



GREVIO

Baseline Evaluation Report Greece

” Group of Experts
on Action
against Violence
against Women and
Domestic Violence
(GREVIO)



Istanbul Convention

GREVIO's (Baseline) Evaluation Report
on legislative and other measures
giving effect to the provisions
of the Council of Europe Convention
on Preventing and Combating
Violence against Women and Domestic Violence
(Istanbul Convention)

GREECE

Group of Experts
on Action against Violence against Women
and Domestic Violence (GREVIO)

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Foreword

The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) is an independent human rights monitoring body mandated to monitor the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, “the Istanbul Convention”) by the parties to the convention. It is composed of 15 independent and impartial experts appointed on the basis of their recognised expertise in the fields of human rights, gender equality, violence against women and/or assistance to and protection of victims.

GREVIO’s statutory activities include country-by-country monitoring of the Istanbul Convention (evaluation procedure), the initiation of inquiries into specific circumstances within a party to the convention (inquiry procedure) and the adoption of general recommendations on themes and concepts of the convention.

This report is the fruit of the first (baseline) evaluation procedure carried out in respect of Greece. It covers the Istanbul Convention in its entirety¹ and thus assesses the level of compliance of country legislation and practice in all areas covered by the convention. In light of the scope of the convention – as set out in its Article 2, paragraph 1 – the baseline evaluation focuses on measures taken in relation to “all forms of violence against women, including domestic violence, which affects women disproportionately”. Hence, the term “victim” used throughout this report is to be understood as referring to a woman or girl victim.

Based on this assessment, the report proposes measures to strengthen the implementation of the convention. In proposing such measures, GREVIO has adopted the use of different verbs which correspond to different levels of urgency, noting that all of them are important. These are, in order of priority, “urges”, “strongly encourages”, “encourages” and “invites”. GREVIO uses the verb “urges” where it considers that immediate action is required to bring the party’s legislation or policy into compliance with the Istanbul Convention, or to ensure its implementation. “Strongly encourages” is used where GREVIO has noted shortcomings which need to be remedied in the near future in order to ensure comprehensive implementation of the convention. A third level of urgency is indicated by the use of the verb “encourages”, which is used for shortcomings that require attention though possibly at a later stage. Last, the verb “invites” points to small gaps in implementation which the party is requested to consider closing or to proposals made to provide guidance in the implementation process.

The first (baseline) evaluation procedure is made up of several steps, each of which allows GREVIO to obtain critical information upon which to base its report. It is carried out as a process of confidential dialogue with the aim of offering country-specific proposals and suggestions for improvement developed within the national context of the party under review. These include the following:

- submission, by the party, of a report drawn up on the basis of GREVIO’s baseline questionnaire (the state report);
- an evaluation visit to the party under review to meet with governmental and non-governmental representatives working in this field;
- comments by the party on GREVIO’s draft report;
- publication of GREVIO’s report after its adoption together with any comments received from the party.

In addition, GREVIO also collects additional information from various other sources, including non-governmental organisations (NGOs), other members of civil society, national human rights institutions and Council of Europe bodies (Parliamentary Assembly, Human Rights Commissioner and other pertinent bodies), as well as other international treaty bodies. Within the framework of the evaluation of Greece, GREVIO received written contributions from the Diotima Centre and End FGM

1. With the exception of Chapter VIII of the convention, which GREVIO considered as less relevant in assessing the national situation in each contracting party.

European Network (jointly), Intersex Greece, the Commission on Family Law and Consensual Joint Custody, the Association of Women of Southern Europe (AFEM) and I Have Rights and the Human Rights Legal Project (jointly).

The state report and the written contributions submitted by civil society have been made public and are available on the official website of the Istanbul Convention.

The analysis, suggestions and proposals contained in this first baseline evaluation report were drawn up under the exclusive responsibility of GREVIO. It covers the situation as observed by the GREVIO delegation during its evaluation visit to Greece. Where available, significant legislative and policy developments up until 26 October 2023 have also been taken into account.

According to the convention, national parliaments shall receive this report from the national authorities (Article 70, paragraph 2). GREVIO requests the national authorities to translate this report into their official national language(s) and to ensure that it is widely disseminated, not only to the relevant state institutions at all levels (national, regional and local), in particular to the government, the ministries and the judiciary, but also to NGOs and other civil society organisations which work in the field of violence against women.

Executive summary

The report provides an assessment of the measures taken by the Greek authorities to implement the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention”).

This assessment has been carried out by the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), an independent human rights body mandated to monitor the implementation of the convention. GREVIO’s findings are based on the information obtained throughout the various steps of the first (baseline) evaluation procedure, set out in Article 68 of the convention. This includes written reports (a state report submitted by the Greek authorities, and information submitted by NGOs and civil society organisations), and information gathered and discussions held over a seven-day evaluation visit to Greece, in February 2023. A list of the bodies and entities with which GREVIO had exchanges can be found in Appendix II.

The report highlights several positive legal and policy measures taken by the Greek authorities in the areas of preventing and combating violence against women and domestic violence. Among these, the inclusion of an intersectional dimension into the policies and programmes to prevent and combat violence against women, and the fact that these policies form an integral part of gender equality policies, should be underlined. Moreover, steps have been taken to make the Greek legal framework more compliant with the Istanbul Convention, in particular by adopting a definition of rape based on the notion of freely given consent, and by expanding the legal framework to combat sexual harassment at work. Other positive developments include the institutionalisation, in 2019, of the network of structures for preventing and combating all forms of violence against women, which includes shelters and counselling centres providing essential services to women victims of gender-based violence.

In this report, GREVIO welcomes several measures taken by the Greek authorities to improve the law enforcement response to violence against women, in particular through increased police training, the setting up of 74 specialised police units, the adoption of specific guidelines outlining the procedure for police intervention in cases of domestic violence, and enhanced collection by the police of quantitative and qualitative data on gender-based violence.

At the same time, GREVIO observed a number of issues where improvement is needed in order to improve compliance with the requirements of the Istanbul Convention. The report highlights the lack of appropriate and sustainable financial resources for policies and measures aimed at preventing and combating violence against women and domestic violence, including for the institutions mandated to implement them, such as the network of structures. Women’s rights NGOs that provide essential support services to women victims of violence receive very limited amounts of financial support from the state. Moreover, Greece does not have any rape crisis centres and/or sexual violence referral centres at present. Such services should be set up in order to provide victims of sexual violence with immediate medical care, trauma support, forensic examinations and psychological assistance. Further steps should also be taken to ensure timely access for victims of sexual violence to forensic examinations across the country, regardless of whether they report the incident to the police.

In this report, GREVIO also emphasises the need for additional efforts to ensure that all professionals working with victims or perpetrators of gender-based violence receive adequate training to be able to identify and respond to all forms of violence covered by the Istanbul Convention. Furthermore, gaps in the co-ordination of responses to the needs of women victims of violence have been identified. In order to remedy this problem, the authorities should set up institutionalised co-operation and co-ordination structures involving all relevant statutory agencies, non-governmental bodies and specialist support services. GREVIO also stresses the need to expand the number and capacity of shelters for women victims of violence and to remove obstacles which hamper victims’ access to such shelters.

Few counselling programmes for perpetrators of domestic violence are available in Greece and only a limited number of perpetrators who are referred to such services as part of the mediation mechanism foreseen under the 2006 Law on Domestic Violence complete the programmes. GREVIO therefore stresses the need to substantially strengthen the capacity and outreach of perpetrator programmes.

In addition, GREVIO expresses serious concerns about the lack of sufficient safeguards to ensure that incidents of domestic violence are taken into account in the determination of custody and visitation rights following the adoption in 2021 of a law on reforms regarding parent-child relations and other family law issues (Law 4800/2021). The Greek authorities should ensure that courts consider all issues relating to violence against women and domestic violence when taking any decision related to custody and visitation rights. Courts should also end the practice of limiting the parental rights of non-abusive parents on grounds of the “parental alienation syndrome”, and appropriate training should be provided to judges and other relevant professionals on the lack of a scientific basis for “parental alienation syndrome”, as well as on the harmful effects of violence on children exposed to it.

GREVIO’s evaluation also highlights high rates of attrition in cases of violence against women and low conviction rates, particularly in cases of rape. To remedy these shortcomings, GREVIO calls for the development of standard operating procedures for prosecuting all forms of violence against women covered by the Istanbul Convention. Additionally, the need to improve data collection to identify possible gaps in the judicial response to violence against women is also stressed by GREVIO in this report. In order to mitigate risks for the safety of victims of gender-based violence, GREVIO underscores the need for systematic and gender-sensitive risk assessments and safety management in all cases of violence against women, based on a multi-agency approach. Moreover, the gaps identified by GREVIO in issuing protection orders in cases of immediate danger should be remedied.

While acknowledging the specific challenges facing Greece being as a first entry point for asylum seekers into the European Union, the report addresses several concerns regarding access of asylum-seeking women victims of gender-based violence to the asylum procedure. GREVIO urges in particular the Greek authorities to address the negative consequences for such women of the implementation of the 2021 Joint Ministerial Decision designating Türkiye as a “safe third country” for asylum seekers from several countries. The authorities should also take additional steps to ensure safe and adequate accommodation for all asylum-seeking women and girls and set up an effective system of screening for vulnerabilities among asylum seekers upon arrival. Finally, in the light of allegations of violent pushbacks of asylum-seeking women and girls at the Greek land and sea borders, GREVIO urges the authorities to uphold their obligation to respect the principle of *non-refoulement* of victims of violence against women and to take resolute measures to prevent acts of gender-based violence against women and girls seeking international protection in Greece.

While GREVIO welcomes Greece’s ratification of the Istanbul Convention and the efforts taken for its implementation, a number of priority issues requiring further action by the Greek authorities to comply fully with the convention’s provisions have been identified, including the need to:

- ensure that any inconsistencies in the applicable law provisions on domestic violence are resolved, and that legal definitions on forms of violence against women are aligned with those in the Istanbul Convention;
- ensure that laws, policies and programmes on violence against women adequately address all forms of violence covered by the Istanbul Convention;
- step up action to prevent and combat violence against women exposed to intersectional discrimination by taking measures to eliminate any discrimination faced by Roma, LGBTI, asylum-seeking, refugee and migrant women, and women with disabilities; and develop and improve access to information, protection and support services for these women;

- expand current efforts to support the work of the General Secretariat as the national co-ordinating body by allocating the necessary financial resources to ensure the sustainability of its work; increase consultation with a range of women's rights organisations in order to include their opinions and experiences into the design of laws, policies and measures to prevent and combat all forms of violence against women;
- further improve the collection of administrative data on all forms of violence covered by the Istanbul Convention; carry out research on all forms of violence against women, including in relation to groups of victims who may be subjected to intersectional discrimination;
- run awareness-raising activities targeting different population groups, including men of all ages, in order to change underlying patriarchal attitudes and promote understanding of gender-based violence against women;
- further support and develop the network of specialist support services, including by increasing resources allocated to the helpline for women victims of violence;
- improve the legal regime of civil and disciplinary measures available to hold different state officials to account for failure to comply with their obligations;
- take steps to remove obstacles preventing women victims of gender-based violence from accessing the state compensation scheme;
- strengthen the legal framework concerning psychological violence and female genital mutilations; ensure a common understanding among the judiciary of rape and sexual violence as offences based on the absence of consent, and ensure appropriate sanctions for all sexual acts perpetrated without the consent of the victim; ensure that protective measures are available to victims of forced marriage and to women and girls at risk of forced marriage;
- ensure that the use of mediation in cases of violence against women is based on full respect for the rights, needs and safety of victims;
- set up a system to retrospective review cases of gender-based killings of women; identify and address any factors contributing to low reporting rates of sexual violence;
- ensure women's effective access to justice through affordable and high-quality legal representation;
- make sure that asylum-seeking women and girls receive the best possible support during the asylum procedure, in particular by ensuring that existing gender-sensitive procedural guarantees are effectively applied, and that asylum-seeking women and girls have access to quality interpretation and legal aid.

Furthermore, the Greek authorities should increase efforts to promote the development of specific standards of media self-regulation for a balanced, non-sexist and non-sensationalist coverage of violence against women. Additional steps are also required to ensure that women victims of violence and harassment at work are adequately supported, and to evaluate the implementation of the new legal framework on harassment at work. Comprehensive protocols should be in place in all healthcare institutions to identify, treat and further refer all women victims of violence. In court hearings, resolute steps should be taken to promote the use of audio-visual tools, safe rooms, and in camera proceedings, as well as of "children's houses" to gather the testimonies of minor girls victims of gender-based violence. Lastly, obstacles preventing migrant women victims of gender-based violence from accessing an autonomous residence permit should be eliminated.

Introduction

Greece ratified the Istanbul Convention on 18 June 2018. In accordance with Article 78, paragraph 2, of the convention, Greece reserves the right not to apply the provisions under paragraphs 1e, 3 and 4 of Article 44 of the convention. This reservation is valid for a period of five years from the day of the entry into force of the convention in respect of Greece and may be renewed.

The Istanbul Convention is the most far-reaching international treaty to tackle violence against women and domestic violence. Its comprehensive set of provisions spans far-ranging preventive and protective measures as well as a number of obligations to ensure an adequate criminal justice response to such serious violations of human rights. It covers new ground by asking that root causes of violence against women (such as gender stereotyping, traditions harmful to women and general manifestations of gender inequality) be addressed.

The convention sets up a monitoring mechanism to assess the level of implementation by its parties. This monitoring mechanism consists of two pillars: the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), an independent expert body, and the Committee of the Parties, a political body composed of official representatives of the parties to the convention.

In accordance with Article 68 of the convention, GREVIO initiated the baseline evaluation in respect of Greece by letter and transmission of its questionnaire on 14 September 2021. The order of reporting to GREVIO is based on a combination of regional groupings and order of ratification. The Greek authorities subsequently submitted their state report on 31 March 2022 – shortly after the deadline set by GREVIO. Following a preliminary examination of the country state report, GREVIO carried out an evaluation visit to Greece, which took place from 18 to 24 February 2023. The delegation was composed of:

- Ivo Holc, Member of GREVIO
- Marceline Naudi, Member of GREVIO
- Maria Moodie, Barrister, United Kingdom
- Javier Truchero, Barrister, Spain
- Françoise Kempf and Mihail Stojanoski, Administrators at the Secretariat of the monitoring mechanism of the Istanbul Convention

During the evaluation visit, the delegation was welcomed by high-level public figures, including Maria Syrengela, Deputy Minister of Labour responsible for Demography and Family Policy, and Kalyпсо Goula, General Secretary for Demography and Family Policy and Gender Equality. In addition, the delegation met with a wide range of governmental and non-governmental representatives working in the area of preventing and combating violence against women. A list of the national authorities, non-governmental organisations and others met is set out in Appendix II of this report. GREVIO is grateful for the valuable information provided by all of them.

The evaluation visit was prepared in close co-operation with Christina Agoritsa and Irini Siozou, who were appointed as contact persons for the evaluation by GREVIO. GREVIO wishes to extend its gratitude for the co-operation and support provided throughout the entire evaluation procedure and for the constructive approach adopted by the Greek authorities.

As part of this first baseline evaluation, GREVIO examined the implementation measures taken by the Greek authorities concerning all aspects of the convention. For the sake of brevity, this report gives priority to some provisions over others. While it covers all chapters of the convention (with the exception of Chapter VIII), it does not present detailed assessments and conclusions for each provision.

I. Purposes, definitions, equality and non-discrimination, general obligations

A. General principles of the convention

1. Chapter I of the Istanbul Convention sets out general principles which apply to all the substantive articles contained in Chapters II to VII. These include, among other things, that it is a fundamental human right for everyone, particularly women, to live a life free from violence in both the public and the private sphere, that the convention must be implemented without discrimination on any ground and that the potential for, and effects of, multiple forms of discrimination should be borne in mind. They also spell out that a gender perspective must be integrated into the implementation of the convention and the evaluation of its impact.

2. Since the ratification of the Istanbul Convention in 2018 the Greek authorities have taken significant steps, including at the legislative level, to support its implementation. However, action to prevent and combat violence against women predates the entry into force of the Istanbul Convention. Greece adopted a law on domestic violence in 2006 and the first national programme to combat violence against women was launched in 2010.

B. Scope of application of the convention and definitions (Articles 2 and 3)

3. In light of the scope of the Istanbul Convention set out in its Article 2, paragraph 1, the first baseline evaluation focuses on measures taken in relation to all forms of violence against women, including domestic violence, which affects women disproportionately. Article 3 of the Istanbul Convention sets out key definitions of concepts that are fundamental to its implementation. According to paragraph *a*, the term “violence against women” refers to “all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”, whereas the expression “domestic violence” is to be understood as referring to “all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim”. The definition of “gender-based violence against women” offered in paragraph *d* of Article 3 seeks to ensure more clarity regarding the nature of the violence covered by explaining that this is “violence that is directed against a woman because she is a woman or that affects women disproportionately”.

4. Hence, the violence addressed by the Istanbul Convention differs from other types of violence in that the victim’s gender is the primary motive. It is violence that is perpetrated against a woman that is both the cause and consequence of unequal power relations based on perceived differences between women and men that lead to women’s subordinate status in the public and private spheres. In accordance with the definition given in Article 3, paragraph *b*, Chapter V of the convention specifies the forms of violence against women that are to be criminalised (or, where applicable, otherwise sanctioned). These are psychological violence, stalking, physical violence, sexual violence, including rape, forced marriage, female genital mutilation, forced abortion, forced sterilisation and sexual harassment. Owing to the seriousness of domestic violence, Article 46 of the convention requires ensuring that the circumstance in which the offence was committed against a former or current spouse or partner, by a member of the family, a person cohabiting with the victim or a person having abused her or his authority may entail a harsher sentence either as an aggravating circumstance or a constituent element of the offence.

5. The Law on Domestic Violence of 2006² contains a definition of domestic violence which includes all criminal offences committed against a family member, including between spouses, former spouses and parties and former parties in a civil partnership. Forms of conduct pertaining to

2. Law 3500/2006 on Domestic Violence.

domestic violence are also covered under several provisions of the new Criminal Code adopted in 2019,³ notably Article 312, on physical violence against weak persons, and Article 333, on threats.⁴ However, the scope of application of the Criminal Code is more restricted than the Law on Domestic Violence, as the Criminal Code provisions do not include violence committed against former spouses or former partners. GREVIO is concerned that the coexistence of the two legislations and the differences in the scope of application have, reportedly, resulted in uncertainty among professionals responsible for applying the law and inconsistencies in its application.⁵ GREVIO underscores the importance of common definitions and reference frameworks to promote a shared understanding of violence against women among all the relevant professionals.

6. Moreover, GREVIO notes that the definition of domestic violence provided in the Law on Domestic Violence does not include psychological and economic violence and is therefore not fully in line with the definition provided in Article 2 of the Istanbul Convention. GREVIO has been informed that a revised law on domestic violence is being prepared and it hopes that it will be fully aligned with the definitions and principles of the Istanbul Convention.

7. GREVIO notes that the Greek authorities' action is mainly centred around domestic violence, to the detriment of other forms of gender-based violence included in the scope of the Istanbul Convention. Limited attention is paid to preventing and combating sexual violence and to offences such as female genital mutilation (FGM), forced marriage, forced sterilisation and forced abortion, about which very little information is available. In this context, GREVIO welcomes the fact that the ratification of the Istanbul Convention by Greece seems to have resulted in a renewed interest in other forms of violence covered by the convention, such as FGM, which are included in the National Action Plan on Gender Equality for 2021-2025 and, following the accession by Greece to the International Labour Organization's (ILO) Convention No. 190 on violence and harassment in the world of work,⁶ a heightened awareness of sexual harassment. The "MeToo" movement, which emerged in Greece in 2017, has also had a substantial impact on society's awareness of sexual violence against women. GREVIO notes with satisfaction that Greece substantially amended the Criminal Code provisions on sexual violence. It is important that the authorities build up on this momentum and take resolute action to prevent and step up the fight against all forms of violence against women covered under the Istanbul Convention.

8. **GREVIO strongly encourages the Greek authorities to take steps, including at the legislative level, to ensure that any inconsistencies in the applicable law provisions on domestic violence are resolved and that legal definitions of forms of violence against women are aligned with those provided by the Istanbul Convention.**

9. **GREVIO strongly encourages the Greek authorities to take resolute steps to ensure that their laws, policies and programmes adequately address all forms of violence covered by the Istanbul Convention.**

C. Fundamental rights, equality and non-discrimination (Article 4)

1. Gender equality and non-discrimination

10. The Greek Constitution enshrines the principle of equality between women and men in all spheres of life.⁷ Moreover, according to Article 116, paragraph 2, of the constitution, positive measures aimed at promoting equality between men and women do not constitute discrimination on grounds of sex and the authorities shall take measures to eliminate gender inequalities. The relevant European Union (EU) Directives on equal treatment have been transposed into Greek law through

3. Law 4619/2019.

4. See also remarks under Article 33.

5. Information received during the evaluation visit.

6. ILO Convention No. 190 concerning the elimination of violence and harassment in the world of work, 2019.

7. Article 4(2) of the Greek Constitution.

several pieces of legislation.⁸ The Law on Promoting Gender Equality, adopted in 2019, includes a legal obligation to promote gender mainstreaming and to include a gender dimension in the preparation of the state budget.⁹ The Greek Ombudsman is the equality body.

11. National action plans for gender equality have been in place in Greece since 2010. They embed the successive national programmes on combating violence against women and domestic violence. The National Action Plan on Gender Equality for 2021-2025 includes four main priorities: 1) preventing and combating gender-based and domestic violence; 2) equal participation of women in the labour market; 3) equal participation of women in decision making and leadership; 4) mainstreaming the gender equality perspective into sectoral policies.¹⁰ GREVIO appreciates the consistent legislative and policy framework to promote gender equality and the fact that combating violence against women forms an integral part of gender equality policies. However, gaps in the implementation of gender equality policies and programmes have been reported to GREVIO. GREVIO is also concerned that Greece has since 2013 ranked last in the Equality Index of the European Institute for Gender Equality.¹¹

12. GREVIO encourages the Greek authorities to step up efforts to implement legislation and public policies on equality between women and men, and to ensure the practical realisation of the principle of gender equality.

2. Intersectional discrimination

13. Article 4, paragraph 3, of the convention requires parties to secure the implementation of their undertakings under the convention without any discrimination. This provision provides an open-ended list of grounds of discrimination which draws on that of Article 14 of the European Convention on Human Rights as well as the list contained in its Protocol No. 12¹² and, in addition, includes the grounds of gender, sexual orientation, gender identity, age, state of health, disability, marital status, and migrant or refugee status or other status. This obligation stems from the realisation that discrimination of certain groups of women, for example at the hands of law-enforcement agencies, the judiciary or service providers, is still widespread.¹³

14. GREVIO welcomes the inclusion of an intersectional dimension into the policies and programmes to combat violence against women. Violence against women has been mainstreamed into measures targeting women subject to multiple discrimination, in particular migrant, asylum-seeking and refugee women and girls, women with disabilities and Roma women.¹⁴ The National Action Plan on Gender Equality also foresees specific measures to improve the access of women with disabilities to information.¹⁵ Moreover, GREVIO notes with satisfaction that the General Secretariat for Demography and Family Policy and Gender Equality (hereinafter referred to as the “General Secretariat”),¹⁶ the body in charge of co-ordinating and implementing policies to combat violence against women, has a specific focus on women exposed to intersectional discrimination. This focus is also reflected in the data provided by the national network of structures for preventing and combating gender-based violence (hereafter referred to as the “network of structures”), which contain specific information on women exposed to multiple discrimination.¹⁷ Studies are being carried out on different groups of women exposed to intersectional discrimination.¹⁸

8. See the European Network of Experts on Gender Equality and Non-Discrimination, Country report on gender equality, Greece, 2022, pp. 6-7.

9. Law 4604/2019 on Promoting Substantive Gender Equality, Preventing and Combating Gender-Based Violence.

10. General Secretariat for Demography and Family Policy and Gender Equality: National Action Plan on Gender Equality 2021-2025, 2021.

11. <https://eige.europa.eu/gender-equality-index/2022/country/EL>.

12. The discrimination grounds in question include sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

13. See paragraphs 52-54 of the Explanatory Report to the Istanbul Convention.

14. See National Action Plan on Gender Equality 2021-2025, Objective 4.3.

15. *Ibid.*, Action 1.1.6.

16. On 27 June 2023, the General Secretariat for Demography and Family Policy and Gender Equality was renamed General Secretariat for Equality and Human Rights and was transferred under the auspices of the newly established Ministry of Social Cohesion and Family.

17. See the state report, pp. 94-99.

18. See remarks under Article 11.

15. While acknowledging these efforts, GREVIO notes with concern that many women victims of violence confronted with intersectional discrimination are, in practice, left with limited information and support, as evidenced by GREVIO's evaluation of the implementation of the provisions of Chapter IV of the convention hereinafter. This is, according to information provided to GREVIO, particularly the case for Roma women and girl victims of gender-based violence, who are often uninformed of their rights and the available remedies and support, and who fear approaching the authorities to report violence and are sometimes confronted with the stereotyped perception that violence against Roma women forms part of Roma customs and traditions and is therefore not adequately acted upon.¹⁹

16. Particular attention has been paid in recent years to the needs of asylum-seeking, refugee and migrant women as regards protection from gender-based violence, in connection with the substantial increase in the number of arrivals of asylum seekers and migrants to Greece and their heightened risks of exposure to gender-based violence. However, GREVIO notes that a large share of the services targeting these women is provided by NGOs, often in co-operation with and with funding from international donors.²⁰ Additionally, GREVIO was informed that women victims of violence belonging to other groups exposed to intersectional discrimination, such as LGBTI women, women with disabilities and women with addiction issues, face substantial obstacles in accessing information and adequate support and that awareness of their specific needs is often limited among professionals working with victims of violence.²¹

17. GREVIO stresses that discrimination increases the risk of exposure to gender-based violence and hinders access to protection mechanisms for women subject to intersectional discrimination. There is a persistent need for more information and research on the prevalence and impact of gender-based violence against women exposed to intersectional discrimination as well as for information on the forms of violence covered by the Istanbul Convention about which awareness is limited, such as FGM, forced marriage, forced sterilisation and forced abortion, which disproportionately affect some women exposed to intersectional discrimination.

18. **GREVIO strongly encourages the Greek authorities to:**

- a. **step up their action to prevent and combat violence against women exposed to intersectional discrimination by taking measures to eliminate any discrimination faced by Roma, LGBTI, asylum-seeking, refugee and migrant women, and women with disabilities;**
- b. **raise the awareness of victims belonging to these groups of women about their rights to protection and support services;**
- c. **develop and improve access to protection and support services for the above-mentioned groups of women;**
- d. **support research into the forms of violence experienced by specific groups of women and girls at risk of or exposed to intersectional discrimination.**

D. State obligations and due diligence (Article 5)

19. Aspects of the implementation of Article 5 of the convention are covered in Chapters V and VI of this report.

E. Gender-sensitive policies (Article 6)

20. Article 6 of the Istanbul Convention calls on the parties to include a gender perspective in the implementation and evaluation of the impact of its provisions and to promote and implement policies aimed at achieving equality between women and men and the empowerment of women. This

19. Information received during the evaluation visit.

20. See also remarks under Article 9.

21. See remarks under Chapter IV.

obligation stems from the realisation that in order to put an end to all forms of violence covered by the scope of the convention, it is necessary to promote *de jure* and *de facto* equality between women and men. It also reflects the principle that violence against women is a consequence as well as a cause of gender inequality.

21. GREVIO notes with satisfaction that the Greek authorities have adopted a gender-sensitive approach in policies to prevent and combat violence against women, in particular as part of the National Action Plan on Gender Equality, which acknowledges the link between gender inequalities and violence against women. However, it is concerned that recent legislative developments, in particular Law 4800/2021 on reforms regarding parent–child relations and other family law issues, and the frequent use of what is termed “parental alienation syndrome” as part of court proceedings²² may adversely affect the gendered understanding of violence against women and the steps taken in the last decade to combat violence against women while promoting gender equality.

22. **GREVIO strongly encourages the Greek authorities to ensure that the gender dimension of violence against women is integrated into the development of all laws, policies and measures related to violence against women.**

22. See remarks under Article 31.

II. Integrated policies and data collection

23. Chapter II of the Istanbul Convention sets out the core requirement for a holistic response to violence against women: the need for state-wide effective, comprehensive and co-ordinated policies sustained by the necessary institutional, financial and organisational structures.

A. Comprehensive and co-ordinated policies (Article 7)

24. Article 7 of the Istanbul Convention requires states parties to ensure that co-ordinated and comprehensive measures to prevent and combat violence against women address all forms of violence against women.

25. GREVIO welcomes the adoption of a national programme to prevent and combat gender-based and domestic violence in Greece, as part of the National Action Plan on Gender Equality for 2021-2025.²³ It notes with satisfaction that the programme involves a range of relevant ministries and covers different forms of violence against women, including the digital dimension of violence against women, FGM, forced marriage and sexual harassment. Moreover, specific action aimed at preventing and combating violence against women with disabilities²⁴ and measures to combat violence against women facing specific forms of discrimination have been mainstreamed in the National Action Plan's chapters focusing on improving the position of women subject to multiple discriminations.²⁵

26. The General Secretariat is the body responsible for co-ordinating and supervising the implementation of the National Action Plan on Gender Equality, including its chapter on violence against women, and for implementing some of its components, in particular through the network of structures. It is assisted by the National Council for Gender Equality, an advisory body composed of representatives of different ministries and of some civil society representatives. At the local level, it is since 2019 compulsory to set up regional and municipal committees on gender equality to implement gender equality policies and programmes at the local level. GREVIO notes with interest the setting up of a platform to map existing programmes and initiatives carried out by the municipal and universities' gender equality committees in the context of the National Action Plan on Gender Equality.

27. However, GREVIO notes that the National Action Plan's objectives relating to forms of violence such as FGM and forced marriage do not seem to have yet been translated into concrete measures and that awareness about these forms of violence remains limited. In addition, GREVIO was informed that the implementation of the Action Plan on Gender Equality is limited and affected by a lack of resources and a lack of co-ordination between the different levels of authorities, which results in a fragmentation of policies.²⁶ Moreover, many resources to support women victims of violence appear to be concentrated in large urban centres, while women living in rural areas and on the islands often lack access to information and adequate specialist services and need to travel to access such services, at their own cost.

28. GREVIO strongly encourages the Greek authorities to ensure the effective implementation, across the country, of the policies to prevent and combat all forms of violence covered by the Istanbul Convention, in particular by fostering increased co-ordination and greater consistency in the policies and measures at the various territorial levels. Such efforts should be supported by the allocation of appropriate financial resources.

23. General Secretariat for Demography and Family Policy and Gender Equality, National Action Plan on Gender Equality for 2021-2025, May 2021.

24. See Objective 1.3, Actions 1.3.4: preventing and combating violence against women and girls with disabilities.

25. Including women with disabilities, migrant and refugee women and Roma women. See Objective 4.3: Improving the position of women who are subject to multiple discrimination and eliminating their social exclusion; see also remarks under Article 4.

26. Information received during the evaluation visit.

B. Financial resources (Article 8)

29. Article 8 of the Istanbul Convention aims to ensure the allocation of appropriate financial and human resources for the implementation of integrated policies, measures and programmes to prevent and combat violence against women carried out by public authorities and civil society. GREVIO is informed that, between 2016 and 2023, a total amount of about €21 260 000 has been allocated to the operation of the network of structures (counselling centres and shelters).²⁷ Moreover, €3 277 094 has been allocated to different actions, including the co-ordination of the network of structures, the provision of free legal aid to women victims of domestic violence in co-operation with some bar associations, the operation of the national helpline for victims of gender-based violence and the preparation of a risk-assessment tool.

30. GREVIO also notes that the contribution from Greece's national budget to the above-mentioned amounts is of 20%, while the remaining 80% is covered mostly by EU funds, in particular from the European Social Fund. The implementation of most of the measures foreseen under the National Action Plan on Gender Equality is supported by EU funds. The operation of some institutions, such as the Observatory on Gender Equality, is entirely funded through EU funds, which raises concerns about the sustainability of such bodies once the projects under which they are funded come to an end.

31. Similarly, the funding of the network of structures, which was institutionalised in 2019,²⁸ is largely provided by the EU, on a project basis, which also raises questions as regards the network's sustainability over time. Moreover, GREVIO was alerted to the fact that the network of structures lacks adequate and sustainable human and financial resources to be able to effectively fulfil its mission in the long term. Against this background, GREVIO underlines that the tasks allocated to the network of structures are of a structural nature and that responding to the protection needs of women victims of violence requires sustained and continued efforts over time. Thus, GREVIO notes with interest the information provided by the authorities regarding the funding of the network beyond 2023, which should be ensured by the EU, with an increasing share of domestic funds, including from the local authorities. It hopes that this will result in securing adequate and sustainable human and financial resources for the network to be able to carry out its crucial mission of providing protection and support to women victims of violence across the country.

32. GREVIO notes that a substantial share of activities to prevent and combat violence against women is funded by international donors, including the EU and UN agencies. It welcomes the readiness of the Greek authorities to co-operate with international donors and appreciates the efforts of international donors to fund measures and projects to prevent and combat violence against women in Greece. It recalls, however, the state's responsibility to allocate appropriate state resources to fund legislative and policy measures and to operate key institutions in the area of violence against women, in order to discharge its obligation under Article 8 of the Istanbul Convention.

33. GREVIO urges the Greek authorities to ensure appropriate, sustainable and long-term financial resources for all the policies, measures and legislation aimed at preventing and combating violence against women and domestic violence, and for the institutions mandated to implement them, in particular the network of structures for preventing and combating all forms of violence against women.

C. Non-governmental organisations and civil society (Article 9)

34. While the network of structures is mainly operated by the authorities, a number of women's rights NGOs provide a range of specialist services to women victims of violence, including counselling and support services, psychological assistance, empowerment work and legal aid. They also carry out substantial work with women facing intersectional discrimination, including migrant

27. See the state report, p. 11.

28. By Law 4604/2019.

and refugee women, women with disabilities, LGBTI women and Roma women. Their role is crucial to complement the action of the network of structures, whose capacity and geographical coverage remain limited for the time being. In particular, GREVIO notes that a range of civil society organisations play a crucial role in providing essential services to migrant and refugee women, in areas such as legal aid, healthcare, education and psychological support, including in the country's asylum reception facilities. Their role is all the more important as the services they provide are often not available through the authorities.²⁹

35. Nevertheless, GREVIO was informed that women's rights NGOs, in particular those acting in the field of refugees and asylum seekers, receive very limited amounts of financial support from the state and that they depend mostly on foreign donors to carry out their activities. While appreciating that the authorities endorse some NGOs' applications for EU and other funding, GREVIO notes that the reliance on project-based, external funding makes it difficult for NGOs providing essential services to women victims of violence to work in a sustainable manner. GREVIO recalls that under Article 8 and 9 of the convention, funding processes for women's rights organisations providing specialist support services to victims should ensure adequate and guaranteed levels of funding for them to adequately provide these services.

36. Some consultative structures working on gender equality and violence against women include NGOs in their membership. The National Council for Gender Equality, which meets twice a year and is composed of 15 members, includes two representatives of women's rights organisations on a rotating basis. The participating NGOs are selected by the authorities from a list of NGOs. The Project Management Team set up in 2021 by the General Secretariat to prepare Greece's state report under the Istanbul Convention and to monitor its implementation also involves women's rights NGOs. However, the Project Management Team does not appear to meet regularly. Civil society organisations shared with GREVIO the view that their contributions are not sufficiently taken into account when drawing up programmes and measures.

37. Regarding consultations on laws of relevance for the prevention and fight against violence against women, NGOs can take part in the public consultations on laws foreseen in the law-making process but do not seem to be specifically involved or consulted in the preparation of such laws. In general, civil society representatives have stressed that while the authorities rely on their work to obtain statistics, information or other expertise in the area of violence against women, this is not matched by effective consultation on policies and programmes to combat violence against women and sufficient financial support. More generally, GREVIO considers that the role and recognition afforded to women's rights NGOs falls short of the active encouragement and government support required by Article 9 of the Istanbul Convention. It stresses that the authorities should value and tap into the extensive expertise of women's rights NGOs with experience in the field and their specific knowledge about support and protection for women victims of gender-based violence.

38. GREVIO urges the Greek authorities to ensure sustainable funding levels for women's rights NGOs that provide support services for women victims of all forms of violence or assist them. Such suitable funding opportunities should be guaranteed, for example, through long-term grants based on transparent procurement procedures.

39. GREVIO strongly encourages the Greek authorities to step up consultation with a range of women's rights organisations in order to include their opinions and experiences in the design of laws, policies and measures to prevent and combat all forms of violence against women. The authorities should fully acknowledge the value and expertise they bring through their gendered approach to violence against women centring on victims' rights and needs.

29. See remarks under Article 60.

D. Co-ordinating body (Article 10)

40. Article 10 of the Istanbul Convention sets out the obligation to designate one or more official government bodies to co-ordinate, implement, monitor and evaluate policies and measures to prevent and combat all forms of violence covered by the scope of the convention. These bodies should also be responsible for the co-ordination and the collection of data and the analysis and dissemination of results. The evaluation function is to be understood as implying an independent and scientific assessment, based on robust data, of policies and measures.

41. The Greek authorities designated the General Secretariat as the national co-ordinating body responsible for monitoring the implementation of the Istanbul Convention. Since 1985, the General Secretariat on Gender Equality, as it was known, oversaw the planning, implementation and monitoring of policies on gender equality and, since 2010, the national strategies on combating violence against women. In 2021, it was renamed the General Secretariat for Demography and Family Policy and Gender Equality and transferred from the Ministry of the Interior to the Ministry of Labour and Social Affairs, more specifically under the Deputy Minister of Labour. After the June 2023 general elections, the General Secretariat for Demography and Family Policy and Gender Equality was renamed General Secretariat for Equality and Human Rights and was transferred under the authority of the newly established Ministry of Social Cohesion and Family. GREVIO finds it important to ensure that the focus on gender equality and on a gender-sensitive approach to violence against women remains a key feature in the work of the General Secretariat, irrespective of its position in the state administration.

42. The General Secretariat includes two major entities. The Directorate of Social Protection and Counselling Services is in charge of proposing and preparing policies and measures on gender-based violence against women and of monitoring and evaluating their implementation, including as regards women exposed to multiple discriminations.³⁰ The network of structures and the SOS helpline 15900 operate under this directorate. In addition, the Directorate of Planning, Standardisation and Policy Monitoring of Gender Equality Policies is responsible for the collection of statistical data on all forms of violence against women, through the Observatory on Gender Equality.³¹ The General Secretariat publishes annual reports on violence against women, providing an overview of the measures taken by the General Secretariat, the network of structures and local gender equality bodies.³² GREVIO notes with appreciation that it has a staff of 45. The annual total budget is €1 913 000 for 2023 (€1 844 000 for 2022). However, the budget share devoted to the purchase of goods and services was €29 000 for 2023, which compares negatively with the budget of €455 000 allocated in 2018 for the same purpose.³³

43. GREVIO welcomes the leading role played by the General Secretariat in promoting and co-ordinating the implementation of the Istanbul Convention and policies and programmes to prevent and combat violence against women. GREVIO also notes with appreciation the specific focus put on combating violence against women faced with intersectional discrimination. However, it considers that the financial resources allocated to the General Secretariat to perform its function as a co-ordinating body appear to be limited. Moreover, it is concerned about the lack of institutionalised consultative processes between the co-ordinating body and civil society organisations. It stresses that co-operation with NGOs, in particular women's rights organisations, is essential for ensuring a victim-centred and human rights-based approach to combating violence against women.

44. Of the different functions referred to in Article 10 of the convention, the evaluation role is to be understood as implying an independent and scientific assessment, based on robust data, of whether the measures taken have achieved their aim and/or have had any unintended effects. A situation in which close institutional ties exist between those who implement measures and bear political responsibility for them, on the one hand, and those who are supposed to evaluate their

30. See Law 4531/2018, the "Ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and adaptation of Greek legislation", Article 4.

31. See remarks under Article 11.

32. See in particular the General Secretariat third annual report on violence against women, Athens, November 2022.

33. Source: Annual budget of the Greek Government, as provided by the authorities.

implementation, on the other hand, provides fertile ground for (real or perceived) conflicts of interest and can weaken the analysis. Even more so if both tasks are carried out by the same institution.

45. In Greece, several institutions appear to be involved in the evaluation of the implementation of policies on violence against women. The mandates of the above-mentioned Directorate of Social Protection and Counselling Services, the National Council for Gender Equality and the Project Management Team all include monitoring the implementation of the Istanbul Convention or the National Action Plan on Gender Equality.³⁴ Additionally, GREVIO was informed of the role played by the General Secretariat of co-ordination of the Presidency of the Greek Government in monitoring and evaluating government policies with a view to ensuring the consistency and co-ordination of the work.

46. While recognising that several bodies are considered responsible for evaluating government policies related to violence against women, GREVIO believes that the current fragmentation and lack of clarity as to the division of responsibilities for monitoring and evaluation makes it difficult to identify which institution is responsible for evaluating the implementation of policies and measures to prevent and combat violence against women. Moreover, the above-mentioned bodies do not meet the requirement of independence from the institutions responsible for policy making and for the implementation of policies and programmes, as required under Article 10. There seems to be a lack of regular assessment of the impact of public policies addressing violence against women. The fact that several programmes and measures are supported by external donors may add to the difficulty of obtaining a comprehensive assessment. GREVIO therefore considers that responsibilities for the evaluation of policies on gender-based violence against women should be streamlined and that more systematic independent impact assessments, based on robust data, should be carried out. Last, while some of the above-mentioned bodies foresee the involvement and consultation of NGOs, GREVIO's attention has been drawn to deficiencies in this respect also when it comes to evaluation.

47. **GREVIO strongly encourages the Greek authorities to:**

- a. **expand current efforts to support the work of the General Secretariat as the national co-ordinating body by allocating the necessary financial resources to ensure the sustainability of its work;**
- b. **ensure, on the one hand, the co-ordination and implementation of policies and measures and, on the other hand, independent monitoring and evaluation in order to guarantee the objective evaluation of policies. Monitoring and evaluation should be carried out on a regular basis, using comparable indicators and in close consultation with experienced civil society organisations.**

E. Data collection and research (Article 11)

48. Preventing and combating violence against women and domestic violence requires evidence-based policy making. The collection of systematic and comparable data from all relevant administrative sources is crucial in this regard, as is information on the prevalence of all forms of violence against women.³⁵

1. Administrative data collection

49. In 2016, the Observatory on Gender Equality was set up under the authority of the General Secretariat. It has responsibility for co-ordinating the collection and publication of existing data on violence against women required by Article 11 of the convention. GREVIO acknowledges the

34. See the state report, pp. 8-9. The mandates of the Directorate of Social Protection and Counselling Services and of the Project Management Team include co-ordination and monitoring of the implementation of the Istanbul Convention. The Directorate of Social Protection and Counselling Services is also responsible for the implementation and monitoring of the violence against women chapter of the National Action Plan on Gender Equality 2021-2025. The National Council for Gender Equality is an advisory body contributing to the overall monitoring of the National Action Plan on Gender Equality.

35. While this section discusses the main considerations related to data collection, Chapters V and VI also offer reflection on data related to specific criminal offences.

substantial efforts made by the authorities to improve data collection on violence against women. It also notes with satisfaction that data are regularly made available through the General Secretariat's annual reports on violence against women. However, NGOs informed GREVIO that not all data on violence against women are easily accessible. Moreover, GREVIO was made aware of the limited human and financial resources allocated to the observatory to carry out its mandate.³⁶

a. Law-enforcement agencies and the justice sector

50. GREVIO welcomes the fact that, since 2019, the Greek police have enhanced the collection of quantitative and qualitative data on gender-based violence, disaggregated by sex, age, form of violence, relationship between the victim and perpetrator and, in some cases, geographical location. Data on offences related to domestic violence, including psychological and economic violence,³⁷ and sexual violence are available. GREVIO notes with interest that data on femicides in the context of domestic violence have also been made public since 2010.³⁸ GREVIO notes with satisfaction that work is under way to continue expanding the police database to collect disaggregated data on gender-based violence and to combine variables, in particular relating to the sex of the victim and the perpetrator and relationship between them. As a result of recent steps taken to improve data collection, it is now possible for the police to extract information on individual cases and also to obtain an overview of the situation regarding gender-based violence in different regions, which can also be used to strengthen prevention work.³⁹ GREVIO considers it essential that these efforts are further supported.

51. However, data collection has not been harmonised between law enforcement and the judiciary, and data consistency and comparability across law-enforcement agencies is not ensured. Some data are available, including on the annual number of criminal proceedings brought against men for offences related to domestic violence, the use of penal mediation in cases of domestic violence or participation in the three perpetrator programmes run by the National Centre for Social Solidarity (EKKA).⁴⁰ However, data collected in the justice sector do not cover the entire country and are not disaggregated by the sex of the victim and perpetrator or the relationship between them. Information on the victims of gender-based violence is also scarce due to a reported lack of awareness among the judicial authorities in charge of recording data about the importance of such data in the context of violence against women and domestic violence.⁴¹ In general, it remains difficult to track cases of violence against women through the judicial system. Moreover, there are no data on decisions on child custody and visitation rights in domestic violence situations. Data on convictions, acquittals and injunctions are scarce and usually not broken down by type of violence, sex, age of both the perpetrator and the victim or relationship between them. GREVIO was informed that, in 2021, the statistical office of the Ministry of Justice set up an IT tool in order to collect additional data on the gender-based violence cases dealt with since 2016 and, thereby, fill some of the gaps in data collection. It was nevertheless informed about the limited human and financial resources allocated for data collection in the judiciary. It reiterates the importance of data collection to assess conviction, attrition and recidivism rates – and any shortcomings in the criminal law response to violence against women that may need to be addressed.

52. GREVIO notes with regret that very limited data are available in the police and the judiciary on the forms of violence covered by the Istanbul Convention such as stalking, sexual harassment, forced marriage and FGM.

36. The observatory currently employs five specialist staff members and is partly funded by EU programmes; see also remarks under Article 8.

37. Although data on economic violence are reportedly temporarily unavailable, see the General Secretariat third annual report, 2021.

38. Ibid.

39. Information provided during the evaluation visit.

40. See the General Secretariat third annual report, 2021.

41. Information provided during the evaluation visit.

b. Healthcare sector

53. Data on the number of victims of physical violence, rape and sexual violence are collected by several hospitals across the country, with an indication of the relationship between the perpetrator and the victim, as part of the social history record of patients.⁴² However, GREVIO was informed that there is no system providing for the systematic recording and extraction of data on gender-based violence identified by medical staff. Moreover, no data are gathered on FGM, forced abortion and forced sterilisation. GREVIO considers that the lack of data limits the authorities' ability to assess the impact and performance of health services in responding to different forms of violence against women.

c. Social services

54. GREVIO notes with satisfaction that substantial information has been made available since 2012 by the network of structures about the number of women supported by the counselling centres, shelters and the SOS helpline 15900. The network operates a database on women victims of domestic violence who use the services of the network which includes information on women exposed to several forms of intersecting discrimination (single-mother, refugee and migrant women, unemployed women, women with disabilities and Roma women) who use the services. Additionally, the data available indicate the type of support services provided to them.⁴³

55. No information appears to be collected by social services on women victims of gender-based violence using their services.

d. Data on the asylum procedure

56. The Greek Ministry of Migration and Asylum collects data, disaggregated by sex, on international protection decisions on grounds of vulnerabilities related to torture, rape or other forms of psychological, physical or sexual violence or exploitation. No specific data are collected on asylum claims on grounds of gender-based violence against women, outside the above-mentioned broad category of vulnerabilities. GREVIO notes with interest that, as part of the 2022 Memorandum of Understanding between the General Secretariat and UNHCR, steps have been taken to increase the collection of information on victims of gender-based violence among the refugee population.

57. While recognising the efforts made by the Greek authorities to improve data collection, GREVIO strongly encourages them to further improve the collection of available administrative data on all forms of violence covered by the Istanbul Convention, particularly in the judicial and health sectors, including by:

- a. setting up systems to collect data on victims of violence against women involved in criminal and civil proceedings, disaggregated by sex and age of both the victim and the perpetrator, type of violence, relationship between the victim and the perpetrator, and geographical location;**
- b. ensuring comparability of the data collected by law enforcement and the judiciary and introducing a system allowing cases of violence against women to be tracked at all stages of the law-enforcement and judicial proceedings; collecting data on decisions on the custody/visitation/residence of children that have expressly taken into account incidents of domestic violence;**
- c. collecting data on the number of asylum claims on grounds of gender-based violence against women.**

42. See the state report, pp. 85-93.

43. See the General Secretariat third annual report, 2021.

2. Population-based surveys

58. Paragraph 2 of Article 11 of the Istanbul Convention details parties' obligation to conduct population-based surveys based on data that are statistically representative of the target population so that they can be easily generalised to the larger population. Parties are additionally obliged to conduct such surveys at regular intervals in order to make a pertinent and comparative assessment of the prevalence of and the trends in all forms of violence covered by the scope of the convention by tracking developments longitudinally.⁴⁴

59. No population-based survey has been carried out since the 2014 EU-wide survey on violence against women conducted by the EU Fundamental Rights Agency. The Greek National Research Centre (EKKE) is currently participating, in co-operation with the General Secretariat, the Research Centre for Gender Equality (KETHI) and the Greek statistical authority, in the implementation of the new EU-wide survey on violence against women led by Eurostat, the results of which should be published at the end of 2023. GREVIO was informed that, based on the methodology and tools developed for this study, the Greek statistical authority aims to conduct regular surveys on gender-based violence. However, it is unclear whether funding will be made available for this purpose.

60. GREVIO encourages the Greek authorities to provide adequate financial and human resources to conduct regular population-based surveys on all forms of violence against women covered by the Istanbul Convention.

3. Research

61. Article 11, paragraph 1*b*, of the convention creates the obligation for parties to support research, out of the consideration that it is essential that parties base their policies and measures to prevent and combat all forms of violence covered by the convention on state-of-the-art research and knowledge in this field. As a key element of evidence-based policy making, research can contribute greatly to improving day-to-day, real-world responses to violence against women and domestic violence by the judiciary, support services and law-enforcement agencies.⁴⁵

62. GREVIO welcomes the fact that several studies on violence against women have recently been carried out – or are under way – by KETHI and EKKE, including a study on the profile of perpetrators of domestic violence, which should contain an evaluation of existing perpetrator programmes,⁴⁶ a study on cyberviolence and a study on women with disabilities in Greece, aimed at, *inter alia*, analysing gender-based violence against these women.⁴⁷

63. Despite these positive developments, GREVIO was informed of persisting research gaps on forms of violence such as FGM, forced marriage, forced abortion and forced sterilisation, stalking and sexual harassment.⁴⁸ GREVIO also concludes that more research is needed on the effects on children of witnessing domestic violence, on the gender-based violence experienced by Roma, LGBTI and, in particular, intersex women and, more generally, on the implementation of policies to prevent and combat violence against women, including as part of the National Action Plan on Gender Equality. Finally, in view of the alarming rise in recent years in the number of gender-based killings of women, GREVIO strongly believes that research is urgently needed to ascertain the causes of this dramatic increase.⁴⁹ GREVIO hopes that sustainable funding will be available to conduct further qualitative and quantitative research on these topics.

44. Explanatory Report to the Istanbul Convention, paragraph 78.

45. *Ibid.*, paragraph 77.

46. "Approaches and proposals for effective intervention and change of attitude of male perpetrators of domestic violence", see the General Secretariat third annual report, 2021.

47. "Survey on the situation of women with disabilities and the needs of parents and guardians of children with disabilities", in the General Secretariat third annual report, 2021.

48. Information received during the evaluation visit.

49. See also remarks under Article 51.

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64. **GREVIO strongly encourages the Greek authorities to take further steps to:**
- a. carry out research on all forms of violence against women, including in relation to specific groups of victims who may be subjected to intersectional discrimination, notably Roma and LGBTI women;**
 - b. support research to study and document the effects on children of witnessing domestic violence;**
 - c. invest in the evaluation of existing policies, laws and practices to assess the level of implementation of, and victim satisfaction with, the services provided, in close co-operation with specialist support services.**

III. Prevention

65. This chapter contains a number of general and more specific obligations in the area of prevention. These include early preventive measures such as changing social and cultural patterns of behaviour of women and men, eradicating prejudices and gender stereotypes, and measures to involve all of society, including men and boys, in achieving gender equality and the prevention of violence against women. It also includes more specific preventive measures such as awareness raising and campaigning, ensuring the adequate training of all professionals, education in schools and other settings, and, last but not least, measures such as perpetrator programmes to prevent further victimisation.

A. General obligations (Article 12)

66. Article 12 delineates the fundamental foundations of the parties' duty to prevent violence against women. These include the parties' determination to promote changes in the social and cultural patterns of behaviour of women and men with a view to eradicating prejudices, customs, traditions and all other practices that are based on the idea of the inferiority of women or on stereotyped roles for women and men. Moreover, flowing from the premise that violence against women is a cause as much as a consequence of gender inequality, Article 12 requires further that parties adopt specific measures to empower women and to achieve greater gender equality in order to reduce women's vulnerability to violence.

B. Awareness raising (Article 13)

67. Several country-wide campaigns to raise awareness on violence against women and on available remedies for victims have been implemented in the last decade as part of successive programmes on preventing and combating violence against women.⁵⁰ They have involved TV advertisements, leaflets, seminars, conferences and online and offline publications in several languages. During the Covid-19 pandemic and related lockdown, the General Secretariat also initiated a TV campaign to promote the SOS 15900 helpline, followed by a campaign to raise awareness about domestic violence.⁵¹ Moreover, KETHI has conducted awareness raising on gender-based violence, gender stereotypes and harassment in schools, on an ad hoc basis. In 2022, TV spots were broadcast on sexual harassment at work. GREVIO further notes that, as part of the National Action Plan on Gender Equality, it is foreseen to develop awareness-raising material accessible to persons with disabilities.

68. Numerous awareness-raising activities on violence against women are also undertaken by NGOs, mainly financed by international donors. Several of them are conducted in co-operation with state bodies and/or international organisations and deal with different forms of gender-based violence, including violence in the digital sphere.⁵² Moreover, NGOs also conduct outreach activities to raise awareness about gender-based violence among groups of women such as women with sensory impairment, refugees and asylum-seeking women.

69. While several of the above awareness-raising campaigns address gender-based violence and have, encouragingly, challenged gender stereotypes, GREVIO notes that their predominant focus seems to be on domestic violence, especially for the campaigns undertaken by the authorities. Other forms of violence against women such as sexual violence and rape committed outside the context of domestic violence, FGM, forced abortion or forced sterilisation are less frequently addressed. Moreover, there seems to be no specific focus on raising the awareness of boys and men about violence against women and gender stereotypes, even though the National Action Plan on Gender Equality foresees campaigns targeting this population group. Limited attention in

50. For example, the campaign "You are not alone, you are not the only one", implemented between 2011 and 2014.

51. "Words like knives".

52. See, for example, Diotima's campaign "Cyber-violence exists": <https://press.genderhood.org/en/cyber-violence-yparxei-2/>.

awareness-raising activities also appears to be paid to the rights of women exposed to intersectional discrimination and to children exposed to domestic violence.

70. Widespread coverage in 2020 of several cases of sexual abuse in high-level sports and in the arts triggered increasing public awareness of violence against women in Greek society and coincided with the beginning of the “MeToo” movement in Greece. In this context of heightened public awareness, GREVIO believes that it is important to step up awareness-raising efforts and to regularly implement campaigns and programmes covering all the forms of violence included in the Istanbul Convention, targeting both the general public and specific population groups. Last, it is essential for all these measures to be devised in close co-operation with the civil society organisations already involved in awareness raising and prevention work, and for their impact to be regularly assessed.

71. GREVIO strongly encourages the Greek authorities to promote, on a regular basis, awareness and understanding among the general public about the different forms of violence covered by the Istanbul Convention, and the gendered nature of this violence. To achieve this, the Greek authorities should, in particular:

- a. **run awareness-raising activities targeting different population groups, including men of all ages, so as to change underlying patriarchal attitudes and promote understanding of this type of violence;**
- b. **involve women’s rights NGOs in the design and implementation of awareness-raising measures.**

C. Education (Article 14)

72. Attitudes, convictions and behavioural patterns are shaped very early in life. Educational establishments therefore have an important role to play in promoting equality between women and men and human rights. Article 14 therefore requires the design of teaching material that promotes equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, the right to personal integrity and that informs learners of the different forms of gender-based violence against women.

73. According to Law 4604/2019,⁵³ promoting gender equality is one of the objectives of primary and secondary education institutions in Greece, through school curriculums, textbooks and other teaching tools, and by means of mainstreaming gender equality into teachers’ education. New curriculums for primary and secondary education have recently been developed, with courses on gender equality, human rights and peaceful resolution of conflicts, among other things. New textbooks reflecting these curriculum changes are reportedly under preparation and scheduled to be rolled out in the 2023/2024 school year. Moreover, GREVIO notes with interest the introduction, in 2020, of a pilot programme, “21st Century Skills Labs”, which addresses issues such as gender equality, gender identity, discrimination, hate speech, sexuality education and cyberbullying in primary and secondary education.⁵⁴ Additionally, teacher training on issues such as gender equality, gender-based violence and tackling gender stereotypes is reportedly increasing, even though GREVIO understands that these training courses are mostly attended on a voluntary basis.

74. As regards higher education, GREVIO was informed that since 2022 teaching on gender equality has become compulsory. Moreover, optional courses are available at some universities at undergraduate and postgraduate levels, including classes on subjects such as gender-based violence, stereotyped gender roles and non-violent conflict resolution. Furthermore, GREVIO welcomes the setting up, in 2021, of equality committees in universities with specific action plans to promote equality and prevent gender-based violence, and in particular sexual harassment, based

53. Article 17 of Law 4604/2019 on the promotion of substantial gender equality, prevention and the fight against gender-based violence.

54. State report, page 21.

on a protocol between universities and KETHI.⁵⁵ Sexual violence reporting offices are also to be set up.

75. NGOs also provide teaching on gender-based violence and on challenging gender stereotypes in formal educational activities, subject to accreditation by the relevant authorities. However, GREVIO was informed that such activities are not financially supported by the authorities, which limits the number of schools and pupils that can benefit from such teaching.

76. Information brought to GREVIO's attention indicates that, despite recent efforts to mainstream gender equality in education, teaching on gender stereotypes, gender-based violence and sexuality education remains sporadic and depends on the willingness of schools and teachers to provide such teaching.⁵⁶

77. While not having an overview of authorities' efforts to promote gender equality and prevent gender-based violence in informal educational facilities, such as sports and leisure activities, GREVIO was informed that such actions are scarce. Moreover, despite the recent public disclosure on cases of sexual abuse in sports, GREVIO was informed that limited measures have been taken to facilitate reporting of abuse in sports and to train coaches on non-violent behaviour.⁵⁷

78. Last, all schools should have a designated counsellor serving as a reference point for cases of gender-based violence, which is a promising development. However, GREVIO was informed that, in practice, the responsibilities of those in these posts and the rules concerning reporting obligations are unclear. Moreover, according to information received by GREVIO, this system applies only to cases of gender-based violence occurring among school staff and it does not involve a complaint mechanism for pupils who are victims of such violence.⁵⁸

79. GREVIO strongly encourages the Greek authorities to strengthen efforts to ensure the practical implementation of the requirement to include in school curriculums or to otherwise impart knowledge on the elements listed in Article 14 of the Istanbul Convention, including on the various forms of gender-based violence against women and girls.

80. GREVIO also strongly encourages the Greek authorities to introduce clear guidelines on the identification and reporting of all victims of gender-based violence at school and in informal educational facilities, including sports.

D. Training of professionals (Article 15)

81. The standard set by the convention in its Article 15 is that of systematic initial and in-service training of the relevant professionals who deal with victims or perpetrators of all acts of violence. The training that is required must cover the prevention and detection of such violence, equality between women and men, the needs and rights of victims and the prevention of secondary victimisation.

82. In-service training of staff in public administration is provided by the Training Institute of the National Centre of Public Administration and Local Government (EKDDA), which has since 2018 been implementing a programme on preventing and combating violence against women, attended by 700 employees.⁵⁹ Moreover, EKDDA provided, during the Covid-19 outbreak, an online course on responses to violence against women in the context of the pandemic.

55. See also the National Action Plan on Gender Equality, Objective 1.2: Combating violence in the workplace; and Action 1.2.2: Programme "Eleni Topaloudi" on sexual harassment of female students at universities.

56. Information received during the evaluation visit.

57. Information received during the evaluation visit.

58. Information received during the evaluation visit.

59. State report, p. 25.

83. Professionals working in the network of structures follow in-service training organised by the General Secretariat and EKDDA.⁶⁰ Training covers the provision of counselling services to women victims of violence and helping them reintegrate into the labour market. Furthermore, the General Secretariat has organised several in-service training courses for various public officials to support asylum-seeking and refugee women victims of gender-based violence, funded by the EU.⁶¹

84. The National School of the Judiciary provides initial and in-service training to judges and prosecutors. Initial training has been mandatory since 2022 and covers topics such as human rights, family law, gender-based and domestic violence and the treatment of victims. The National School of the Judiciary also holds optional in-service training sessions on specific issues related to the Istanbul Convention intended for sitting judges and prosecutors. This training is provided by domestic and international lecturers from different fields, such as social workers, psychologists and senior members of the judiciary. Women rights NGOs are, however, not involved in these lectures.

85. Information received by GREVIO indicates, nonetheless, that gender-based prejudices and stereotypes continue to prevail among the judiciary and that there is a lack of initial and in-service training on issues pertaining to gender-based violence, such as on the harmful effects of violence on children and on the requirements of the Istanbul Convention regarding the settlement of custody and visitation rights.⁶² Moreover, judges appear to have an inadequate understanding of the paradigm shift in proving rape since the 2019 amendments to the Criminal Code and lack awareness of some of the forms of violence covered by the scope of the Istanbul Convention, such as psychological violence, stalking, FGM, forced marriage, forced sterilisation and forced abortion. Last, GREVIO learned with deep concern about training recently provided by the National School of the Judiciary on what is termed “parental alienation syndrome”, which runs counter to Article 31 of the Istanbul Convention.⁶³

86. While some local bar associations in Greece reportedly offer optional in-service training on gender-based violence to practising attorneys, GREVIO was nevertheless informed that there is a general lack of awareness and training on the Istanbul Convention and on violence against women among these professionals.

87. As regards training of the police, the Police Academy’s curriculum has recently been amended to include thematic courses on violence against women and domestic violence, including courses on the applicable laws on domestic violence, the handling of cases of domestic violence and sexual crimes, the management of complaints, risk assessments and sociology and psychology courses dealing with issues related to gender, sexuality and inequalities. Moreover, GREVIO welcomes the fact that in-service training on domestic violence has expanded in the last few years.⁶⁴ In particular, the specialist police units dealing with domestic violence cases receive additional in-service training, including the Council of Europe’s HELP course on violence against women and domestic violence, which has been completed by more than 1 000 police officers. However, GREVIO understands that specific training provided to specialist units is limited to five days.⁶⁵ Information available to GREVIO does not indicate if retraining modules are included in the training programmes. In addition, training on forms of violence against women covered by the convention other than domestic violence, in particular FGM and forced marriage, appears to be lacking.

88. In the absence of detailed information, GREVIO is not in a position to assess whether health professionals receive specific training on gender-based violence. It notes with interest that, since 2020, in-service specialised training has been provided to nurses, on a voluntary basis, on subjects

60. Twenty-seven staff members of the network undertook such training in 2019, 37 in 2020 and 64 in 2021. State report, p. 22.

61. For example, the “Survivor” and “Empower” programmes.

62. See also remarks under Article 31.

63. See also remarks under Article 31.

64. Information provided by the Greek authorities indicates that, in 2020, 665 police officers serving in the specialist domestic violence unit were trained, compared to 120 in 2019. This figure was of 619 in 2021 and 416 in 2022. Moreover, in 2022, 13 352 police officers working outside the specialist domestic violence units received training on handling cases of domestic violence.

65. See also the Committee on Family Law and Consensual Joint Custody report submitted to GREVIO on 10 February 2023, p. 19.

such as community nursing and emergency nursing, family nursing or mental care nursing, which all include content on gender-based violence. A total of 1 235 nurses have reportedly undergone training on gender sensitivity since 2021.⁶⁶ Despite these developments, GREVIO observes, based on information brought to its attention, that there is an overall lack of training for the different categories of health professionals on recognising and treating victims of rape and sexual violence, FGM or forced sterilisation.⁶⁷

89. According to indications from NGOs, major shortcomings persist in the training of the staff in reception facilities for asylum seekers and refugees on the identification of women victims of gender-based violence.⁶⁸

90. Civil society organisations play a significant role in organising training for various groups of professionals, including psychologists, social workers, lawyers and teachers, in order to provide them with knowledge, resources and tools to support victims of sexual harassment, gender-based violence and cyberviolence. Their work is particularly important regarding forms of violence such as FGM and forced marriage, on which there is very limited awareness. GREVIO underlines the importance for the authorities to tap into the expertise developed by women's rights organisations and to support their work as they contribute to improving the overall level of training of professionals on violence against women.

91. Last, GREVIO is not aware of any evaluation of the training programmes on violence against women.

92. **GREVIO urges the Greek authorities to take additional steps to ensure that all professionals working with victims or perpetrators of all forms of violence covered by the Istanbul Convention, in particular the judiciary, receive systematic and mandatory initial and in-service training to identify and respond to all forms of violence covered by the Istanbul Convention. To this end, the Greek authorities should, in particular:**

- a. **ensure that the initial and in-service training on violence against women provided to all professional categories is in line with the Istanbul Convention;**
- b. **ensure that the training provided covers issues such as gender-based stereotypes; the difference between conflict and violence; the identification of victims; the rights and needs of victims; the prevention of secondary victimisation; the impact of violence on children exposed to it; and violence against women exposed to intersectional discrimination;**
- c. **provide sufficient funds for training programmes and initiatives, including those delivered by NGOs;**
- d. **evaluate the impact of training programmes for different professional groups.**

E. Preventive intervention and treatment programmes (Article 16)

1. Programmes for perpetrators of domestic violence

93. Since 2008, counselling programmes for perpetrators of domestic violence have been provided by the National Centre for Social Solidarity (EKKA), in two regions (Attica and Thessaloniki). Perpetrators in other regions are referred to the healthcare system or other services. GREVIO notes with regret the lack of information on the content of these programmes and on the principles on which such services are based. It highlights its findings in previous evaluation reports that perpetrator programmes should not focus on providing medical treatment for mental health issues as such an approach overlooks the fact that violent behaviour is not an illness but mainly an anti-social and criminal behaviour.⁶⁹ Furthermore, GREVIO reiterates its doubts as to whether healthcare centres

66. Information provided by the authorities.

67. Information received during the evaluation visit.

68. See also remarks under Article 60.

69. See the Mid-term horizontal review of GREVIO baseline evaluation reports, paragraph 199.

offer the proper setting to work with perpetrators of violence and whether healthcare professionals are best placed to handle preventive intervention programmes.⁷⁰

94. A limited number of perpetrators' programmes are run by civil society organisations, such as the programme "Via Stop" in Kavala.⁷¹ In the absence of information, GREVIO is not able to assess the content of the programmes delivered by EKKA. Moreover, it is not aware of any programme for perpetrators in prison. In view of the lack of information on existing perpetrator programmes, GREVIO welcomes the initiative undertaken by KETHI to conduct a study to evaluate services provided to perpetrators of domestic violence.

95. Perpetrators can be referred to EKKA's programmes by prosecutors in the context of the mediation mechanism foreseen under the 2006 Law on Domestic Violence, which provides for a three-year suspension of prosecution if the perpetrator pledges not to commit any act of domestic violence in the future and takes part in a perpetrator programme. If he does not comply with the conditions set under the mediation mechanism, prosecution is in principle restarted.⁷² The available data⁷³ indicate that, regrettably, only a small proportion of perpetrators referred to EKKA's services complete the programme.⁷⁴ Additionally, GREVIO notes with concern that no specific measures appear to be in place to ensure the safety of the victim during the mediation procedure. It was informed by NGOs and lawyers working with women victims of violence that perpetrators who opt for this mediation mechanism may do it mostly to avoid prosecution. GREVIO points out that perpetrator programmes cannot replace prosecution or conviction and that the authorities must ensure that the interplay between perpetrator programmes and criminal proceedings does not work against the victims' right to fair and just legal processes.⁷⁵

96. **GREVIO urges the Greek authorities to:**

- a. **substantially strengthen the capacity and outreach of perpetrator programmes, including by rolling out programmes throughout the country, introducing them in custodial settings and ensuring that their impact is adequately evaluated by independent entities;**
- b. **take the necessary legislative and other measures to increase the level of attendance and the rate of completion of perpetrator programmes ordered by prosecutors in the context of the mediation mechanism;**
- c. **develop common minimum standards applying to perpetrator programmes, in line with the Istanbul Convention, particularly as regards the need for a gender-sensitive approach and the deconstruction of gender stereotypes, as well as the need to ensure safety of the victims during the process of implementation of the perpetrator programmes;**
- d. **ensure that the interplay between perpetrator programmes and criminal proceedings does not negatively affect the victims' right to fair and just legal processes;**
- e. **ensure that victims of domestic violence are adequately informed and protected during the mediation procedure and that they and their children are kept safe.**

2. Programmes for sex offenders

97. GREVIO is not aware of any programme for perpetrators of sexual violence. Such perpetrators can, reportedly, be referred to psychiatric hospitals. GREVIO has been informed of the authorities' plan to set up a counselling programme for perpetrators of sexual violence against children as of 2024.⁷⁶

70. Ibid.

71. See www.viastop.gr/.

72. See also remarks under Article 48.

73. Which only cover perpetrators who follow EKKA programmes; see the state report, pp. 81-82.

74. See also remarks under Article 48.

75. See the Mid-term horizontal review of GREVIO baseline evaluation reports, paragraph 195.

76. Information provided by the Greek authorities.

98. **GREVIO strongly encourages the Greek authorities to take steps to comply with the requirements of Article 16, paragraph 2, of the Istanbul Convention concerning the establishment of treatment programmes for sex offenders, taking due account of best practices developed internationally and guaranteeing a human rights-based approach.**

F. Participation of the private sector and the media (Article 17)

99. The National Council for Radio and Television, set up in 1989, issues radio and television licences and monitors the content of programmes. It can act based on complaints or on its own initiative, and it can impose fines on media outlets broadcasting discriminatory, sexist or hateful content, as it has done on several occasions.⁷⁷ Moreover, GREVIO is informed that KETHI has published a manual for journalists on preventing the dissemination of sexist stereotypes, in co-operation with the National Council for Radio and Television.

100. GREVIO is nonetheless deeply concerned about the frequent sensationalising of reporting on gender-based violence, including gender-based killings of women, in some Greek media, which use discriminatory language, dramatise the presentation of facts, disclose the identity of victims and breach their privacy. Of particular concern is the reported practice by some private TV channels of having information on cases of gender-based violence presented by police officers instead of journalists, without adequate contextualisation and without information on existing remedies for gender-based violence victims. The leaking to media outlets of sensitive information about ongoing investigations or court proceedings in cases of gender-based violence has also been reported to GREVIO.⁷⁸

101. Through Law 4531/2018 on the ratification of the Istanbul Convention, media are encouraged to develop self-regulation. However, few steps have been taken to develop codes of conduct or self-regulatory standards for media regarding gender-based stereotypes, discrimination and gender-based violence, despite encouragement to do so by the National Council for Radio and Television. GREVIO is only aware of one code of conduct for digital media publishers indicating that the identity of a rape victim should not be revealed and that gender-based prejudices should not be disseminated.⁷⁹ In this context, GREVIO welcomes the fact that a code of ethics is currently being prepared, under the auspices of the National Council for Radio and Television, which reportedly addresses the need to counter the dissemination of hate speech and gender-based stereotypes, the dramatisation of gender-based violence and the disclosure of the identity of victims of sexual violence. However, it is concerned that while the draft code invites media outlets to refrain from disseminating hate speech on several grounds, sex is not included in the list of grounds.⁸⁰ GREVIO hopes that sexist hate speech will be explicitly covered by the code and that this new tool will contribute to raising the awareness of media about their important role in preventing gender-based violence and in promoting respect for women's equality and dignity.

102. **Bearing in mind the important role of the media in promoting equality between women and men and reducing the level of social acceptance of violence against women, GREVIO encourages the Greek authorities to promote the development of specific standards of self-regulation for a balanced, non-sexist and non-sensationalist coverage of violence against women and to promote the training of journalists on the different forms of violence against women and gender-based violence and how to report on them in the media.**

103. The accession by Greece, in 2021, to International Labour Organization (ILO) Convention No. 190 on violence and harassment in the world of work provides a new framework for private companies of more than 20 employees to adopt internal policies to prevent and sanction violence and harassment against women at work, which is a significant development. The law imposes on companies the obligation to include violence and harassment among psycho-social

77. See for example decisions No. 1921/2019, No. 45/2019, No. 210/2021, No. 134/2021 and No. 33/2022.

78. Information provided during the evaluation visit.

79. Information provided during the evaluation visit.

80. See report submitted by AFEM, paragraph II.13.

health and safety risks for which risk assessment needs to be carried out, to set up a system of internal complaints for violence and harassment,⁸¹ to regulate violence and harassment as disciplinary misconducts subject to sanctions and to take any appropriate measure to protect the victim. The law also provides incentives for companies to take measures in this area such as the possibility of gaining a “Gender Equality Label”. Cases of harassment and violence in the private sector, including sexual harassment at work, are investigated by labour inspectorates and the Office of the Ombudsman. GREVIO notes with interest that following the adoption of Law 4808/2021 on the ratification of ILO Convention No. 190, the number of complaints about sexual harassment in the workplace brought to the ombudsman has doubled.⁸²

104. Despite the new legal framework, information provided to GREVIO indicates that it remains difficult for victims to report cases of gender-based violence in the workplace for several reasons. These include the persistent difficulty of providing evidence in combination with the reported limited awareness among the judiciary and lawyers of the procedural rules on the shift in burden of proof and of the possibility for NGOs and trade unions to initiate proceedings in the name of the victim.⁸³ Gaps in the provision of legal aid, the lack of support provided to victims in the procedure and, most importantly, the fear of reprisals and legal retaliation by the perpetrator can also deter women from initiating complaints.⁸⁴ Indeed, as regards reprisals and retaliation, GREVIO is worried about the reported practice by accused perpetrators of suing victims and their witnesses for defamation or insults and of bringing against them legal actions for large sums of compensation on these grounds, which deters victims of violence and harassment from reporting. Additionally, GREVIO notes that the sanctions imposed for sexual harassment at work remain low and are therefore not always sufficiently dissuasive for employers to take resolute measures against sexual harassment.⁸⁵ GREVIO considers that it is important to further monitor the implementation of Law 4808/2021 on the ratification of ILO Convention No. 190 and to assess its impact on preventing and combating gender-based violence against women at work, including by collecting data on the number of cases of sexual harassment at work disaggregated by the sex of both the victim and the perpetrator, the perpetrator’s capacity (employer, manager, employee, third party), the outcome of the case and the sanctions imposed.

105. While recognising the important measures taken by the Greek authorities to prevent and combat violence against women in the workplace, GREVIO encourages them to take additional steps to ensure that women victims of violence and harassment are adequately supported and to evaluate the implementation of the new legal framework by collecting data on the number of women victims of sexual harassment at work, the complaints filed by the victims and their outcome.

81. Including reference persons and complaints managers.

82. See Greek Ombudsman, Special Report on Equal Treatment, 2021.

83. See European network of legal experts in gender equality and non-discrimination, Flash report on Greece, 12 March 2021, available at: www.equalitylaw.eu/downloads/5370-greece-first-greek-judgment-to-apply-the-reversal-of-the-burden-of-proof-94-kb.

84. Information received during the evaluation visit.

85. Figures brought to GREVIO’s attention are sums between €3 000 and €6 000.

IV. Protection and support

106. Chapter IV of the Istanbul Convention aims at a multifaceted, professional and victim-oriented support structure for any woman who has experienced any of the forms of violence covered by the convention.

A. General obligations (Article 18)

107. Article 18 of the Istanbul Convention sets out a number of general principles to be respected in the provision of both general and specialist protective and supportive services. One of these principles is the need for services to act in a concerted and co-ordinated manner with the involvement of all the agencies concerned, taking into account the relationship between victims, offenders, children and their wider social environment. Addressing the complexity of violence against women requires establishing an intervention system which involves all relevant policy sectors, administrative levels and actors. Multisectoral and multi-agency interventions across the national, regional and local levels are key to ensuring an effective and cohesive response to all forms of violence. Effective co-ordination at local levels is particularly important in terms of ensuring that responses fit the community needs and of providing “one-stop-shop” services to victims.

108. In Greece, although the planning and co-ordination of protection policies is carried out by the General Secretariat, the primary responsibility for the provision of protection and support services to victims of the different forms of violence covered by the Istanbul Convention lies with the local authorities, which manage and operate the various support structures for women victims of violence.

109. GREVIO notes with interest the signing of a memorandum of co-operation between the UNHCR, KETHI and the General Secretariat, in January 2022, with the aim of improving co-operation in the protection of migrant, refugee and asylum-seeking women victims of gender-based violence. However, apart from this example, GREVIO notes with concern that co-operation between the stakeholders is mostly informal and based on unofficial and ad hoc relationships evolving between individuals working at those institutions. Examples of such ad hoc co-operation between counselling centres, NGOs and the police with the aim of finding solutions for women victims of domestic violence in crisis situations have been brought to GREVIO’s attention. However, the effectiveness of the co-operation varies significantly between stakeholders and geographically as multi-agency co-operating mechanisms between the relevant stakeholders, such as the judiciary, public prosecutors, law-enforcement agencies, local and regional authorities and NGOs, rely on the personal initiative of dedicated professionals. Serious gaps in co-operation and co-ordination of the stakeholders have been reported to GREVIO where such informal co-ordination is not in place. Additionally, no multi-agency response mechanism seems to be in place for forms of violence against women other than domestic violence. GREVIO underscores the importance of having formal structures for co-operation and co-ordination of those providing protection and support to women victims of all forms of violence covered by the Istanbul Convention.

110. A related issue which was brought to GREVIO’s attention is the lack of systematic co-operation between the network of structures and specialised NGOs working to protect women victims of violence. Many NGOs working with victims offer important services such as counselling and legal advice, thereby filling the gaps in the state framework for victims’ support. However, women victims of violence do not always receive information about services provided by NGOs.⁸⁶

111. Another issue of concern that was brought to GREVIO’s attention is the fact that on account of the lack of formalised co-ordination, significant effort is required for victims to access services from the network of structures. Shortcomings in the existing system result in victims having to travel between cities or islands, or having to access multiple services within a city, which are located far

86. Information received during the evaluation visit.

from each other, with no financial support to cover travel costs. Scheduling and obtaining these services in practice can often take a long time.⁸⁷

112. GREVIO notes that there are no “one-stop shops” providing a range of protection and support services, including law enforcement, to women victims of violence. The co-ordinated gathering of victim support services under the same roof makes it possible to provide comprehensive care for victims, empower them and avoid secondary victimisation. “One-stop shops” can also help address violence against women in the digital sphere. GREVIO is of the view that the Greek authorities should consider establishing this type of service.

113. GREVIO urges the Greek authorities to significantly step up the co-ordination of responses to the needs of women victims of all forms of violence covered by the Istanbul Convention, by setting up institutionalised structures for co-operation and co-ordination among all relevant statutory agencies, non-governmental bodies and specialist support services.

B. Information (Article 19)

114. The General Secretariat plays a central role in providing information and raising awareness of the support services and legal measures available to women victims of violence in Greece, through information campaigns and leaflets promoting the services available for victims of gender-based violence. Some of these activities were conducted as part of broader EU awareness-raising campaigns, but some were carried out at the initiative of the authorities themselves.⁸⁸ The General Secretariat also conducts outreach activities through its official website and social media pages, where information on the support services for victims is available in Greek and English. GREVIO regrets, however, that the scope and impact of these campaigns and outreach activities are not measured.

115. Although some of the above activities are also addressed specifically to refugees and asylum seekers, GREVIO notes that a number of NGOs supplement this work by providing information to refugee and asylum-seeking women, in several languages other than Greek and English. This information is mainly provided through a permanent presence in reception facilities for asylum seekers.⁸⁹

116. According to Law No. 4478/2017,⁹⁰ women victims of violence in Greece have the right to receive adequate information about their rights, in a simple and accessible language, during their first contact with the authorities. Furthermore, pursuant to the same law, all victims of crime should receive information from the authorities as regards the procedure for filing a complaint, the available legal aid, interpretation services and other legal measures. However, GREVIO was informed that many women victims of gender-based violence do not receive comprehensive information on their rights, nor on the support services available.⁹¹

117. GREVIO was informed, in particular, of serious gaps in the information provided to migrant, asylum-seeking and refugee women victims of violence on their rights and existing remedies. This problem is compounded by the frequent lack, or low level, of interpretation in the languages spoken by these women, in police stations and shelters.⁹²

118. During the course of 2019 and 2020, 5 079 and 4 907 women, respectively, received support in counselling centres. From these figures, it would appear that despite the efforts of the

87. Information received during the evaluation visit. For delays regarding the admission to shelters, see also remarks under Article 22.

88. See also remarks under Articles 12 and 13.

89. See also remarks under Article 60.

90. Law of 23 June 2017 enacted to incorporate Directive 2012/29/EU for the establishment of minimum standards regarding the rights, support and protection of victims of crime.

91. Information received during the evaluation visit.

92. Information received during the evaluation visit. See also remarks under Article 60.

General Secretariat, the number of women benefiting from the services provided by the network of structures remains low, indicating that women victims of violence in Greece might still lack information about the available support services.

119. Furthermore, according to information received during the visit, there has not been any specific campaign or outreach programme targeting women exposed to intersectional discrimination, in particular Roma women victims of violence, who are likely to lack information on the resources available.

120. **GREVIO strongly encourages the Greek authorities to ensure the wider dissemination of easily accessible and timely information on the support services and legal measures available to women victims of all forms of violence covered by the Istanbul Convention, in a language that they understand. They should also ensure that the available information reaches women exposed to, or at risk of, intersectional discrimination, such as Roma women, migrant, asylum-seeking and refugee women.**

C. General support services (Article 20)

1. Social services and housing

121. Various allowances and support services are available to certain groups of vulnerable people under Greek law. They are made available through social services and community centres of local authorities, and some of them specifically target women victims of violence. For example, GREVIO notes with satisfaction that under a joint ministerial decision of 23 July 2021, the provisions on the right to obtain a guaranteed minimal income⁹³ were extended to cover women victims of violence staying in shelters, for a period of up to one year. Similarly, victims who have stayed in shelters also have the right to apply for a rent subsidy and compensation for household expenses, which can be extended to up to two years.⁹⁴

122. As regards employment programmes, GREVIO notes with interest that in order to facilitate the access of unemployed victims of gender-based violence to the labour market, as of March 2021 those offering employment to a woman victim of violence can benefit from a subsidy of 90% of the victim's gross salary, for a period of up to two years and up to an amount of €800 per month, for a full-time position. GREVIO was also informed of the existence of "second chance schools" in five cities, which address the social exclusion of adults. These schools reportedly include victims of violence against women so as to prepare them for (re)integration in the labour market.⁹⁵

123. Despite the above well-designed measures and efforts made for the social and economic empowerment of women victims of gender-based violence, they continue to face a number of challenges in practice. GREVIO understands that social services are under particular strain and struggle to provide the needed support for victims of violence against women on account of insufficient and unstable staffing and financing, which also results in delayed rollouts of certain programmes. GREVIO also received reports about recent reductions in some of the benefits and information about the programmes' uneven and insufficient availability and use. These challenges are even more pronounced in rural areas and on islands where victims are often forced to travel long distances and endure long delays in the procedures to apply for basic services.⁹⁶

124. GREVIO has also identified shortcomings with regard to the lack of social and housing services tailored to the individual needs of women exposed to intersectional discrimination, specifically regarding Roma women, women with disabilities and migrant and refugee women. GREVIO was informed about Roma women failing to obtain the necessary services, primarily on

93. Amounting to €200 per individual, an additional €100 for every other adult in the household and €50 per child. In any event, the total cannot exceed €900.

94. State report, p. 85.

95. Information provided by the authorities.

96. Information received during the evaluation visit.

account of what appears to be prejudice and misperceptions of Roma.⁹⁷ This situation is further compounded by a fear of the stigma and discrimination from statutory agencies, which appears to be widely present among Roma women and which represents a significant barrier to accessing the services in question. Similar concerns about the lack of a tailored approach for certain groups of women victims of violence were brought to GREVIO's attention regarding women with disabilities, who are often not provided with the same level of access to services. As regards the specific challenges and obstacles faced by migrant and refugee women victims of violence, see Chapter VII.

125. GREVIO encourages the Greek authorities to take further steps to ensure that women victims of violence have adequate access to social services meeting their needs and facilitating their recovery from violence. They should also ensure access for all women victims of violence, in particular Roma women, women with disabilities and migrant and refugee women, including by raising the awareness of relevant professionals about their particular needs.

2. Healthcare services

126. Healthcare workers are often the first to come into contact with a woman victim of violence, which is why their ability to identify victims and react sensitively to their needs is crucial.⁹⁸ This can be achieved through training initiatives for practitioners in public and private healthcare settings, so that medical professionals can be knowledgeable points of first contact for victims.

127. The authorities informed GREVIO about several general protocols in place for health workers, namely a protocol on the treatment of individuals infected with HIV and a protocol for the collection of forensic evidence, applicable to medical services that have contact with victims of sexual violence. However, other than these, comprehensive, specific and gender-sensitive protocols or guidelines relating to the admission, examination, care and further referral of victims of violence against women, at either national level or at the level of healthcare institutions, appear to be lacking. Similarly, there are no protocols for healthcare professionals as regards the provision of treatment and care to victims of FGM.

128. GREVIO observes that although Greek national state health services are in principle free of charge, they do not cover women victims of violence who are not registered with the system. While the general public has various avenues to obtain the requisite registration and recognised refugees and asylum seekers are also entitled to register, GREVIO is concerned that migrant women who have had their asylum application rejected or who are otherwise in an irregular situation, and who are victims of violence, fall outside the above categories and cannot always benefit from the state healthcare services. In practice, this results in them having to bear the full cost of any treatment, which acts as a significant deterrent in accessing healthcare services.

129. The authorities informed GREVIO that, according to available data, the number of women victims of domestic violence who received support from the national health services was 1 164 in 2019 and 1 232 in 2020.⁹⁹ More recent and comprehensive data are lacking, which supports the information received by GREVIO that there is no system in place to systematically record and extract data on gender-based violence in the healthcare services.¹⁰⁰ Moreover, no data are gathered

97. Information received during the evaluation visit.

98. The World Health Organization states in that respect that: "While preventing and responding to violence against women requires a multi-sectoral approach, the health sector has an important role to play. The health sector can: advocate to make violence against women unacceptable and for such violence to be addressed as a public health problem; provide comprehensive services, sensitize and train healthcare providers in responding to the needs of survivors holistically and empathetically; prevent recurrence of violence through early identification of women and children who are experiencing violence and providing appropriate referral and support; promote egalitarian gender norms as part of life skills and comprehensive sexuality education curricula taught to young people; generate evidence on what works and on the magnitude of the problem by carrying out population-based surveys or including violence against women in population-based demographic and health surveys, as well as in surveillance and health information systems". See www.who.int/news-room/fact-sheets/detail/violence-against-women.

99. State report, p. 41. The data refer to only 86 out of the 128 hospitals in the country. Furthermore, the data for 2019 concern all victims of domestic violence, while the data for 2020 concern only women.

100. See also remarks under Article 11.

concerning FGM, forced abortions and forced sterilisations. GREVIO considers that the lack of data limits the authorities' ability to assess the impact and performance of health services in responding to different forms of violence against women.

130. GREVIO strongly encourages the Greek authorities to ensure that dedicated and comprehensive protocols are in place in all healthcare institutions to identify, treat and further refer women victims of violence, including victims of FGM, irrespective of their residence status, and that adequate training on the application of those protocols is provided to the relevant staff.

131. GREVIO encourages the Greek authorities to ensure that all women victims of gender-based violence have equal access to the state healthcare services, regardless of their status.

D. Specialist support services (Article 22)

132. The aim of specialist support is to ensure the complex task of empowering victims through optimal support and assistance catered to their specific needs. Much of this is best ensured by women's organisations and by support services provided by, for example, local authorities with specialist and experienced staff with in-depth knowledge of gender-based violence against women. It is important to ensure that these services are sufficiently spread throughout the country and are accessible to all victims. Moreover, these services and their staff need to be able to address the different types of violence covered by the scope of the Istanbul Convention and to provide support to all groups of victims, including hard-to-reach groups.

133. Counselling centres, shelters operated by the state and local authorities and the national helpline make up the core of the specialist support services available in Greece. At present, there are 44 counselling centres throughout the country where victims can be assisted during working hours, both on a walk-in basis and by appointment.

134. After operating as a pilot project for a decade, with the entry into force of Law 4604/2019 the network of structures became institutionalised and was brought under the mandate of the General Secretariat. GREVIO welcomes the fact that the network of structures functions under a common operating framework which includes common rules on the provision of services implemented under the supervision of the General Secretariat.¹⁰¹ GREVIO is aware of concerns regarding the long-term funding of the network, especially beyond 2023, and it hopes that solutions will be found to ensure sustainable and adequate human and financial support as the network meets essential and structural needs.¹⁰²

135. Among the specialist services, the counselling centres offer short-term psychological support, counselling and referral to other services as needed. The counselling centres also offer legal counselling to victims, which may extend to assistance in obtaining certain social benefits or other services. Counselling centres employ a diversity of professionals, including social workers, psychologists and lawyers.

136. According to information contained in the state report, out of the 5 295 individuals who were assisted by counselling centres between November 2021 and September 2022, at least 83.9% of them were victims of domestic violence. These data corroborate the information received by GREVIO that the available support structures mostly cater for victims of domestic violence and that there is a lack of specialist support services for women who experience, or are at risk of, forced marriage, FGM, stalking, sexual violence or sexual harassment. Much-needed counselling and long-term psychological support and trauma care thus seem unavailable for several of the forms of violence covered by the convention.

101. State report, p. 11.

102. See remarks under Article 8.

137. As regards the issue of accessibility to specialist services, GREVIO acknowledges the specific situation and the particular difficulties encountered by the Greek authorities as regards the need to make all services available in rural areas and on the islands. Nonetheless, multiple interlocutors highlighted the uneven geographical distribution of the specialist services, stating that they are mostly located in urban centres and lacking in rural areas and on islands.¹⁰³ GREVIO was further informed that most counselling centres are accessible for individuals with mobility or sensory impairments. However, according to information from NGOs, specialist support services are not able to meet the needs of LGBTI women, in particular intersex women victims of violence, who are often referred to specialist NGOs by the network of services. Furthermore, it appears that outside some limited NGO programmes, long-term specialist services for victims of any form of violence covered by the convention, such as psychological support, are not available. Concerns were also brought to GREVIO's attention about the lack of an adequate assessment of the needs of migrant and refugee women victims of violence, which hampers their access to specialised services.¹⁰⁴

138. In this context, GREVIO notes that the services provided by women's rights NGOs are essential to fill some of the gaps in specialist service provision.¹⁰⁵ It considers that the authorities should fully acknowledge the importance played by women's rights NGOs in this regard and that they should step up co-operation with them in order to ensure that the needs of all women victims of violence are adequately met.

139. GREVIO strongly encourages the Greek authorities to further support and develop the network of specialist support services, and to adequately address the needs of all women victims of all forms of violence covered by the Istanbul Convention across the country, including by enhancing co-operation with NGOs providing such services, as well as by stepping up efforts to provide long-term psychological counselling services in order to facilitate the recovery of victims.

E. Shelters (Article 23)

140. There are 20 shelters for women victims of violence operating in Greece, predominantly located in urban areas, with a total capacity of approximately 450 individual beds. When measured against the Istanbul Convention target of one family place per 10 000 head of population, the number of places available in Greece would need to be significantly increased.¹⁰⁶ In this respect, GREVIO welcomes information that one of the busiest shelters, located in Athens, will soon relocate to a newly renovated facility with family places, rather than individual beds.

141. Shelters are operated as part of the network of structures and managed by local authorities and, for two of them, by EKKA. They apply a victim-centred approach, focusing on the empowerment of victims and they provide a variety of services, including psychological and employment counselling, free of charge. A victim can stay in a shelter for a period of up to three months, renewable once, or even longer if places are available. Referral pathways for victims to obtain a place in a shelter are through a counselling centre, which conducts a needs assessment of each victim and decides on their placement, depending on shelter availability.

103. Information received during the evaluation visit.

104. See remarks under Article 60.

105. See also remarks under Article 9.

106. Article 23 of the Istanbul Convention requires Parties to ensure that there are appropriate, easily accessible shelters in sufficient numbers to provide safe accommodation for women and children. Paragraph 135 of the Explanatory Report to the Istanbul Convention provides guidance to Parties as to how to assess whether the current number of shelters is sufficient. More specifically, it refers to the Final Activity Report of the Council of Europe Task Force to Combat Violence against Women, including Domestic Violence (EG-TFV (2008)6), which recommends that there should be one family place per 10,000 head of population. A "family place" is defined in the Council of Europe publication "Combating Violence against Women: Minimum Standards for Support Services", EG-VAW-Conf (2007) Study rev., as "an adult plus the average number of children". This notwithstanding, it is important to note that the Explanatory Report clarifies that the number of shelter places should be adapted to the actual need/demand in the country.

142. GREVIO observes that shelters are generally understaffed¹⁰⁷ and lack sufficient and sustainable resources. Furthermore, the shelters do not seem to offer long-term exit plans or any other long-term services for victims after they leave the premises. Similarly, apart from accommodation, they do not appear to provide specific services for children.

143. GREVIO notes with concern that there are currently no shelters within the network of structures which accept victims in an emergency situation, or on a walk-in basis. Some NGOs provide emergency accommodation and assistance for victims of violence, in hotels and other unofficial ways and in a very limited way given the NGOs' limited resources. GREVIO received information that, in practice, it often takes several days or even weeks for a victim to secure accommodation in a shelter.¹⁰⁸ They are required to undergo medical examinations before being accepted into a shelter, which can take between 10 days and several weeks in the case of asylum-seeking and refugee women accommodated in reception facilities.¹⁰⁹ During that time, no emergency accommodation is provided. GREVIO received information that this gap in service provision is sometimes offset by NGOs, which can provide victims with hotel accommodation, subject to the funding available.

144. GREVIO received further information about obstacles which seriously impede victims' access to shelters, including the fact that shelters operate at peak capacity in large cities most of the time, which often results in victims being referred to shelters in other cities or regions without being provided with means of transportation. The insufficient capacity of shelters was particularly concerning during the 2020-2021 pandemic.¹¹⁰ A particularly striking example in this regard is the fact that only one shelter is available in the centre of Athens, with around 20 beds. Furthermore, women with boys over the age of 12, and women who are undergoing therapy for substance abuse, are not accepted in the shelters.¹¹¹ GREVIO also received reports that victims who do not speak Greek have difficulties in accessing the shelters. GREVIO notes with concern that these obstacles significantly hamper the obligation of equal access to services, including shelters, for all women victims of violence.

145. GREVIO also received information about obstacles faced by migrant and asylum-seeking women victims of gender-based violence in accessing shelters. Specifically, it appears that newly arrived women victims of violence who are not accommodated in a reception and identification facility and who have not yet registered their asylum application cannot obtain access to a shelter before their asylum request is processed. Moreover, women victims of violence whose requests for asylum have been rejected, refugee women who are not eligible for public accommodation and undocumented women victims of violence are prevented from accessing shelters, which often leaves them exposed to further violence.¹¹² In this regard, GREVIO notes with interest that a new manual on the treatment of migrant and refugee women intended for staff working in shelters is under preparation.

146. GREVIO urges the Greek authorities to expand the number and the capacity of shelters for women victims of violence throughout the country, to address the lack of resources allocated for such services and to remove any obstacles and unnecessary prerequisites that hamper victims' access to such shelters, including for women exposed to, or at risk of, intersectional discrimination. Moreover, steps should be taken to ensure that accommodation is available to women in emergency situations.

107. According to information received, in 2021 the shelters employed a total of 135 individuals, including support and security staff. See the state report, p. 44.

108. Information received during the evaluation visit.

109. Information received during the evaluation visit.

110. Information received during the evaluation visit.

111. Information received during the evaluation visit.

112. Information received during the evaluation visit.

F. Telephone helplines (Article 24)

147. Since 2011, the national SOS 15900 helpline has operated 24/7, free of charge, as part of the network of services. It provides victims of gender-based violence with information about their rights and advice on the support services available to them, anonymously, in Greek and English. For victims who speak Farsi and Arabic, they are informed via a pre-recorded message about the days and times when telephone support in these languages is also available. According to available sources, these services are provided by psychologists and sociologists trained to provide immediate assistance to victims in a crisis situation.¹¹³ The helpline also has a dedicated e-mail address through which the same services can be reached.

148. The authorities also refer to the emergency social helpline (“197”),¹¹⁴ which provides counselling and psychological support to adults and information on social welfare and mental health issues. Although in principle it may provide the above-mentioned services, GREVIO stresses that an emergency social helpline which is not dedicated to women victims of violence cannot be regarded as a helpline within the meaning of Article 24 of the convention.

149. Although there are no data for after 2020, GREVIO welcomes the information on the number of calls received annually by the 15900 helpline, which appears to be constantly increasing, with 4 619 calls received in 2019, and 6 406 calls in 2020.¹¹⁵ In this connection, GREVIO notes that it has not received information on whether the increase in calls has been matched with an increase in funding or staff, which may remedy the problem of the long waiting times sometimes experienced by victims using the helpline, as reported by NGOs. GREVIO also received reports that the helpline staff are not adequately trained and cannot always provide immediate assistance to victims. In practice, it appears that the helpline mostly directs victims to the counselling centres, which are open only during working hours, or in the case of victims of sexual violence, advise them to contact the police, and that it does not have the means to provide support to women in a crisis situation.¹¹⁶

150. While in theory the telephone helpline provides advice to callers in relation to all forms of violence against women, GREVIO received information that the assistance provided in practice is mostly aimed at victims of domestic violence.¹¹⁷ Moreover, despite a recent increase in the number of victims of FGM in Greece,¹¹⁸ there is no specific protocol to be followed by the staff employed by the telephone helpline, nor training of staff on FGM. Similar concerns were voiced about the lack of any services or referrals by the national helpline for intersex women victims of violence.¹¹⁹

151. GREVIO strongly encourages the Greek authorities to increase human and other resources, including through adequate training for the staff of the helpline for women victims of violence, to enable them to provide information and assistance, free counselling on a confidential basis and other specialist services (legal advice, crisis counselling) on all forms of gender-based violence against women covered by the Istanbul Convention, including sexual violence and FGM. It is also important to provide multilingual assistance and to ensure the accessibility of this service to women with disabilities.

G. Support for victims of sexual violence (Article 25)

152. There are currently no rape or sexual violence referral centres that provide holistic and comprehensive support to victims of rape and sexual violence in Greece. GREVIO emphasises that the standards of Article 25 require that rape crisis centres and/or sexual violence referral centres

113. Information available on the website of the helpline: <https://womensos.gr/en/15900-24ori-tilefoniki-grammi-2/>.

114. State report, p. 47.

115. *Ibid.*, p. 105.

116. Information received during the evaluation visit.

117. Information received during the evaluation visit.

118. Information received during the evaluation visit.

119. Information received during the evaluation visit. Also see the joint NGO submission to GREVIO from the Diotima Centre and the End FGM European Network, p. 10.

must be available for every 200 000 inhabitants and that their geographic distribution should make them accessible to victims in rural areas as much as in cities.¹²⁰

153. GREVIO welcomes recent steps taken by the Greek authorities, including an increase in the number of forensic specialists, from 37 to 55, and the introduction of the requirement that any forensic examination should be conducted in the presence of a qualified female nurse. Forensic services are available during working hours; outside hours, a forensic specialist is reportedly available on call. In the absence of a forensic office (available only in 13 cities), especially in rural areas and on islands, examinations are carried out by a gynaecologist or a general practitioner or at a general hospital. Evidence gathered during forensic examinations, such as DNA samples, are kept for 15 years. However, GREVIO is concerned by information brought to its attention indicating that women victims of violence are, in practice, often unable to access forensic services outside working hours, which is particularly problematic as regards the timely collection of forensic evidence in cases of rape.¹²¹

154. Moreover, GREVIO was informed that many women victims of rape are prevented from accessing forensic examinations in practice as access to forensic specialists and to the collection of forensic evidence is only available if the victim reports the offence to the police. GREVIO notes with concern that this deprives those victims from having critical evidence gathered which affects the possibility of obtaining justice, should they change their mind and choose to report the crime at a later date. Other obstacles brought to GREVIO's attention include the inability for institutions (other than the police or prosecution) to refer victims to a forensic specialist and the long waiting times sometimes faced by victims in practice.¹²²

155. Specific protocols on how to treat women victims of sexual violence, including protocols on victims' referral to other services, are lacking in hospitals. As regards rape kits, it was reported to GREVIO that they are not available in all hospitals, which provide forensic services in the absence of a specific forensic office. Similarly, it was brought to GREVIO's attention that general practitioners and gynaecologists, who sometimes also provide forensic services, often do not have rape kits available.¹²³

156. GREVIO concludes that the provision of specialist support services to women victims of rape/sexual violence is not comprehensive, nor provided on a one-stop-shop basis. On this basis, a rape victim would need to approach several institutions/entities consecutively, including healthcare services, social welfare services, the telephone helpline and the law-enforcement authorities, exposing her to secondary victimisation before she can receive the needed support.

157. GREVIO highlights that specialist support services for victims of sexual violence should be equipped to deal with the legacy of harm of sexual violence. Therefore, counselling and support should be available for longer periods of time after the violence occurred. Many victims may indeed need long-term psychological counselling to support the process of recovery from trauma. Providing only specialist services that respond to recent acts of sexual violence fails to take into account some of the specificities of this form of violence. Moreover, GREVIO recalls that sexual violence is still associated with a significant level of stigma and shame, which prevents many victims from seeking immediate help and leads them to wait sometimes for years before they seek support.¹²⁴ Therefore, offering specialist support services that meet both the immediate and longer-term needs of rape victims, irrespective of their reporting to the police, delivered on a one-stop-shop basis and available in sufficient numbers, is therefore of utmost importance.

120. Explanatory Report to the Istanbul Convention, paragraph 142.

121. See also remarks under Article 50.

122. Information received during the evaluation visit.

123. Information received during the evaluation visit.

124. See the Mid-term horizontal review of GREVIO baseline evaluation reports, paragraph 285.

158. **GREVIO urges the Greek authorities to take measures to comply with the requirements of Article 25 of the Istanbul Convention, in particular by:**

- a. **setting up rape crisis centres and/or sexual violence referral centres providing immediate medical care, trauma support, forensic examinations and immediate, short- and long-term psychological assistance by qualified professionals who can provide victim-sensitive examinations, in line with the standards set by the Istanbul Convention;**
- b. **introducing standardised protocols for all health professionals on the treatment of women victims of rape/sexual violence, including protocols on their referral to specialist services;**
- c. **taking measures to ensure that a victim's access to different support services is not conditional on her willingness to lodge a complaint;**
- d. **taking additional measures to ensure timely access to forensic examinations across the country.**

H. Protection and support for child witnesses (Article 26)

159. The obligation set out in this article is to ensure that whenever children have witnessed domestic violence, rape, sexual harassment or other forms of violence covered by the convention, the services provided to direct victims also cater for the needs and rights of any children exposed to such violence. While this is most relevant to domestic violence cases, it is important to bear in mind that children may also be exposed to other forms of violence.

160. Research has shown that children who witness one of the parents assaulting the other one in the home often develop emotional problems, cognitive functioning disorders and accept attitudes around violence that need to be addressed in the long term.¹²⁵ It is thus of crucial importance to ensure their access to psychological counselling and therapy as soon as they come to the attention of the authorities.

161. In previous evaluation reports, GREVIO has considered that witnessing domestic violence between parents can be as harmful to children as it is for children to experience abuse themselves. The negative impact of growing up witnessing domestic violence is well researched; children who live in a context of witnessing domestic violence may have more adjustment difficulties than those from non-violent homes.¹²⁶ Moreover, people who abuse their spouses or partners often target children as well.

162. In this context, GREVIO notes with satisfaction that according to the Law on Domestic Violence,¹²⁷ children who witness domestic violence are considered to be victims in their own right. Furthermore, the 2021 amendments to the Greek Criminal Code introduced the obligation to have a psychologist or psychiatrist present during the interrogation of a child witness when the proceedings concern rape and sexual abuse, in order to protect children as a vulnerable group and avoid their secondary victimisation. GREVIO has not received any information as to how these provisions are applied in practice or whether their application is monitored or evaluated.

163. In addition to the above, GREVIO notes that, in general, children can benefit from shelter services in a similar way to their mothers who are victims of violence. In line with this, GREVIO notes that according to the authorities, around half of the users of shelter services in 2019 and 2020 were children.¹²⁸ However, no information was provided to GREVIO on access to specialised and age-appropriate services aimed specifically at children exposed to violence.

125. "Problems associated with children's witnessing of domestic violence", Jeffrey L. Edleson, *VAW Net*, available at http://vawnet.org/sites/default/files/materials/files/2016-09/AR_Witness.pdf.

126. Hester M., Pearson C. and Harwin N. (2007), *Making an impact: Children and domestic violence. A reader*, second edition, Jessica Kingsley Publishers, London and Philadelphia.

127. Article 1, paragraph 2C.

128. State report, p. 44.

164. GREVIO was informed that following the adoption of Law 4800/2021, a woman victim of violence staying in a shelter requires the other parent's permission to access medical or psychological support services for the children residing with her in the shelter. Similar limitations apply with regard to the possibility to enrol a victim's children in a school located in the proximity of the shelter. The judicial avenue available for victims in these situations does not seem to provide an adequate solution, given the high fees and the long duration of the procedure.¹²⁹ GREVIO is deeply concerned by the introduction of such requirements, which may limit possibilities for children exposed to domestic violence to access timely psychological and other support.

165. GREVIO urges the Greek authorities to ensure that children exposed to domestic violence receive counselling and support. Resolute steps, including legislative amendments as appropriate, should also be urgently taken to ensure that children of women victims of violence residing in shelters do not face obstacles to receiving education, healthcare services and psychological support.

I. Reporting by professionals (Article 28)

166. The requirement deriving from Article 28 of the convention is carefully worded so that when there are reasonable grounds to believe that a serious act of violence has been committed and other such acts can be anticipated, professionals may report their suspicions to the relevant authorities without risking punishment for a breach of their duty of professional secrecy.

167. According to Article 38, paragraph 2, of the Greek Code of Criminal Proceedings, all professionals in the civil service have a duty to report any crime prosecuted *ex officio* of which they become aware in the discharge of their professional duties. This includes state employees such as social workers, health professionals and other categories of staff, which by the nature of their work are in contact with victims of violence.

168. According to Article 40, paragraph 1, of the Code of Criminal Proceedings, the obligation to report also extends to private individuals, including private healthcare professionals. These general provisions do not limit the reporting obligation to situations where victims are minors or are unable to protect themselves because of their state of health, nor does it take into account the autonomy of the victim.

169. In addition, teachers in primary and secondary schools (whether public or private) are specifically obliged to report any incident of domestic violence committed against a pupil that they become aware of.¹³⁰

170. GREVIO was informed that, despite the above-mentioned general obligation to report, individuals bound by professional or medical secrecy seldom report crimes against the wishes of adult victims. On the other hand, it appears that, in practice, the obligation to report is mostly followed when it comes to child victims.¹³¹ GREVIO did not receive information as to the actual numbers of reports submitted to the prosecuting authorities by either state professionals or private individuals, and therefore is not able to assess the impact of the above legal provisions in practice.

171. GREVIO would like to recall that Article 28 of the convention does not impose an obligation to report. While GREVIO notes that the imposition of reporting obligations on professionals does not run counter to Article 28 of the Istanbul Convention, blanket reporting obligations may raise issues related to the provision of victim-centred and gender-sensitive support services. Mandatory reporting may in fact constitute a barrier to seeking help for women victims of violence who are not ready to initiate procedures and/or who fear the consequences of reporting for them or for their children (for example, retaliation from the abuser, financial insecurity, social isolation or the removal of children from their care).

129. See remarks under Article 31.

130. Paragraphs 1, 2 and 3 of Article 23 of Law no. 3500/2006.

131. Information received during the evaluation visit.

172. Additionally, extensive reporting obligations for healthcare staff raise issues around victim autonomy. A fundamental element of the doctor–patient relationship is that of confidentiality, and healthcare professionals are generally required to respect patient confidentiality, irrespective of whether they are employed by the state or not. What is more, professionals being obliged to report crimes to the authorities may particularly affect those women who are in a vulnerable position, such as members of minorities, migrant women, LBTI women or other groups of women who are at risk of intersectional discrimination.¹³²

173. Recalling the principle of women’s empowerment mainstreamed throughout the Istanbul Convention, GREVIO encourages the Greek authorities to ensure that the duty to report imposed on professionals is tempered by the provision of full and sensitive information to the victim so that she can make an informed decision and maintain her autonomy. To this end, GREVIO also encourages the Greek authorities to review the obligation for professionals to report cases of violence against women and their children, other than in situations in which there are reasonable grounds to believe that a serious act of violence covered by the scope of the Istanbul Convention has been committed and further serious acts are to be expected. This may require making the obligation to report contingent upon the prior consent of the victim, unless the victim is a child or is unable to protect her/himself due to disability.

132. Lippy C., Jumarali S. N., Nnawulezi N. A. et al., “The Impact of Mandatory Reporting Laws on Survivors of Intimate Partner Violence: Intersectionality, Help-Seeking and the Need for Change”, *J Fam Viol* 35, 255-267 (2020). <https://doi.org/10.1007/s10896-019-00103-w>.

V. Substantive law

174. Chapter V of the Istanbul Convention covers a range of provisions related to substantive law, in the area of both civil and criminal law. Their aim is to help create, in all parties to the convention, the necessary legislative framework to prevent violence against women, protect them from further victimisation and to ensure robust intervention and prosecution by law-enforcement agencies. In the interests of prioritisation, this section of the report addresses several but not all provisions of Chapter V of the convention.

A. Civil law

1. Civil remedies against the state – ensuring due diligence (Article 29)

175. A core aim of the Istanbul Convention is to end impunity for acts of violence against women. This not only requires that individual perpetrators be held accountable through criminal law and other measures but also that legal avenues be available to challenge and address any failure of state actors to comply with their due diligence obligation to prevent, investigate and punish acts of violence (Article 5, paragraph 2, of the convention).

176. While such remedies exist in Greece, GREVIO found only limited evidence of measures being taken in accordance with Article 29, paragraph 2, of the convention to provide victims with adequate remedies against the authorities that have failed in their duty to take the necessary preventive or protective measures within the scope of their powers.¹³³

177. GREVIO was informed, in particular, of a recent case of disciplinary action against police officers, which has attracted considerable public attention. In July 2021, neighbours in the Greek town of Dafni reported an incident of domestic violence, but the police officers on duty did not get out of their car and drove away. A few days later, the woman involved was murdered by her husband. The two officers were suspended, and the prosecutor's office opened a formal investigation.¹³⁴ The notoriety of the case and the measures taken against the officers suggest that this type of sanction is rarely used. Furthermore, there is no information on any compensation paid to the victim's relatives.

178. GREVIO strongly encourages the Greek authorities to improve the legal regime of civil and disciplinary measures available to hold different state officials accountable for failure to comply with their obligations.

179. GREVIO also encourages relevant bodies to remove barriers that limit access to existing mechanisms, including in the context of wrongful decisions in the administration of justice. Progress in this area needs to be measured by collecting data on the number of complaints filed by victims and their outcomes.

2. Compensation (Article 30)

180. Victims of criminal acts may file a request for compensation from the perpetrator during criminal proceedings, but non-pecuniary damages can only be obtained by bringing a separate civil lawsuit. The Civil Code grants victims the right to claim compensation from the offender for any material and non-material damage suffered. The Law on Domestic Violence also sets a minimum amount (€1 000) for compensation for moral damages in cases of domestic violence,¹³⁵ but GREVIO was not provided with any evidence that this provision is applied in criminal proceedings.

133. See also remarks under Article 61.

134. See *The Guardian*, "A woman murdered every month: is this Greece's moment of reckoning on femicide?", 10 November 2021, available at: www.theguardian.com/global-development/2021/nov/10/a-woman-murdered-every-month-greeces-moment-of-reckoning-on-femicide.

135. Law 3500/2006 on Domestic Violence, Article 11.

181. According to GREVIO's findings, in practice, victims must initiate a civil case to obtain some form of financial compensation once they have obtained a criminal conviction. The delays and the additional costs involved in instituting separate civil proceedings seems to act as a deterrent to pursuing further action and can be detrimental to the victim as it affords the perpetrator further time to organise his insolvency. Information received by GREVIO from NGOs and state officials concurs on the cost and length of judicial proceedings in Greece.¹³⁶ There are no available data on the number of claims for compensation initiated, the number of victims benefiting from compensation or the amounts awarded. Nevertheless, GREVIO understands that the protracted nature of these lawsuits and the associated financial and emotional cost result in victims rarely pursuing this legal route.

182. If compensation cannot be obtained from the perpetrator, Law 3811/2009 provides for a subsidiary compensation scheme for crime victims.¹³⁷ The body responsible for this subsidiary compensation mechanism is the Greek Compensation Authority within the Ministry of Justice.

183. GREVIO welcomes the fact that Law 4531/2018 on the ratification of the Istanbul Convention expanded the range of expenses eligible for compensation. Compensation now includes, under certain conditions, mental and psychological care and relocation costs. However, GREVIO is deeply concerned by the fact that no compensation seems to have been paid to women victims of violence since 2006. In the period 2019-2020, the Compensation Authority did not admit any such claim. Prior to that, only six claims had been submitted and none of them were granted.¹³⁸ These data indicate that the subsidiary compensation mechanism in Greece has significant shortcomings that prevent women victims of violence from accessing it. GREVIO was informed by the authorities and representatives of civil society that several requirements make it particularly difficult to access compensation, including the need to have a final judicial decision in order to claim compensation, the €50 administrative fee and the need to provide evidence of low income.

184. GREVIO strongly encourages the Greek authorities to take measures to facilitate access for women victims of gender-based violence to compensation in civil and criminal proceedings and to ensure that such compensation is promptly awarded and is proportionate to the seriousness of the harm suffered. Moreover, GREVIO encourages the Greek authorities to compile data on compensation paid by perpetrators to women victims of gender-based violence.

185. In addition, GREVIO strongly encourages the Greek authorities to take steps to remove obstacles preventing women victims of gender-based violence from accessing the state compensation scheme, which should adequately cover victims who have sustained serious bodily injury or impairment of health, in accordance with the requirements of Article 30, paragraph 2, of the Istanbul Convention. Compensation to women victims of gender-based violence should be granted within a reasonable time, as required by Article 30, paragraph 3, of the convention.

3. Custody, visitation rights and safety (Article 31)

186. Custody and visitation decisions in relation to families with a history of abuse require a careful balancing of the different interests at stake. Article 31 of the convention seeks to ensure that incidents of violence covered by the convention, in particular domestic violence, are taken into account in

136. Civil proceedings for compensation in Greece require a lawyer and involve court fees. According to the information provided during the evaluation visit, for example, criminal proceedings in the first instance for domestic violence last between one and two years. Appeals and subsequent civil proceedings can take another five to six years.

137. Law 3811/2009 on compensation for victims of violent crimes.

138. See the state report, p. 51.

decisions on custody and visitation rights to ensure that the exercise of these rights does not harm the rights and safety of the victim or children¹³⁹.

187. In 2021 Greece significantly amended the Civil Code provisions related to family law through Law 4800/2021 on reforms regarding parent–child relations and other family law issues.¹⁴⁰ The law has since triggered widespread concerns and public debate as regards its impact on custody and visitation rights in situations of domestic violence.

188. GREVIO notes with interest the reference to the Istanbul Convention and other international standards introduced in Article 1 of Law 4800/2021. However, it is deeply concerned by the fact that the new legislation does not provide sufficient safeguards to ensure that incidents of domestic violence are taken into account in the determination of custody and visitation rights, as required by Article 31, paragraph 1, of the convention.

189. Article 1 511 of the Civil Code states that all decisions on custody must be taken bearing in mind the best interests of the child which, according to the second paragraph of the said article, are best served by the effective participation of both parents in the upbringing of the child. The law establishes additional criteria to be considered in order to safeguard the rights of each parent in the exercise of custody rights. However, it does not contain any reference to the possibility for the court to determine the best interests of the child on a case-by-case basis, nor is it explicitly possible to make such a determination taking into consideration the safety of the mother and/or incidents of domestic violence.

190. In the absence of a general rule, the Greek legal system offers certain possibilities to suspend, limit or otherwise regulate the exercise of parental rights by parents who have been abusive towards their spouses or children. According to Article 1 537 of the Civil Code, courts may withdraw parental rights from a perpetrator who has been sentenced by a final judgment to at least one month's imprisonment for certain offences against the child. Article 1 532 of the Civil Code also includes the issuing of a judgment of a first-instance court against a parent for domestic violence or for offences against sexual freedom. The requirement to undertake mediation before initiating civil proceedings also includes a generic exception in domestic violence cases.¹⁴¹ Nevertheless, by only considering final criminal sentences, civil law does not expressly include situations in which criminal proceedings are pending or where the perpetrator is subject to the penal mediation procedure set out in the Law on Domestic Violence. Additionally, it is unclear whether cases of violence directed only against the mother are included in the scope of the rule established in Article 1 532 of the Civil Code.

191. According to the information provided to GREVIO, family law judges do not receive gender-sensitive training to understand that witnessing violence against the mother jeopardises the best interests of the child, that joint parenting may be a means for a perpetrator of domestic violence to continue to maintain control and domination over the mother and her children and that intimate partner violence should therefore be an essential factor in determining child custody and other parental rights. Although there are no data on decisions regarding custody and visitation rights in the context of domestic violence, GREVIO has learned of many examples of cases in which abusive husbands have been granted joint custody, unsupervised visiting or other parental rights even if

139. In the case of *Bîzdîga v. the Republic of Moldova* (no. 15646/18, 17 October 2023, <https://hudoc.echr.coe.int/?i=001-228152>), the European Court of Human Rights held that in proceedings concerning the custody and visitation rights regarding children in a domestic violence context, the primary focus must be on the best interests of the child, and an assessment of any risks of violence or other forms of ill-treatment therefore has to form an integral part of such proceedings. For this reason, it found that an alleged history of domestic violence was a relevant and even mandatory factor to be weighed in the assessment of domestic authorities when deciding on contact rights (§ 62). In the recent case of *Luca v. the Republic of Moldova* (no. 55351/17, 17 October 2023, <https://hudoc.echr.coe.int/?i=001-228151>), the Court found a violation of Article 8 of the European Convention on Human Rights (ECHR) on account of the failure of the Moldovan authorities to take into account incidents of domestic violence in the determination of child contact rights.

Please note that these two judgments were not final at the time of the adoption of this report (see Article 44 § 2 of the ECHR).

140. Law 4800 of 21 May 2021 on reforms regarding parent-child relations, other family law issues and other urgent issues.

141. Article 1 514, paragraph 2, of the Civil Code. See also remarks under Article 48.

violence has resulted in a conviction or other measures, such as protection orders or mandatory treatment programmes.¹⁴² GREVIO understands that the father's right to see his child appears to be seen by a sizeable part of the judiciary as prevailing over the right to the safety of the women and children.

192. GREVIO considers that ordering unsupervised visits and joint custody without taking sufficient account of the background of domestic violence falls short of the requirements of Article 31 of the Istanbul Convention. It recalls that incidents of violence by one parent against the other have a severe impact on children. Exposure to such violence breeds fear, causes trauma, adversely affects children's development and is recognised as a form of psychological violence.¹⁴³ GREVIO thus points to the need for appropriate training of the relevant judges and professionals with a view to raising their awareness about the harmful effects on children of exposure to violence, including in the context of custody and visitation rights.

193. GREVIO is particularly concerned to learn that following the amendments to the legislation on joint custody, the Ministry of Education issued an order establishing new requirements to admit pupils to schools. Consequently, a mother victim of violence can only enrol her child in a different school with the consent of the father or by a court order, even if the mother and child have moved to escape violence, for example to a shelter far away from their home.¹⁴⁴ In such cases, children can miss a good part of the school year until the judicial authorisation is obtained. Moreover, having to seek a court decision in such situations can compromise the safety of shelters whose address is likely to be shared with the perpetrator. On the same grounds, women willing to move, even temporarily, to another region with their children to escape violence or for economic reasons can also be prevented from doing so. In addition, having to undertake legal proceedings for any decision regarding child custody also represents a substantial financial burden for women victims of domestic violence who may already find themselves in a precarious economic situation as a result of violence. GREVIO is therefore seriously concerned that the new legislation may act as a deterrent for women willing to leave an abusive relationship.

194. Additionally, GREVIO has identified a significant number of custody-related cases¹⁴⁵ where victims' claims of abuse by their partners have been dismissed on such dubious grounds as the "parental alienation syndrome" or related concepts.¹⁴⁶ Information received by GREVIO from the Ministry of Justice and members of the judiciary confirmed that judges do not consistently disallow the use of this kind of defensive argument. The Hellenic Psychological Society has also defended "parental alienation" as a syndrome.¹⁴⁷

195. GREVIO finds it deeply worrying that the Greek authorities may give legitimacy to the dubious concept of "parental alienation" as a form of domestic violence. It notes with concern that the explanatory memorandum to the draft law on parent-child relations (what will be Law 4800/2021) included an express reference to "parental alienation" as a phenomenon to be avoided by imposing on the parent with whom the child lives the obligation to facilitate the relationship with the other parent.¹⁴⁸ Although the express reference to "parental alienation" has been removed from the final text of the law, GREVIO is concerned that the new legislation may reinforce the persistent assumption among members of the judiciary that children who express fear of their father because

142. Information provided during the evaluation visit. See also the submission to GREVIO by AFEM "Mandatory shared custody for all children in breach of the Istanbul Convention", Paris, February 2023.

143. UN Committee on the Rights for the Child, General Comment No. 13, adopted on 18 April 2011, paragraph 21 e, CRC/C/GC/13.

144. Due to the frequent lack of places in shelters located in large cities, victims often need to be accommodated in shelters in other regions; see also remarks under Article 22. See also remarks under Article 26.

145. See, for example, the submission by AFEM, footnotes 22 and 23.

146. See the statement dated December 2017 from the European Association for Psychotherapy (EAP) warning that the concepts of "parent alienation syndrome" (PAS) and "parental alienation" (PA) are unsuitable for use in any psychotherapeutic practice. This statement from the EAP, which consists of 128 organisations of psychotherapists from 41 European countries, serves as a guideline for psychotherapists across Europe.

147. Press reference available only in Greek: <https://elpse.com/wp-content/uploads/2021/06/Klinika-kai-ereunitika-dedomena-se-shesi-me-tis-gonikes-praktikes-tin-sunepimeleia-kai-ton-rolo-twn-gonewn-stin-anaptuksi-twn-paidiwn.pdf>.

148. Greek Parliament, draft law reforming parent-child relationships and other family issues, Chapter B, p. 15, available at: www.hellenicparliament.gr/UserFiles/2f026f42-950c-4efc-b950-340c4fb76a24/11635959.pdf.

they have witnessed the abuse of their mother have been manipulated. It may also hinder the judges' duty to screen for domestic violence and conduct risk assessments as part of the determination of the child's best interests.¹⁴⁹

196. Moreover, Law 4800/2021 considers good relations between the child and one parent as an obligation of the other parent. Accordingly, Article 1 511 of the Civil Code explicitly includes as a criterion to be considered in the assessment of the child's best interests the ability of each parent to ensure that the rights of the other parent regarding relations with the child are safeguarded. Article 1 532 also includes the "disruption of the child's emotional relationship with the other parent" as a ground for withdrawal of parental rights, including of the non-violent parent. GREVIO notes that the generic wording of the applicable legal provisions and the absence of an explicit reference to situations of domestic violence provides fertile ground for problematic judicial practices based on the use of "parental alienation syndrome". In this context, GREVIO learned with dismay about the existence of publicly supported training for judges covering "parental alienation syndrome" and similar concepts.¹⁵⁰

197. GREVIO considers that supporting the use of the notion of "parental alienation" and related concepts entails the risk of allowing violence against women and their children to remain undetected and/or denied. Therefore, it considers it of utmost importance to raise awareness among the relevant professionals that the obligation set out in Article 31, paragraph 2, of the Istanbul Convention stems from the fact that for many women victims of violence and their children, complying with contact orders can present a serious safety risk because it often means meeting the perpetrator face to face, which can lead to serious instances of violence, including the killing of the woman and/or children.¹⁵¹ Against this background, GREVIO recalls that separation from the abuser is often the moment when victims of domestic violence are at the highest risk of further violence or death.¹⁵² Proper risk assessments must therefore be an integral part of decision making on custody and visitation rights in order to ensure that decisions taken are in the child's best interests and that the safety of the mother and the child are guaranteed.

198. Therefore, while fully supporting the right of children to maintain ties with both of their parents as enshrined in Article 9, paragraph 3, of the UN Convention on the Rights of the Child, GREVIO stresses that exposure to violence, whether as a victim or as a witness, requires exceptions to be made in the child's best interests. It reiterates that in any decision concerning custody and visitation rights, the safety of children and their mother must be paramount.

199. GREVIO was informed that even if parental rights are limited on grounds of domestic violence, supervised visitation rights are usually granted. However, it is concerned by the lack of any family social work service or standardised procedure to deal with and monitor the exercise of supervised visits and guarantee the safety of both mother and child.¹⁵³

149. The UN Committee on the Rights of the Child emphasises, in paragraph 61 of its General Comment No. 13, that the "interpretation of a child's best interests must be consistent with the whole Convention, including the obligation to protect children from all forms of violence".

150. Information received during the evaluation visit. See also submission by AFEM, 2023.

151. Studies on child homicides by perpetrators of domestic violence in the context of unsafe child contact started a national campaign in the United Kingdom, run by Women's Aid (see www.womensaid.org.uk/tag/nineteen-child-homicides/) and have led to a review of judicial practices on custody and visitation in some countries. See also Communication No. 47/20 12, UN Doc. CEDAW/C/58/D/47/2012 (2014) *Gonzalez Carreño v. Spain*.

152. See GREVIO Third Activity Report, January to December 2021, Focus section on child custody, visitation and domestic violence, pp. 36-57 available at: <https://rm.coe.int/prems-055022-gbr-2574-rapportmultiannuelgrevio-texte-web-16x24/1680a6e183>.

153. Research shows that for many women and children, violence intensifies after separation, that child contact (including court-ordered contact) is a site for the perpetuation of violence, even where there are high levels of supervision, and that child contact can be used by male abusers as a way of continuing control over women victims. See R. Thiara and C. Harrison (2016), "Safe not sorry: Key issues raised by research on child contact and domestic violence", Women's Aid; Mackay K. (2018), "Child contact as a weapon of control", in Lombard (ed.), *The Routledge Handbook of Gender and Violence*, pp. 145-158.

200. **GREVIO urges the Greek authorities to take all the necessary practical and legislative measures to:**

- a. **base policies and practices on the recognition that, in a context of domestic violence, joint parenting may be a means for the perpetrator to continue to maintain control and domination over the mother and her children and to perpetrate violence against them;**
- b. **ensure that courts are under the obligation to consider all issues relating to violence against women and domestic violence when taking any decision related to custody and visitation rights;**
- c. **incorporate risk-assessment and risk-management procedures into the determination of custody and visitation rights and restrict these rights when this is necessary to guarantee the safety of the mother and the child;**
- d. **end the practice of removing children from or limiting parental rights of non-abusive parents on grounds of “parental alienation syndrome” or related concepts;**
- e. **remove any obstacles preventing women victims and their children from escaping violence.**

201. **Additionally, GREVIO urges the Greek authorities to ensure the provision of appropriate training and guidelines aimed at raising awareness of judges and other relevant professionals about the harmful effects of violence on children exposed to it and how it renders them victims in their own right, and about the lack of a scientific basis for “parental alienation syndrome” and similar concepts, and at familiarising them with the requirements of the Istanbul Convention provisions on custody and visitation rights.**

202. **GREVIO strongly encourages the Greek authorities to evaluate the effects of the current judicial practice of deciding on custody and visitation rights on the safety of women victims of domestic violence and their children, including linkages to gender-related killings of women and their children, to analyse relevant case law and to collect data on the use that is made by judges of limiting or withdrawing parental or visitation rights in a context of domestic violence.**

B. Criminal law

203. GREVIO acknowledges the efforts made by Greece in the context of the ratification of the Istanbul Convention.¹⁵⁴ Several important laws, including the Criminal Code, have been amended to meet the standards of the convention.¹⁵⁵

1. Domestic violence, including psychological violence (Article 33 and 35)

204. Greece’s Law on Domestic Violence from 2006¹⁵⁶ includes criminal provisions and provides the general framework for the prosecution of domestic violence in the country. Physical violence in the context of an intimate relationship falls under the criminal offences of homicide or injuries, provided for in the revised Criminal Code. GREVIO has nonetheless been alerted to the fact that the coexistence of the Law on Domestic Violence and of provisions on domestic violence in the revised Criminal Code, which have not been fully harmonised, in particular as regards to sanctions, has led to inconsistencies in practice in cases in which criminal acts are covered by both laws.¹⁵⁷

205. There is no specific offence of psychological violence under the Law on Domestic Violence or any other law, although psychological violence is frequently experienced in domestic violence

154. In particular through Law 4531/2018 on the ratification of the Istanbul Convention.

155. The Criminal Code was amended by Law 4855/2021.

156. Law 3500/2006 on domestic violence.

157. See also remarks under Article 2 and 3.

situations. It may fall under the criminal offence of threat¹⁵⁸ and the provision of the Law on Domestic Violence criminalising the use of force or threat and “causing terror or concern to another member of the family”.¹⁵⁹

206. The provisions on threats, nonetheless, fall short of the definition of psychological violence under the Istanbul Convention as Article 33 also includes other forms of psychological violence, such as intimidation and economic violence. Moreover, the offence of “threat” and the Law on Domestic Violence both require the threat of violence or of a criminal act, which is too high a threshold to capture the type of ongoing psychological violence that victims of domestic violence experience. Psychological violence encompasses a course of conduct which might consist of several incidents of a lower intensity, which often form part of a pattern of abuse in domestic violence situations and which is what Article 33 of the Istanbul Convention seeks to capture. GREVIO was informed that an amended version of the Law on Domestic Violence is under preparation and that it should include a broader definition of domestic violence.

207. Despite a steep increase in the number of cases of psychological violence reported to the police in recent years,¹⁶⁰ information received by GREVIO indicates that psychological violence is rarely prosecuted alone and that most cases of psychological violence also involve bodily harm. There is no specific training of relevant professionals on psychological violence nor on seeking supporting evidence.

208. Violence against women committed in the digital sphere, including online hate speech, image-based abuse, online stalking and online sexual harassment, has increased significantly, in particular during the Covid-19 pandemic. Against this background, GREVIO welcomes the recent criminalisation of the offence of non-consensual dissemination of images of a sexual nature.¹⁶¹ According to the new provision, image-based sexual abuse is now a distinct offence against sexual freedom in Greece criminalising the dissemination of intimate images or materials without the consent of the person depicted.

209. **GREVIO strongly encourages the Greek authorities to:**

- a. **consider creating a separate offence of psychological violence that takes into account all elements provided for under Article 33 of the Istanbul Convention in order to effectively criminalise all acts that seriously impair the psychological integrity of a person;**
- b. **increase awareness, including through the training of judges, law-enforcement agencies and legal professionals, of the gendered nature and consequences of psychological violence and increase training on how it may be evidenced and prosecuted, including when committed in the digital environment.**

2. Stalking (Article 34)

210. GREVIO welcomes the criminalisation of stalking at the time of ratification of the Istanbul Convention. Article 333 of the Criminal Code, as amended by Law 4531/2018 on the ratification of the Istanbul Convention, foresees that “whoever causes to another person terror or concern, without threat of violence or any other illegal act, by persistently pursuing or monitoring him/her, such as in particular by seeking constant contact with the use of telecommunication or electronic means or by repeated visits to the family, social or working environment thereof against his/her expressed will”.¹⁶²

211. GREVIO has not received any information on the use of this provision nor on the number of cases of stalking that have been prosecuted in the context of violence against women, which makes

158. Article 33 of the Criminal Code.

159. Article 7 of Law 3500/2006 on domestic violence.

160. 2 906 cases of psychological violence were reported to the police in 2020. This figure rose to 5 350 in 2021. Third annual report on violence against women, 2022, p. 114.

161. Article 38 of Law 4947/2022.

162. Article 333, paragraph 1, of the Criminal Code.

it difficult to evaluate the impact of the new criminal provision on stalking. It was informed that there is limited awareness about this new provision among the judiciary.¹⁶³

212. GREVIO encourages the Greek authorities to collect information on the number of cases of stalking that are reported and investigated and sanctioned under the criminal provision on stalking. Moreover, it encourages them to take steps to raise awareness and increase the training provided to the judiciary on this provision.

3. Sexual violence, including rape (Article 36)

213. In Greek law, sexual offences are criminalised through different provisions of the amended Criminal Code.¹⁶⁴ Article 336 provides a double definition of rape. One definition details a serious crime, which can be sanctioned with imprisonment of at least 10 years and which requires the use of physical violence or threat of serious and imminent danger to life or physical integrity. The second constitutes a “lesser” form of rape, covering any sexual act without the consent of the victim and which may lead to a prison term of up to 10 years. Article 338 covers sexual violence committed against a person incapable of resisting. Finally, Article 343 criminalises sexual acts performed by abusing a position of superiority.

214. GREVIO welcomes the definition of rape based on the notion of freely given consent introduced in Article 336, paragraph 4, of the Criminal Code. However, it is concerned about persisting challenges in the applicable criminal law, which do not lead to a consistent approach in prosecuting rape cases. GREVIO notes the very low number of convictions for rape – the only data available on sexual violence show that there were just eight convictions for rape in 2020.¹⁶⁵ While substantive criminal law cannot be held solely responsible for the low conviction rate, lawyers consulted by GREVIO argued that legislative shortcomings hinder the effective prosecution of sexual violence in Greece.¹⁶⁶

215. Among these shortcomings, GREVIO notes with concern that not all instances of rape carry the same criminal sanction. For example, sexual intercourse with the use of force and/or threat¹⁶⁷ carries a prison term of 10 years or more, while sexual intercourse resulting from an abuse of power, authority or dependence¹⁶⁸ leads to a much lower sentence of between two and five years. On the other hand, drug-facilitated rape falls under a specific provision dedicated to persons incapable of resisting.¹⁶⁹ This article provides for an unspecified prison term, which sends the message that these cases are less serious than other forms of rape. Additionally, Article 336, paragraph 4, and Article 343 overlap insofar as a sexual act without consent carries a penalty of up to 10 years of imprisonment. However, if such an act results from an abuse of power, the penalty is reduced to between two and five years in prison.

216. GREVIO recalls that, according to Article 36 of the Istanbul Convention, sexual acts without the freely given consent of the victim constitute rape and shall give rise to dissuasive sanctions. The sanction should be determined by the fact that the act is carried out without the consent of the victim, whether this is committed by someone who employs violence, a “date-rape drug” or by someone abusing a position of power over the victim. Where the circumstances of the act are particularly violent, abusive and traumatising, aggravating circumstances should be applied to ensure a sanction commensurate with the gravity of the act.

217. According to information brought to GREVIO’s attention, some judicial decisions illustrate how the patterns and dynamics of sexual violence are not always understood, as gender bias and discrimination persist. The adoption by Greece of a definition of rape based on the lack of consent

163. Information received during the evaluation visit.

164. Articles 336 to 343.

165. Data provided in the state report indicate that 217 women reported rape in 2019 and 202 did so in 2020. In 2021, 204 rape cases were reported by women to the police. Source: General Secretariat, third annual report, p. 115.

166. Information received during the evaluation visit. See also comments under Article 50.

167. Article 336, paragraph 1, of the Criminal Code.

168. Article 343 of the Criminal Code.

169. Article 338 of the Criminal Code.

of the victim can contribute to addressing such biased attitudes so that defence lawyers, police, prosecutors and judges interpret correctly what is meant by sexual acts committed against a victim's will.¹⁷⁰ More generally, GREVIO considers that such a definition contributes to enabling the kind of paradigm shift that is necessary for properly recognising the vital notion of the victim's willingness to consent, among the judiciary and across society as a whole, and only in that way can the criminal justice response to the needs of victims of sexual violence be improved.

218. GREVIO strongly encourages the Greek authorities to take all the necessary measures, including legislative measures, to:

- a. further improve the legislation governing offences of sexual violence with a view to removing the remaining barriers that limit the effectiveness of the definition of rape based on the notion of freely given consent;**
- b. ensure appropriate sanctions for all acts of a sexual nature perpetrated without the consent of the victim, including in the absence of resistance of the victim and where the circumstances of the case preclude valid consent.**

219. In addition, GREVIO urges the Greek authorities to introduce training and guidelines for all relevant professionals in the criminal justice system in order to:

- a. ensure a common understanding of rape and sexual violence as offences based on the absence of consent, rather than on the use of force;**
- b. ensure appropriate sanctions for all sexual acts perpetrated without the consent of the victim, irrespective of her personal characteristics.**

4. Forced marriage (Article 37)

220. Forced marriage is criminalised as part of the offence of trafficking in human beings. Article 323A of the Criminal Code describes several examples of conduct for the purpose of exploitation, including forced marriage. The offence is based on the concept of "exploitation", which requires financial or economic benefit. It is not clear whether the judicial interpretation of this provision includes other motives, such as what is termed "honour".

221. Although the Istanbul Convention does not require establishing specific offences for each form of violence against women, it requires parties to create the necessary legal framework to ensure robust intervention and prosecution by law-enforcement agencies. GREVIO welcomes the criminalisation of forced marriage and acknowledges the overlap between trafficking in human beings and forced marriage. However, it has previously clarified that the offence of trafficking in human beings does not cover all forms of forced marriage.¹⁷¹ Indeed, forced marriage may be linked to sexual exploitation, labour exploitation and to financial and other benefits to the wider family. It should, however, be captured by a stand-alone offence covering all intentional conduct of forcing an adult or a child to enter into a marriage, including when it does not imply abduction, recruitment, transportation, transfers inside or outside the country or retainment.

222. GREVIO was informed that there have only been three cases of forced marriage that have reached the criminal courts, one in 2019 and two in 2020. However, it was informed that the prevalence of forced marriages is likely to be much higher than indicated by these figures.¹⁷² GREVIO recalls that it is usually very difficult for victims and their relatives to come forward and report a forced marriage due to the risk of reprisals. Specific training and awareness are required to enable the police and legal professionals to identify cases of forced marriage and respond adequately.

170. See GREVIO's Fourth Activity Report, Focus section, "Approaches taken by states parties to the Istanbul Convention as regards the criminalisation, prosecution and punishment of sexual violence, including rape", September 2023.

171. See GREVIO's Mid-term horizontal review of GREVIO baseline evaluation reports, 2022, paragraph 373.

172. Information provided during the evaluation visit.

223. GREVIO heard anecdotal evidence from the Greek authorities that early marriage, including customary marriage, is an issue affecting particularly girls from the Roma and Muslim communities. While acknowledging the differences between arranged and forced marriages, GREVIO underlines that, in the case of child and early marriages, the young age of brides means that they are at a higher risk of not being able to express their full and free consent to a marital union, or to resist a forced marriage. GREVIO notes that Greece has taken steps to tackle arranged child and early marriages. However, while acknowledging that arranged marriages do not fall within the scope of Article 37 of the Istanbul Convention,¹⁷³ it considers that the country still lacks adequate criminal law mechanisms to deal with flawed consent of minors to such marriages. The definition of forced marriage provided by the current legislation does not cover such situations and there seems to be no training or expertise available to the relevant professionals in this respect. Moreover, GREVIO notes that underage marriage affecting mostly Roma and Muslim communities is sometimes considered a part of “traditions and customs” of these groups, and is reportedly not adequately acted upon by the relevant authorities.¹⁷⁴ Against this background, GREVIO recalls that international human rights treaty bodies have widely acknowledged child, early and forced marriages as harmful practices that violate, abuse or impair human rights, and which are linked to and perpetuate other harmful practices and human rights violations. Such harmful practices have a disproportionately negative impact on women and girls and constitute a serious threat to multiple aspects of their physical and psychological health.¹⁷⁵

224. **GREVIO strongly encourages the Greek authorities to take appropriate steps to:**

- a. review the legislation in order to ensure that all forms of conduct covered by Article 37 of the Istanbul Convention are criminalised;**
- b. ensure that protective measures are available to victims of forced marriage and to women and girls at risk of forced marriage and that the relevant legal professionals are adequately trained with a view to consolidating the implementation of the offence of forced marriage.**

5. Female genital mutilation (Article 38)

225. In 2019 a specific provision on FGM was introduced in the Criminal Code,¹⁷⁶ which GREVIO considers a positive step. However, the new provision only covers persuasion to undergo FGM. Other prohibited acts, such as the actual performance of FGM, are prosecuted under general offences of physical violence.¹⁷⁷ This legal background leads to an assessment of the severity of injuries that may exclude other protected legal interests, such as freedom, sexual indemnity, dignity or equality, and does not take into account the gendered nature of this particular form of violence against women. Moreover, GREVIO notes that the provision only criminalises persuasion of a woman, whereas the act of coercing or procuring a girl, as provided for by Article 38 of the convention, is not explicitly covered.

226. Additionally, GREVIO notes the absence of data on prosecutions of cases of FGM. While welcoming the inclusion of measures to prevent and combat FGM in the National Action Plan on Gender Equality, it considers that there is a need for more information, research and awareness raising on this form of violence against women, especially in the judiciary and among healthcare professionals.¹⁷⁸

173. See the Mid-term horizontal review of GREVIO baseline evaluation report, 2022, p. 111.

174. Information received during the evaluation visit.

175. See Article 16, paragraphs 1 and 2, of the UN Convention on the Elimination of All Forms of Discrimination against Women. See also General Recommendation No. 21 of the Committee on the Elimination of All Forms of Violence against Women: Equality in Marriage and Family Relations; Joint general recommendation/general comment No. 31 of the Committee on the Elimination of Discrimination against Women and No. 18 of the Committee on the Rights of the Child on harmful practices.

176. Article 315 of the Criminal Code, which provides that: “Anyone who persuades a woman to have her genitals mutilated is punished with imprisonment”.

177. Such as those covered under Articles 309 to 312 of the Criminal Code.

178. See also remarks under Articles 11, 13 and 25.

227. **GREVIO encourages the Greek authorities to amend the Criminal Code in order to ensure that the offence of female genital mutilation is fully aligned with Article 38 of the Istanbul Convention and with the convention's aim to prosecute and punish the offence of female genital mutilation and to support and protect victims.**

228. **GREVIO also encourages the Greek authorities to step up their efforts to raise awareness and train all relevant professionals to detect and provide support for victims of female genital mutilation.**

6. Forced abortion and forced sterilisation (Article 39)

229. While forced abortion is criminalised,¹⁷⁹ GREVIO notes that there is no specific criminal provision sanctioning forced sterilisation. Such cases can reportedly be prosecuted as acts of serious bodily harm. In the absence of any data concerning forced abortions or forced sterilisations, GREVIO is not able to assess the effectiveness of the law in practice. However, information brought to its attention by the authorities and civil society organisations points to a legal gap when it comes to safeguarding the rights of women who are unable to express their consent to such practices, in particular women with psycho-social disabilities who are deprived of legal capacity.

230. **GREVIO encourages the Greek authorities to collect information on the number of abortions and sterilisations carried out without informed consent so as to establish the extent of these forms of violence against women and take appropriate measures, including legal measures, as appropriate.**

7. Sexual harassment (Article 40)

231. GREVIO welcomes the ratification in 2021 by Greece of ILO Convention No. 190 and its integration into Greek law through Law 4808/2021.¹⁸⁰ Article 337(4) of the Criminal Code on violation of sexual dignity also covers sexual harassment in the workplace/in the field of employment relationships, including access to employment. As amended by Law 4855/2021, it provides a punishment of up to three years' imprisonment and is prosecuted *ex officio*. Moreover, sexual harassment in fields other than employment is covered by Article 337(1) of the Criminal Code, which provides a punishment of up to one year of imprisonment and is prosecuted *ex parte*.¹⁸¹

232. While acceding to the ILO convention constituted a significant step forward in preventing and combating sexual harassment, the provisions of Law 4808/2021 requiring internal company policies against sexual harassment and sanctions only apply to private companies of more than 20 employees.¹⁸² Additionally, Law 4808/2021 does not include harassment by third parties as required under ILO Convention No. 190.¹⁸³

233. GREVIO was informed during its visit that the obligation to prevent violence and harassment was extended to the public sector in February 2023. It welcomes this decision as it was informed of the serious difficulties often faced by public-sector employees, in particular in sectors such as the army, to report harassment and gender-based violence at work, the lack of adequate sanctions for perpetrators and the frequent retaliations against victims and witnesses.

234. Despite the important steps forward, GREVIO regrets that information at its disposal indicates that only a limited number of cases of sexual harassment at work reach the courts due to a combination of factors described under Article 17 above. Outside of the workplace, the existing

179. Article 304 of the Criminal Code: "Whoever terminates the pregnancy without the consent of the pregnant woman is punished with imprisonment of up to 10 years".

180. See also remarks under Article 17.

181. Article 337(1) of the Criminal Code provides that: "Whoever, by gestures of a sexual nature, by proposals concerning sexual acts, by sexual acts committed before another or by demonstration of the genitals thereof, brutally insults the honour of another, shall be punished with imprisonment of up to one (1) year or a fine. Criminal prosecution requires a complaint, unless the victim is a minor".

182. Articles 9 to 11 of Law 4808/2021.

183. See implementing provisions of the second part of Law 4808/2021.

framework on sexual harassment does not seem to be applied. GREVIO's attention was, in particular, drawn to high-profile cases of sexual harassment in sports and to the absence of effective remedies in such cases.

235. Furthermore, sexist hate speech can escalate into or incite openly offensive and threatening acts, including sexual abuse, violence or rape, and can thus fall within the scope of Article 40 of the Istanbul Convention, especially when hate speech is disseminated online.¹⁸⁴ GREVIO is therefore concerned that hate speech is a criminal offence in Greece except on grounds of sex owing to the widespread but erroneous perception that sex falls under the grounds of gender identity and gender characteristics.¹⁸⁵ It has nonetheless been informed that sexist hate speech is widespread, including in politics and in the media, and that it has recently targeted judges who have handed down favourable decisions for mothers regarding the custody of their children in the context of domestic violence.¹⁸⁶ GREVIO considers that resolute steps should be taken to tackle this phenomenon and, in this context, draws attention to the Council of Europe's Recommendation CM/Rec(2019)1 of the Committee of Ministers to member States on preventing and combating sexism and Recommendation CM/Rec(2022)16 of the Committee of Ministers to member States on combating hate speech.

236. GREVIO strongly encourages the Greek authorities to take all the necessary practical and legislative measures to ensure that all forms of sexual harassment, in all spheres of life, public and private, can be effectively prosecuted and punished and that the legislation on hate speech includes sex as a relevant ground.

8. Sanctions and measures (Article 45)

237. Some of the applicable sanctions provided for under the provisions criminalising various forms of violence against women have been described in the respective sections of Chapter V. These include fines and prison sentences and appear to be proportionate and dissuasive. GREVIO takes note of the increased penalties introduced through the 2021 law amending the Criminal Code for some crimes such as gang rape or rape resulting in the death of the victim, which are now sanctioned with a life sentence.¹⁸⁷

238. Nonetheless, GREVIO was informed that in cases of domestic violence, of light physical harm and of less serious offences, perpetrators are often sanctioned with suspended sentences, even though they have previously been convicted for similar offences. In the absence of data on suspended sentences, GREVIO is unable to accurately assess the situation. However, it wishes to emphasise the importance of ensuring that offences are punished in an intelligible manner to build public trust in the system and send the message that violence against women is not acceptable. Without a process that holds perpetrators to account, the violence is highly likely to continue, either against the same victim or another. Prosecution and punishment are therefore essential components of the effort to protect women.

239. GREVIO strongly encourages the Greek authorities to ensure that sentences and measures imposed for offences of domestic violence and other forms of violence against women covered by the scope of the Istanbul Convention are effective, proportionate and dissuasive.

184. See GREVIO General Recommendation No. 1 on the digital dimension of violence against women, 2021, paragraph 39.

185. See Law 927/1979 and Article 184 of the Criminal Code and Article 8 of Law 4779/2021 transposing EU Directive 2010/13/EU on Audiovisual Media Services; see also Article 82A of the Criminal Code on crimes with racist characteristics.

186. See, for example, Efimerida ton Syntakton, 10 February 2022: www.efsyn.gr/ellada/koinonia/331484_neo-kynigi-magisson-apeiles-kata-dikaston.

187. Law 4855/2021.

9. Aggravating circumstances (Article 46)

240. Some of the aggravating circumstances required by Article 46 of the Istanbul Convention form part of the elements of the crime in the Greek Criminal Code, thus qualifying them as more serious offences punishable by harsher sentences. However, these aggravating circumstances are not applied consistently to all forms of violence against women. Circumstances such as “the offence is committed against a former or current spouse or partner” or “against or in the presence of a child”, or “the crime was committed with the use or threat of a weapon”, as included in Article 46 of the Istanbul Convention, do not appear to apply to the extent required under the convention.

241. **GREVIO strongly encourages the Greek authorities to take appropriate measures to ensure that all aggravating circumstances listed in Article 46 of the Istanbul Convention are incorporated into Greek criminal law and effectively applied by the judiciary.**

10. Prohibition of mandatory alternative dispute resolution processes or sentencing (Article 48)

242. Greek legislation provides for two types of alternative dispute resolution processes: criminal mediation between a victim and a perpetrator in domestic violence misdemeanours and mediation in civil cases such as divorce proceedings, including disagreements over custody and visitation arrangements.

243. The Law on Domestic Violence provides for a restorative justice mechanism that is referred to as criminal mediation. The mechanism involves the victim and perpetrator consenting to suspend prosecution on condition that the perpetrator: a) promises not to commit any act of domestic violence in the future and moves out of the family home for a specific time if the victim requests it; b) takes part in a perpetrator programme/counselling programme; and c) rectifies, if possible, the consequences of his actions and provides financial compensation to the victim.¹⁸⁸ Only a fraction of all domestic violence cases are mediated on, although the tendency to undertake mediation is increasing, as seen in 17% of all cases in 2019, 21.7% in 2020 and 33.4% in 2021.¹⁸⁹ GREVIO notes that there is no explanation for this increase in mediation referrals.

244. The public prosecutor oversees criminal mediation in domestic violence cases. However, in practice, the police are, in most cases, in charge of communicating with both victims and perpetrators. While GREVIO notes that settlement procedures are not mandatory and may result in positive outcomes for victims, it is concerned by information brought to its attention stressing the lack of sufficient safeguards to protect the victim from secondary victimisation, intimidation and retaliation. For example, GREVIO has heard of cases in which victim and perpetrator were summoned to the police station at the same time for mediation.¹⁹⁰ Moreover, prosecutors do not have standardised protocols for detecting cases of victims forced into mediation.

245. GREVIO has found no evidence or data regarding cases of perpetrators leaving the common domicile or paying compensation to the victim in the context of mediation. Therefore, participation in perpetrator programmes seems to be the only effective consequence of a mediation agreement. As mentioned above, only a small proportion of perpetrators referred to counselling services complete the programme.¹⁹¹

246. Should perpetrators fail to comply with the mediation mechanism over a three-year period, prosecution is restarted. GREVIO is concerned by information indicating that non-compliance with the mediation process is, in practice, not sanctioned.¹⁹² The perpetrator therefore has little incentive to undertake counselling or other programmes. As for the victim, in addition to having her restorative expectations disappointed, she is likely to be involved, several years after the facts, in criminal proceedings with uncertain consequences. Without any guarantee of a successful and enforceable

188. Article 11 of the Law on Domestic Violence.

189. General Secretariat, third annual report, p. 124.

190. Information received during the evaluation visit.

191. See remarks under Article 16.

192. Information received during the evaluation visit.

settlement of the case, women victims of domestic violence are thus exposed to a high risk of secondary victimisation during the mediation process.

247. Finally, the Civil Code includes mandatory mediation, with an exception for cases involving domestic violence.¹⁹³ However, the availability and use of mediation in divorce proceedings without any examination of the history of domination and abuse in the relationship raises concerns. In practice, the exemption from compulsory mediation is applied if the victim brings the abuse to the attention of the court and provides evidence of it, while the type of evidence required remains unclear.¹⁹⁴

248. GREVIO strongly encourages the Greek authorities to take all necessary measures to ensure that the use of mediation in cases of violence against women is based on full respect for the rights, needs and safety of victims. In particular, mediation should only be applied to women victims of violence who are in a position to decide freely whether to accept or refuse the procedure. The Greek authorities should ensure that police officers, prosecutors, mediators and all other relevant parties in the criminal justice sector are provided with specific guidelines and training focusing on the gendered dynamics of domestic violence and its impact on the ability of victims to enter a mediation process on a par with the perpetrator.

193. Article 8(2) of Law 4800/2021.

194. Information received during the evaluation visit.

VI. Investigation, prosecution, procedural law and protective measures

249. Full accountability for all acts of violence against women requires an adequate response from law-enforcement agencies and the criminal justice sector. Chapter VI of the Istanbul Convention establishes a set of measures to ensure criminal investigations, prosecutions and convictions of the various forms of violence covered therein.

A. General obligations, immediate response, prevention and protection (Articles 49 and 50)

250. A key principle of an adequate response to violence against women is that of swift and effective investigations and judicial proceedings that are based on a gendered understanding of these types of offences and that take into consideration the rights of the victim during all stages.

1. Reporting to, immediate response and investigations by law-enforcement agencies

251. The Greek authorities have taken substantial steps to reinforce the existing legislative and institutional framework for the investigation and prosecution of domestic violence. GREVIO welcomes the decision to create specialised police units for domestic violence, with the aim of increasing the capacity of the police to deal effectively with gender-based violence. In 2019, 73 specialised police units had been established, including a division at the police headquarters and 72 offices across the country. Additionally, 18 operational offices specialising in domestic violence cases have been set up. GREVIO also commends the police's efforts to combat cybercrime, in particular through the setting up of a specialised unit on cybercrime.

252. In addition, specific guidelines outlining the procedure for police intervention in cases of domestic violence have been adopted. The guidelines, updated in 2022, include checklists for police intervention and other good practices, such as providing victims with the registration number of their complaint and the identification and contact number of the police officer in charge of the case. Police protocols include contacting the victim at least twice after the report has been filed to follow up on the case.

253. However, the existing police protocols do not involve other relevant stakeholders involved in the protection of women victims of violence, such as NGOs, shelters and counselling services, health or social services. There appear to be no mechanisms to ensure interagency co-operation in dealing with cases of violence against women.

254. While police practice has substantially improved due to the new specialised units and increased training, concerns have been expressed that prejudice and discriminatory attitudes deriving from a predominantly patriarchal culture and enduring prejudices about gender roles persist in many police stations. Indeed, despite the existence of pockets of excellence in some police districts, NGOs and lawyers working with women victims of violence still report ineffective or disinterested police handling of domestic violence cases. GREVIO is particularly concerned about consistent reports indicating that police officers often discourage victims to file a complaint and advise them to return home and sometimes fail to detain perpetrators when needed.¹⁹⁵ There seem to be substantial differences in the way cases are handled by the specialised units and the rest of the police stations.

255. In addition, concerns have been brought to GREVIO's attention about the mandatory detention policy in cases of in flagrante delicto. The police in these cases inform the victim that if the perpetrator also presses charges, she may be arrested too until the next day, which has a discouraging effect on reporting. Police representatives informed GREVIO that they were aware of

195. Information received during the evaluation visit.

this problem and that they follow a practice of requesting permission from the prosecutor not to arrest women victims of violence. However, this procedure is informal and depends on the assessment by the officers involved.¹⁹⁶

256. Moreover, GREVIO was informed that many undocumented migrant or asylum-seeking women, including asylum seekers who have not yet been able to introduce an asylum claim, refrain from reporting domestic violence as they fear arrest, even though the legislation in force prohibits the arrest of women in an irregular situation who report gender-based violence.¹⁹⁷ Additionally, undocumented women victims of gender-based violence committed outside the context of domestic violence are not protected against administrative detention.¹⁹⁸ It also received reports highlighting gaps in access to adequate interpretation services at a number of police stations.

257. GREVIO notes with concern that the level of specialisation in the police response to intimate partner violence is not matched in relation to other form of violence covered by the Istanbul Convention. For instance, no similar efforts have been made to standardise police procedures in relation to sexual violence. Limited attention seems to be paid to the specific dynamics of investigating and prosecuting this form of violence. Women who are victims of sexual violence are often heavily traumatised and scientific evidence shows that there are multiple reactions to this form of violence. Police protocols must ensure that women are treated with care and from a gender-sensitive perspective.

258. Regarding forensic examination, GREVIO welcomes the efforts of the authorities to increase the number of forensic experts and the standards applied.¹⁹⁹ Despite these efforts, forensic examination is not yet available 24/7 across the country, which can seriously hamper the collection of forensic evidence in cases of rape.²⁰⁰ GREVIO is also concerned that a formal police report is required before a forensic examination can be carried out. As stated in the Explanatory Report to the Istanbul Convention regarding Article 25, “it is good practice to carry out forensic examinations regardless of whether the matter will be reported to the police, and to offer the possibility of having samples taken and stored so that the decision as to whether or not to report the rape can be taken at a later date”. Finally, GREVIO is informed that forensic specialists do not receive specific or regular training on sexual violence.

259. Data from the Greek police indicate that in 2021 the number of complaints of domestic violence filed by women rose by 73%: 7 375 women filed a complaint with the police, compared to 4 264 in 2020.²⁰¹ The trend continued in 2022, as the latest available police data show that the number of complaints exceeded 11 000.²⁰² This increase in reporting could indicate that the efforts of the Greek police to encourage women to report domestic violence are leading to results. However, further analysis is needed in order to assess whether these figures reveal “hidden” violence that was previously not reported or whether they correspond to an increase in domestic violence.

260. Moreover, GREVIO finds it particularly problematic that the number of reports of rape appears to be quite low considering the prevalence rates found in the 2014 EU-wide survey.²⁰³ Only

196. Information received during the evaluation visit.

197. See Ariadne 2 Programme, Standard Operating Procedures, p. 11.

198. Information received during the evaluation visit.

199. See also remarks under Article 25.

200. Information received during the evaluation visit. See also the Committee on Family Law and Consensual Joint Custody, report submitted to GREVIO on 10 February 2023, p. 11; European Court of Human Rights: Application No. 911/23, *G.B. v. Greece*, lodged on 29 December 2022, communicated on 23 February 2023. See also: Greek Police, 11 July 2021 : Statement of the Division of Internal Affairs of the Greek Police regarding written articles reproduced in the news and the social media, available at: www.minocp.gov.gr/index.php?option=ozo_content&perform=view&id=7433&Itemid=723&lang=GR.

201. See General Secretariat, third annual report, p. 108.

202. According to a press release from the Hellenic Police published on 3 February 2023, 11 534 incidents of domestic violence were reported in 2022 and 10 131 women were victims of such incidents.

203. According to data collected by the EIGE: “around 1 in 4 women have experienced physical and/or sexual violence from an intimate partner at least once since the age of 15. Further, 5.8% of women reported physical and/or sexual violence from an intimate partner in the last 12 months. 21% of women who had experienced physical and/or sexual violence by any perpetrator in the past 12 months had not told anyone (8 percentage points higher than the EU average of 13%)”.

202 women reported rape to the police in 2020 and in 2021.²⁰⁴ GREVIO is not aware of any research exploring the reasons for the low reporting rates for sexual violence. In the absence of recent population-based studies or surveys there is no effective way of measuring under-reporting of violence against women and domestic violence. GREVIO notes with concern that the lack of data and research seriously impairs the ability of the Greek authorities to assess policies in this area and to monitor and address patterns of violence against women.²⁰⁵

261. GREVIO strongly encourages the Greek authorities to take further steps to improve the response of the law-enforcement authorities to women victims of all forms of violence covered by the Istanbul Convention. They should in particular:

- a. provide all relevant law-enforcement authorities with the resources, knowledge and powers to respond promptly, appropriately and with a gender-sensitive perspective to all forms of violence covered by the Istanbul Convention, including sexual violence, forced marriage and stalking;**
- b. develop standard operating procedures for law-enforcement officials with regard to all forms of violence against women covered by the scope of the Istanbul Convention, on the basis of an evaluation of the implementation in practice of existing guidelines on domestic violence;**
- c. identify and address any factors contributing to low reporting rates of sexual violence;**
- d. consider amending current practices to allow for forensic examination and collection of evidence in cases of sexual violence and rape regardless of whether the victim reports the incident to the police.**

2. Effective investigation and prosecution; conviction rates

262. At the level of the prosecution services, standards for the investigation and prosecution of cases of domestic violence in line with the Istanbul Convention's requirements were set out in Circular 12/2021 of the Prosecutor's Office of the Supreme Court, following the substantial increase in the number of cases of domestic violence and domestic homicides in 2021.²⁰⁶ The measures taken to ensure a prompt and effective response to domestic and sexual violence offences range from prioritising these investigations to ensuring the swift adoption of the necessary precautionary protective measures, including arrest of the perpetrator in cases of in flagrante delicto. GREVIO considers that the issuance of this circular constitutes an important step to improving the prosecution of cases of violence against women. In the largest cities, specialised prosecutors for domestic violence have been appointed.²⁰⁷ There is no such guidance regarding other forms of violence covered by the Istanbul Convention, notably stalking, forced marriage or FGM.

263. GREVIO was informed that no co-operation protocols between prosecutors' offices, victims' support organisations and state-provided social services are in place. Moreover, referral procedures are not formalised or institutionalised.²⁰⁸ Standard operating procedures regarding co-operation between civil and criminal courts, adequate procedures for interviewing the victim or co-operation protocols with bar associations²⁰⁹ do not exist and there is no interagency co-ordination mechanism involving the judiciary.

264. GREVIO is concerned that high rates of attrition emerge from an analysis of the limited data available on reporting and conviction rates in cases of gender-based violence against women. Police reported 4 171 women victims of offences under the Law on Domestic Violence in 2019 and

204. See General Secretariat, third annual report on violence against women, p. 107.

205. See also remarks under Article 11.

206. Public Prosecutor of the Supreme Court, Circular 12/2021, 3 November 2021, Domestic violence, available at: <https://eisap.gr/%CE%B5%CE%B3%CE%BA%CF%8D%CE%BA%CE%BB%CE%B9%CE%BF%CF%82-12-2021/>.

207. GREVIO has not been informed of their number.

208. See also remarks under Article 18.

209. Except for recent agreements with some bar associations for the provision of free legal aid; see remarks under Article 57.

4 264 in 2020.²¹⁰ Although the data categories are not directly comparable, GREVIO notes that most of these cases were prosecuted. However, the number of convictions in 2019 amounted to 1 320 and, in 2020, to 656. The numbers for rape also show a significant gap between police reports and convictions. While 202 women reported rape in 2020, the available data only indicate eight convictions. Thus, in 2020, conviction rates for domestic violence amounted to 15% whereas they did not reach 4% in cases of rape.

265. Such low conviction rates suggest either that investigation procedures are ineffective or that an unreasonably high threshold required to reach a conviction is applied. GREVIO understands that the authorities have not conducted any examination of the possible factors contributing to such low conviction rates, for instance by analysing the typical pathway of gender-based violence-related cases through the chain of law-enforcement investigation, prosecution and trial, and by seeking to identify the points in time when attrition might occur.²¹¹ GREVIO underscores the importance for the authorities to determine why a vast majority of reported cases of violence against women “fall out” of the legal system and do not end in a conviction. It recalls that low conviction rates for violence against women erode the victim’s confidence in the criminal justice system and send messages to perpetrators that they will not be held accountable, which, in turn, contributes to the problem of low reporting to law-enforcement authorities.

266. Lengthy judicial proceedings are a major concern in Greece. No official data have been made available to GREVIO. However, estimates indicate that criminal proceedings can take more than two years on average for the first instance. While these delays undoubtedly harm the alleged perpetrators, they also result in secondary victimisation of women victims of violence.

267. Moreover, NGOs and lawyers working with women victims of violence report the persistence of gender stereotypes and prejudices in the judiciary, which can still lead to victim blaming and discrediting. Judicial outcomes also show that the patterns and dynamics of abuse are not always understood. This is compounded by the frequent practice among alleged perpetrators of engaging in retaliatory lawsuits against women who report gender-based violence, including for defamation in cases of sexual violence. Such a practice, which was consistently brought to GREVIO’s attention, is likely to contribute to further victim blaming and disempowerment. GREVIO considers that these elements, combined with the length of judicial proceedings, may act as a deterrent for victims of violence against women to report violence and engage into judicial proceedings.

268. GREVIO urges the Greek authorities to take additional steps to enable a prompt and appropriate handling of investigations and criminal proceedings in cases of gender-based violence, firmly grounded on a gendered understanding of violence against women, and to ensure that perpetrators of all forms of violence covered by the Istanbul Convention are held accountable. To do so, they should:

- a. develop standard operating procedures for prosecuting all forms of violence against women covered by the scope of the Istanbul Convention;**
- b. provide all the relevant professionals with appropriate training on gender-based violence against women;**
- c. assess progress in this field through appropriate data collection, comparable throughout the judicial chain, and through an analysis of the handling of criminal cases by law enforcement, prosecution authorities and courts to ascertain where the attrition of cases occurs and to identify possible gaps in the institutional response to violence against women.**

B. Risk assessment and risk management (Article 51)

269. Concern for the victim’s safety must lie at the heart of any intervention in cases of all forms of violence covered by the Istanbul Convention. Article 51 thus establishes the obligation to ensure

210. See General Secretariat, third annual report.

211. See remarks under Article 11.

that all relevant authorities, not just law-enforcement authorities, effectively assess and devise a plan to manage the safety risks a victim faces on a case-by-case basis, according to standardised procedures and in co-operation with each other.

270. In Greece, risk assessment and management are mainly carried out by law-enforcement agencies. Risk assessment by the police seems to apply only to domestic violence cases. In other cases of gender-based violence, risk assessments do not seem to be carried out, or police officers assess the risks based on their experience and intuitive skills, in the absence of structured and standardised criteria. According to information provided by the authorities, the prosecutor's office and the court may conduct an individual evaluation of risks. However, it appears that this is rarely done in practice. No specific guidelines for risk assessment are available to prosecutors or courts.

271. GREVIO notes with concern that where risk assessments are conducted, they are not part of a multi-agency effort and the results are not necessarily communicated to the other statutory agencies concerned, which entails risks for the victims as crucial information for their safety can be missed. Moreover, risk assessment is currently not standardised across all relevant agencies, such as counselling services or forensic units, and there appears to be no co-operation with stakeholders such as NGOs, who also carry out risk assessments and prepare safety plans for victims.

272. Furthermore, GREVIO highlights that the obligation under Article 51 to carry out risk assessment extends to all forms of violence against women, including cases of forced marriage. When representatives of statutory agencies, such as law enforcement or social services, are aware or suspect that a girl or a woman is at risk of being forced into a marriage, the risk they may face when opposing such a union must be carefully assessed and managed, in a gender-sensitive manner. The same consideration applies to risks of FGM.

273. Considerations pertaining to the need to apply risk-assessment procedures in the processes for determining custody and visitation rights are developed above in this report, in relation to Article 31 of the convention.

274. GREVIO reiterates that proper risk assessment and management can save lives and should therefore be an integral part of the response of authorities to cases of violence covered by the Istanbul Convention, as was also emphasised by the European Court of Human Rights in its judgment in the case of *Kurt v. Austria*. In this judgment, the Court stressed the need for rapid sharing of information between all the relevant stakeholders and for co-ordination among multiple authorities in order to provide a proper preventive response once a risk has been established.²¹²

275. In this context, GREVIO notes with interest the current development by the authorities of a risk-assessment tool, although GREVIO was not provided with any additional information on the risk indicators considered or the implementation plan. In view of the substantial increase in the number of gender-based homicides since 2020 (see below), it hopes that this new tool will shortly be available and implemented and that it will help the authorities to provide women victims of violence with effective protection meeting the requirements of Article 51 of the convention.

276. Finally, Greece does not have any mechanism to review domestic violence cases involving the killing of women and children, despite the recent alarming increase in the number of gender-based killings. In 2021 the number of women murdered by men in their family environment almost tripled, with 23 domestic homicides, compared to eight in both 2019 and 2020. At the same time, the total number of female homicide victims also increased. It went from 19 and 18 cases respectively in 2019 and 2020 to 33 cases in 2021, when for the first time more women than men were victims of homicide in Greece.²¹³ Against this worrying background, GREVIO considers that a retrospective review of homicide or attempted homicide cases would be pivotal to assess whether gaps in the institutional and/or judicial response contributed to the fatal outcomes and to identify appropriate remedies.

212. European Court of Human Rights, *Kurt v. Austria*, Application No. 62903/15, Judgment of 15 June 2021, paragraph 180.

213. General Secretariat third annual report, p. 188.

277. **GREVIO urges the Greek authorities to ensure that:**

- a. **systematic, gender-sensitive risk assessments and safety management become standard procedures in all cases of violence against women covered by the Istanbul Convention;**
- b. **risk assessments are repeated at all the relevant stages of criminal proceedings;**
- c. **risk assessments are based on an effective multi-agency approach, involving specialist services and NGOs, in order to mitigate safety risks for the victims.**

278. **GREVIO strongly encourages the Greek authorities to introduce a system of retrospective review of cases of gender-based killings of women and to assess whether gaps in the institutional and/or judicial response contributed to the fatal outcome, with the aim of preventing them in the future and holding to account both the perpetrators and the institutions that come into contact with the victims and perpetrators.**

C. Emergency barring orders (Article 52); Restraining or protection orders (Article 53)

279. Article 18 of the Law on Domestic Violence regulates protection orders, which are available to both prosecutors and judges in cases of domestic violence. Such measures allow the removal of the perpetrator from the family home or prohibit him from approaching certain locations where the victim lives or otherwise frequently goes. These orders may be issued *ex officio* for a duration to be decided by the issuing authority.

280. Additionally, victims can apply for civil remedies, such as a temporary order or injunctions and safety measures. The content of such remedies is very broad, ranging from civil measures relating to child custody to prohibitions on communication or contact. While their maximum duration is decided by the court, they are usually imposed until a final court decision is issued.

281. An assessment of the scope and legal requirements for such orders, and of their implementation in practice, reveals a number of shortcomings. First, the available protection orders, including precautionary measures under the Law on Domestic Violence and civil injunctions, do not qualify as emergency barring orders as provided for by Article 52 of the Istanbul Convention. This provision sets out the obligation to ensure that a perpetrator of domestic violence may be ordered to vacate the residence of the victim or person at risk in situations of immediate danger. The term “immediate danger” refers to any situation of domestic violence when harm is imminent or has already materialised and is likely to happen again.²¹⁴ The aim of this provision is to provide safety for victims of domestic violence without forcing them to hurriedly seek safety in a shelter or elsewhere. Emergency barring orders should serve as a tool for law-enforcement authorities and the criminal justice sector to react to a situation of immediate danger without lengthy procedures.

282. The measures foreseen in Article 18 of the Law on Domestic Violence do not include any time limit. Although in theory they can be taken immediately, GREVIO was informed that this is only foreseen in cases of *in flagrante delicto*. In all other cases, a court hearing is required and time limits are longer. While immediate civil measures can be taken swiftly, the time limit depends on the judicial authorities’ workload. Therefore, although it is reported that orders are issued within one or two days,²¹⁵ both bar associations and NGOs report that this period can take as long as 15 days in many courts due to work overload.²¹⁶ Moreover, in the case of civil remedies, there is no guarantee of immediacy in the adoption of protection measures. The system reportedly provides for an immediate response only if the case is considered “flagrant”. For most victims, the waiting time and the uncertainty regarding the outcome of the procedure may represent too much of a safety risk and

214. Explanatory Report to the Istanbul Convention, paragraph 265.

215. See the state report, p. 63.

216. Information received during the evaluation visit. See also Vervessos D. (2023), President of the Plenary of Bar Associations, “Η Δικαιοσύνη σε αριθμούς” (Justice in numbers):

www.dsa.gr/sites/default/files/news/attached/i_dikaioyni_se_arithmoys_-_dimitris_vervesos-1.pdf.

they might rather opt for relocating to a shelter. GREVIO recalls however that the aim of Article 52 of the Istanbul Convention is to allow women and children to remain safe in their own home.

283. GREVIO notes with concern that courts do not consistently collect data on precautionary measures issued in cases of violence against women and they are therefore not in a position to assess the effectiveness of these measures to protect victims. The available data are limited and only include measures taken under Article 18 of the Law on Domestic Violence. In 2019, 46 protection orders were adopted in this context. In 2020, this figure rose to 57.²¹⁷ These data indicate that protection orders were issued only in respect of around 1% of the prosecuted perpetrators of domestic violence, a situation which GREVIO considers problematic.

284. Moreover, protection orders taken under Article 18 of the Law on Domestic Violence are not sufficiently comprehensive as the protection provided relates to the places the victim visits rather than to the victim as such and, therefore, they do not constitute a full contact ban. GREVIO recalls that linking protection to places rather than to people bears the risk of gaps inherent to any non-exhaustive listing approach. Consequently, the victim needs to apply for additional civil protection measures for the custody of common children, alimony or to request a prohibition of contact or the surrender of any weapons. Civil proceedings in Greece entail court and lawyer's fees. Although beneficiaries of free legal aid are exempted from court fees and victims of domestic violence are subject to a specific regime under Article 22 of the Law of Domestic Violence, the cost of applying for civil protection measures can act as a deterrent for many women victims of domestic violence who do not qualify for legal aid. Additionally, the measures provided for in the Law on Domestic Violence only protect victims of domestic violence. They do not cover women victims of other forms of gender-based violence, such as sexual harassment or stalking.

285. Last, information brought to GREVIO's attention indicates that protection orders are frequently breached by perpetrators.²¹⁸ The law provides for sanctions in case of breaches. In particular, Article 18 of the Law on Domestic Violence provides that non-compliance with protection orders is punishable by imprisonment. In addition, breaches of civil injunctions and interim measures can be prosecuted as breaches of court orders. Nonetheless, no information is available on the number and type of sanctions imposed in instances of such breaches.

286. GREVIO is deeply concerned by the absence of any specific measure to prompt an immediate reaction to a reported breach of a protection order or of a civil injunction issued in a case of violence against women. Considering that breaches of protection orders constitute a strong indicator of a high-risk situation for women victims of violence, GREVIO stresses that an immediate response to such reports is essential to ensure the safety of women. In this context, GREVIO welcomes the recent initiative of the authorities to implement a "panic button" system. It hopes that this system will swiftly be put in place and will adequately meet the needs of women victims of violence.

217. See General Secretariat, third annual report, p. 121.

218. Information received during the evaluation visit.

287. **GREVIO urges the Greek authorities to take the legislative and policy measures needed to bring the Greek legal framework and practice in line with Articles 52 and 53 of the Istanbul Convention, notably by:**

- a. ensuring the availability of emergency barring orders to all women victims of domestic violence;
- b. ensuring that protection orders are available and accessible to victims of all forms of violence against women covered by the Istanbul Convention;
- c. stepping up the monitoring and enforcement of protection orders, including through technical means such as electronic monitoring;
- d. ensuring that effective, proportionate and dissuasive criminal or other sanctions for breaching protection orders are effectively applied in practice;
- e. collecting data on the number of protection orders issued (in criminal and civil proceedings), the number of violations and the sanctions imposed as a result of such breaches.

D. *Ex parte* and *ex officio* proceedings (Article 55)

1. *Ex parte* and *ex officio* proceedings

288. Article 55, paragraph 1, of the Istanbul Convention places on parties the obligation to ensure that investigations into a number of categories of offences shall not be wholly dependent upon the report or complaint filed by a victim and that any proceedings underway may continue even after the victim has withdrawn her statement of complaint.

289. *Ex officio* prosecution is extensively applied in the Greek criminal legislation, including in the context of the application of the Law on Domestic Violence and other offences covered by the Istanbul Convention. GREVIO notes nonetheless that, according to Article 344 of the Criminal Code, the public prosecutor may drop or discontinue prosecution if the victim so requests, on grounds of protecting her mental health from the damage that the publicity linked to the trial may cause. This article applies to a wide range of cases, including rape. GREVIO appreciates the purpose of this provision, which is to protect victims of rape from secondary victimisation and to respect a victim's decision not to engage in court proceedings. However, it is concerned that it may open the door to allowing pressure to be exerted on victims of rape to drop charges, which would contribute to further attrition in cases of rape and reinforce a feeling of impunity for perpetrators of sexual violence. Therefore, GREVIO considers it important that prosecutors are provided with standardised protocols on the application of Article 344 in order to be able to adequately assess each situation.

290. **GREVIO encourages the Greek authorities to take all the necessary steps to ensure that the application of Article 344 of the Criminal Code does not result in pressure on victims of sexual violence to drop charges against the perpetrators.**

2. Victim support in legal proceedings

291. With a view to empowering victims and to encouraging them to go through with criminal proceedings, paragraph 2 of Article 55 requires parties to ensure that victims' organisations, specifically trained domestic violence counsellors or other types of support/advocacy services, may assist and support victims during investigations and judicial proceedings.

292. A psychological or psychiatric assessment of victims of rape at the first hearing stage was introduced in 2021, based on the procedures followed for victims of trafficking in human beings.²¹⁹ The aim of this new procedure is to support victims of sexual violence in the investigation and prosecution phase by assessing their mental state and perceptive capacity in order to prevent

219. Article 228 of the Code of Criminal Procedure. See also GRETA's second evaluation report on Greece, March 2023, available at: <https://rm.coe.int/greta-evaluation-report-on-greece-2nd-evaluation-round/1680aaa70a>.

possible secondary victimisation, which is a welcome objective. Similarly, a mandatory psychological assessment is required in cases of sexual harassment and violence in the workplace.

293. Such a procedure can indeed support victims involved in judicial proceedings and contribute to limiting secondary victimisation, or help with requests by victims for prosecution to be dropped for fear of re-traumatisation, as described in the previous paragraphs. However, the fact that the psychological assessment is mandatory can also limit women's agency to take decisions regarding their own situation and thus conflicts with the convention's aim to empower victims of gender-based violence. GREVIO recalls that, under Article 55, paragraph 2, of the convention, women victims of violence should be provided with support at their request. Additionally, GREVIO is concerned that such practices might lead to jeopardising the credibility of victims and bringing into question their ability to testify on the ground that they are traumatised by the experience of violence. Bearing in mind the difficulties usually experienced by victims of sexual violence to ascertain their credibility, it is important to ensure that measures initially aimed at supporting them are not perceived as an additional challenge to their testimony. Finally, GREVIO underscores the importance of ensuring that professionals in charge of carrying out such psychological or psychiatric assessments are adequately trained and employ a gender-sensitive approach to violence against women.

294. GREVIO encourages the Greek authorities to pursue efforts to ensure that victims of gender-based violence receive the necessary support throughout court proceedings, to minimise the risks of secondary victimisation, while fully supporting their empowerment.

E. Measures of protection (Article 56)

295. Law 4478/2017 provides a comprehensive set of rights for victims of crime. It includes standards such as the fact that interviews with victims during criminal investigations should be conducted in premises designed or adapted for that purpose. It also provides that all interviews should be conducted, where possible, by a woman if the victim is a woman victim of gender-based violence, unless the interview is conducted by a prosecutor or a judge. Another valuable provision allows children's testimony to be recorded so that they do not need to repeat it throughout the legal process. The 2021 amendments to Article 228 of the Code of Criminal Procedure, mentioned previously,²²⁰ also foresee the possibility for victims of sexual violence to have their testimony recorded so that they have the option not to appear in court. Finally, GREVIO was informed of the opening of "children's houses" in a few cities, consisting of safe spaces where child victims of sexual abuse can be examined in a friendly environment. GREVIO considers that these are promising legislative measures for avoiding secondary victimisation.

296. Despite the existence of these protection measures, information brought to GREVIO's attention indicates that most of the provisions of Law 4478/2017 are not fully implemented in practice and that the experience of the criminal justice system is still highly traumatic for many women and girl victims of gender-based violence.

297. GREVIO strongly encourages the Greek authorities to take stock of, and complement, the existing protection measures for victims of gender-based violence, with a view to aligning them more closely with the requirements of Article 56 of the Istanbul Convention. In particular, the Greek authorities should take resolute steps to promote the use of audiovisual tools in court hearings, safe rooms and in camera proceedings, as needed, as well as of "children's houses" for gathering the testimonies of minor girl victims of gender-based violence.

220. See paragraph 291 above.

F. Legal aid (Article 57)

298. In Greece, people on low income can apply for free legal aid.²²¹ In addition, free legal aid is available in civil and criminal proceedings to victims of certain crimes, such as trafficking in human beings and sexual crimes against minors, regardless of their income. Moreover, victims of domestic violence seeking interim measures for a temporary settlement of the situation have access to free legal aid under Article 22 of the Law on Domestic Violence.

299. While GREVIO welcomes the general availability of legal aid, in particular the early access for women victims of domestic violence, it notes with concern that the low-income threshold leads in practice to the exclusion of many victims from legal aid. Although mechanisms exist to provide free legal aid irrespective of any income criteria, these apply mostly to victims of trafficking in human beings and sexual crimes against minors. Moreover, women victims of sexual or other forms of violence are only entitled to free legal aid once legal proceedings have been initiated, and it is not clear whether they have access to legal advice before filing a complaint. GREVIO underlines the importance for victims of gender-based violence, in particular of rape, to be assisted by victim support lawyers or legal aid lawyers, from the moment of their first statement.

300. NGOs and lawyers working with women victims of violence have communicated to GREVIO that legal services provided under the free legal aid scheme are usually of poor quality and that many of the lawyers providing such services are not sufficiently trained to deal with women victims of violence in a gender-sensitive manner. Their fees are very low and payment is often substantially delayed. There appears to be no specific domestic violence or gender-based violence section in Greek bar associations.

301. Furthermore, migrant and asylum-seeking women victims of violence face additional obstacles to accessing free legal aid because of administrative requirements such as the need to provide tax return certificates.²²²

302. The Greek authorities have started concluding agreements with several bar associations to provide free legal aid to women victims of violence regardless of their income, which is an important step forward. As these agreements are recent, GREVIO does not have sufficient information to assess their scope and implementation. It hopes that they will contribute to improving access of women victims of violence to affordable and quality legal aid.

303. GREVIO strongly encourages the Greek authorities to take the necessary legislative and other measures to ensure women's effective access to justice through affordable and high-quality legal representation, in particular by identifying and remedying any administrative or procedural barriers to obtaining free legal aid and ensuring access to legal aid at an early stage of the procedure.

221. Law 3226/2004, as amended by Law 4689/2020.

222. See also remarks under Article 59.

VII. Migration and asylum

304. In the area of migration and asylum, the main requirement of the Istanbul Convention is to ensure that residence status laws and asylum procedures do not turn a blind eye to the realities of women living in abusive relationships or those subjected to sexual violence and exploitation and other forms of gender-based violence. Residence status laws shall provide for the possibility of obtaining autonomous residence permits for women in specific circumstances (Article 59). Asylum procedures, on the other hand, must be gender-sensitive and allow women to disclose their stories in full, and grounds for persecution shall be interpreted in a gender-sensitive manner. This can only be achieved if, in turn, reception procedures and support services for asylum seekers are sensitive to the needs of women victims or those at risk of violence (Article 60).

A. Residence status (Article 59)

305. Law 4251/2014 (also known as the Immigration and Social Integration Code) governs access to autonomous residence permits for migrant women victims of domestic violence.²²³ The Directorate of Residence Permits of the Ministry of Migration and Asylum is responsible for receiving and considering such applications, which can only be submitted electronically. GREVIO was informed by the authorities that applications for residence permits raising issues of domestic violence are prioritised. However, GREVIO was also informed that no specific training is provided to the staff responsible for considering such applications and civil society organisations involved in supporting migrant women victims of gender-based violence reported delays with applications being processed, particularly when a victim is unable to produce a passport or identity document.²²⁴

306. An application on grounds of domestic violence must be accompanied by evidence of an official complaint made by the victim (a police report, a court order, the filing of a lawsuit or a report by a social protection body). GREVIO was informed that the victim's testimony alone is usually not considered sufficient. It considers that this strict approach to evidence could act as a significant barrier for many migrant victims who are often inhibited from formally reporting domestic abuse for fear of losing their dependent immigration status.

307. In principle, an identity document or passport, even if it has expired, is also required to obtain an autonomous residence permit in cases of domestic violence. However, GREVIO notes with satisfaction that an exception is made when an applicant is unable to provide a passport. This exception, enshrined in law, extends to victims of domestic violence and recognises the particular situation of migrant women victims of domestic violence whose identity and immigration documents may be confiscated or withheld as part of the abuse perpetrated. While welcoming this flexibility, GREVIO was informed of diverging practices: some authorities reportedly require an identity document or proof of the inability to be issued a passport.²²⁵

308. In relation to the specific requirements of Article 59, paragraph 1, of the convention, a migrant woman dependant can apply for an autonomous residence permit to escape domestic violence through different routes, depending on the nationality of the sponsoring spouse or partner.²²⁶ For circumstances that do not fall within the remit of these specific routes, a migrant woman (irrespective of her immigration status) may apply for a humanitarian residence permit.²²⁷

309. A migrant spouse dependant of a third-country national who is not an EU citizen must complete five years' residence in Greece based on family reunification before being able to apply for

223. A new Immigration Code (Law 5038/2023), introducing new processes and requirements for the entry and residence of non-EU nationals in Greece, was enacted in 2023. It will enter into force on 1 January 2024. Residence permits that have been or will be issued on the basis of the current Immigration and Social Integration Code (Law 4251/2014) will remain in force until their expiry date. Information provided by the Ministry of Migration and Asylum.

224. Information received during the evaluation visit.

225. Information received during the evaluation visit.

226. Article 76(2)(b)(ii), Article 81(2)(c) and Article 84(1)(c) of Law 4251/2014.

227. Article 19A(1)(c) of Law 4251/2014.

an independent residence permit.²²⁸ However, Greek law allows for an application to be made before completion of the five-year qualification period in different circumstances,²²⁹ including in cases where there is a particularly difficult situation within the marriage, such as domestic violence.²³⁰ The same ground for seeking an autonomous residence permit is available to the migrant spouse dependant of a third-country national of Greek origin.²³¹ In 2021, a total of nine autonomous residence permits were granted to spouses of third-country nationals (two to men and seven to women). In 2022, a total of 11 such permits were granted (two were granted to men and nine to women).²³² GREVIO notes that, according to Law 4251/2014, these two routes to obtain an autonomous residence permit are only available to spouses who are dependants and do not extend to unmarried partners.

310. A family member of a Greek national can maintain an autonomous residence permit on the grounds of being in a difficult situation, such as being a victim of domestic violence, in which case it applies to both married and cohabiting partners.²³³ The right of residence is maintained if the victim is able to provide evidence of employment or professional activity, sufficient financial resources and full health insurance.

311. Finally, spouses and cohabiting partners who are dependent on an EU citizen living in Greece can retain their right of residence in the event of a difficult situation, such as domestic violence.²³⁴ However, the victim must also provide proof that they are employed or self-employed, have sufficient financial resources to avoid accessing the social assistance system and have comprehensive health insurance.

312. According to the authorities, a migrant woman dependant who is unable to produce evidence of employment, financial resources and health insurance, or unmarried partners excluded from these routes, may apply for a humanitarian residence permit.²³⁵ GREVIO is nonetheless concerned about these financial requirements, which can act as a barrier for a number of migrant women trying to escape an abusive relationship.

313. Although GREVIO is concerned that the law prevents access to an autonomous residence permit for some unmarried partners linked to the nationality of their sponsoring spouse, the residual access to a humanitarian residence permit is said to be available for all migrant women experiencing difficult circumstances. To prevent a potentially discriminatory difference in treatment based on nationality, it is important that the legal status and rights attached to the humanitarian residence permits granted to dependent unmarried partners do not materially differ from those granted to dependent spouses.

314. In addition, information brought to GREVIO's attention indicates that migrant women seeking an autonomous residence permit may face additional obstacles in practice.²³⁶ These include difficulties in accessing free and timely legal aid and the reported lack of information in languages other than Greek on the existing routes described above.²³⁷ While noting with satisfaction the availability of several possibilities for migrant women victims of domestic violence to obtain an autonomous residence permit, GREVIO considers it important to ensure that all migrant victims of domestic violence have effective access in practice to autonomous residence permits.

315. GREVIO was unable to identify any domestic legislation or other measures that correspond to the requirements of Article 59, paragraph 2, of the convention to guarantee that consideration is given to the protection of migrant women dependants from expulsion alongside an abusive partner.

228. Article 76(1) of Law 4251/2014.

229. Including death of the spouse, annulment of marriage or divorce.

230. Article 76(2)(b)(ii) of Law 4251/2014.

231. Article 81(2)(i)-(iii) of Law 4251/2014.

232. Source: figures provided to GREVIO by the authorities during the evaluation visit. These are the combined figures for grants of autonomous residence permits made pursuant to Article 76 and Article 81 of Law 4251/2014.

233. Article 84(1)(c) of Law 4251/2014.

234. Pursuant to Article 12 of the Presidential Decree 106/2007 (English version: <https://migration.gov.gr/wp-content/uploads/2021/02/P.D-106-en.pdf>).

235. Article 19A(1)(c) of Law 4251/2014.

236. Information received during the evaluation visit.

237. See also remarks under Article 19.

316. In relation to Article 59, paragraph 3a, of the convention requiring access to a renewable residence permit based on personal circumstances, GREVIO notes that all migrant women, irrespective of their immigration status, can apply for a humanitarian residence permit.²³⁸ The application must be supported by evidence of a formal complaint. No fee is required for this application. The visa is granted for one year and can be renewed each time for up to two years if the qualifying conditions remain. This permit grants the right to work and access services. In 2021, a total of 30 such permits were granted on the grounds of domestic violence (five to men and 25 to women). In 2022, a total of 23 such permits were granted (six to men and 17 to women).²³⁹ The law contains a further provision allowing for the grant of a humanitarian residence permit for those suffering from serious health problems, as confirmed by a medical certificate.²⁴⁰ This permit is only available for those already in possession of a valid residence permit, is valid for two years and can be renewed for up to two years each time.

317. As regards Article 59, paragraph 3b, of the convention requiring access to a renewable residence permit based on a victim's co-operation with criminal proceedings, the law allows access to a humanitarian residence permit for "victims and essential witnesses of criminal acts".²⁴¹ The permit is granted for one year and can be renewed for up to two years if the qualifying conditions continue to apply or, if the victim or witness is undergoing treatment, the permit is granted for as long as the treatment lasts. The right to work and access services is granted under this residence permit. In 2021, a total of five such permits were granted (to men only) and in 2022, a total of 11 such permits were granted (again only to men).²⁴²

318. In compliance with Article 59, paragraph 4, of the convention, the legislation was amended upon ratification of the Istanbul Convention so that the residence permits of third-country nationals who were brought abroad in order to enter into a forced marriage and who, consequently, lost their residence rights, continue to be valid.²⁴³ While GREVIO did not receive any information on the implementation in practice of this provision, it understands that the protection afforded might be limited by the restrictive scope of the provision on forced marriage under Greek law.²⁴⁴

319. GREVIO encourages the Greek authorities to undertake a formal review of their legislation and policy in order to:

- a. eliminate any obstacles, in law and in practice, including the high evidentiary threshold, preventing migrant women from accessing an autonomous residence permit in the event of particularly difficult circumstances such as being a victim of the forms of violence covered by the scope of the Istanbul Convention committed or condoned by the spouse or partner;**
- b. ensure that migrant women victims of gender-based violence have the right to be granted an autonomous residence permit in the event of expulsion of the abusive spouse or partner.**

320. GREVIO also invites the Greek authorities to ensure that the granting of an autonomous humanitarian residence permit to dependent migrant women victims of domestic violence provides married and unmarried dependent women with the same status and rights.

238. Article 19A(1)(c) of Law 4251/2014.

239. Source: figures provided to GREVIO by the authorities during the evaluation visit.

240. Article 19A(1)(e) of Law 4251/2014.

241. Article 19A(1)(b) of Law 4251/2014 specifies that the criminal offences which give rise to eligibility for a humanitarian residence permit are offences within Articles 81A, 187, 187A, 309 and 310 of the Criminal Code and Articles 1 and 2 of Law 927/1979. Article 19A(1)(a) of Law 4251/2014 provides for another route to obtain a humanitarian residence permit based on involvement in criminal proceedings but this is limited to victims of trafficking only.

242. Source: figures provided to GREVIO by the authorities during the evaluation visit.

243. Article 21(6) of Law 4251/2014.

244. See remarks under Article 37.

B. Gender-based asylum claims (Article 60)

321. At the end of 2022, more than 86 000 migrants and asylum seekers were present in Greece, with refugees from Ukraine representing about 25%.²⁴⁵ GREVIO notes that in 2022 about 18 800 people reportedly arrived in Greece by sea and land (of whom 18% were women), compared to 9 100 in 2021, 15 700 in 2020 and about 75 000 in 2019.²⁴⁶ Moreover, in 2022 Greece received 37 362 applications for international protection, of which about 22% were made by women. Of the decisions to grant international protection in 2022, 37.7% concerned claims made by women. The three main countries of origin of asylum seekers were Afghanistan, Syria and Pakistan.²⁴⁷

322. GREVIO acknowledges the specific challenges faced by Greece as a first entry point into the EU through which substantial numbers of asylum seekers travel. Notwithstanding this, GREVIO recalls that Article 4, paragraph 3, of the convention requires parties to apply the protections within the convention, without discrimination, to all women and girls in their territory.

1. Gender-sensitive asylum determination procedure

323. Applications for international protection, are lodged, through a uniform procedure, with the Greek Asylum Service which operates several Regional Asylum Offices and Asylum Units. The Asylum Service receives support from the European Agency for Asylum (EUAA) for registering and processing applications for international protection. Greece operates several distinct asylum procedures, namely the regular asylum procedure, the “Dublin” procedure, the admissibility procedure, the border procedure and the accelerated procedure. Appeals against negative first-instance decisions are made to the Independent Appeals Committees, operating under the Appeals Authority. The time limit to lodge an appeal varies from five to 30 days, subject to the procedure in which an application is processed.

324. In recent years the international protection procedures and laws in Greece have undergone numerous reforms. In 2016, Law 4375/2016 was introduced to, *inter alia*, implement the EU- Türkiye Statement. This process, which continues to be implemented, subjects asylum seekers who arrive by sea to the islands of the Eastern Aegean to the border procedure, which renders them liable to be returned to Türkiye.

325. In 2019, Law 4636/2019 (also known as the International Protection Act) was introduced to implement a more restrictive policy on migration and asylum, to achieve a reduction in the number of arrivals, increase the number of returns to Türkiye and the strengthening of border control measures. It replaced previous legislation on asylum and reception procedures. In 2022, Law 4939/2022 (also known as the Asylum Code) consolidated all former amendments relevant to international protection and reception.²⁴⁸

326. In 2021, a Joint Ministerial Decision (JMD) was issued that applies across Greece and designates Türkiye as a “safe third country” for all asylum seekers from Syria, Afghanistan, Somalia, Pakistan and Bangladesh.²⁴⁹ Consequently, asylum seekers of these nationalities are now subject to the admissibility procedure and their applications are liable to be rejected without being substantively considered on the merits, unless they can individually prove that Türkiye is not a safe country for them. However, GREVIO notes that, for applications that were substantively assessed

245. UNHCR, Greece Factsheet, February 2023.

246. UNHCR, Operational data portal: in 2022, about 18 800 sea and land arrivals were reported available at: <https://data.unhcr.org/en/situations/mediterranean/location/5179>.

247. Ministry of Migration and Asylum, Monthly statistics, December 2022, pp. 6-8, available at: https://migration.gov.gr/wp-content/uploads/2023/02/Report_A_December-2022_International-Protection_Appendix-A_NEW.pdf.

248. Including Law 4375/2016 and Law 4636/2019. GREVIO was informed that the relevant sections of the previous law (which remain unaltered in Law 4939/2022) continue to be cited by stakeholders and therefore for ease of reference and to ensure consistency with the state report, the provisions of the 2016 and 2019 laws will be referenced within GREVIO’s report.

249. JMD 42799/2021 as amended by JMD 458568/2021 made pursuant to Article 86 of Law 4636/2019 relating to safe third countries. JMD 458568/2021 broadened the “safe third country” list by adding North Macedonia and Albania, regardless of the nationality of the applicant for international protection. Information provided by the Ministry of Migration and Asylum.

on the merits in 2020, 91.6% of Syrians, 94.1% of Somalis and 66.2% of Afghans were granted asylum or subsidiary protection status.²⁵⁰ Moreover, the nationalities to which the JMD applies accounted for 66% of all asylum applicants in Greece in 2020,²⁵¹ implying that it has far-reaching consequences. A sharp increase in inadmissibility decisions following the JMD has been reported.²⁵² In 2022, 3 600 inadmissibility decisions on grounds of a “third safe country” were made at the first instance and 2 708 at the second instance.²⁵³ In this context, GREVIO expresses concern about the risks that the JMD poses to vulnerable asylum-seeking women and girls who may be victims or at risk of sexual and gender-based persecution or harm and who are denied access to the asylum procedure in Greece.

327. Despite the law requiring a review of the designation of any country as “safe” to take place on an annual basis, or alternatively if a “significant change in human rights” occurs in the country, GREVIO was informed that no such review of the JMD has been undertaken, including after Türkiye’s withdrawal from the Istanbul Convention in 2021.²⁵⁴ Against this background, GREVIO’s concern is compounded by the fact that significant numbers of women and girls might be returned to Türkiye without any consideration of their claim for international protection while their protection needs might not be adequately met in this country, which could amount to a breach of Article 61 of the convention prohibiting *refoulement*.

328. Notwithstanding the above, returns from Greece to Türkiye have since March 2020 been suspended. Therefore, those deemed to be inadmissible pursuant to either the EU-Türkiye Statement or the JMD, who are not being returned to Türkiye, are left without protection or certainty regarding their future. Their status in Greece is that of rejected asylum seekers who are not eligible in law to access reception accommodation or support. GREVIO was informed that some reception facilities informally allow people in this situation to access accommodation but not food or cash assistance. Therefore, they are entirely dependent on the goodwill of reception facility managers and leftover food when available.²⁵⁵

329. GREVIO has received disturbing reports that women deemed inadmissible for international protection, faced with homelessness and destitution, are often forced into selling sex for survival purposes and are highly vulnerable to sexual and gender-based violence. GREVIO notes with interest that the General Secretariat is working, in co-operation with the UNHCR, on a risk-assessment tool to identify people in such situations and to provide them with adequate support. Moreover, it notes that the authorities allow inadmissible non-returned individuals to reapply for international protection if they have remained in Greece for more than a year. However, if an applicant submits a second subsequent application for international protection, a fee of €100 per person is applied, which often constitutes an insurmountable financial hurdle. There is no discretion to waive this fee. In GREVIO’s view, individuals who have spent over a year destitute in Greece have limited prospects of obtaining the requisite fee. GREVIO thus considers that this fee directly exposes vulnerable women and girls to significant risks of exploitation or violence. More generally, GREVIO is worried about the consequences of the application of the JMD, which exposes many women and girls to the risk of sexual and gender-based violence by excluding them from the asylum procedure and from basic accommodation and support.

330. Article 60, paragraph 1, of the convention requires recognition of gender-based violence as a form of persecution. The Greek legislation on asylum expressly identifies acts of “physical or psychological violence, including acts of sexual violence” and “acts directed against a person due to gender” as acts of persecution within the meaning of Article 1(A) of the 1951 Geneva Convention

250. Ministry of Migration and Asylum, Monthly statistics, December 2020 available at: www.scribd.com/document/492317547/MoMa-Report-December-2020. See also: <https://rsaagean.org/en/asylum-statistics-for-2020-a-need-for-regular-and-transparent-official-information/>.

251. Total number of applications in 2020: 40 559; by country: By country: Afghanistan: 11 514; Syria: 7 768; Somalia: 1 542; Pakistan: 4 146 and Bangladesh : 1 745. Source: <https://rsaagean.org/en/asylum-statistics-for-2020-a-need-for-regular-and-transparent-official-information/>.

252. Reported to have risen from 245 in 2019, to 2 839 in 2020 and 6 424 in 2021: <https://asylumineurope.org/reports/country/greece/overview-main-changes-previous-report-update/>.

253. Ministry of Migration and Asylum, monthly statistics, December 2022, pp. 8-9.

254. Article 86(3) of Law 4636/2019 requiring review of designation of a safe third country.

255. Information received during the evaluation visit.

relating to the Status of Refugees.²⁵⁶ The law also requires consideration of gender and gender-related aspects when assessing whether an individual is a member of a particular social group facing persecution, although it does not expressly direct caseworkers to apply a gender-sensitive interpretation to all grounds of persecution as required by Article 60(2) of the Istanbul Convention.²⁵⁷ However, GREVIO notes with regret that detailed information on asylum claims and decisions disaggregated by grounds for asylum is not available.²⁵⁸

331. GREVIO notes with satisfaction that under Greek legislation on international protection, FGM is considered as an act of persecution falling under “physical or psychological violence, including acts of sexual violence” and that women who are victims of or are at risk of undergoing FGM can be granted international protection on this ground.²⁵⁹ However, of particular concern was the information brought to GREVIO’s attention concerning the impact of the JMD on women and girls coming from countries with a high prevalence of FGM, such as Somalia, who face being returned to Türkiye if their applications for international protection are deemed inadmissible.²⁶⁰

332. Information brought to GREVIO’s attention indicates that the quality of first-instance decisions made by the Asylum Service has improved. GREVIO also notes that special units are being set up to deal with applications from people belonging to vulnerable groups. However, serious concern persists that many applications are refused despite there being clear evidence and indicators of sexual or gender-based persecution.²⁶¹ Case-working teams are said to be understaffed, under time constraints in the context of accelerated procedures and under pressure to meet certain targets, which impacts negatively on the quality of their determinations.²⁶² It was reported to GREVIO that although refusals are often overturned on appeal, success is dependent on access to a competent lawyer able to fully prepare the appeal, often provided by NGOs and not accessible to all asylum-seeking women victims of gender-based violence.²⁶³

333. In relation to Article 60, paragraph 3, of the Istanbul Convention and the requirements to implement gender-sensitive measures within the asylum procedure, GREVIO notes with satisfaction that the law provides for specific procedural guarantees in cases of torture, rape or other forms of physical, mental or sexual violence. Examples of special procedural measures include frequent intervals during the asylum interview, specific room arrangements (if necessary) and tolerance of minor inconsistencies in the statements made. The following measures also apply to processing claims for international protection: applicants are entitled to an interpreter; female applicants are entitled to request a caseworker and interpreter of the same sex – if this is not possible, a note is added to the transcript of the interview; each adult member of a family is entitled to an individual interview; the interviewer must be trained in the special needs of women, children and victims of violence and torture. These guarantees are repeated in the Asylum Service’s internal standard operating procedures, which include due consideration of vulnerability, the provision of female officers and interpreters if requested, creating an interview environment to support disclosure of sexual and gender-based violence and the use of specialist caseworkers for claims involving such forms of violence.²⁶⁴

334. However, serious concerns regarding the implementation of these measures have been brought to GREVIO’s attention.²⁶⁵ These include reported shortages in available caseworkers resulting in requests for a female interviewer often not being met and a lack of confidential and appropriate spaces within the reception centres for asylum interviews, both of which could serve to inhibit important disclosure by women and girls of sexual and gender-based violence and persecution relevant to international protection eligibility.

256. Article 9(2(a)) and (f) of Law 4636/2019 (transposing Directive 2011/95/EU).

257. Article 10 of Law 4636/2019.

258. See also remarks under Article 11.

259. Article 9(2) of Law 4636/2019.

260. See the joint submission by Diotima and End FGM European Network, 2022, p. 7.

261. Information provided during the evaluation visit.

262. Information received during the evaluation visit.

263. Information received during the evaluation visit.

264. See the state report, p. 72.

265. Information received during the evaluation visit.

335. GREVIO is particularly concerned by widespread reports of unprofessional conduct by interpreters, including numerous reports of interpreters requesting remuneration directly from the asylum seeker, of going beyond their professional remit in giving unsolicited opinions or advice to the interviewer and/or interviewee and of lacking training on issues related to sexual and gender-based violence.²⁶⁶ GREVIO stresses the crucial role that interpreters play in ensuring effective communication for asylum seekers disclosing vital information relevant to the risk they face in their country of origin or of transit in support of their claim for international protection, and relevant to their vulnerability or needs. It is therefore essential that interpreters are properly trained and conduct their duties with competence.

336. GREVIO urges the Greek authorities to address the negative consequences for asylum-seeking women and girl victims of gender-based violence of the implementation of the Joint Ministerial Decision and to ensure that they are not exposed to further violence and re-traumatisation. To do so, they should ensure effective access to the asylum procedure for women and girls seeking international protection in Greece, including by lifting the administrative fee required to submit subsequent applications for international protection. Moreover, urgent steps should be taken by the Greek authorities to adequately meet the accommodation and support needs of women and girl victims of violence deemed inadmissible for international protection pursuant to the Joint Ministerial Decision.

337. GREVIO strongly encourages the Greek authorities to ensure that professionals dealing with applications for international protection are supported to adequately apply the relevant legal provisions to claims for international protection on grounds of gender-based violence and that they are trained on a gender-sensitive interpretation of all grounds of persecution provided for in Article 1A(2) of the 1951 Convention relating to the Status of Refugees.

338. GREVIO strongly encourages the Greek authorities to take steps to ensure that asylum-seeking women and girls receive the best possible support during the asylum procedure so that they have the opportunity to disclose all the grounds on which they are applying for international protection. In particular, the Greek authorities should ensure that existing gender-sensitive procedural guarantees are effectively applied and that asylum-seeking women and girls have access to quality interpretation and legal aid.

2. Accommodation

339. Article 60, paragraph 3, of the convention requires that the authorities take the necessary legislative or other measures to develop gender-sensitive reception procedures and support services for asylum seekers.

340. Within the General Secretariat for Reception of Asylum Seekers of the Ministry of Migration and Asylum, the Reception and Identification Service (RIS) is responsible for reception services. The RIS network comprises reception and identification centres, controlled structures for temporary accommodation and closed controlled access centres. All of them are mixed facilities and there is no women-only accommodation. GREVIO was informed that as of 20 February 2023, the RIS network had an occupancy rate of 37%.²⁶⁷ Women are estimated to account for 40% of occupants in the reception and identification centres.

341. Law 4636/2019 regulates the functioning of the reception and identification centres. All migrants and refugees who enter or stay in Greece without legal status and are unable to prove their citizenship and identity must go through a reception and identification procedure, which is carried out in an RIC. This involves a five-stage procedure: (a) information; (b) inclusion; (c) registration and medical control; (d) referral to the process of inclusion for international status protection; and (e) further referral and movement. The “inclusion” stage of this procedure allows for the imposition of

266. Information received during the evaluation visit.

267. A total of 39 721 places available, with 14 692 currently occupied. Information provided by the Greek authorities.

freedom of movement restrictions prohibiting an asylum seeker from leaving the reception centre for between five and 25 days. Additionally, pursuant to the EU-Türkiye Statement, geographical restrictions are placed on asylum seekers arriving on Greek islands prohibiting them from leaving the island for the duration of the asylum procedure. GREVIO considers that these restrictions are likely to have a negative impact on women victims of gender-based violence as they limit their opportunities to escape from further violence and re-traumatisation and to receive adequate protection and support.

342. Similarly, they might be particularly affected by the conditions foreseen under the new model of Closed Controlled Access Centre, already in operation on the Samos Island and planned for other locations. Although GREVIO understands that the women-only sections of these centres appear to offer enhanced security, it notes the concerns raised by civil society organisations that the closed controlled access centres are likely to be located in remote areas and could amount to *de facto* detention for persons not holding an asylum-seeker card.²⁶⁸ In this context, GREVIO wishes to draw attention to the Council of Europe's Recommendation CM/Rec(2022)17 on protecting the rights of migrant, refugee and asylum-seeking women and girls, by which states are encouraged to locate reception and accommodation facilities "in areas where women and girls are safe and can access relevant services and information with respect to health ... social and legal assistance, education and essential shopping facilities".²⁶⁹

343. Law 4636/2019 also guarantees decent living conditions, access to healthcare and psycho-social support, private and accessible areas for vulnerable individuals, access to information, guidance and legal advice.²⁷⁰ It also requires that special areas within reception accommodation are dedicated to vulnerable individuals.²⁷¹ However, GREVIO has received disturbing reports concerning substandard conditions in reception facilities, including an increased exposure to risk for women having to resort to selling and exchanging sex to be able to cover their basic needs or those of their children, such as baby food/formula and nappies.²⁷²

344. GREVIO visited the Mavrovouni Controlled Temporary Accommodation Centre on Lesbos Island. While acknowledging the substantial challenges to which the authorities were faced after the destruction of the Moria camp by a fire in 2020 and the efforts made to build a new facility within a short deadline, it expresses concern about the lack of gender-sensitive measures to protect women and girls within the reception centre. It noted in particular that the toilets and bathrooms facilities for women were located next to the male facilities and that lighting appeared to be inadequate. Even though the facility was being patrolled by security and police, GREVIO was informed that security was insufficient at night and that women felt unsafe accessing the toilet facilities at night.²⁷³ Additionally, GREVIO was informed of the concerns of single women being accommodated together with families and, therefore, compelled to share space with unknown males.²⁷⁴

345. Registration and medical checks are undertaken as part of the reception and identification procedure and specialist care and protection are said to be available for vulnerable individuals, which includes "people who have suffered torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of FGM".²⁷⁵ The Ministry of Health funds and supervises the National Organisation for Public Health and Social Solidarity to provide medical and psycho-social services to asylum seekers. However, GREVIO was made aware of shortages in medical staff in reception

268. See https://ihaverights.eu/de_facto_detention_in_the_ccac/; see also Council of Europe Commissioner for Human Rights: Letter sent to the Minister of Citizen Protection of Greece, Michalis Chrysochoidis, and the Alternate Minister for Migration Policy of Greece, Giorgos Koumoutsakos, 3 December 2019.

269. Recommendation CM/Rec(2022)17 of the Council of Europe Committee of Ministers to member States on protecting the rights of migrant, refugee and asylum-seeking women and girls", paragraph 47, available at: <https://rm.coe.int/prems-092222-gbr-2573-recommandation-cm-rec-2022-17-a5-bat-web-1-/1680a6ef9a>.

270. Article 39(8) of Law 4636/2019.

271. Article 14(8) of Law 4636/2019.

272. Information received during the evaluation visit.

273. Information received during the evaluation visit.

274. Information received during the evaluation visit.

275. Article 39(5)(d) of Law 4636/2019.

centres and of the substantial difficulties experienced by women seeking access to secondary healthcare.²⁷⁶ Specialist psycho-social support is frequently provided by NGOs.

346. GREVIO notes that the medical check undertaken as part of the reception and identification procedure might not be sufficient to assess vulnerabilities as it is focused on identifying obvious and immediate physical health needs. It is not designed to detect vulnerabilities in women and girls who have experienced sexual and gender-based violence, which are often not immediately noticeable. The medical assessment often takes place without sufficient privacy and without the option of being able to request a female medical professional.²⁷⁷ Beyond this initial stage, GREVIO was unable to identify any further or ongoing process for screening vulnerability relevant to reception and procedural needs before the asylum interview takes place.

347. GREVIO was informed by the authorities that previously large numbers of individuals claimed or sought to exaggerate vulnerability in order to be deemed admissible into the asylum process or to be granted a transfer from an island onto the mainland. The authorities have subsequently made changes to reflect that admission or transfer is no longer linked to vulnerability. In this context, GREVIO considers it essential that the particular needs and vulnerabilities of women and girls are not being overlooked or disregarded.

348. GREVIO welcomes the fact that Greece has granted temporary protection to more than 30 000 Ukrainians displaced by the war,²⁷⁸ many of whom are women. Limited information was provided to GREVIO in relation to the support provided to these women. GREVIO is informed that although an initial vulnerability screening at the border was implemented for the first arrivals of people fleeing Ukraine, this was not continued and women arriving more recently do not undergo assessment to identify vulnerability relevant to accommodation and support needs.²⁷⁹

349. The reception and identification centres located on the mainland are responsible for making referrals to the National Referral Mechanism in cases of suspected human trafficking as well as for preparing monthly reports on victims of human trafficking, gender-based violence and torture. They also participate in working groups on gender-based violence relevant to the implementation of gender-based violence referral pathways.²⁸⁰ Guiding principles have been made available for staff working in the reception and identification facilities which include information on how to support disclosure from a victim in a gender-sensitive manner. However, the authorities informed GREVIO that there are no gender guidelines or protocols on gender-based violence of universal application across the network of reception and identification centres. Several general guidelines such as the EUAA Guidelines for Reception Conditions, the Management Protocol of the Centre for Disease Control and the Protocol of Co-operation were referred to. However, GREVIO considers that such guidance is not specific enough to meet the requirement of Article 60, paragraph 3, of the Istanbul Convention of having gender guidelines relevant to reception accommodation and support services.

350. Civil society stakeholders report ongoing concerns about the lack of focal points dedicated to sexual and gender-based violence within the reception and identification centres as the existing focal points for vulnerability are not specialised enough on such issues. Moreover, GREVIO was informed of a lack of referral pathways to respond to incidents of sexual and gender-based violence.²⁸¹ These gaps are compounded by the limited information provided upon arrival in reception facilities on existing remedies for cases of gender-based violence. Many women are therefore unaware of their rights and of existing protection services.²⁸² GREVIO is concerned that these difficulties, in addition to the lack of any vulnerability screening procedure, deprive asylum-seeking and refugee women and girls of the important gender-sensitive and protective measures required by Article 60, paragraph 3, of the convention.

276. Information provided during the evaluation visit.

277. Information received during the evaluation visit.

278. Including 21 532 in 2022; see Migration and Asylum Office, monthly statistics, December 2022.

279. Information received during the evaluation visit.

280. State report, p. 71.

281. Information received during the evaluation visit.

282. Information received during the evaluation visit.

351. Although asylum-seeking women and girls victims of gender-based violence in principle have access to shelters of the network of services, the limited number of such services across the country and existing obstacles to accessing shelters, including long delays,²⁸³ result in many victims of gender-based violence remaining without safe alternative accommodation options and exposed to further violence.²⁸⁴

352. Moreover, GREVIO is concerned that the termination by the authorities, as of December 2022, of the EU-funded ESTIA II accommodation scheme deprives the most vulnerable asylum seekers, including many women and children, of the possibility to access safe accommodation adapted to their specific needs. As of December 2021, around 13 300 vulnerable people were accommodated through this scheme in Greece.²⁸⁵ GREVIO is worried about the fact that many vulnerable women and girls were consequently evicted from their accommodation and have now been moved back into camp-like accommodation without any support or have been rendered homeless and therefore vulnerable to gender-based violence and human trafficking.

353. Last, GREVIO notes that NGOs play a vital role in providing unique specialist support and protection to vulnerable asylum-seeking and refugee women and girls, including legal advice, information on their rights and psychological and social support in a gender-sensitive manner, for example through safe spaces for women residing in reception facilities. GREVIO considers it important that the authorities work in partnership with and actively support such projects dedicated to empowering and supporting women and girls.²⁸⁶

354. **GREVIO urges the Greek authorities to:**

- a. **ensure safe and adequate accommodation for all asylum-seeking women and girls, including by providing single-sex accommodation for women, and to ensure sufficient support to meet basic needs, including appropriate access to healthcare;**
- b. **set up an effective system of screening of vulnerabilities of asylum seekers upon arrival, or swiftly after, with a view to detecting reception and procedural needs that arise from experiences or risk of gender-based violence;**
- c. **establish effective referral pathways for women and girl victims of gender-based violence and to set up dedicated focal points for sexual and gender-based violence within all reception and identification centres;**
- d. **develop and comprehensively implement standard operating procedures or guidelines on gender-sensitive reception of asylum seekers and on the prevention of gender-based violence against women and girls in asylum accommodation;**
- e. **remove the barriers currently experienced by victims of violence against women to accessing specialist support services and support their access to specialist NGOs experienced in assisting victims of gender-based violence, by providing all asylum-seeking women with relevant information on their rights and existing remedies for cases of gender-based violence.**

C. *Non-refoulement* (Article 61)

355. Article 61 of the convention entails the obligation under international law for states to respect the principle of *non-refoulement* in relation to women victims of gender-based violence who may fear persecution if returned. According to this principle, states shall not expel or return an asylum seeker or refugee to any country where their life or freedom would be threatened. Article 3 of the European Convention on Human Rights also prevents a person being returned to a place where they would be at real risk of being subjected to torture or inhuman or degrading treatment or punishment. The

283. GREVIO was informed that it can take between two and four weeks for an asylum-seeking woman to get access to a shelter.

284. See remarks under Article 22.

285. Ministry of Migration and Asylum, monthly statistics, December 2022, available at: https://migration.gov.gr/wp-content/uploads/2023/02/Report_A_December-2022_International-Protection_Appendix-A_NEW.pdf.

286. See also remarks under Article 8.

obligation to respect the *non-refoulement* principle applies equally to victims of violence against women who are in need of protection, irrespective of the status or residence of the women concerned.²⁸⁷

356. The principle of *non-refoulement* is enshrined in Greek law.²⁸⁸ However, GREVIO received several disturbing allegations of violent pushbacks of asylum-seeking women and girls at the Greek land and sea borders.²⁸⁹ The reports brought to GREVIO's attention contain allegations of violations by the Hellenic Security Police and Coast Guards of women and girls' dignity and physical integrity, which could amount to sexual and gender-based violence. Such conduct taking place at the land and sea borders, and sometimes after arrival on the islands, reportedly included women being forced to strip naked in front of men and to undergo unnecessary and invasive body searches conducted sometimes by male guards in unhygienic conditions.²⁹⁰ GREVIO has further received reports of women, including pregnant women, being subjected to physical violence by the Greek authorities as part of the pushback operation or on arrival.

357. The Greek authorities indicated to GREVIO that the police are supported by Frontex to patrol borders within the framework of national and international co-operative operations and that in doing so they follow a strict code of conduct, compliant with national and international law. It was further said that the National Transparency Authority is responsible for investigating allegations of human rights abuses at the border. Moreover, GREVIO notes that the Greek Ombudsman launched, in 2021, an independent monitoring mechanism to investigate allegations of pushbacks.²⁹¹ Nonetheless, there are many reasons why individuals would be deterred from making any such formal complaint, including fear of reprisals, lack of information and access to existing proceedings.²⁹²

358. GREVIO acknowledges the overwhelmingly disproportionate burden that Greece faces as a state of first arrival for migrants and asylum seekers and trusts that the authorities will continue to co-operate with other European countries to find a solution to this issue. However, GREVIO is concerned that the above-mentioned reported practices pose a serious risk of *refoulement* for migrant and asylum-seeking women who may have experienced gender-based violence and who are deprived of their right to claim asylum, in contravention of Article 3 of the European Convention on Human Rights. GREVIO is also worried by allegations of acts of gender-based violence against women carried out in this context.

359. GREVIO urges the Greek authorities to uphold their obligation to respect the principle of *non-refoulement* of victims of violence against women, including as regards asylum-seeking women and girls arriving by sea. It also urges them to take resolute measures to prevent acts of gender-based violence against women and girls seeking international protection in Greece and to investigate any such allegations.

287. Explanatory Report to the Istanbul Convention, paragraph 322.

288. Article 86 of Law 4636/2019.

289. UN Special Rapporteur on the human rights of migrants, "Report on means to address the human rights impact of pushbacks of migrants on land and at sea", 12 May 2021, available at: <https://bit.ly/3tWayFO>, paragraph 55; letter from the Council of Europe Commissioner for Human Rights to the Greek authorities, dated 3 May 2021, available at: <https://bit.ly/3DthtsQ>; Greek Ombudsman, "Alleged pushbacks to Turkey of foreign nationals who had arrived in Greece seeking international protection", Interim Report (updated up to 31 December 2020), p. 13; UNHCR, "News Comment: UNHCR warns of increasing violence and human rights violations at European borders", 21 February 2022, available at: <https://bit.ly/35ruc2X>; International Organization for Migration (IOM), "IOM Concerned about Increasing Deaths on Greece-Turkey Border", 18 February 2022, available at: <https://bit.ly/3tWmyHk>; Amnesty International, Greece, "Violence, Lies, and Pushbacks", June 2021, available at: <https://bit.ly/3K8xtD6>.

290. See the joint submission to GREVIO by I Have Rights and The Human Rights Legal, 1 March 2023, regarding strip searches of asylum seekers; see also European Court of Human Rights, *Safi v. Greece*, Application No. 5418/15, judgment of 7 October 2022, available at: <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-218457%22%5D%7D> (official version available only in French).

291. See <https://nchr.gr/en/recording-mechanism.html>.

292. See the joint submission to GREVIO by I Have Rights and The Human Rights Legal, 2023.

Concluding remarks

360. Legislative and policy measures adopted in the last two decades clearly demonstrate Greece's commitment to preventing and combating violence against women. The adoption in 2006 of the law on domestic violence provided the basis for the development of further policies and measures, including successive national programmes to combat violence against women, based on a gender-sensitive approach. Since ratification of the Istanbul Convention in 2018, the Greek authorities have taken significant additional steps, including at the legislative level, to support the implementation of the convention.

361. The General Secretariat for Demography and Family Policy and Gender Equality plays a leading role in promoting and co-ordinating the implementation of the Istanbul Convention in Greece. Moreover, policies and programmes to prevent and combat violence against women include an intersectional dimension. Significant measures have also been taken to improve the law enforcement response to the needs of women victims of gender-based violence, notably by improving data collection on violence against women and by setting up specialised police units. Measures have also been taken to improve compliance of the legislation with the Istanbul Convention, in particular with the adoption of a definition of rape based on the notion of freely given consent.

362. Against this backdrop of positive legislative and policy measures, recent legislative developments, in particular Law 4800/2021 on reforms regarding parent-child relations and other family law issues, and the frequent use of the "parental alienation syndrome" as part of court proceedings, raise serious concerns as they may adversely affect the gendered understanding of violence against women and the steps taken by Greece in the last decade to combat violence against women while promoting gender equality. Moreover, several professional groups require more systematic and wider training to arrive at a more comprehensive understanding of the different forms of violence against women. Indeed, some forms of violence against women do not yet receive the attention they require. There is a need to ensure the effective implementation, across the country, of the policies to prevent and combat all forms of violence covered by the Istanbul Convention, in particular by fostering increased co-ordination and greater consistency in the policies and measures at the various territorial levels. These and other issues are developed in this report with the aim of providing guidance to the Greek authorities for strengthening the implementation of the provisions of the Istanbul Convention.

363. With the present report, GREVIO wishes to support the Greek authorities in this endeavour and invites them to keep it regularly informed of developments with regard to the implementation of the Istanbul Convention. GREVIO looks forward to continuing its fruitful co-operation with the Greek authorities.

364. With a view to facilitating the implementation of its suggestions and proposals, GREVIO requests the national authorities to translate this report into the official national language and to ensure that it is widely disseminated, not only to the relevant state institutions at all levels (national, regional and local), and in particular to the government, relevant ministries and the judiciary, but also to NGOs and other civil society organisations which work to prevent and combat violence against women and to support victims.

Appendix I

List of proposals and suggestions by GREVIO

I. Purposes, definitions, equality and non-discrimination, general obligations

B. Scope of application of the convention and definitions (Articles 2 and 3)

1. GREVIO strongly encourages the Greek authorities to take steps, including at the legislative level, to ensure that any inconsistencies in the applicable law provisions on domestic violence are resolved and that legal definitions of forms of violence against women are aligned with those provided by the Istanbul Convention. (paragraph 8)

2. GREVIO strongly encourages the Greek authorities to take resolute steps to ensure that their laws, policies and programmes adequately address all forms of violence covered by the Istanbul Convention. (paragraph 9)

C. Fundamental rights, equality and non-discrimination (Article 4)

1. Gender equality and non-discrimination

3. GREVIO encourages the Greek authorities to step up efforts to implement legislation and public policies on equality between women and men, and to ensure the practical realisation of the principle of gender equality. (paragraph 12)

2. Intersectional discrimination

4. GREVIO strongly encourages the Greek authorities to: (paragraph 18)

- a. step up their action to prevent and combat violence against women exposed to intersectional discrimination by taking measures to eliminate any discrimination faced by Roma, LGBTI, asylum-seeking, refugee and migrant women, and women with disabilities;
- b. raise the awareness of victims belonging to these groups of women about their rights to protection and support services;
- c. develop and improve access to protection and support services for the above-mentioned groups of women;
- d. support research into the forms of violence experienced by specific groups of women and girls at risk of or exposed to intersectional discrimination.

E. Gender-sensitive policies (Article 6)

5. GREVIO strongly encourages the Greek authorities to ensure that the gender dimension of violence against women is integrated into the development of all laws, policies and measures related to violence against women. (paragraph 22)

II. Integrated policies and data collection

A. Comprehensive and co-ordinated policies (Article 7)

6. GREVIO strongly encourages the Greek authorities to ensure the effective implementation, across the country, of the policies to prevent and combat all forms of violence covered by the Istanbul Convention, in particular by fostering increased co-ordination and greater consistency in the policies and measures at the various territorial levels. Such efforts should be supported by the allocation of appropriate financial resources. (paragraph 28)

B. Financial resources (Article 8)

7. GREVIO urges the Greek authorities to ensure appropriate, sustainable and long-term financial resources for all the policies, measures and legislation aimed at preventing and combating violence against women and domestic violence, and for the institutions mandated to implement them, in particular the network of structures for preventing and combating all forms of violence against women. (paragraph 33)

C. Non-governmental organisations and civil society (Article 9)

8. GREVIO urges the Greek authorities to ensure sustainable funding levels for women's rights NGOs that provide support services for women victims of all forms of violence or assist them. Such suitable funding opportunities should be guaranteed, for example, through long-term grants based on transparent procurement procedures. (paragraph 38)

9. GREVIO strongly encourages the Greek authorities to step up consultation with a range of women's rights organisations in order to include their opinions and experiences in the design of laws, policies and measures to prevent and combat all forms of violence against women. The authorities should fully acknowledge the value and expertise they bring through their gendered approach to violence against women centring on victims' rights and needs (paragraph 39).

D. Co-ordinating body (Article 10)

10. GREVIO strongly encourages the Greek authorities to: (paragraph 47)

- a. expand current efforts to support the work of the General Secretariat as the national co-ordinating body by allocating the necessary financial resources to ensure the sustainability of its work;
- b. ensure, on the one hand, the co-ordination and implementation of policies and measures and, on the other hand, independent monitoring and evaluation in order to guarantee the objective evaluation of policies. Monitoring and evaluation should be carried out on a regular basis, using comparable indicators and in close consultation with experienced civil society organisations.

F. Data collection and research (Article 11)

1. Administrative data collection

d. Data on the asylum procedure

11. While recognising the efforts made by the Greek authorities to improve data collection, GREVIO strongly encourages them to further improve the collection of available administrative data on all forms of violence covered by the Istanbul Convention, particularly in the judicial and health sectors, including by: (paragraph 57)

- a. setting up systems to collect data on victims of violence against women involved in criminal and civil proceedings, disaggregated by sex and age of both the victim and the perpetrator, type of violence, relationship between the victim and the perpetrator, and geographical location;
- b. ensuring comparability of the data collected by law enforcement and the judiciary and introducing a system allowing cases of violence against women to be tracked at all stages of the law-enforcement and judicial proceedings; collecting data on decisions on the custody/visitation/residence of children that have expressly taken into account incidents of domestic violence;

- c. collecting data on the number of asylum claims on grounds of gender-based violence against women.

2. Population-based surveys

12. GREVIO encourages the Greek authorities to provide adequate financial and human resources to conduct regular population-based surveys on all forms of violence against women covered by the Istanbul Convention. (paragraph 60)

3. Research

13. GREVIO strongly encourages the Greek authorities to take further steps to: (paragraph 64)
 - a. carry out research on all forms of violence against women, including in relation to specific groups of victims who may be subjected to intersectional discrimination, notably Roma and LGBTI women;
 - b. support research to study and document the effects on children of witnessing domestic violence;
 - c. invest in the evaluation of existing policies, laws and practices to assess the level of implementation of, and victim satisfaction with, the services provided, in close co-operation with specialist support services.

III. Prevention

B. Awareness raising (Article 13)

14. GREVIO strongly encourages the Greek authorities to promote, on a regular basis, awareness and understanding among the general public about the different forms of violence covered by the Istanbul Convention, and the gendered nature of this violence. To achieve this, the Greek authorities should, in particular: (paragraph 71)

- a. run awareness-raising activities targeting different population groups, including men of all ages, so as to change underlying patriarchal attitudes and promote understanding of this type of violence;
- b. involve women's rights NGOs in the design and implementation of awareness-raising measures.

C. Education (Article 14)

15. GREVIO strongly encourages the Greek authorities to strengthen efforts to ensure the practical implementation of the requirement to include in school curriculums or to otherwise impart knowledge on the elements listed in Article 14 of the Istanbul Convention, including on the various forms of gender-based violence against women and girls. (paragraph 79)

16. GREVIO also strongly encourages the Greek authorities to introduce clear guidelines on the identification and reporting of all victims of gender-based violence at school and in informal educational facilities, including sports (paragraph 80).

D. Training of professionals (Article 15)

17. GREVIO urges the Greek authorities to take additional steps to ensure that all professionals working with victims or perpetrators of all forms of violence covered by the Istanbul Convention, in particular the judiciary, receive systematic and mandatory initial and in-service training to identify and respond to all forms of violence covered by the Istanbul Convention. To this end, the Greek authorities should, in particular: (paragraph 92)

- a. ensure that the initial and in-service training on violence against women provided to all professional categories is in line with the Istanbul Convention;
- b. ensure that the training provided covers issues such as gender-based stereotypes; the difference between conflict and violence; the identification of victims; the rights and needs of victims; the prevention of secondary victimisation; the impact of violence on children exposed to it; and violence against women exposed to intersectional discrimination;
- c. provide sufficient funds for training programmes and initiatives, including those delivered by NGOs;
- d. evaluate the impact of training programmes for different professional groups.

E. Preventive intervention and treatment programmes (Article 16)

1. Programmes for perpetrators of domestic violence

18. GREVIO urges the Greek authorities to: (paragraph 96)

- a. substantially strengthen the capacity and outreach of perpetrator programmes, including by rolling out programmes throughout the country, introducing them in custodial settings and ensuring that their impact is adequately evaluated by independent entities;
- b. take the necessary legislative and other measures to increase the level of attendance and the rate of completion of perpetrator programmes ordered by prosecutors in the context of the mediation mechanism;
- c. develop common minimum standards applying to perpetrator programmes, in line with the Istanbul Convention, particularly as regards the need for a gender-sensitive approach and the deconstruction of gender stereotypes, as well as the need to ensure safety of the victims during the process of implementation of the perpetrator programmes;
- d. ensure that the interplay between perpetrator programmes and criminal proceedings does not negatively affect the victims' right to fair and just legal processes;
- e. ensure that victims of domestic violence are adequately informed and protected during the mediation procedure and that they and their children are kept safe.

2. Programmes for sex offenders

19. GREVIO strongly encourages the Greek authorities to take steps to comply with the requirements of Article 16, paragraph 2, of the Istanbul Convention concerning the establishment of treatment programmes for sex offenders, taking due account of best practices developed internationally and guaranteeing a human rights-based approach. (paragraph 98)

F. Participation of the private sector and the media (Article 17)

20. Bearing in mind the important role of the media in promoting equality between women and men and reducing the level of social acceptance of violence against women, GREVIO encourages the Greek authorities to promote the development of specific standards of self-regulation for a balanced, non-sexist and non-sensationalist coverage of violence against women and to promote the training of journalists on the different forms of violence against women and gender-based violence and how to report on them in the media. (paragraph 102)

21. While recognising the important measures taken by the Greek authorities to prevent and combat violence against women in the workplace, GREVIO encourages them to take additional steps to ensure that women victims of violence and harassment are adequately supported and to evaluate the implementation of the new legal framework by collecting data on the number of women victims of sexual harassment at work, the complaints filed by the victims and their outcome. (paragraph 105)

IV. Protection and support

A. General obligations (Article 18)

22. GREVIO urges the Greek authorities to significantly step up the co-ordination of responses to the needs of women victims of all forms of violence covered by the Istanbul Convention, by setting up institutionalised structures for co-operation and co-ordination among all relevant statutory agencies, non-governmental bodies and specialist support services. (paragraph 113)

B. Information (Article 19)

23. GREVIO strongly encourages the Greek authorities to ensure the wider dissemination of easily accessible and timely information on the support services and legal measures available to women victims of all forms of violence covered by the Istanbul Convention, in a language that they understand. They should also ensure that the available information reaches women exposed to, or at risk of, intersectional discrimination, such as Roma women, migrant, asylum-seeking and refugee women. (paragraph 120)

C. General support services (Article 20)

1. Social services and housing

24. GREVIO encourages the Greek authorities to take further steps to ensure that women victims of violence have adequate access to social services meeting their needs and facilitating their recovery from violence. They should also ensure access for all women victims of violence, in particular Roma women, women with disabilities and migrant and refugee women, including by raising the awareness of relevant professionals about their particular needs. (paragraph 125)

2. Healthcare services

25. GREVIO strongly encourages the Greek authorities to ensure that dedicated and comprehensive protocols are in place in all healthcare institutions to identify, treat and further refer women victims of violence, including victims of FGM, irrespective of their residence status, and that adequate training on the application of those protocols is provided to the relevant staff. (paragraph 130)

26. GREVIO encourages the Greek authorities to ensure that all women victims of gender-based violence have equal access to the state healthcare services, regardless of their status. (paragraph 131)

D. Specialist support services (Article 22)

27. GREVIO strongly encourages the Greek authorities to further support and develop the network of specialist support services, and to adequately address the needs of all women victims of all forms of violence covered by the Istanbul Convention across the country, including by enhancing co-operation with NGOs providing such services, as well as by stepping up efforts to provide long-term psychological counselling services in order to facilitate the recovery of victims. (paragraph 139)

E. Shelters (Article 23)

28. GREVIO urges the Greek authorities to expand the number and the capacity of shelters for women victims of violence throughout the country, to address the lack of resources allocated for such services and to remove any obstacles and unnecessary prerequisites that hamper victims'

access to such shelters, including for women exposed to, or at risk of, intersectional discrimination. Moreover, steps should be taken to ensure that accommodation is available to women in emergency situations. (paragraph 146)

F. Telephone helplines (Article 24)

29. GREVIO strongly encourages the Greek authorities to increase human and other resources, including through adequate training for the staff of the helpline for women victims of violence, to enable them to provide information and assistance, free counselling on a confidential basis and other specialist services (legal advice, crisis counselling) on all forms of gender-based violence against women covered by the Istanbul Convention, including sexual violence and FGM. It is also important to provide multilingual assistance and to ensure the accessibility of this service to women with disabilities. (paragraph 151)

G. Support for victims of sexual violence (Article 25)

30. GREVIO urges the Greek authorities to take measures to comply with the requirements of Article 25 of the Istanbul Convention, in particular by: (paragraph 158)

- a. setting up rape crisis centres and/or sexual violence referral centres providing immediate medical care, trauma support, forensic examinations and immediate, short and long-term psychological assistance by qualified professionals who can provide victim-sensitive examinations, in line with the standards set by the Istanbul Convention;
- b. introducing standardised protocols for all health professionals on the treatment of women victims of rape/sexual violence, including protocols on their referral to specialist services;
- c. taking measures to ensure that a victim's access to different support services is not conditional on her willingness to lodge a complaint;
- d. taking additional measures to ensure timely access to forensic examinations across the country.

H. Protection and support for child witnesses (Article 26)

31. GREVIO urges the Greek authorities to ensure that children exposed to domestic violence receive counselling and support. Resolute steps, including legislative amendments as appropriate, should also be urgently taken to ensure that children of women victims of violence residing in shelters do not face obstacles to receiving education, healthcare services and psychological support. (paragraph 165)

I. Reporting by professionals (Article 28)

32. Recalling the principle of women's empowerment mainstreamed throughout the Istanbul Convention, GREVIO encourages the Greek authorities to ensure that the duty to report imposed on professionals is tempered by the provision of full and sensitive information to the victim so that she can make an informed decision and maintain her autonomy. To this end, GREVIO also encourages the Greek authorities to review the obligation for professionals to report cases of violence against women and their children, other than in situations in which there are reasonable grounds to believe that a serious act of violence covered by the scope of the Istanbul Convention has been committed and further serious acts are to be expected. This may require making the obligation to report contingent upon the prior consent of the victim, unless the victim is a child or is unable to protect her/himself due to disability. (paragraph 173)

V. Substantive law**A. Civil law****1. Civil remedies against the state – ensuring due diligence (Article 29)**

33. GREVIO strongly encourages the Greek authorities to improve the legal regime of civil and disciplinary measures available to hold different state officials accountable for failure to comply with their obligations. (paragraph 178)

34. GREVIO also encourages relevant bodies to remove barriers that limit access to existing mechanisms, including in the context of wrongful decisions in the administration of justice. Progress in this area needs to be measured by collecting data on the number of complaints filed by victims and their outcomes. (paragraph 179)

2. Compensation (Article 30)

35. GREVIO strongly encourages the Greek authorities to take measures to facilitate access for women victims of gender-based violence to compensation in civil and criminal proceedings and to ensure that such compensation is promptly awarded and is proportionate to the seriousness of the harm suffered. Moreover, GREVIO encourages the Greek authorities to compile data on compensation paid by perpetrators to women victims of gender-based violence. (paragraph 184)

36. In addition, GREVIO strongly encourages the Greek authorities to take steps to remove obstacles preventing women victims of gender-based violence from accessing the state compensation scheme, which should adequately cover victims who have sustained serious bodily injury or impairment of health, in accordance with the requirements of Article 30, paragraph 2, of the Istanbul Convention. Compensation to women victims of gender-based violence should be granted within a reasonable time, as required by Article 30, paragraph 3, of the convention. (paragraph 185)

3. Custody, visitation rights and safety (Article 31)

37. GREVIO urges the Greek authorities to take all the necessary practical and legislative measures to: (paragraph 200)

- a. base policies and practices on the recognition that, in a context of domestic violence, joint parenting may be a means for the perpetrator to continue to maintain control and domination over the mother and her children and to perpetrate violence against them;
- b. ensure that courts are under the obligation to consider all issues relating to violence against women and domestic violence when taking any decision related to custody and visitation rights;
- c. incorporate risk-assessment and risk-management procedures into the determination of custody and visitation rights and restrict these rights when this is necessary to guarantee the safety of the mother and the child;
- d. end the practice of removing children from or limiting parental rights of non-abusive parents on grounds of “parental alienation syndrome” or related concepts;
- e. remove any obstacles preventing women victims and their children from escaping violence.

38. Additionally, GREVIO urges the Greek authorities to ensure the provision of appropriate training and guidelines aimed at raising awareness of judges and other relevant professionals about the harmful effects of violence on children exposed to it and how it renders them victims in their own right, and about the lack of a scientific basis for “parental alienation syndrome” and similar concepts, and at familiarising them with the requirements of the Istanbul Convention provisions on custody and visitation rights. (paragraph 201)

39. GREVIO strongly encourages the Greek authorities to evaluate the effects of the current judicial practice of deciding on custody and visitation rights on the safety of women victims of domestic violence and their children, including linkages to gender-related killings of women and their children, to analyse relevant case law and to collect data on the use that is made by judges of limiting or withdrawing parental or visitation rights in a context of domestic violence. (paragraph 202)

B. Criminal law

1. Domestic violence, including psychological violence (Article 33 and 35)

40. GREVIO strongly encourages the Greek authorities to: (paragraph 209)

- a. consider creating a separate offence of psychological violence that takes into account all elements provided for under Article 33 of the Istanbul Convention in order to effectively criminalise all acts that seriously impair the psychological integrity of a person;
- b. increase awareness, including through the training of judges, law-enforcement agencies and legal professionals, of the gendered nature and consequences of psychological violence and increase training on how it may be evidenced and prosecuted, including when committed in the digital environment.

2. Stalking (Article 34)

41. GREVIO encourages the Greek authorities to collect information on the number of cases of stalking that are reported and investigated and sanctioned under the criminal provision on stalking. Moreover, it encourages them to take steps to raise awareness and increase the training provided to the judiciary on this provision. (paragraph 212)

3. Sexual violence, including rape (Article 36)

42. GREVIO strongly encourages the Greek authorities to take all the necessary measures, including legislative measures, to: (paragraph 218)

- a. further improve the legislation governing offences of sexual violence with a view to removing the remaining barriers that limit the effectiveness of the definition of rape based on the notion of freely given consent;
- b. ensure appropriate sanctions for all acts of a sexual nature perpetrated without the consent of the victim, including in the absence of resistance of the victim and where the circumstances of the case preclude valid consent.

43. In addition, GREVIO urges the Greek authorities to introduce training and guidelines for all relevant professionals in the criminal justice system in order to: (paragraph 219)

- a. ensure a common understanding of rape and sexual violence as offences based on the absence of consent, rather than on the use of force;
- b. ensure appropriate sanctions for all sexual acts perpetrated without the consent of the victim, irrespective of her personal characteristics.

4. Forced marriage (Article 37)

44. GREVIO strongly encourages the Greek authorities to take appropriate steps to: (paragraph 224)

- a. review the legislation in order to ensure that all forms of conduct covered by Article 37 of the Istanbul Convention are criminalised;
- b. ensure that protective measures are available to victims of forced marriage and to women and girls at risk of forced marriage and that the relevant legal professionals are

adequately trained with a view to consolidating the implementation of the offence of forced marriage.

5. Female genital mutilation (Article 38)

45. GREVIO encourages the Greek authorities to amend the Criminal Code in order to ensure that the offence of female genital mutilation is fully aligned with Article 38 of the Istanbul Convention and with the convention's aim to prosecute and punish the offence of female genital mutilation and to support and protect victims. (paragraph 227)

46. GREVIO also encourages the Greek authorities to step up their efforts to raise awareness and train all relevant professionals to detect and provide support for victims of female genital mutilation. (paragraph 228)

6. Forced abortion and forced sterilisation (Article 39)

47. GREVIO encourages the Greek authorities to collect information on the number of abortions and sterilisations carried out without informed consent so as to establish the extent of these forms of violence against women and take appropriate measures, including legal measures, as appropriate. (paragraph 230)

7. Sexual harassment (Article 40)

48. GREVIO strongly encourages the Greek authorities to take all the necessary practical and legislative measures to ensure that all forms of sexual harassment, in all spheres of life, public and private, can be effectively prosecuted and punished and that the legislation on hate speech includes sex as a relevant ground. (paragraph 236)

8. Sanctions and measures (Article 45)

49. GREVIO strongly encourages the Greek authorities to ensure that sentences and measures imposed for offences of domestic violence and other forms of violence against women covered by the scope of the Istanbul Convention are effective, proportionate and dissuasive. (paragraph 239)

9. Aggravating circumstances (Article 46)

50. GREVIO strongly encourages the Greek authorities to take appropriate measures to ensure that all aggravating circumstances listed in Article 46 of the Istanbul Convention are incorporated into Greek criminal law and effectively applied by the judiciary. (paragraph 241)

10. Prohibition of mandatory alternative dispute resolution processes or sentencing (Article 48)

51. GREVIO strongly encourages the Greek authorities to take all necessary measures to ensure that the use of mediation in cases of violence against women is based on full respect for the rights, needs and safety of victims. In particular, mediation should only be applied to women victims of violence who are in a position to decide freely whether to accept or refuse the procedure. The Greek authorities should ensure that police officers, prosecutors, mediators and all other relevant parties in the criminal justice sector are provided with specific guidelines and training focusing on the gendered dynamics of domestic violence and its impact on the ability of victims to enter a mediation process on a par with the perpetrator. (paragraph 248)

VI. Investigation, prosecution, procedural law and protective measures

A. General obligations, immediate response, prevention and protection (Articles 49 and 50)

1. Reporting to, immediate response and investigations by law-enforcement agencies

52. GREVIO strongly encourages the Greek authorities to take further steps to improve the response of the law-enforcement authorities to women victims of all forms of violence covered by the Istanbul Convention. They should in particular: (paragraph 261)

- a. provide all relevant law-enforcement authorities with the resources, knowledge and powers to respond promptly, appropriately and with a gender-sensitive perspective to all forms of violence covered by the Istanbul Convention, including sexual violence, forced marriage and stalking;
- b. develop standard operating procedures for law-enforcement officials with regard to all forms of violence against women covered by the scope of the Istanbul Convention, on the basis of an evaluation of the implementation in practice of existing guidelines on domestic violence;
- c. identify and address any factors contributing to low reporting rates of sexual violence;
- d. consider amending current practices to allow for forensic examination and collection of evidence in cases of sexual violence and rape regardless of whether the victim reports the incident to the police.

2. Effective investigation and prosecution; conviction rates

53. GREVIO urges the Greek authorities to take additional steps to enable a prompt and appropriate handling of investigations and criminal proceedings in cases of gender-based violence, firmly grounded on a gendered understanding of violence against women, and to ensure that perpetrators of all forms of violence covered by the Istanbul Convention are held accountable. To do so, they should: (paragraph 268)

- a. develop standard operating procedures for prosecuting all forms of violence against women covered by the scope of the Istanbul Convention;
- b. provide all the relevant professionals with appropriate training on gender-based violence against women;
- c. assess progress in this field through appropriate data collection, comparable throughout the judicial chain, and through an analysis of the handling of criminal cases by law enforcement, prosecution authorities and courts to ascertain where the attrition of cases occurs and to identify possible gaps in the institutional response to violence against women.

B. Risk assessment and risk management (Article 51)

54. GREVIO urges the Greek authorities to ensure that: (paragraph 277)

- a. systematic, gender-sensitive risk assessments and safety management become standard procedures in all cases of violence against women covered by the Istanbul Convention;
- b. risk assessments are repeated at all the relevant stages of criminal proceedings;
- c. risk assessments are based on an effective multi-agency approach, involving specialist services and NGOs, in order to mitigate safety risks for the victims.

55. GREVIO strongly encourages the Greek authorities to introduce a system of retrospective review of cases of gender-based killings of women and to assess whether gaps in the institutional and/or judicial response contributed to the fatal outcome, with the aim of preventing them in the

future and holding to account both the perpetrators and the institutions that come into contact with the victims and perpetrators. (paragraph 278)

C. Emergency barring orders (Article 52); Restraining or protection orders (Article 53)

56. GREVIO urges the Greek authorities to take the legislative and policy measures needed to bring the Greek legal framework and practice in line with Articles 52 and 53 of the Istanbul Convention, notably by: (paragraph 287)

- a. ensuring the availability of emergency barring orders to all women victims of domestic violence;
- b. ensuring that protection orders are available and accessible to victims of all forms of violence against women covered by the Istanbul Convention;
- c. stepping up the monitoring and enforcement of protection orders, including through technical means such as electronic monitoring;
- d. ensuring that effective, proportionate and dissuasive criminal or other sanctions for breaching protection orders are effectively applied in practice;
- e. collecting data on the number of protection orders issued (in criminal and civil proceedings), the number of violations and the sanctions imposed as a result of such breaches.

D. Ex parte and ex officio proceedings (Article 55)

1. Ex parte and ex officio proceedings

57. GREVIO encourages the Greek authorities to take all the necessary steps to ensure that the application of Article 344 of the Criminal Code does not result in pressure on victims of sexual violence to drop charges against the perpetrators. (paragraph 290)

2. Victim support in legal proceedings

58. GREVIO encourages the Greek authorities to pursue efforts to ensure that victims of gender-based violence receive the necessary support throughout court proceedings, to minimise the risks of secondary victimisation, while fully supporting their empowerment. (paragraph 294)

E. Measures of protection (Article 56)

59. GREVIO strongly encourages the Greek authorities to take stock of, and complement, the existing protection measures for victims of gender-based violence, with a view to aligning them more closely with the requirements of Article 56 of the Istanbul Convention. In particular, the Greek authorities should take resolute steps to promote the use of audiovisual tools in court hearings, safe rooms and in camera proceedings, as needed, as well as of “children’s houses” for gathering the testimonies of minor girl victims of gender-based violence. (paragraph 297)

F. Legal aid (Article 57)

60. GREVIO strongly encourages the Greek authorities to take the necessary legislative and other measures to ensure women’s effective access to justice through affordable and high-quality legal representation, in particular by identifying and remedying any administrative or procedural barriers to obtaining free legal aid and ensuring access to legal aid at an early stage of the procedure. (paragraph 303)

VII. Migration and asylum

A. Residence status (Article 59)

61. GREVIO encourages the Greek authorities to undertake a formal review of their legislation and policy in order to: (paragraph 319)

- a. eliminate any obstacles, in law and in practice, including the high evidentiary threshold, preventing migrant women from accessing an autonomous residence permit in the event of particularly difficult circumstances such as being a victim of the forms of violence covered by the scope of the Istanbul Convention committed or condoned by the spouse or partner;
- b. ensure that migrant women victims of gender-based violence have the right to be granted an autonomous residence permit in the event of expulsion of the abusive spouse or partner.

62. GREVIO also invites the Greek authorities to ensure that the granting of an autonomous humanitarian residence permit to dependent migrant women victims of domestic violence provides married and unmarried dependent women with the same status and rights. (paragraph 320)

B. Gender-based asylum claims (Article 60)

1. Gender-sensitive asylum determination procedure

63. GREVIO urges the Greek authorities to address the negative consequences for asylum-seeking women and girl victims of gender-based violence of the implementation of the Joint Ministerial Decision and to ensure that they are not exposed to further violence and re-traumatisation. To do so, they should ensure effective access to the asylum procedure for women and girls seeking international protection in Greece, including by lifting the administrative fee required to submit subsequent applications for international protection. Moreover, urgent steps should be taken by the Greek authorities to adequately meet the accommodation and support needs of women and girl victims of violence deemed inadmissible for international protection pursuant to the Joint Ministerial Decision. (paragraph 336)

64. GREVIO strongly encourages the Greek authorities to ensure that professionals dealing with applications for international protection are supported to adequately apply the relevant legal provisions to claims for international protection on grounds of gender-based violence and that they are trained on a gender-sensitive interpretation of all grounds of persecution provided for in Article 1A(2) of the 1951 Convention relating to the Status of Refugees. (paragraph 337)

65. GREVIO strongly encourages the Greek authorities to take steps to ensure that asylum-seeking women and girls receive the best possible support during the asylum procedure so that they have the opportunity to disclose all the grounds on which they are applying for international protection. In particular, the Greek authorities should ensure that existing gender-sensitive procedural guarantees are effectively applied and that asylum-seeking women and girls have access to quality interpretation and legal aid. (paragraph 338)

2. Accommodation

66. GREVIO urges the Greek authorities to: (paragraph 354)

- a. ensure safe and adequate accommodation for all asylum-seeking women and girls, including by providing single-sex accommodation for women, and to ensure sufficient support to meet basic needs, including appropriate access to healthcare;
- b. set up an effective system of screening of vulnerabilities of asylum seekers upon arrival, or swiftly after, with a view to detecting reception and procedural needs that arise from experiences or risk of gender-based violence;

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- c. establish effective referral pathways for women and girl victims of gender-based violence and to set up dedicated focal points for sexual and gender-based violence within all reception and identification centres;
 - d. develop and comprehensively implement standard operating procedures or guidelines on gender-sensitive reception of asylum seekers and on the prevention of gender-based violence against women and girls in asylum accommodation;
 - e. remove the barriers currently experienced by victims of violence against women to accessing specialist support services and support their access to specialist NGOs experienced in assisting victims of gender-based violence, by providing all asylum-seeking women with relevant information on their rights and existing remedies for cases of gender-based violence.

C. *Non-refoulement* (Article 61)

67. GREVIO urges the Greek authorities to uphold their obligation to respect the principle of *non-refoulement* of victims of violence against women, including as regards asylum-seeking women and girls arriving by sea. It also urges them to take resolute measures to prevent acts of gender-based violence against women and girls seeking international protection in Greece and to investigate any such allegations. (paragraph 359)

Appendix II

List of the national authorities, other public bodies, non-governmental organisations and civil society organisations with which GREVIO held consultations

National authorities:

General Secretariat of Coordination of the Presidency of the Government
Ministry of Citizen Protection
Ministry of Education and Religious Affairs
Ministry of Health
Ministry of Justice
Ministry of Labour and Social Affairs:
General Secretariat for Demography, Family Policy and Gender Equality
Ministry of Migration and Asylum
Public Prosecutor's Office

Public institutions:

Forensic Service of Athens
Hellenic Agency for Local Development and Local Government (EETAA)
Mavrovouni Closed Controlled Temporary Accommodation Centre, Lesbos
National Centre for Social Research (EKKE)
National Centre for Social Solidarity (EKKA)
National Council for Radio and Television
National Human Rights Commission
Office of the Greek Ombudsman
Research Centre for Gender Equality (KETHI)

Non-governmental organisations and civil society:

ActRom
Amnesty International Greece
Bekatorou Sofia, OLY
Colour Youth Athens
Committee against femicides
Committee on Family Law and Consensual Joint Custody
Coordination of Greek Women's NGOs
Diotima Centre for gender rights
European Anti-Violence Network
European Network of Women (ENOW) - Greece
European Women's Lobby: Co-ordination for Greece
Feminist collective "Theodora"
Greek confederation of trade unions of the private sector (GSEE)
Greek Council for Refugees
Greek League for Women's Rights
Hebrew Immigrant Aid Society (HIAS) Greece
I Have Rights
Intersex Greece
Legal Centre Lesbos
Melissa network

Mother's Wings

National Confederation of Persons with Disabilities of Greece

Panhellenic Educational Cultural Creative Association of Greek Roma, Indigent and Homeless Women

Panhellenic Federation of Armed Forces Unions (PFEARFU)

Panhellenic Union of Employees of Network of Structures of General Secretariat for Gender Equality

Rainbow Families Greece

Roma Women's Association Dendropotamou

To Mov

Ukrainian Women in Greece

Union of Employees at the General Secretariat for Gender Equality "Dora Katsivardakou"

Women's Rights Social Intervention Group in West Athens

Y W C A Greece

Lawyers/academics:

Chara Chioni-Chotouman, PhD, Lawyer

Katerina Fountedaki, Professor of Civil Law, University of Thessaloniki

GREVIO, the *Group of Experts on Action against Violence against Women and Domestic Violence*, is an independent human rights monitoring body mandated to monitor the implementation of the *Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence* (Istanbul Convention) by the Parties.

The Istanbul Convention is the most far-reaching international treaty to tackle violence against women and domestic violence. Its comprehensive set of provisions spans far-ranging preventive and protective measures as well as a number of obligations to ensure an adequate criminal justice response to such serious violations of human rights.

This report contains an overall analysis of the implementation of the provisions of the Istanbul Convention. It highlights positive initiatives in preventing and combating all forms of violence against women at national level and provides suggestions and proposals to improve the situation of women facing such violence.

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union.

All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law.

The European Court of Human Rights oversees the implementation of the Convention in the member states.

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE