



HELLENIC REPUBLIC  
MINISTRY OF CITIZEN PROTECTION  
HELLENIC POLICE HEADQUARTERS  
SECURITY BRANCH  
**INTERNATIONAL POLICE  
COOPERATION DIVISION**

Athens, 30 May 2025

**BACKGROUND NOTE**

**Re: "Memorandum on the human rights of Roma in Greece, following the Council of Europe Commissioner for Human Rights visit to Greece (3-7.2.2025) "**

**Ref:** Document with File No. 6700.1/AΣ 456, dated 16/05/2025, by Greece's Permanent Representation to the Council of Europe

In response to the referenced document concerning the Memorandum of the Council of Europe Commissioner for Human Rights Mr. Michael O'Flaherty and in light of the Hellenic Police's ongoing commitment to the protection of human rights and dignity, please find below:

- (I) a brief overview of the general actions and policies undertaken by the Hellenic Police, and
- (II) comments on specific paragraphs of the Memorandum.

**Part I: General Actions and Policies**

1. The Hellenic Police, in line with their policy of defending and promoting human rights, have adopted and are implementing a series of actions and measures, as summarized below:

- a. In our country, human rights are guaranteed through a set of constitutional, criminal and procedural provisions, demonstrating the sense of justice inherent to the Greek society. The Hellenic Police, an undeniably effective institution operating on high standards, address lawlessness and crime by enforcing the Greek law, while at the same time respecting human

rights. In this regard, the recommendations of international organizations, the case law of the European Court for Human Rights (ECtHR) and the comments made by the Committees of the United Nations are duly considered. The relevant actions are implemented with conviction, a sense of responsibility and full respect for the specific characteristics of each person, in the spirit of the principles of impartiality and ethics.

b. Furthermore, the Hellenic Police prioritize fostering a climate, mindset and culture of respect for human rights among their personnel, free from any form of racial, ethnic or other discrimination and in line with the Greek Constitution, as well as the national and international law. In this vein, any complaint or information about misconduct by police personnel (while either on- or off-duty) pertaining to violations of citizens' rights, concealment of unlawful conduct by citizens and, generally, illegal acts or omissions, is thoroughly investigated with due care and the relevant legislation is strictly enforced.

c. In light of the above, police officers address with particular care and as a priority gender-based violence, the protection of vulnerable social groups (including Roma and foreign nationals who have illegally entered our country), and the free exercise of their rights.

d. In any event, however, rational behavior and integrity standards, as well as the Code of Conduct for police officers feature prominently in the training and further training of police officers on topics relating to the protection of human rights, the treatment of detainees, the response to incidents of racism and xenophobia and the implementation of the prescribed rules of conduct, adapted to police tactics and practice, depending on the circumstances. In this spirit, modules on these specific topics have been incorporated in the books taught at the Police Academy Schools, while the personnel of the Hellenic Police participate in seminars and training sessions on related topics, with a view to promoting and further strengthening a human rights culture among both young and experienced police officers.

e. The Hellenic Police Headquarters issued a circular order (CO No. 7100/25/14-δ', dated 08/11/2014) to all Hellenic Police Services, providing guidance on addressing racism, xenophobia and discrimination during police

action. The document refers, *inter alia*, to a previous circular order (CO No. 7100/26/5-ε', dated 04/08/2004), according to which, in instances where it is necessary to identify a member of the vulnerable group of Roma, the Hellenic Police personnel must use exclusively the international term "Rom" ["Roma" or "Tsinganos" (in English "Gypsy"), instead of other derogatory terms, such as "Athinganos".

2. Moreover, as far as human rights violations and accountability are concerned, it is noted that:

a. In light of the expressed will of the Hellenic Police political and natural leadership to show zero tolerance towards human rights violations, relevant orders have been issued and disseminated to all police services involved. The orders remind the Hellenic Police personnel of the main provisions relating to their obligation to protect citizens' lives and rights and to respect human dignity, the prohibition of discrimination, torture and any form of inhuman or degrading treatment or punishment, and the overall behavior police officers should exhibit towards citizens. They also underline that these fundamental principles are a matter of primary importance for the Hellenic Police Headquarters.

b. In instances of allegations of violation of these principles and values, appropriate action is taken for their investigation and an administrative inquiry is launched by the relevant Services, as stipulated in the disciplinary law in place (Presidential Decree 120/2008, as amended and in force). If the allegations are found to be substantiated, strict disciplinary sanctions are imposed on those found responsible, so as to avoid any sense of impunity among the perpetrators. To ensure impartiality, administrative inquiries are entrusted to commissioned officers who have no administrative affiliation with the services or the police officers involved. Moreover, the Greek Ombudsman, which is an Independent Administrative Authority, is immediately notified of the cases in question in its capacity as the National Mechanism for the Investigation of Incidents of Arbitrary Conduct, as provided for in Chapter D' (Articles 56 et seq.) of Law 4443/2016, which entered into force on 9.6.2017. If the Ombudsman deems it necessary, it may monitor the progress of administrative inquiries and decide upon their

completeness or, otherwise, conduct its own investigation. In the latter case, the relevant disciplinary bodies are obligated to suspend their final decision until the Ombudsman has completed its investigation.

c. Furthermore, in instances of allegations of abuse or ill-treatment by police officers, it is emphasized to the Services of the Hellenic Police Headquarters that the investigation must: a) be thorough, exhaustive and in-depth and include all reasonable steps to collect the necessary evidence about the incident, b) be actual and active, so that it leads to the identification and punishment of the perpetrators, c) offer all necessary guarantees as to the institutional independence of the investigator from those investigated, d) be reasonably prompt and e) provide a conclusive answer as to the origin of injuries or the causes of death, following a substantiated and expeditious forensic or medical opinion-examination, to the extent possible. Moreover, in cases involving allegations of reprehensible actions by police officers with a possible racist motive, the investigation must meet all the aforementioned criteria and the presence of such a motive is primarily established when: a) the alleged perpetrators have confessed to having had such a motive, b) the victims and witnesses have indicated the presence of such a motive, c) there are indications of the presence of such a motive on the basis of evidence accepted by the law, and d) the victims identify themselves as belonging or do belong to religious, ideological or social groups that are minorities or characterized by diversity.

d. In addition to the above, the disciplinary law applicable to police officers was modernized and reformed with Presidential Decree 61/2024 [Official Government Gazette of the Hellenic Republic, Volume A', Issue No. 174, of 6.11.2024 (GG A' 174) on "Amendments to provisions of Presidential Decree 120/2008 "Disciplinary Law for Police Officers" (GG A' 182)"". The new disciplinary law revolves around the following axes: removal from active duty of those police officers who have committed serious criminal or disciplinary offenses, and a more expeditious administration of criminal justice.

## **Part II: Comments on the Memorandum**

Please find below Greece's paragraph-by-paragraph response to specific points and comments expressed in the Memorandum:

### **Paragraph 36 of the Memorandum**

A Preliminary Administrative Inquiry was ordered for the investigation of the incidents referenced in paragraph 36 of the Memorandum regarding reprehensible actions by police officers that allegedly took place on 31.5.2024 and 3.6.2024 during police operations at the Roma settlement in Nomismatokopeio (Chalandri/Attica). For reasons of impartiality, the inquiry was entrusted to a commissioned police officer who has no administrative affiliation with the services involved. The investigation is currently underway. Furthermore, the Independent Administrative Authority "Greek Ombudsman" was promptly notified of the matter in its capacity as the National Mechanism for the Investigation of Incidents of Arbitrary Conduct. If the Authority expresses its intention to address the case, the file of the inquiry will be transmitted to it, in digital format, as soon as the inquiry is completed and before a final decision is made. This will enable the Authority to decide whether the file is complete, at both the formal and substantial levels, or needs to be supplemented.

It is noted that no criminal liability has been identified so far.

### **Paragraph 38 of the Memorandum**

Sworn administrative inquiries were ordered in order to investigate the three (3) incidents involving fatal injuries to private individuals by police officers using firearms during hot pursuits, as outlined in paragraph 38 of the Memorandum. For reasons of impartiality, the inquiries were entrusted to commissioned officers with no administrative affiliation with the involved police officers. Two (2) of the cases (those relating to the incidents in Perama/Attica and Thessaloniki) are pending before the Greek Ombudsman, an Independent Administrative Authority. As regards the third case (the one relating to the incident in Voiotia), the police officer found responsible was referred to the

relevant Disciplinary Board and a question for a higher disciplinary penalty was submitted. The case is still pending.

It is noted that that the criminal investigation of all three cases is still underway.

#### **Paragraph 40 of the Memorandum**

As for the "Panayotopoulos and Others vs. Greece" case referenced in paragraph 40 of the Memorandum, for which Greece has been condemned by the European Court for Human Rights (ECtHR), a Sworn Administrative Inquiry was conducted and the case was closed with the agreement of the Greek Ombudsman, which is an Independent Administrative Authority. It should be noted that the Hellenic Police will take further actions in the form of individual measures of compliance with the relevant ECtHR judgment (re-transmitting the file of the Sworn Administrative Inquiry to the Greek Ombudsman, in accordance with Article 188, paragraphs 5 and 6 of Law 4662/2020, and issuing a circular order to all police services to disseminate the ECtHR judgement). These measures will be implemented as soon as the judgment becomes final and is transmitted by the State Legal Council to the Hellenic Police Headquarters, subsequent to translation.

#### **Paragraph 43 of the Memorandum**

Regarding the recommendations of paragraph 43 of the Memorandum, it should be noted that the training programs offered by the Police Academy Schools (basic and further training level) incorporate subjects taught in the context of courses and lectures delivered by reputable professors and expert scientific and police personnel, depending on the purpose of each program. These subjects cover the following topics:

- protection of human rights, racism, liberty and security of person (inviolability of individuals - guarantees for those arrested or remanded in custody), especially for those belonging to vulnerable groups (people with disabilities, Roma, migrants, and members of the LGBTIQI community), and
- communication skills and public relations issues, including the module "Negotiation, Mediation, and Decision-Making in Stressful Situations."