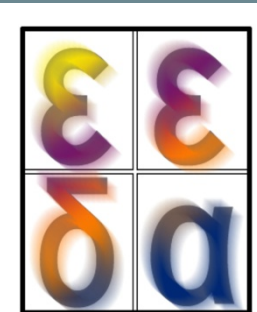


TOWARDS AN EFFECTIVE DOMESTIC ADVOCACY STRATEGY FOR THE IMPLEMENTATION OF ECTHR JUDGMENTS

Experience Sharing the Importance of Setting Up Alliances Beyond the State Authorities, with Relevant NGOs and Other Actors: The example of Greece

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GNCHR STRATEGY ON THE IMPLEMENTATION OF ECTHR JUDGMENTS

➤ **Advocacy tools in the national context:**

- New dedicated webpage
- Public seminars
- Hearings/discussions before the Greek Parliament
- Domestic conferences
- Thematic reports, annual reports and other publications

➤ **Advocacy tools in the European/international context:**

- Rule no 9 submissions
- UN Special Procedures/Shadow reports
- UN Working Groups/ NHRI sessions



GNCHRS' ADVOCACY ROLE: PROGRESS ON HUMAN RIGHTS AT NATIONAL LEVEL

- **Special emphasis on forced labour and human trafficking for the purpose of labour exploitation regarding:**
 - lack of effective implementation of the regulatory framework on fighting against trafficking in human beings
 - need for parallel and appropriate reinforcement of the institutional and regulatory protection of the victims' rights
- **Focus on the leading case of the ECtHR judgment on the “Manolada case” (enhanced supervision)**

GNCHR'S STRATEGY FOR THE IMPLEMENTATION BY THE GREEK STATE OF THE ECTHR JUDGMENT ON THE "MANOLADA CASE" CONCERNING FORCED LABOUR AND LABOUR EXPLOITATION

GNCHR acts as a bridge builder between the State and the civil society

➤ **Domestic level: consultation with CSOs and other stakeholders**

- Launch of two public hearings with domestic stakeholders involved in the fight against human trafficking for the purpose of labour exploitation
- Preparation and submission of the GNCHR's Roadmap on the implementation of the ECtHR judgment on the "Manolada case"
- Discussion with the Greek parliament
- Communication with the competent State authorities



GNCHR'S STRATEGY WITH REGARD TO THE IMPLEMENTATION BY THE GREEK STATE OF THE ECTHR JUDGMENT ON THE "MANOLADA CASE" CONCERNING FORCED LABOUR AND LABOUR EXPLOITATION

- **Council of Europe: Submission of two Communications to the Committee of Ministers under Rule no 9 on the effective execution in Greece of the "Manolada case"**
 - **First focused approach to assess the compliance of the Greek State: limited progress**
 - **Follow-up in light of new developments and evidence: individual and general measures partly implemented (remedial measures regarding the victims of the case and some general measures) - non substantial compliance with the decision of the ECtHR**
 - **Drafting and methodology of the two Communications:**
 - Structure of the Communications based on three thematic axes: **a) prevention, b) promotion and protection and c) prosecution** (in accordance with the rationale of the ECtHR judgment)
 - Examination of the implementation of individual and general measures targeting the harmonization of the Greek legal order with the requirements of the ECtHR
 - Formulation of specific Conclusions: non substantial compliance with the judgment in practice
 - Formulation of specific Recommendations: need for a comprehensive approach required to address and end labour exploitation and forced labour



GNCHR'S STRATEGY WITH REGARD TO THE IMPLEMENTATION BY THE GREEK STATE OF THE ECTHR JUDGMENT ON THE "MANOLADA CASE" CONCERNING FORCED LABOUR AND LABOUR EXPLOITATION

- **Close and consistent monitoring** of the essential implementation of the State's specific obligations arising from international and European commitments with regard to labour exploitation and forced labour phenomena
- **Recording the State's progress** towards the effective prevention of further violations on the issues identified by the ECtHR in its judgment



RACIST VIOLENCE RECORDING NETWORK - RVRN

➤ Established in 2011 at the initiative of the Office of the **UN High Commissioner for Refugees in Greece** (UNHCR) and the **Greek National Commission for Human Rights** (GNCHR).

➤ **Findings:**

- The escalation of violence against refugees and migrants;
- The identified absence, back then in 2011, of an official and effective data collection system on racist violence.
- The need to coordinate organisations which recorded, on their own initiative, incidents of racist violence against people who sought their services.

➤ Today, apart from the coordinators - UNHCR and GNCHR - **RVRN is comprised of 47 Non-Governmental Organisations and civil society bodies**, as well as the Greek Ombudsman and the Migrant Integration Council of the Municipality of Athens, as observers.

➤ **RVRN Aims:**

- Comprehensive indications on the racist violence qualitative and quantitative trends, through the recording of the racist violence incidents;
- Recommendations to authorities based on national and international human rights law;
- Information sharing and public awareness.

➤ **RVRN Methodology (= Power of Data):**

- Common recording form;
- Recording based on the victim's testimony;
- Anonymous and used solely and exclusively by the RVRN;
- Recorder's role and responsibility.



RACIST VIOLENCE RECORDING NETWORK - RVRN

RVRN Achievements:

- **Between 2011 and 2019** the RVRN has documented, through interviews with the victims, **1151 incidents of racist violence** and many victims were supported;
- **Nine (9) annual reports** on trends widely disseminated and press conferences with pluralistic representation;
- Reliability of trends extracted from incidents acknowledged by other UN agencies, ECourtHR and CoE, OSCE etc.);
- **Golden Dawn trial** and other individual perpetrators brought to justice;
- **Special status for victims and witnesses of hate crimes** on the Greek legal framework;
- Empowerment of communities;
- **Institutional influence:** common terminology; **National Council against Racism and Intolerance;** Agreement on inter-agency co-operation on addressing racist crimes in Greece (ODIHR | MoJ);
- **Communication to the Committee of Ministers of the Council of Europe for the supervision of the execution of judgments, relating to the case of Sakir v. Greece (pursuant to Rule 9.2 | Application No. 48475/09);**



RACIST VIOLENCE RECORDING NETWORK - RVRN

RVRN Submission for the case of Sakir v. Greece:

- **Procedure:** RVRN members proposal to the RVRN plenary for submission based on the Rule 9.2 – RVRN Plenary approved the proposal – The RVRN members that brought the proposal and the RVRN assistant coordinator, with the support of the two coordinators, prepared a draft submission which was presented to the RVRN plenary and was approved by the latter, before its submission;
- In response to the European Court’s judgments, the Greek authorities have taken a number of measures to prevent similar violations. In its submission, RVRN, while welcoming the positives developments in the Greek anti-racist legislation, developed its arguments on why it considers essential that the Committee of Ministers includes the Sakir case under the enhanced procedure of supervision of the implementation. In order to “build” these arguments RVRN was based on the following pillars:
 - **Analysing the current reality based on the RVRN quantitative and qualitative data;**
 - **Using the findings from the monitoring of the RVRN and other cases** on the basis of the investigation by the Greek authorities, the victim’s support and protection, and the recognition of the bias motivation during the court procedure;
 - **Updating the material – Going back to the field:** In the tools that we used it was a questionnaire which was distributed to the RVRN members to provide specific feedback on the implementation of legal provisions related to the ECHR recommendations in decision;
 - **Using the findings of the RVRN members regarding the recent frequent use of xenophobic rhetoric** against migrants in the official political discourse, including by persons who hold public office, encouraging or legitimizing racist violence, and thereby undermining the significant efforts by Greece to improve the authorities’ response to hate crimes.



RACIST VIOLENCE RECORDING NETWORK - RVRN

➤ **The National Council against Racism and Intolerance (NCRI)** was established by Law 4356/2015;

- It is a collective body providing advice and opinions and comes under the General Secretariat for Human Rights of the Ministry of Justice;
- All the Greek authorities and services involved on combating racism as well as representatives of the Greek Civil Society participate, incl. RVRN.

➤ **NCRI is responsible to:**

- Design the National Action Plan against Racism including policies to prevent and combat racism and intolerance;
- Supervise the implementation of the laws against racism and intolerance and the compliance with international and European laws;
- Promote and coordinate the activities of involved bodies for more effectively addressing the phenomenon and boost cooperation with civic society in such matters.

➤ **RVRN domestic advocacy strategy, through NCRI:**

- Submits recommendations to the competent authorities and proposals for specific actions regarding hate crimes and the changes needed in the Greek legislation;
- Informs the members of the Council for developments in the field related to racist violence trends and the challenges regarding the implementation of the legal framework and requests / recommends the needed amendments;
- Uses its submission under Law 9.2, the relevant elements and recommendations in order for the needed changes to be included in the National Action Plan.



THANK YOU!
ΕΥΧΑΡΙΣΤΟΥΜΕ!

