

HELLENIC REPUBLIC
GREEK NATIONAL COMMISSION FOR HUMAN RIGHTS

6 Neofytou Vamva, 106 74 Athens

T: 210 72 33 221-2, W: www.nchr.gr, E: info@nchr.gr



**Statement of the Greek National Commission of Human Rights
(GNCHR) on sexual abuse incidents in the context of
exploitation in power relations in the light of the recent
complaints in sport¹**

21.1.2021

The Greek National Commission for Human Rights (GNCHR) as the National Human Rights Institution in Greece attaches the utmost importance to the protection of the rights of victims of all forms of gender-based violence, especially victims of sexual harassment and abuse, by a close and highly sensitive monitoring of these specific issues. The GNCHR welcomes the courage of the gold medallist in sailing Sofia Bekatorou to publicly denounce the incident of sexual abuse she suffered at a young age, in the context of misuse of power or position in the workplace hierarchy. The GNCHR also welcomes the intervention of the Athens Prosecutor's Office and the launch of a preliminary examination for the investigation of the case and any incidents related to it. The GNCHR emphasizes that the access to justice for victims of sexual violence, the effective investigation of violations of sexual life and freedom and the fair administration of justice are among the most essential aspects of the protection of fundamental rights.

Taking into account that gender-based violence primarily stems from the historically unequal power relations between women and men as well as the negative stereotypes about biological and social gender, GNCHR recalls the need for the full implementation of the

¹ This Statement was adopted by the Plenary of the GNCHR on 20.1.2021. Rapporteurs: Prof. M. Gavouneli, President, GNCHR and Aik. Charocopou, Legal/Research Officer, GNCHR

recently ratified Istanbul Convention (Law 4531/2018), whose compliance control is carried out by GREVIO, the convention's monitoring body, and also reiterates the need to prevent acts of sexual violence, to effectively protect victims and to combat these practices in all areas, including sport.

Particularly in sport, where violence is multidimensional, multiplex and multifaceted, the GNCHR notes with regret that there is a lack of policies, strategies and legal framework for the operation of sports bodies, the facilitation of athletes' access to report and prosecution procedures in case of any kind of abuse, and finally the law enforcement through the application of disciplinary measures and dissuasive penalties against perpetrators, which result in a general sense of impunity. To this end, codes of ethics and conduct should be drafted and implemented in all aspects of public life and in sport, providing for penalties against every person responsible for violations of fundamental principles and rules, since sexual violence and practices of abuse of positions of trust, power and influence, especially in the field of modern sports, pose a serious threat to the safe participation of women, girls and vulnerable people such as LGBTQ individuals, foreign nationals and persons with disabilities.

Watching some of the reactions to the sharing of the traumatic experience of Sofia Bekatorou on mass and social media, the GNCHR underlines the high risk of secondary and repeat victimization, intimidation and retaliation in case of Sofia Bekatorou and all the victims of sexual violence, especially when the perpetrator cannot be prosecuted or punished.

At the same time, the GNCHR points out that its Plenary has unanimously expressed the need for immediate legislative ratification of Convention No. 190 of the International Labour Organization on "Ending violence and harassment against women and men in the world of work" and highlights the need to take appropriate measures. C 190 is a landmark tool, as it is the first international convention which not only recognizes the right to work under no violence and harassment, but also recognizes sexual harassment and gender-based harassment at work and in any area or circumstance related to work, as forms of gender-based violence. The GNCHR has already drawn up a proposal to send to the Prime Minister and the Minister of Labour and Social Affairs for the immediate legislative ratification of the Convention.

In the light of the above, the GNCHR as the independent advisory body of the Greek State in matters of human rights protection and having the duty, within the competencies recognised by its founding law, to constantly monitor the developments related to the application of these rights and highlight to all the competent State authorities the need for their effective protection and to take care of public information about the risks of possible violations, is called upon to draw attention to both the existing protective framework for victims of crimes against sexual life and liberty and the need for its essential and immediate implementation.

In this framework, considering the low rates of reporting sexual violence incidents to the competent law enforcement authorities as well as the low rates of prosecution, and based on zero tolerance, the GNCHR unequivocally condemns all forms of sexual violence and calls upon the State to further strengthen the institutional framework and ensure through legal and other measures:

- the prevention, the guarantee of victims' rights and the fight against sexual and psychological violence at all levels and areas of activity, by implementing all national, EU and international commitments and guarantees, especially the Istanbul Convention and the Directive 2012/29/EU on Victims' Rights, since their violation constitutes a wrong against society, as the latter expressly states in its reasoning
- the immediate legislative ratification of the Convention 190 in harmonization with the proposal of the EU Council Decision authorizing the Member States to ratify, in the interest of the European Union, the ILO Violence and Harassment Convention , 2019 (No. 190) (22.1.2020 COM (2020) 24 final
- the timely intervention to protect victims of all forms of sexual violence, the effective judicial protection of their rights, the victims' access to fair justice through effective, transparent and confidential procedures for the handling of reports, with particular emphasis on gender perspective and administration of justice without delay
- the strengthening of health structures, police, support services and telephone hotlines, as well as the systematic provision of prevention services and psychological, social and legal support and accommodation to women under threat, including foreign nationals, persons with disabilities and LGBTQ people
- the appropriate and systematic training of law enforcement officials, legal and health professionals, civil servants dealing with cases of sexual harassment and abuse, members of employers' organizations and trade unions, as well as every person providing services to victims
- the facilitation of women's access to leadership and decision-making positions in both public and private sector, by ensuring and promoting the female gender-balanced representation in collective and governing bodies as well as in political life
- the systematic and regular collection of detailed, reliable and comparable statistical data disaggregated by age and gender of the perpetrator and the victim with regard to sexual harassment in all sectors towards the effective, timely and accurate monitoring of the gender-based violence phenomenon. This is an obligation imposed by the Istanbul Convention (Law 4531/2018); systematic maintenance and processing of official criminal justice statistics is also crucial in this direction
- the launching and strengthening of awareness-raising and information activities aimed at preventing and raising awareness of the rights of victims, such as the #MeToo movement and the "Break the Silence - Speak, Do Not Tolerate" initiative of the Deputy Ministry of Sports under the Council of Europe program for "Children protection in Sport" to encourage victims to break their silence, as in case of Sofia Bekatorou