

CRI(2025)03

**ECRI CONCLUSIONS  
ON THE IMPLEMENTATION OF THE RECOMMENDATIONS  
IN RESPECT OF GREECE  
SUBJECT TO INTERIM FOLLOW-UP**

*Adopted on 20 November 2024<sup>1</sup>*

*Published on 19 February 2025*

---

<sup>1</sup> Unless otherwise indicated, this analysis does not take into account any developments that occurred after 4 October 2024, the date on which the response of the authorities of Greece to ECRI's request for information on measures taken to implement the recommendations chosen for interim follow-up was received.

ECRI Secretariat  
Directorate General of Democracy and Human Dignity  
Council of Europe  
F - 67075 STRASBOURG Cedex  
Tel.: +33 (0) 390 21 46 62  
E-mail: [ecri@coe.int](mailto:ecri@coe.int)

[www.coe.int/ecri](http://www.coe.int/ecri)

 @ECRI\_CoE

## FOREWORD

As part of its sixth round of monitoring work, ECRI has renewed its process of interim follow-up with respect to two specific recommendations made in each of its country reports.

In line with the Information Document on ECRI's sixth monitoring cycle brought to the attention of the Ministers' Deputies on 9 May 2018<sup>2</sup>, not later than two years following the publication of each report, ECRI addresses a communication to the Government concerned asking what has been done in respect of the specific recommendations for which priority follow-up was requested.

At the same time, ECRI gathers relevant information itself. On the basis of this information and the response from the Government, ECRI draws up its conclusions on the way in which its recommendations have been followed up.

It should be noted that these conclusions concern only the specific interim follow-up recommendations and do not aim at providing a comprehensive analysis of all developments in the fight against racism and intolerance in the State concerned.

---

<sup>2</sup> [CM/Del/Dec\(2018\)1316/4.1](#); [CM\(2018\)62-add10](#).

1) *In its report on Greece (sixth monitoring cycle) published on 22 September 2022 ECRI recommended that the Greek authorities strengthen the support and litigation function of the Greek Ombudsman, in line with ECRI's General Policy Recommendation No. 2 (revised) on equality bodies to combat racism and intolerance at national level, in particular by introducing legislation enabling the Ombudsman to intervene as amicus curiae before courts.*

ECRI takes note that the Greek authorities have been taking action with a view to transposing European Union (EU) Directive 2024/1499<sup>3</sup> on standards for equality bodies into national law. At the same time, ECRI recalls its General Policy Recommendation (GPR) N°2 (revised) on equality bodies to combat racism and intolerance at national level, published on 27 February 2018.<sup>4</sup> According to recommendation 14 (e) of this GPR, the support and litigation function of equality bodies should include the competencies to intervene as *amicus curiae*, third party or expert before institutions, adjudicatory bodies and the courts.

ECRI welcomes the preparations underway by the Greek Government for strengthening its equality body. However, it is obliged to note that its recommendation about introducing legislation enabling the Ombudsman to intervene as *amicus curiae* before courts has not, to date, been implemented.

Consequently, in the present state of affairs, ECRI considers that its recommendation has not yet been implemented.

2) *In its report on Greece (sixth monitoring cycle) published on 22 September 2022 ECRI recommended that the Greek authorities take action to prevent intolerance and discrimination against intersex persons, in particular children. These efforts should entail i) the introduction of specific legislation prohibiting medically unnecessary sex-“normalising” surgery and other non-therapeutic treatments until such time as the intersex child is able to participate in the decision, based on the right to self-determination and on the principle of free and informed consent, ii) the development of guidelines and training on intersex equality rights for relevant professionals, especially those who may come into contact with intersex children, such as teachers and health care professionals, and iii) the dissemination of any existing relevant material, such as guides for parents of intersex children, to the target groups.*

ECRI welcomes the adoption of Law 4958/2022, which in its Articles 17-20, prohibits non-therapeutic surgeries on intersex children under the age of 15. As concerns such surgeries on children aged 15 or above, they can only be performed with the free and informed consent of the child in question, and with permission from a local Magistrate's Court, following an opinion from an interdisciplinary committee of experts foreseen by the Law.

ECRI regrets to note that, since the adoption of the new legislation, despite efforts made by the Ministry of Health in 2023 to start the process of setting up the above-mentioned interdisciplinary committee, it has not yet been established and the process appears to have stalled. At the same time, civil society organisations indicated to ECRI that non-therapeutic surgeries on intersex children still occur.

Further, in 2023, the Ministry of Health started preparing guidelines on the implementation of the law that were meant to be disseminated to public hospitals. However, that work too seems to have come to a halt.

On a positive note, the Greek authorities have informed ECRI that the Ministry of Interior and the National Transparency Authority have published a Code of Ethics and Professional

---

<sup>3</sup> See [Directive - EU - 2024/1499 - EN - EUR-Lex \(europa.eu\)](#)

<sup>4</sup> See [ECRI General Policy Recommendation N°2 revised - European Commission against Racism and Intolerance \(ECRI\) \(coe.int\)](#)

Conducts of Employees in the Public Sector, which comprises specific provisions aiming at combating discrimination based on sexual orientation, gender identity and sex characteristics.

The Greek authorities have further shared with ECRI that training about LGBTI issues have been organised for public sector employees, as foreseen by the National Strategy for the Equality of LGBTI people. However, these reportedly focus on sexual orientation and gender identity only, leaving out issues pertaining to sex characteristics. Only the NGO Intersex Greece appears to have organised training on matters of intersex, but its capacities are limited.

In the view of ECRI, the adoption of Law 5029/2023 with provisions against bullying of pupils in schools, including on the ground of sex characteristics, and Law 4957/2022 on Higher Education, which comprises specific provisions addressing discrimination based on sexual orientation, gender identity and sex characteristics, are positive developments. ECRI trusts that these laws will provide a good basis for guidance for teachers.

ECRI recognises and appreciates the progressive work made by the Greek authorities in preparing and adopting Law 4958/2022, which prohibits non-therapeutic surgeries on children below 15 years of age, and imposes strict conditions of informed consent and judicial permission on any surgeries on children aged 15 or above. At the same time, it considers that, in the present state of affairs, the necessary accompanying measures for the effective implementation of the law are still not fully in place.

In the light of the above, ECRI concludes that its recommendation has been partially implemented and it recognises the significant efforts made and the positive steps taken.