March 2020.

The 3rd report, submitted on 12/03/2020, concerns the follow-up given to the relevant decisions of the Committee in the framework of the collective complaints’ procedure.

The assessments of the Committee on the follow up to decisions in complaints will be published in January 2021.

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3 Following a decision taken by the Committee of Ministers in 2006, the provisions of the Charter have been divided into four thematic groups. States present a report on the provisions relating to one of the four thematic groups on an annual basis. Consequently each provision of the Charter is reported on once every four years.

Following a decision taken by the Committee of Ministers in April 2014, States having accepted the collective complaints procedure are required, in alternation with the abovementioned report, to provide a simplified report on the measures taken to implement the decisions of the Committee adopted in collective complaints concerning their country. The alternation of reports is rotated periodically to ensure coverage of the four thematic groups.

Detailed information on the Reporting System is available on the relevant webpage. The reports submitted by States Parties may be consulted in the relevant section.
Situations of non-conformity

Thematic Group 1 “Employment, training and equal opportunities” - Conclusions XXI-1 (2016)

► Article 1§1 - Right to work - Policy of full employment
Employment policy efforts have not been adequate in combatting unemployment and promoting job creation.

► Article 1§2 – Right to work – Freely undertaken work (non-discrimination, prohibition of forced labour, other aspects)
Restrictions on employing nationals of non-EU countries to posts in the public service are excessive which constitutes a discrimination on grounds of nationality.

► Article 15§2 - Right of physically or mentally disabled persons to vocational training, rehabilitation and social resettlement - Employment of persons with disabilities
Persons with disabilities are not guaranteed effective access to the open labour market.

Thematic Group 2 « Health, social security and social protection » - Conclusions XX1-2 (2017)

► Article 12§1 – Right to social security – Existence of a social security system
- During the reference period, a significant percentage of the population was not adequately covered in respect of healthcare;
- The minimum level of unemployment benefit for beneficiaries without dependants is inadequate.

► Article 12§3 – Right to social security – Necessity to raise progressively the system of social security to a higher level
- The restrictive evolution of the social security system;
- The maintaining of a restrictive social security scheme in relation to minors engaged in special apprenticeship contracts.

► Article 12§4 of the Charter – Right to social security - Social security of persons moving between states
The right to maintenance of accruing rights is not guaranteed to nationals of all other States Parties.

► Article 14§1 - The right to benefit from social services - Promotion or provision of social services
It has not been established that the number of social services staff is adequate to users’ needs.

► Article 4 of the 1988 Additional Protocol - Right of the elderly to social protection
- It has not been established that there is a procedure for helping elderly persons to make decisions;
- It has not been established that there are measures aimed at not only assessing and raising awareness of elder abuse and neglect but at eradicating these problems, or, if not, that such measures are planned.

Thematic Group 3 “Labour rights” - Conclusions XX-3 (2014)

According to the applicable rules, Conclusions 2018 only refer to the information submitted by the Greek Government on the follow-up given to the relevant decisions of the European Committee of Social Rights in the framework of the collective complaints procedure (see above).
For the most recent Conclusions adopted concerning the relevant Articles, see Conclusions 2014.

► Article 2§2 – Right to just conditions of work – Public holidays with pay
In the private sector, work performed on a public holiday is not adequately compensated.

► Article 2§4 – Right to just conditions of work – Reduced working hours or additional holidays in dangerous or unhealthy occupations
Workers exposed to residual risks in the mining industry do not all benefit from adequate compensatory measures.

Further information on the situations of non-conformity is available on the HUDOC database.
Article 2 § 5 – Right to just conditions of work – Weekly rest period
Domestic workers are not covered by the legislation guaranteeing a weekly rest period.

Article 4 § 1 – Right to a fair remuneration – Decent remuneration
- The minimum wage applicable to contractual staff in the civil service is not sufficient to ensure a decent standard of living;
- The minimum wage applicable to private sector workers is not sufficient to ensure a decent standard of living;
- The provisions of section 74, paragraph 8 of Act No. 3863/2010 and of section 1, paragraph 1 of Council of Ministers Act No. 6/2012 provide for the payment of a minimum wage to all workers under the age of 25 which is below the poverty level;
- The provisions of section 74, paragraph 8 of Act No. 3863/2010 and of section 1, paragraph 1 of Council of Ministers Act No. 6/2012 discriminate against workers under the age of 25.

Article 4 § 4 – Right to a fair remuneration – Reasonable notice of termination of employment
- The severance pay granted to manual workers is inadequate;
- There are no periods of notice or severance pay in case of termination of employment during the probationary period.

Thematic Group 4 “Children, families, migrants” - Conclusions 2019

Article 7 § 3 – Right of children and young persons to protection – Prohibition of employment of young persons subject to compulsory education
It has not been established that the full benefit of compulsory education is guaranteed in practice.

Article 7 § 5 - Droit des enfants et des adolescents à la protection – Rémunération équitable
- The minimum wage of young workers is not fair;
- The apprentices’ allowances are not fair.

Article 8 § 1 – Right of employed women to protection – Maternity leave
Periods of unemployment are not taken into account when calculating the qualifying periods required to be entitled to maternity benefits.

Article 16 – Right of the family to social, legal and economic protection
- The excessive length of residence (5 years) required for nationals of other States Parties to be equally treated with nationals as regards access to family benefits;
- The inadequate protection of Roma families with respect to housing, including in terms of eviction conditions.

Article 17 § 1 – Right of children and young persons to social, legal and economic protection – Assistance, education and training
The inadequate and often unsafe accommodation of unaccompanied migrant children.

Articles 19 § 6 – Right of migrant workers and their families to protection and assistance – Family reunion
- Children of migrant workers between eighteen and twenty-one years of age cannot benefit from the right to family reunion;
- The requirement of the length of residence for a migrant worker before being able to exercise family reunion is excessive;
- It has not been established that the level of means and the requirement of having sufficient or suitable accommodation to house the family or certain family members are not so restrictive as to prevent any family reunion.

Articles 19 § 8 – Right of migrant workers and their families to protection and assistance – Guarantees concerning deportation
A migrant worker may be considered as a threat to public order and therefore expelled if prosecuted for a crime punishable by at least three months imprisonment.
► Article 19§10 – Right of migrant workers and their families to protection and assistance - Equal treatment for the self-employed
The grounds of non-conformity under Articles 19§6 and 19§8 apply also to self-employed migrants.

► Article 31§1 – Right to housing - Adequate housing
The measures taken to improve the substandard housing conditions of Roma are insufficient.

► Article 31§2 – Right to housing - Reduction of homelessness
- It has not been established that there is adequate legal protection for persons threatened by eviction;
- It has not been established that there are sufficient procedures in place ensuring that evictions of roma are carried out in conditions respecting the dignity of the persons concerned.
The Committee has been unable to assess compliance with the following provisions and has invited the Greek Government to provide more information in the next report:

**Thematic Group 1 “Employment, training and equal opportunities”**

► Article 1§3 - Conclusions XXI-1(2016)
► Article 1§4 - Conclusions XXI-1(2016)
► Article 10§1 - Conclusions XXI-1(2016)
► Article 10§2 - Conclusions XXI-1(2016)
► Article 10§3 - Conclusions XXI-1(2016)
► Article 10§4 - Conclusions XXI-1(2016)

**Thematic Group 2 “Health, social security and social protection”**

► Article 3§1 - Conclusions XX-2 (2017)
► Article 3§2 - Conclusions XX-2 (2017)
► Article 11§1 - Conclusions XX-2 (2017)
► Article 11§3 - Conclusions XX-2 (2017)
► Article 12§2 - Conclusions XX-2 (2017)
► Article 13§1 - Conclusions XX-2 (2017)
► Article 13§4 - Conclusions XX-2 (2017)
► Article 14§2 - Conclusions XX-2 (2017)

**Thematic Group 3 “Labour rights”**

► Article 2§1 - Conclusions XX-3 (2014)
► Article 4§2 - Conclusions XX-3 (2014)
► Article 4§3 - Conclusions XX-3 (2014)
► Article 4§5 - Conclusions XX-3 (2014)

According to the applicable rules, Conclusions 2018 only refer to the information submitted by the Greek Government on the follow-up given to the relevant decisions of the European Committee of Social Rights in the framework of the collective complaints procedure (see above).

**Thematic Group 4 “Children, families, migrants”**

► Article 7§1 - Conclusions 2019
► Article 7§2 - Conclusions 2019
► Article 7§10 - Conclusions 2019
► Article 17§2 - Conclusions 2019
► Article 19§4 - Conclusions 2019
► Article 19§11 - Conclusions 2019
► Article 27§2 - Conclusions 2019
► Article 27§3 - Conclusions 2019
► Article 31§3 - Conclusions 2019
III. Examples of progress achieved in the implementation of rights under the Charter
(non-exhaustive list)

Thematic Group 1 “Employment, training and equal opportunities”

► Extension of the ban on night work to young persons employed in family businesses in the agricultural, forestry and livestock sectors (Act No. 2956/2001) and in the maritime and fishing industries (Presidential Decree No. 407/2001).

► Equal employment rights for Greek citizens and all foreign nationals lawfully working in Greece, with no discrimination, racial or otherwise (Presidential Decrees No. 358/97 and 359/97).

► Eligibility of foreign nationals of states party for all vocational guidance and training programmes organised by the state employment office (OAED) and for equal treatment regarding all types of training allowances (Act No. 2224/1994).

► Same criteria for both sexes for admission to police training college (Act No. 3103/2003).

► Adoption of Law 3488/2006 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions.

► Anti-discrimination legislation explicitly prohibiting direct and indirect discrimination in employment on the ground, \textit{inter alia}, of disability (Act No. 3304/2005).

► Increased penalties for discrimination and new right of redress before the courts (Act No. 2639/1998).

► Clarification of the definition of state of emergency and thus of the circumstances when the population can be mobilised (Act No. 2936/2001).

► More restrictive definition of cases where criminal penalties may be imposed on seamen refusing to work, where the safety of persons, the vessel or the cargo is imperilled or where there are threats to the environment, public order and public health (Act No. 2987/2002).

► Reduction in the period of duty of career military officers from 25 to about 10 years (Act No. /2003).

► Reduction of duration of service alternative to military service.

► Simplification of the procedures for issuing work and residence permits (Act No. 3386/2005 on foreign nationals' entry into Greece, and their residence and social integration).

► Repeal of Article 19 of the Nationality Code, under which Greek nationals leaving the country with no intention of returning could be deprived of their Greek nationality (Act No. 2623/1998).

► Adoption of Law 3304/2005 on equal treatment explicitly prohibits direct and indirect discrimination in access to all kinds and levels of vocational orientation, vocational training, advanced training and vocational reorientation.

Thematic Group 2 “Health, social security and social protection”

► In 2012 Greece ratified the Maritime Labour Convention, 2006 (MLC 2006) of the International Labour Organisation, which establishes the common minimum standards at global level concerning the working conditions and health and safety of seafarers employed on vessels, while promoting the enhancement of social dialogue on shipping issues.
The National Social Cohesion Fund was established in 2008 (Law 3631/2008) with the aim to support the most vulnerable groups at risk of poverty through targeted income support.

**Thematic Group 3 “Labour rights”**


**Thematic Group 4 “Children, families, migrants”**


- Prohibition of dismissal of employees of the merchant navy during pregnancy (presidential decree of 1997).