



HELLENIC REPUBLIC
MINISTRY OF INTERIOR
THE ALTERNATE MINISTER

Athens, 15 May, 2017
Ref.: 8304-A

Mr. Nils Muiznieks
Commissioner for Human Rights
Council of Europe

Dear Commissioner,

With reference to your letter of 18 April 2017, I would like to thank you for your interest in our country, particularly after your last year's visit, and reassure you once again, as I did in my letter of 17 August 2016, that the protection of human rights remains one of the top priorities for the Greek Government.

The Ministry of Interior and the Greek Police Headquarters pay particular attention, in terms of both planning and implementation, to the respect for and defence of human rights, as well as to combating violence or racism, through specific initiatives, structures, actions and safeguards that fully comply with the Greek, European and international humanitarian law.

In this context, I am pleased to inform you that your recommendations regarding recruitment to the Greek Police force have already been fully implemented, given that, as provided for by the existing legal framework, all male or female Greek citizens or aliens of Greek descent from North Epirus, Cyprus and Turkey, have the right to participate in the relevant recruitment competitions. The aliens of Greek descent who join the Police acquire Greek nationality automatically from the time they enter the Police Academy. Needless to say, no discrimination is made, in this regard, against persons belonging to minority groups, provided they satisfy all selection criteria. Persons from minority groups have already been recruited by and serve at the Greek Police.

In the same spirit, the Greek Police have already included matters related to the protection of human rights, as well as the fight against racist violence and all forms of discrimination not only in the basic training at the Police Academy Schools but also in the lifelong learning and further education of police officers in Greece or abroad, through seminars, workshops and special training sessions.

Moreover, if the competent services become aware of any information indicating that ill-treatment by law enforcement officials may have occurred, due regard is given to ensuring the investigation of the case and taking disciplinary action against the perpetrators, proportionate to the severity of the offence, as provided for in Presidential Decree 120/2008 "*Police Officer Disciplinary Law*", so as to discourage any sense of impunity.

The struggle to eradicate violence, whatever its source, should be a continuous and ongoing process. Given the declared intention of the Greek Government to show zero tolerance for human

rights violations, the Greek Police Headquarters issue, on a systematic basis, and transmit to all services involved orders aiming at safeguarding the citizens' right to enjoy full respect for their dignity and equal treatment, without any discrimination on the basis of racial or ethnic origin or on other grounds, as required by the Greek Constitution and the Greek, European and international law. The proper implementation of these orders is closely monitored and, whenever it is necessary to take additional measures, immediate action is taken.

The adoption of Act 4443/2016, which is expected to enter into force on 9 June 2017, has been a major step in the same direction, by designating the Greek Ombudsman, an independent authority, as the national mechanism responsible for the investigation of cases of arbitrary conduct by, *inter alia*, Greek police officers, in the performance of their duties or as a result of abuse of position.

As far as the cases referred to in your letter are concerned, I would like to note the following:

For the two (2) cases of alleged ill-treatment of aliens by police officers on the island of Samos in February and March 2017, as well as for the complaint lodged by the Greek Helsinki Monitor concerning ill-treatment to three (3) Greek nationals of Roma origin in October 2016, two (2) separate Preliminary Administrative Inquiries have been ordered and are still ongoing, in order to find out whether offences were committed by the police officers involved and, if so, to take relevant disciplinary action against them.

As regards the two (2) cases of alleged ill-treatment of aliens by police officers on the island of Chios from November 2016 to February 2017, no complaint has so far been lodged by the alleged victims or third persons or any other authority with the Greek Police.

Finally, as regards the four (4) cases, which according to your letter are pending before the European Court of Human Rights, we would appreciate it if your services could provide additional information to the Greek Police in order to assist them in determining whether the cases in question have been made the subject of a disciplinary investigation or not.

Dear Commissioner,

Sadly, incidents of violence by law enforcement officials still occur everywhere in the world, even in the most developed societies. In Greece, such incidents are extremely rare and, therefore, cannot, in any way, tarnish the very good record of Greece in the field of human rights protection, as reflected in the relevant reports of international governmental and non-government organisations, nor justify the unacceptable reference to Greece as a country with a "long-standing and systemic problem of law enforcement officials' excessive violence and commitment of serious human rights violations". All the more so, if we take into consideration the fact that my country is still under great pressure due to the refugee crisis and the exemplary manner in which both the Greek society and authorities have been dealing with it. I would like to remind you that over the last two years a total number of 1.5 million people have crossed our borders and no serious incident of racial violence has occurred. I would also like to remind you that, unlike other member states of the Council of Europe, Greece did not close its borders to refugees and that, as a result of this, a total number of 62,000 people are now stranded on its territory. Rest assured that the country that gave birth to democracy continues to be in the front line of the battle for the protection of human rights, unlike other countries that are hiding behind fences and barriers of any type.

To conclude, I would like to thank you for giving us the opportunity through your letters and proposals to have a public dialogue with you and express, both in my capacity as Minister in charge of citizen protection and personally, my strong willingness to continue our constructive and continuous cooperation in the field of the protection of human rights.

Sincerely yours,

A handwritten signature in black ink, consisting of a large initial 'N' followed by a series of loops and a final flourish.

Nikolaos Toskas

CC: **Mr. Stavros Kontonis**
*Minister of Justice, Transparency and Human Rights
of the Hellenic Republic*