



**Greek National Commission for Human Rights**

**Extraordinary times call for extraordinary responses**



**Summary of Recommendations to the State regarding the impact  
of the pandemic and the measures taken to address it  
on human rights**

**May 2021**



*The Greek National Commission for Human Rights (GNCHR) is the independent advisory body to the Greek State and the National Institution on matters pertaining to human rights protection. It was established in accordance with the UN “Paris Principles” and is governed by Law 4780/2021. Individuals appointed by forty-two bodies (independent Authorities, universities of law and political science, trade unions, NGOs, political parties and ministries) participate in its operations.*

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The pandemic has caused an unprecedented health, economic, social and humanitarian crisis at the international level, exacerbating pre-existing systemic inequalities, discrimination and marginalisation while disproportionately affecting the most vulnerable social groups. COVID-19 creates a vicious circle, whereby high levels of inequality and discrimination fuel the spread of the virus, which, in turn, perpetuates and exacerbates serious pre-existing inequalities against those groups who are affected the most.

In view of this unprecedented crisis, the Greek National Commission for Human Rights (GNCHR), the National Human Rights Institution (NHRI) in Greece, has, throughout the pandemic period, been meeting – and continues to do so – regularly online, with the participation of stakeholders in the decision-making process, in order to best meet the new challenges, to assess the impact of the restrictive policy measures on human rights and democratic values, to provide appropriate advisory to the Greek Government on matters related to human rights protection and, at the same time, to inform the public of its rights and the respective risks of its rights violations posed by the pandemic.

At the same time, the GNCHR feels the need to recognise that the pandemic, along with the challenges it has posed for society, it has created a very important window of opportunity to accelerate the digitisation process of the State, which Greece has taken advantage of, to the maximum extent possible. As the Organization for Economic Co-operation and Development (OECD) observes, Greece is among those countries who have, by example, make good use of the digital media in its efforts to limit the spread of the coronavirus, as it immediately proceeded to the implementation of digital media in order to reduce the risk of transmitting the virus.

Acknowledging that human rights put people at the centre, the GNCHR insists that the most effective response to the pandemic can only be based on human rights. With this in mind, the ultimate purpose of this GNCHR Report is to ensure the reinforcement of the effectiveness of the measures adopted by the State to respond to the COVID-19 crisis. The present Report is structured around three main messages that need to be consolidated in order for the pandemic response to be effective: the virus does not discriminate (I), the threat is the virus, not the people (II) and, when we recover, we must be better than we were before (III).

More specifically, the GNCHR, through these three main messages-principles, proceeds to specific recommendations-proposals:

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\* This Summary of Recommendations is the concise version of the report entitled "Recommendations to the State regarding the impact of the pandemic and the measures taken to address it on human rights. Extraordinary times call for extraordinary responses", adopted by the GNCHR Plenary on May 19, 2021. Rapporteurs: E. Varchalama, Second GNCHR Vice-President and Dr. R. Fragou, Coordinator/GNCHR Legal/Research Officer. The written comments of I. Giannopoulos, GNCHR Member designated by the Panhellenic Confederation of the Greek Roma (ELLAN PASSE), A. Konstantinou, GNCHR Member designated by the Greek Council for Refugees (GCR), G. Lymvaivos, GNCHR Member designated by the National Confederation of Persons with Disabilities (ESAmA) and A. Trimmi, GNCHR Member designated by the Rainbow Families Greece, were taken into consideration. The contribution of M. Kanellopoulou, legal intern at the GNCHR, was important for the research of the documentation of the Report.

## I. The virus does not discriminate

### A. The disproportionate impact of the pandemic on vulnerable groups

Recognising that, if the virus persists in a community, it remains a threat to the entire population and, therefore, discriminatory practices endanger society as a whole, the GNCHR is focusing on the need to address the disproportionate impact of the pandemic and the containment measures on vulnerable groups, including Roma, refugees, asylum-seekers and migrants, detainees, persons with disabilities and chronic diseases and LGBTQI+ people.

#### Recommendations:

##### *General*

- Adopt appropriate measures to address the different impact of the COVID-19 pandemic on vulnerable social groups regarding, especially, access to health, employment conditions and access to education.
- Ensure equal access to financial support, granted in the context of the COVID-19 pandemic, in a non-discriminatory manner.
- Ensure participation of all vulnerable social groups in the planning and implementation of the emergency measures taken to combat the pandemic, with a view to including them to the decision-making process.
- Collection, detailed analysis and publication of the statistics and data concerning the impact of the pandemic, especially on the most vulnerable groups.

##### *Roma*

- Take appropriate measures to address the disproportionate impact of the pandemic on Roma populations, taking into consideration the entrenched problems they face, such as access to healthcare, water, electricity, waste disposal, as well as the fact that they live in crowded areas with limited access to basic goods and services. In particular, the following measures *inter alia* are considered necessary: access to clean drinking water, sufficient to cover all the water supply needs of the population, safe sewage disposal and supply of electricity facilities that connect to the Hellenic Electricity Distribution Network Operator (HEDNO) or provision of generators in order to solve, at least temporarily, the issue of distance learning and the cooling of food and medicine.
- Take appropriate measures to ensure Roma's healthcare, including those lacking health insurance or legal documents. It is expected that setting up doctors' teams with the mandate to visit Roma camps to conduct physical examinations in order to immediately find out whether there are any COVID-19 cases, isolate them and follow the medical instructions, in collaboration with the existing Roma Community Centers and Branches, the mediators, the Municipal Clinics, the local associations and federations of Greek Roma members of ELLAN PASSE, as well as the other Civil Society Organisations (CSOs), will contribute towards this goal.
- Take appropriate measures to ensure the right of access to education for Roma children, given that the lack of access to Internet or/and to a computer may render distance learning more difficult, risking rising the already high drop-out rate for Roma students.

- Immediately carry out an information-awareness campaign on the prevention measures for COVID-19 at Greece's Roma camps.
- Conduct an ongoing public dialogue and consultation with the participation of all the relevant stakeholders, such as State agencies, the local government, mediators, Roma local associations and federations and the Roma community itself, in order for specialised actions that will benefit the vulnerable Greek Roma community, but also the Greek society as a whole, to be jointly designed and implemented directly on the field.

#### *Migrants, refugees and asylum-seekers*

- Adopt priority measures for the immediate transfer of all vulnerable people from the islands to safe and suitable accommodation on the mainland
- Ensure effective monitoring of the conditions for the provision of international protection at the respective infrastructure and strengthening of the Reception and Identification Centers (RIC) and the Facilities of Temporary Reception with interpreters, intercultural mediators, Commissioners for unaccompanied minors, social workers, and the support of the proper operation of all the facilities.
- Guarantee the transparency of the asylum procedure, especially for vulnerable refugees.
- Strengthen the measures for further decongestion of detention centers.

#### *Detainees*

- Ensure respect for the fundamental rights of detainees, the rule of law and the international and European standards for the protection and the promotion of human rights.
- Take the necessary measures for the decongestion of penitentiaries in conjunction with examining the possibility of applying alternatives to deprivation of liberty (especially as regards temporary detention, the replacement and suspension of the execution of sentences depriving liberty, the early release etc.).
- Take the necessary measures for the improvement of detention conditions (minimum hygiene conditions, provision of medical services, supply of personal protective equipment etc.).

#### *Persons with disabilities and chronic diseases*

- Adopt the necessary measures to ensure the provision of reasonable adaptation for persons with disabilities and chronic diseases, avoiding, in the event of measures restricting free movement, blanket bans on leaving one's home and the imposition of fines, and providing for exceptions for persons with disabilities so that they are able to go outside, while ensuring that people who provide support to persons with disabilities are exempted from the restrictions of free movement in order for them to be able to provide assistance.
- Take the necessary steps to ensure that information on COVID-19-related measures is accessible to persons with disabilities, by employing *inter alia* sign language interpretation, subtitles and easy-to-read formats.
- Take the necessary steps to ensure that persons with disabilities are participating on a regular basis, through their representative organisations, in all the decisions that affect their lives.

- Take the necessary measures to realise the right to education of children with disabilities and/or special educational needs and ensure, in general, the inclusion of the disability dimension to the measures taken in the field of education for the prevention and stemming of the coronavirus. The GNCHR, in particular, recommends that accessible and adaptable material for students with disabilities should be developed to support distance learning, ensure access to Internet for distance learning and ensure that the software is accessible to persons with disabilities, through *inter alia* the provision of assisting devices and reasonable adaptation, and also the provision of clear instructions to educational Authorities on the scope of their responsibilities and the variety of resources available when providing out-of-school education.
- Take the necessary measures to ensure that complaint mechanisms, hotlines, emergency shelters and other forms of assistance are available to persons with disabilities and include persons with disabilities.
- Collection, analysis and publication of statistics and data on disability in order to improve the monitoring of the situation in the country and, in particular, the impact of the pandemic on persons with disabilities.
- Take the necessary measures to protect persons with disabilities from violence, abuse, exclusion, coercion and neglect, focusing on protecting women and girls with disabilities from violence and abuse and keeping support services accessible, including those relating to sexual and reproductive health.

#### *LGBTQI+ people*

- Adopt measures to address the multiple forms of discrimination suffered by LGBTQI+ people and to combat the impact of the pandemic on the enjoyment of their rights, by integrating the specific needs and challenges they are facing in the design, implementation and assessment of the measures taken to stem the spread of the coronavirus.
- Adopt measures for the protection of LGBTQI+ people from violence and discrimination and for the prosecution and punishment of perpetrators, while ensuring the continuous operation of the support mechanisms and access to justice for them.
- Include LGBTQI+ people in the design, implementation and assessment process concerning the measures taken to address the pandemic.

### **B. Fair, affordable, timely and full access to a COVID-19 vaccine as a human right**

In the light of the prohibition of discrimination, the GNCHR stresses the need to continue and strengthen efforts for a fair, affordable, timely and full access to a COVID-19 vaccine, corroborating that an affordable and non-discriminatory access to a vaccine constitutes a human right. The aforementioned derives from the international obligations Greece is bound to abide by, and, especially, from the International Covenant on Economic, Social and Cultural Rights, whereby State parties are under the obligation to take all the necessary steps, to the maximum of their available resources, to secure the fair, affordable, timely and full access to the vaccine, without discrimination of any kind.

Recognising that the State's attempt to vaccinate the population is an extremely difficult venture, with which the competent national Authorities are coping in a responsible and effective manner, the GNCHR recalls that the necessary, in many cases, prioritisation of specific population groups should be done with objective, appropriate and transparent

criteria, which take into account the vulnerability of these groups and are in accordance with the standards and rules set forth by human rights law. At the same time, the GNCHR stresses the need to promote the vaccination of those population groups who are most exposed and vulnerable to the virus due to the health conditions they are living under, such as detainees, asylum-seekers, refugees or migrants who find themselves in unsafe health conditions.

Moreover, the GNCHR seizes the opportunity to point out that the legally prescribed possibility of compulsory vaccination against COVID-19, in order to prevent the spread of the disease and to protect public health, is in compliance with the Constitution and stresses that the State needs to secure that the necessary guarantees are in place for the protection of citizens' human rights in general, and, in particular, for the protection of the right to protection of personal data of the recipients of health services who will be called to be vaccinated.

### **Recommendations:**

- Continue and strengthen efforts for fair, affordable, timely and full access to a COVID-19 vaccine without discrimination based on any ground, such as colour, disability, age, sex, sexual orientation, gender identity or sex characteristics, national or social origin, participation in a national minority, property, birth or other status, in accordance with the international and European standards for the protection of human rights.
- Strengthen efforts for the promotion of vaccinations through objective, appropriate and transparent procedures, which take into account the vulnerability of groups which need to be prioritised and are compliant with the standards and rules set forth for the protection of human rights, with a view to facilitating equal access to vaccination for the most vulnerable social groups, especially detainees and refugees, asylum-seekers and migrants.
- Carry out an immediate and targeted information and awareness campaign on the need to vaccinate especially the most vulnerable groups, such as Roma and LGBTQI+ people, with a view to promoting knowledge and understanding and strengthening the trust of these groups in the competent Authorities.
- Take all the necessary measures, especially as regards individuals lacking legal documents, to ensure their attendance at the vaccination centers without fear or risk of being the subject of a complaint, detention, deportation or other sanctions by virtue of their situation.
- Avoid speech and terminology leading to stigmatisation and the reinforcement of stereotypes to the detriment of the most vulnerable groups, to the extent that these practices intensify the marginalisation and exclusion of these groups.
- Ensure equal access to valid information on health issues, the COVID-19 disease and the efforts to combat it, in a language and format that is understood by everyone without discrimination, while taking into account the particular needs of persons with disabilities, including persons with visual or hearing impairments, as well as illiterates – organic, functional or even digital – or those without Internet access. Especially recommended is the equal access to valid scientific information concerning the safety and effectiveness of the various vaccines and the organisation of public campaigns with the aim of protecting citizens from false, misleading or pseudo-scientific information as regards the vaccine, which is rapidly spreading on the Internet and social media.

## II. The threat is the virus, not the people

The GNCHR reiterates that it welcomes the fact that the Greek Government did not resort to the most drastic institutional measures in order to deal with the pandemic, activating, for example, Article 48 of the Constitution on the "state of siege" or the "derogation clause" of Article 15 ECHR, but rather, it deployed the possibility of exceptional legislation under article 44(1) of the Constitution, which provides for the issuance of legislative acts by the President of the Republic in order to address an "emergency situation of extremely urgent and unforeseen need". The GNCHR also welcomes, with particular satisfaction, the fact that, despite some initial thoughts for the complete cessation of its operations, the Greek Parliament has continued to operate.

### A. Access to justice during the pandemic

The GNCHR confirms that the pandemic has had a decisive impact on the functioning of all the significant aspects of the justice system on many levels, with multifaceted consequences not only for the courts, but also for the entire spectrum of the functioning of justice. The GNCHR particularly reiterates that there is an urgent need to address the systemic and chronic issue of delivering justice within reasonable time, which the European Court of Human Rights (ECtHR) has found Greece to be in violation of in many cases. At the same time, the GNCHR recognises that digitisation of Justice constitutes a significant challenge for Greece, welcomes the initiatives of the Ministry of Justice in cooperation with the Ministry of Digital Governance for the realisation of the National Strategy for the Digital Justice and encourages the increase of the use of digital tools to all the different stages of the functioning of justice.

### Recommendations:

- Strengthen measures for the facilitation and the safety of the courts' functioning in view of the loosening of the restrictions that had been in place due to the pandemic, aiming at the immediate re-functioning of the justice system and the protection of the right to a fair trial and human dignity.
- In case of emergency measures, observance of the principles of legality, legal certainty and proportionality and continuous re-evaluation of these measures. The GNCHR stresses that all measures taken must have a set expiration date and be subject to judicial review in a timely manner. Where needed, the judicial Authorities, as well as the representatives of the trade unions of the justice sector, should be consulted on emergency operations.
- In view of the increase of the courts' backlog, ensure that cases are distributed in such a way that the post-emergency case ranking does not focus on financial issues related to the protection of individuals' rights and follows fair and objective criteria, while encouraging mediation.
- Take special care of vulnerable groups who are at an even greater risk of having their rights infringed, by prioritising the cases concerning these groups.
- Take the necessary measures to secure the health and safety of the professionals in the justice sector, as well as the citizens who go to court. In particular, measures must be taken to maintain the necessary physical distance within the courts, to make remote work available to the professionals of the justice sector, and to provide them with the necessary secure IT equipment.
- As regards the administration of the courts, take the necessary measures to ensure the functioning of the courts under these extraordinary circumstances, especially by



increasing human resources and budget, while taking into account the number of cases which could not be processed and the adjournments. Training programs should be organised in the School of Judges on the management of the courts.

- Ensure that IT is being deployed as an alternative means for the continuing of the functioning of justice during the pandemic, while ensuring, at the same time, the effective exercise of the right of access to justice without discrimination, for its use and accessibility by all users must have a clear legal basis, it must ensure cyber security and protect personal data.
- Training of judicial officers in emerging cases, such as IT usage, remote working, new types of cases concerning the pandemic etc.

## **B. Policing during the pandemic**

Acknowledging the role of law enforcement Authorities as vital for the protection of citizens' life and health, the GNCHR accepts, to some extent, that in many cases it may be necessary to grant the Police extensive powers for the monitoring of compliance with emergency measures. The serious impact of the pandemic on people's lives intensifies this need. At the same time, the GNCHR recognises that Greek Police, which has been entrusted with the supervision of the implementation of strict restrictive measures, is, from the beginning, at the forefront of tackling the pandemic and understands its enhanced role as regards the management of health risk.

Nevertheless, following the allegations for unjustified violence, the GNCHR stresses that the pandemic does not exonerate the Police from its obligation to use its currently extensive powers in a manner that is fully compliant with its mandate, which is no other than to serve and protect citizens while respecting their fundamental freedoms and human rights. The GNCHR highlights at this point, as it has now been proven, a year after the outbreak of the pandemic, that abusive police practices and undue reliance on strict repression measures have not only led to serious infringements, but in fact have undermined any effort to combat the virus. The GNCHR lays particular emphasis on the importance of proper, initial and periodic training and retraining of law enforcement officers on human rights and welcomes the Prime Minister's announcement for a comprehensive upgrade of police studies.

### **Recommendations:**

- Take the necessary measures for the prompt and decisive investigation and timely assessment of the use of force by the Greek Police before the competent disciplinary bodies and criminal courts and provide for a special procedure for a faster examination of allegations on arbitrary police practices with a racist motive in the context of disciplinary proceedings within Greek Police.
- Take the necessary measures to protect the victims of police violence, as well as those who report related incidents, including witnesses.
- Strengthen and properly staff Police Departments Against Racist Violence, continuously provide information to all police officers on their obligation to assist victims, intervene for their rescue, keep them informed and refer them to the competent services, as well as provide information for the existing victim support services by geographical region and by case.
- Take the necessary measures to implement the Recommendations of the Informal Committee established by decision of the Minister of Citizen Protection in November

2019, with the mandate to regularly monitor the implementation process by the competent bodies of observations and findings of the Greek Ombudsman regarding the administrative investigation of disciplinary offences committed by Greek Police officers, under the chairmanship of Professor emeritus of National and Kapodistrian University of Athens, Mr. N. K. Alivizatos.

- Continuous training on human rights in the Schools and Academies of the Greek Police, with special attention to specific cases for which Greece has been condemned by International monitoring bodies, as well as introduction of the course of effectively addressing manifestations of racism and xenophobia in the general training and retraining of law enforcement officers.
- Conduct a public debate on drastic amendment of the organisation, functioning and order of the Greek Police, based on a fundamentally different model of policing, which meets the real needs for the citizens' safety and ensures a peaceful daily life.

### **III. When we recover, we must be better than we were before**

The GNCHR concludes its Report with reference – not accidentally – to the vital "investment" in social rights, seeking to deliver the message of returning to a "normality" in the post-pandemic era, to a next day when we will indeed be better than we were before. More specifically, the GNCHR, taking as a point of departure the economic and social crisis brought by the pandemic, expresses the strong belief that the existence of a crisis should not result to the impairment – or even more, to the abolition – of the protection of social rights. The GNCHR insists that effective measures are needed not only for the mitigation of the adverse impact of the measures taken to address the pandemic on social rights, but mainly for accelerating the post-pandemic social and economic recovery.

#### **A. Right of access to health**

Taking a brief overview of the most important challenges that the Greek public health system faced and continues to face during the pandemic, the GNCHR points out that the pandemic highlighted and exacerbated the shortcomings of the healthcare system, chronic and systemic as they were and in need of a comprehensive scientific approach placing in the center of attention the citizen and respect for human rights. At the same time, the GNCHR must acknowledge that, during the first semester since the outbreak of the pandemic, Greece managed the crisis effectively, compared to other European countries, stemming an uncontrolled spread of the virus to the general population.

#### **Recommendations:**

- Strengthen measures to ensure that the right of access to health for all without discrimination is adhered to, including the most vulnerable and marginalised groups (such as *inter alia* refugees, asylum-seekers, migrants, detainees, persons with disabilities and chronic diseases, Roma, mental patients etc.), while having as a point of reference the need to create healthcare systems based on inclusive anthropocentric models. Realising this goal entails, on the one hand, addressing pre-existing barriers to access to health services and, on the other hand, investing in prevention, given that the practice of ex-post intervention, beyond the obvious issues of equitable healthcare that it raises, conceals serious risks of uncontrolled spread of the pandemic.

- Strengthen measures to secure the allocation of the maximum available resources for the full realisation of the right to health, with emphasis on the need to strengthen the National Healthcare System, in view of its vital significance for effectively responding to the pandemic. To this end, the GNCHR deems it is necessary to converge with the EU averages on public health expenditure, by increasing the funding for the National Healthcare System, as well as by making full use of the EU resources.
- Collection, detailed analysis and publication of anonymous analytical data and statistics on the pandemic, broken down by gender, age and disability, as a necessary guarantee of compliance with the principle of transparency when exercising policies, with a view to, on the one hand, documenting the necessity and proportionality of the measures taken to address the pandemic, and, on the other hand, updating policies and securing the necessary consensus on public health protection measures.

## **B. Right to education**

Bearing in mind the indisputable fact that the right to education – of all children – is in itself fundamental and decisive for the realisation of civil and political freedoms, as well economic and social rights and that, if not realised, the right to education renders access to other rights theoretical and individuals susceptible to human rights violations, the GNCHR draws the attention of the competent Authorities to the urgent need to secure the full realisation of the right to education. In times of crisis, as the unprecedented health crisis of the pandemic that we are currently going through, the protection of the right to education becomes even more urgent in view of the need to cultivate citizens capable of actively participating to the socio-political processes in order to defend and strengthen democracy and the rule of law, as well as a culture of respect for human rights, while avoiding the pitfalls of radicalisation leading to violence and extremism.

Besides, pursuant to the mandate assigned to it by its founding legislation regarding the development of initiatives for the cultivation of respect for human rights in the context of the educational system and for the awareness raising of the public and media about respect for human rights, the GNCHR seizes the opportunity to recall its own initiatives and activities on human rights education and training on many levels, among which the organisation of the [Annual Open Seminars](#) covering a wide range of critical human rights issues.

The GNCHR stresses that Greece is one of the Countries with the longest and most uninterrupted period of school closure, combined with compulsory distance learning, emphasising the adverse impact on the education and well-being of children, especially the most vulnerable of them who are excluded from access to distance learning.

### **Recommendations:**

- Strengthen measures to ensure the right of access to education, guided by the best interest of the child. The GNCHR points out with emphasis that the best interest of the child should be central when deciding the reopening of schools. The benefits and risks for both education and health, as well as the socio-economic factors should also be taken into account for the decisions on school reopening.
- Strengthen measures for the protection of children who belong to the most vulnerable groups, including Roma children, children with disabilities, refugee or asylum-seeking children, children living in poverty, and whose vulnerability has been further aggravated by virtue of the extreme conditions that the pandemic has brought by. The GNCHR stresses that the competent Authorities ought to respect the right of every child to non-

discrimination in respect of the measures taken to address the COVID-19 pandemic and, especially, their right to equal access to education.

- Take the necessary measures to secure that distance learning does not aggravate the already existing disparities. Given that distance learning, notwithstanding that it constitutes a creative alternative solution to face-to-face learning, poses additional problems to children with limited or no access to technology or the Internet or those lacking sufficient parental support, the GNCHR deems that it is necessary to plan and promote alternative solutions allowing these children to receive guidance and support from teachers.
- In particular, as regards the enjoyment of the children's right to education in the digital environment, the GNCHR fully agrees with the [General Comment No. 25 \(2021\)](#) on children's rights in relation to the digital environment of the UN Committee on the Rights of the Child, acknowledging that if digital inclusion is not achieved, existing inequalities are likely to increase, and new ones may arise. This requires investment in the necessary telecommunications and technological infrastructure in order to remove the structural barriers that hinder the full implementation of the right to education. The GNCHR recommends that, when designing educational policies and systems and preparing for potential distance learning, competent Authorities must take into account the following four principles: (a) non-discrimination, (b) best interest of the child, (c) right to survival and development and (d) respect for the views of the child.
- Take the necessary measures for the cultivation of a democratic culture in the digital environment. To this end, guidance to teachers, parents and students on the safe use of the Internet and on adopting behavior to combat online hate speech, discrimination and bullying, is paramount.
- Take the necessary measures for the continuous provision of prevention policies and psychological, social and legal support and protection of children who are being abused. Awareness raising and information campaigns should regularly take place, even after the end of the health crisis.

### **C. Right to work**

The GNCHR recalls its previous unanimous Decisions and Recommendations to point out that the cumulative impact of austerity measures on the enjoyment of work-related rights, as well as the cumulative impact of the restrictive measures taken as a response to the COVID-19 crisis, have never been assessed.

However, although the GNCHR accepts that the extent and depth of the impact of the pandemic crisis on labour rights and the functioning of the economy in general cannot yet be accurately evaluated, it gives the Greek competent Authorities credit for attempting to seek out ways to deal with them, with a view to securing, as far as possible, employment under these extraordinary circumstances posed by the pandemic. The inclusion of employees to a status of suspension of employment contracts, while at the same time providing for financial assistance as a special purpose allowance and prohibiting the termination of employment contracts for businesses included in this status, were the main measures taken in Greece for the protection of work during the pandemic. At the same time, an additional measure, which was and still is implemented for the protection of the right to work during the pandemic, is remote working. Remote working has become the norm for millions of employees around the world and has been seen as the only way for maintaining the operation of many businesses

ensuring, on the one hand, the protection of employees' health and, on the other hand, the viability of the business itself.

Nevertheless, the GNCHR takes the opportunity at this point to recall that, despite the temporary and urgent nature of the remote working measure, the recourse to this type of working during this last year as one of the main ways of providing work, has brought to light, on the one hand, a lack on the part of the State of promotion of the already existing legal framework for the protection of remote working, and, on the other hand, an increase of serious abuses due to the imposed exposure of employees to critical working conditions. At the same time, the GNCHR notes that the pandemic has aggravated the already existing and serious problem of unemployment in Greece, with the impact being more harsh on younger people and women. Last but not least, the GNCHR stresses one more aspect of the impact of the pandemic on the right to work, by making special mention to foreign workers, who are often overrepresented in areas that have been affected by the crisis the most.

### **Recommendations:**

- Proceed to an assessment of the state of the implementation of labour and social security rights before and after the pandemic.
- Take the necessary short-term and long-term measures to ensure the full enjoyment of the right to work. In particular, in the short term and until the threats posed by the pandemic are gone, the GNCHR considers that the strengthening of the legal framework for the protection of individuals working remotely is paramount, as is the recognition of the employees' right to disconnect from work. In the long term, effective enjoyment of the right to work entails that jobs with dignified working conditions become available.
- Take the necessary measures to ensure the unhindered enjoyment of rights related to work and social security and safety, as well as the implementation of the fundamental constitutional principles of proportionality and social solidarity, in order to strike a fair balance between the various interests concerned, while taking into account *inter alia* the impact of austerity measures on social rights during the 10-year financial crisis in Greece.
- Collection, detailed analysis and publication of anonymous analytical data and statistics on the pandemic, broken down by gender, age and disability, as a necessary guarantee of compliance with the principle of transparency when implementing policies, with a view to documenting the necessity and proportionality of the measures taken to address the pandemic. The development and use of specific indicators are essential useful tools for assessing the state and the achieved progress in terms of full enjoyment of the right to work and the other work-related rights.
- When designing the regulatory framework and the national policy for health and safety at work, take into account the risks that different groups of workers are facing in the context of the pandemic, aiming at their unhindered access to personal protection measures and the securing of both their physical, as well as mental health and safety at the work place.
- Take the necessary measures to ensure equal treatment of workers, including foreign workers, in terms of working conditions, trade union rights and housing, and take concrete measures to address misleading propaganda and xenophobia.
- Strengthen the Labour Inspectorate (SEPE), whose role, especially during the pandemic, is crucial, given that the SEPE, in addition to labor law, also monitors issues related to ensuring workers' health.