



**Democracy, Rule of Law, and Fundamental Rights
Monitoring Group
(DRFMG)**

DRFMG meeting: Exchange of views on the Situation in Greece - 28 April 2022

Follow-up questions (September 2022)

1. Can the government give us an update on the follow up to the murder of journalist Mr Karaivaz? In particular, could the government detail how the criminal investigation is advancing, whether international cooperation (incl. through Europol) has been initiated, and what broader measures the government has taken to ensure the safety of journalists in Greece? (Renew)

2. This government has supported several legislative changes. Amongst these changes are the EYP's obligation to directly report to the prime minister's office¹ and the support for Amendment 826/145 that deprives the Authority for Ensuring Confidentiality of Communications (ADAE) of the ability to notify citizens of the lifting of the confidentiality of communications². In April 2022, it became clear that journalist Thanasis Koukakis was targeted with the Predator spyware but was unable to get a confirmation of this spyware attack by the ADAE, due to the abovementioned legislative changes³. In light of the recent Predator spyware attacks in Greece, Prime Minister Kyriakos Mitsotakis stressed that "No prime minister can be aware of who EYP taps" and similarly emphasized that he is willing to discuss proposals that "will strengthen the transparency in the action of our secret services without, obviously, hindering their mission". Can you clarify Mitsotakis statement vis-a-vis the legislative change? How has the prime minister been unaware of the EYP's spyware attacks whilst he supported the legislative change that obliged the EYP to report to the prime minister's office? (Renew)

¹ <https://www.politico.eu/article/greek-pm-kyriakos-mitsotakis-pressure-builds-despite-intelligence-shake-up-vow/> **European Parliament** 2019-2024 *Committee on Civil Liberties, Justice and Home Affairs*

² <https://ipi.media/greece-letter-to-government-after-spyware-surveillance-of-journalist-thanasis-koukakis/>

³ <https://ipi.media/greece-letter-to-government-after-spyware-surveillance-of-journalist-thanasis-koukakis/>

⁴ <https://www.dw.com/de/griechenland-abh%C3%B6riff%C3%A4re-ohne-aufkl%C3%A4rung/a-63003765>

3. If the prime minister aims to strengthen the transparency, why hasn't he rolled back Amendment 826/145 depriving the Authority for Ensuring Confidentiality of Communication (ADAE) of the ability to notify citizens of the lifting of the confidentiality of communications? (Renew)

4. In the most recent closed meeting of the Greek parliamentary Committee on Institutions and Transparency, former head of the EYP Panagiotis Kontoleon stated that he could not provide the committee with any information because of 'confidentiality'⁴. Can you clarify Kontoleon's confidentiality statement in light of the new aim to strengthen the transparency in the action of the secret services? (Renew)

5. Recent reports state Greece has designed and deployed two EU-funded surveillance systems 'Centaur' and 'Hyperion', behavioural analytics technology and constant surveillance of reception areas respectively, both without prior recruitment of a data protection officer (DPO) nor a mandatory data protection impact assessment (DPIA). What explanation does the Greek government have for deploying such data surveillance systems directed at asylum seekers without recruitment of a DPO and without conducting a DPIA? Does the Greek government acknowledge that the deployment of these systems is in clear breach of data privacy protections laid down in the GDPR? How does the Greek government justify the deployment of such surveillance systems when the EDPB-EDPS Joint Opinion 5/2021 states that behavioural recognition technologies should be banned due to the unacceptable risk they pose to fundamental rights? How does the Greek government plan to rectify these rights violations? (Greens)

6. Concerning the protection of media freedom and journalists, can the Greek government comment on the reports that journalists are being subjected to lawsuits that have no other aim than to silence and intimidate critical voices? What steps has the Greek government undertaken to protect journalists from being subjected to such abusive lawsuits? (Greens)

7. Pushback incidents continued to be reported in the course of this summer. Several reports surfaced of groups of asylum seekers being stranded on an islet on the Evros River for weeks after being pushed back and forth by the Turkish and Greek authorities. How does the Greek government comment on these reports that asylum seekers spent days without food, water and medical care, in light of the interim measures by the ECtHR that bind the Greek government to provide temporary access to Greece and to material reception conditions? Has the Greek government started any investigations into these incidents? If so, what has been the outcome? If not, why not? (Greens)

8. In light of the OLAF report on their investigations into Frontex, can the Greek government elaborate on what their current operational working methods with Frontex are and if any changes in those arrangements are foreseen? Can the Greek government also comment on whether or not they now provide Frontex, including the fundamental rights monitors, access to all assets within the operational area? If not, how does the Greek government justify this lack of access? (Greens)

9. In the case *Safi and Others v. Greece*, the European Court of Human Rights found violations of the right to life and prohibition of inhuman or degrading treatment on account of pushbacks. How will the Greek government address systemic issues contributing to violations indicated thereof? (Greens)