



PERMANENT MISSION OF GREECE
GENEVA

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NOTE VERBALE

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the latter's Note Verbale regarding best practices and lessons learned on how protecting and promoting human rights contribute to preventing and countering violent extremism, dated 18 January 2016, has the honour to attach herewith the responses of 1) the Ministry of Justice, Transparency and Human Rights (EU and International Organizations Section) and 2) the Ministry of Interior and Administrative Reconstruction (Section of Citizen's Protection).

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland would kindly like to request that the attached replies are taken into consideration even though they are transmitted after the expiry of the deadline for the submission of contributions.

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 21 March 2016

To: The Office of the High Commissioner for Human Rights
registry@ohchr.org

Att.: 4 pages

Crime and penitentiary policy

1

1. Legislative measures:

- a. legislative increase of prison staff
- b. reinforcement of rural detention institutions (system of semi-free living)
- c. enhancement of alternate ways of serving sentences (new legislation for juveniles, drug addicted, mothers, early release on parole)

2. Policy measures

- a. training of the relevant practitioners (such as judges and prison staff)
- b. reinforcement of education and vocational programs of detainees
- c. improvement of detainees' health care
- d. issue of a handbook on the rights of prisoners ("the prisoner's primer")
- e. guidelines to the prison staff as regards respect of religious beliefs of detainees, reception of religious liturgists, special diets
- f. establishment of new "second chance" schools
- g. memorandum of cooperation with the Greek Ombudsman, as National Prevention Mechanism against Torture and any other kind of inhuman and degrading treatment in detention institutions.

Combatting racism and related intolerance

The Ministry of Justice, Transparency and Human Rights is strongly committed in the developing and implementing policies which are expected to lead to more openness, inclusiveness and profound respect of human rights, minimizing, thus, racist violence and hate speech. The indispensable cooperation and contribution of civil society is strongly pursued for the success of these efforts. More specifically:

1. In September 2014 the Parliament adopted Law 4285/2014, amending Law 927/1979, with the aim to strengthen the country's criminal anti-racism legislation and adjusting the relevant legislative framework with EU Council Framework Decision 2008/913/JHA. Law 4285/2014 punishes, inter alia, public incitement to acts or activities which may result to discrimination, hatred or violence against individuals or groups of individuals defined by reference to race, colour, religion, descent, national or ethnic origin, sexual orientation, gender identity or disability, in a manner which endangers public order or threatens life, liberty or physical integrity of the abovementioned persons; the establishment of or participation in an organization or union of persons of any kind systematically pursuing the commission of the abovementioned acts.
2. According to article 81A, introduced in the Criminal Code by the above - mentioned law, the commission of any offence on racist grounds (race, colour, religion, descent, national or ethnic origin, sexual orientation, disability, gender identity and, recently added, gender characteristics) constitutes an aggravating circumstance leading to penalty enhancement, while law enforcement personnel, prosecutors and judges have the power to investigate and take into consideration the bias motivation of an offence at all stages of criminal proceedings.
3. Law 4356/2015 establishes a new criminal offence (art. 361B of the Criminal Code) punishing the provision of goods and services with the contemptuous exclusion of a person on racist grounds.
4. Data collection with regard to racist crimes has significantly improved and is expected to further improve following the operation of the new computerization system of the courts.

5. A "National Council against Racism and Intolerance" has been recently established with the participation, inter alia, of the National Commission of Human Rights, the Racist Violence Recording Network, the UNHCR and the Greek Ombudsman. The purpose of this Council is the development of a comprehensive anti-racist strategy, the coordination of all relevant stakeholders and the monitoring of the application of international, European and national legislation. A National Action Plan against Racism and Intolerance is also among the tasks of this Council.
6. Two special prosecutors have been appointed in Athens and Piraeus for the investigation of racist crimes
7. The Ministry has a very constructive cooperation with the Council of Europe and OECD as regards training of police officers, judges and public prosecutors on racist violence issues". —

It is commonly accepted that the phenomena of terrorism and violent extremism, which have become a destabilizing factor in the international security environment, are not related to a specific area, but constitute a serious danger to all nations. The radicalization and violent extremism are not "privilege" of a religion, ethnicity, culture, ethnic group or specific political affiliation.

Violations of human rights, as expressed through phenomena of racism, racial discrimination, xenophobia and intolerance and discrimination against people based on ethnic, religious or other criteria, cause reactions and contribute to the creation of an environment in which people and especially young people, become more vulnerable to radicalization leading to violent extremism. Violent extremism tends to flourish in an environment characterized by poor governance, lack of democracy, corruption and the exclusion of certain individuals or groups of social goods. Many times the State itself through its institutions and the exercise of state power, contributes to the exacerbation of radicalization, as a result of the violation of constitutionally guaranteed rights and freedoms. Therefore, the concept of the state of justice implies respect for and protection of human rights in every aspect of state action as well as the adoption of strategies to combat violent extremism and terrorism.

The anticipation of the factors that contribute to the intensity of radicalization that can lead to violent extremism, the safeguarding of individual rights and religious freedoms, combined with the avoidance of possible actions-behaviors that offend the religious sentiment and social cohesion, are prerequisites for the future control of these phenomena.

Preventing and combating violent extremism requires a comprehensive social approach, with the active participation of governments, civil society, local and religious leaders and the private sector. In the same direction, it is important to develop strategies that respect human rights and fundamental freedoms, inter alia by establishing a state of justice, promoting quality education, ensuring decent work, strengthening the role of women, religious, cultural, educational and local leaders, involving members of all interested groups of civil society and the private sector.

Proper education and lifelong education undoubtedly contribute to the reduction of the phenomena of human rights violations. For this reason the Greek authorities carry out continuous training of officers of the public

sector with regard to respect and protection of human rights and freedoms, which has a positive effect in preventing radicalization and hence violent extremism.

Furthermore, structures and conditions of equal treatment for all citizens, create a sense of justice to vulnerable groups, reducing the chances of turning towards the adoption of extremist attitudes and actions, provided that they feel the state as guarantor of their rights. To this end, the Greek State took a number of legislative and structural changes, adopted new legislation and established new services to the Greek Police (Divisions and Offices for Tackling Racist Violence) to address issues of racial violence, aiming at the efficient and effective combat of violence against individuals or groups with racist motives and background.

In any case, the Greek Security Authorities, in their fight against terrorism and violent extremism, take into account the protection of human rights and ensure that their activities are compatible with the fundamental rights and freedoms and the rule of law.