



# Civil participation in the decision-making process

Fact finding visit to Greece

11-15 November 2025

Report

For consideration by the Conference of INGOs  
at its General Assembly of 14-17 April 2026

## Table of Contents

A. Introduction .....	3
B. The Legal Framework and its Implementation .....	5
Formation .....	5
Operation.....	9
Consultation .....	12
C. The Environment in which NGOs Operate .....	13
Context .....	13
Funding.....	15
Hostility and attacks .....	15
D. Conclusions .....	18
E. Recommendations.....	19
Appendix: Agenda of the Visit.....	21

## A. INTRODUCTION

1. The Conference of International Non-Governmental Organisations of the Council of Europe (CINGO) is the representative body of international non-governmental organisations (NGOs) that enjoy participatory status with the Council of Europe.<sup>1</sup> As part of its mandate, CINGO conducts fact-finding visits to the Council of Europe member states.
2. During a fact-finding visit CINGO strives to hear the points of view of both NGOs and public authorities, in order to: identify critical issues in the legal and institutional framework related to participatory democracy and its implementation; establish what use is made of the pertinent instruments of the Council of Europe; and how the work of the Council of Europe in this field can be further advanced.
3. The instruments of the Council of Europe pertinent to participatory democracy include: [Article 11 of the European Convention on Human Rights](#) (the European Convention); [Recommendation Rec\(2003\)3 of the Committee of Ministers to member states on balanced participation of women and men in political and public decision making](#); the [Code of Good Practice for Civil Participation in the Decision-Making Process](#) (the Code of Good Practice);<sup>2</sup> [Recommendation CM/Rec\(2007\)14 of the Committee of Ministers to member states on the legal status of non-governmental organisations in Europe](#) (Recommendation CM/Rec(2007)14); the [Joint OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association](#); the [Guidelines of the Committee of Ministers for civil participation in political decision making](#) (CM(2017)83); [Recommendation CM/Rec \(2018\)4 of the Committee of Ministers to member States on the participation of citizens in local public life](#); and [Recommendation CM/Rec\(2018\)11 of the Committee of Ministers to member States on the need to strengthen the protection and promotion of civil society space in Europe](#).
4. The definition of NGOs that applies to CINGO's activities is the one used in Recommendation CM/Rec(2007)14, namely, as "voluntary self-governing bodies or organisations established to pursue the essentially non-profit-making objectives of their founders or members. They do not include political parties".<sup>3</sup>
5. In the context of this report, civil (citizen) participation in policy decision-making is considered as embracing the associated rights to freedom of peaceful assembly and association, freedom of expression, petition and access of information of public significance.

---

<sup>1</sup> <https://www.coe.int/en/web/ingo>.

<sup>2</sup> Adopted by CINGO on 1 October 2009.

<sup>3</sup> Paragraph 1.

6. Following a country visit, a report is prepared which highlights the important and sometimes critical (socio-economic and political) issues identified in meetings with representatives of NGOs and the respective public authorities and other public agencies of the host member state. The report concludes with recommendations as to how to address those critical issues, taking into account the international standards instrumental to the right to civil participation in policy decision-making.
7. CINGO provides the permanent representative from the member state concerned with an advance copy of the report and invites her/him to participate in the discussion of it at the General Assembly. It subsequently publishes both the report and any comments by the member state its website.<sup>4</sup>
8. CINGO held an official visit to Greece on 11-15 November 2025. The visit was facilitated by our partner, the Hellenic League for Human Rights, who were responsible for the logistics and organisation of meetings with NGOs active in the field of justice, human rights, discrimination, media, migration and democracy. Meetings with public authorities were organised with the assistance of the Permanent Representation of Greece to the Council of Europe.
9. The delegation of CINGO was composed of Gerhard Ermischer, President of CINGO, Jeremy McBride, President of CINGO's Expert Council on NGO Law, Iordanis Chorozoglou and Simon Matthijssen, members of CINGO's Standing Committee.
10. The delegation of the Conference of INGOs had meetings with: representatives of NGOs and the European Commission Representation in Greece; Dmitrios Markopoulos and Georgios Stamatis, members of the Parliament of the Hellenes and of the Greek Parliamentary Delegation in the Parliamentary Assembly of the Council of Europe; officials of the Ministry of Social Cohesion and Family; Dr Theofilos Zafeirakos, Head of D3 Directorate for Council of Europe, United Nations-Human Rights, Minorities, Refugees and Migrants in the Ministry of Foreign Affairs; Mr Andreas Pottakis, the Greek Ombudsman; and Professor Maria Gavouneli, President of the Greek National Commission for Human Rights.
11. The delegation was not afforded the opportunity to meet with representatives of certain other public institutions, namely, the ministries of Citizen Protection, Economy and Finance, Interior, Justice and Migration and Asylum and the National Transparency Authority. These institutions are of particular relevance for civil participation since they deal with matters such as financing, the general legal framework, migration and social integration, money laundering supervision and policing. It is very regrettable that their perspective on the issues considered during the visit could not be obtained by the delegation.

---

<sup>4</sup> [Conference of INGOs - Homepage - Conference of INGOs.](#)

12. By its very design, the report does not necessarily provide a detailed account of all the issues discussed therein. Rather, its purpose is to determine the general state of affairs with respect to those issues. It focuses first on the legal and institutional framework applicable to the establishment and functioning of NGOs and consultation with them, together with its implementation in practice. It then deals with actual environment in which NGOs operate, including the context framing it, the provision of funding and the extent to which hostility to and attacks on them go unchallenged. The conclusions of the visit are summarised and a number of recommendations made to assist greater alignment of law and practice relating to NGOs with European standards.

## B. THE LEGAL FRAMEWORK AND ITS IMPLEMENTATION

13. An enabling legal and institutional environment for NGOs – determining not only the basis on which they can be established but also through which they can then pursue their objectives - is one of the main pillars of a functioning democracy. In certain respects, difficulties in fully ensuring that such an environment existed, both as regards the initial formation of NGOs and their subsequent operation, were identified in the course of the visit. In addition, the requirements for consulting NGOs in the law-making process and their observance in practice were also examined.

### *Formation*

14. In general, no problems were identified with respect to the formal requirements for the formation of non-profit organisations (i.e., associations and civil non-profit companies, hereafter referred to collectively as NGOs) that are primarily set out in the relevant provisions of the Civil Code.<sup>5</sup>

15. Thus, these provide that a union of persons pursuing a non-profit-related aim can acquire legal personality as soon as it has been entered in a special public register (association<sup>6</sup>) kept at the court of first instance of the place where it has its seat. An application for registration must be accompanied by the document establishing the association, a list of the names of the members of the board, and its charter dated and signed by the members, with the charter specifying relevant matters such as its aim, name, seat and the conditions for the admission, withdrawal and expulsion of its members, together with their rights and obligations. Provided these legal conditions are met, the association can be entered in the register of associations.

16. These requirements, apart from the specification that at least 20 persons are needed to form an association, appear broadly consistent with the case law of the European

---

<sup>5</sup> Articles 78-81.

<sup>6</sup> Civil non-profit companies do not have legal personality.

Court of Human Rights (the European Court) and the provisions in Recommendation CM/Rec(2007)14.<sup>7</sup>

17. Furthermore, there is no legal restriction on the establishment of informal or unregistered groups of individuals.
18. However, there is at present not an entirely clear distinction between NGOs and their members as the partners in civil non-profit companies are liable for them in the proportion of their share in them and the president of an association is personally and jointly liable with it for debts which it owes to the State. The latter position for an entity with legal personality is contrary to the requirement in Recommendation CM/Rec(2007)14 that such personality be “clearly distinct from that of their members or founders”.<sup>8</sup>
19. Moreover, there is also a prohibition on inclusion in certain ministry registries<sup>9</sup> of persons with convictions for many offences, even ones that are not of a particularly serious nature serving on the boards of NGOs, with no time limit specified for its duration<sup>10</sup>. Such a prohibition runs counter to the stipulation in Recommendation CM/Rec(2007)14 that persons should only be disqualified from acting as an officer of an NGO “following conviction for an offence that has demonstrated that they are unfit for such responsibilities” and its requirement that “[s]uch a disqualification should be proportionate in scope and duration”.<sup>11</sup>
20. Although compliance with the general requirements relating to the formation of NGOs was not seen as problematic in practice by almost all the NGOs met during the visit, their implementation in several instances has given rise to findings by the European Court of a violation of Article 11 of the European Convention where registration of an association was refused<sup>12</sup> or a registered association was dissolved<sup>13</sup>.

---

<sup>7</sup> Thus, paragraph 17 of Recommendation CM/Rec(2007)14 provides that: “Two or more persons should be able to establish a membership-based NGO but a higher number can be required where legal personality is to be acquired, so long as this number is not set at a level that discourages establishment”.

<sup>8</sup> Paragraph 26.

<sup>9</sup> As to such registries, see ‘Operation’ below. The prohibition applies notably to those operated by Ministry of Migration and Asylum.

<sup>10</sup> Under the version of Article 78 of Law 4939/2022 amended by Law 5275/2026, the prohibition now applies to any felony and any final conviction for misdemeanours such as illegal trafficking of third-country nationals, theft, embezzlement, fraud, extortion, forgery, certificate forgery, bribery, breach of trust, breach of duty, false certification, defamatory libel, money laundering, offences under Articles 187 and 187A of the Penal Code (Law 4619/2019), offences under the law on weapons, the law on narcotics, as well as any misdemeanour under Chapter 19 of the Special Part of the Penal Code.

<sup>11</sup> Paragraph 48.

<sup>12</sup> *Bekir-Ousta and Others v. Greece*, no. [35151/05](#), 11 October 2007, *Emin and Others v. Greece*, no. [34144/05](#), 27 March 2008 and *Sagir and Others v. Greece*, no. [34724/18](#), 24 June 2025.

<sup>13</sup> *Tourkiki Enosi Xanthis and Others v. Greece*, no. [26698/05](#), 27 March 2008.

21. In the cases where registration was refused, this was said to be justified by reference either to the use of the word "Turkish" in connection with "women" in the name of the association or the use in it of the word "minority" coupled with the specification of its aim being "to harness the intellectual potential of young people belonging to the minority, safeguard and promote minority traditions, develop relations between its members and protect democracy, human rights and friendship especially between the Greek and Turkish peoples". In all three cases, this was seen as having the aim of promoting the idea that an ethnic minority existed in Greece as opposed to the religious minority which had been recognised in the 1923 Treaty of Lausanne.
22. The dissolution of the fourth association - which had been founded in 1927 as the "House of the Turkish Youth of Xanthi" and later renamed as the "Turkish Association of Xanthi" - was held to be justified because it was not in conformity with the Treaty of Lausanne and that some of the members presented the Muslim minority of Thrace as a "strongly oppressed minority", with reference being made to participation by the association's president in conferences organised by the Turkish authorities and the publication of a letter in a Turkish daily referring to the "Turks of Western Thrace".
23. In all the cases, the European Court observed that the aim of promoting the idea that there was an ethnic minority in Greece, even if that was the associations' real aim, could not be said to constitute a threat to democratic society, noting that there was nothing in their statutes to indicate that its members advocated the use of violence or of undemocratic or unconstitutional means or, in the case of the dissolved association, any call for the use of violence, an uprising or any other form of rejection of democratic principles. Furthermore, the European Court underlined that the existence of minorities and different cultures in a country was a historical fact which a democratic society had to tolerate and even protect and support and that freedom of association involved the right of everyone to express, in a lawful context, their beliefs about their ethnic identity.
24. Notwithstanding the clarity of the rulings in three of these cases, the authorities have continued to reiterate the objections on which registration was refused or dissolution ordered, and which were not considered justified by the European Court, both in subsequent proceedings<sup>14</sup> and in the course of our meetings with them, coupled with vague allusions to geopolitical threats. As a result, they have failed to execute the judgments concerned for now well-over 17 years.
25. Moreover, in the most recent judgment in the *Sagir* case, the European Court found that "the reasoning of the domestic courts still revolved around the need to distinguish between a Muslim minority, which is recognised by the 1923 Treaty of Lausanne, and a Turkish minority, the existence of which was not acknowledged by

---

<sup>14</sup> See the [note](#) on the status of execution by the Department for the Execution of Judgments of the European Court of Human Rights.

the courts”,<sup>15</sup> which could not be regarded as constituting a threat to a democratic society. Indeed, referring to its case law, it went on to hold that:

the notion of a “democratic society” is devoid of any meaning if there is no pluralism, tolerance or open-mindedness. In particular, pluralism is built on, for example, the genuine recognition of, and respect for, diversity and the dynamics of traditions and of ethnic and cultural identities. The harmonious interaction of persons and groups with varied identities is essential for achieving social cohesion (...). The Court notes that, under Article 2 of the association’s charter, these were precisely the goals that the applicants’ association was aiming to achieve. In particular, the aim of the “development and diffusion of ... folk cultural heritage by reviving local customs in cooperation with local institutions” is clearly listed.<sup>16</sup>

26. The European Court also reiterated that the right to free self-identification is “the “cornerstone” of international law governing the protection of minorities in general”.<sup>17</sup>
27. The failure to implement these judgments - by granting the registration to the associations seeking it and reversing the dissolution improperly ordered - has impeded the associations affected from pursuing, through a suitable institutional form, objectives that are entirely consistent with the values of the Council of Europe, including doing basic things such as having a bank account and renting premises. Furthermore, it has contributed to de-legitimising the pursuit of those objectives, undoubtedly fuelling the hostility and stigmatisation of those concerned that is considered further below.
28. After much prevarication, a proposal for execution of the judgments submitted by the authorities last October would entail the introduction of a general clause in the Civil Code outlining the grounds for registering and dissolving associations and the parallel training and awareness-raising measures for judges and lawyers by the State Legal Council. Neither of the proposed steps had been undertaken at the time of the visit.
29. Moreover, although welcomed by the Committee of Ministers, this decision gives Greece yet more time to do what has been clear for years. More fundamentally, neither the decision nor the proposal by Greece explain how the cases are to be executed in terms of dealing with the improperly rejected applications for registration, to say nothing of the wrongful deprivation of registration. The adoption of the amendment proposed for the Civil Code might prevent further violations of Article 11 but the outstanding issue is what Greece is expecting to happen once the amendment is adopted for the cases whose execution is being supervised by the Committee of Ministers. Unless there is a clear and viable path to obtaining (or recovering) registration in accordance with the judgments of the European Court. it will be impossible to conclude that execution of them has been achieved.

---

<sup>15</sup> Para. 48.

<sup>16</sup> Para. 49.

<sup>17</sup> Para. 50.

30. Despite the rulings of the European Court, the official perspective about the use of the word “Turkish” in the names of the associations concerned still seemed in the discussions during the visit to be locating it in a geopolitical context, namely, an uneasy relationship with the neighbouring State of Türkiye, despite the emphasis placed by their founders on their Greek citizenship. The entrenched nature of the official position does not hold forth the prospect of the individual measures required by the European Court’s judgments being soon realised. It also does not accord with attitudes in the region in which those connected to the associations concerned live, with those doing their military service being asked if they are “Turks”.

### *Operation*

31. Whereas NGOs in general do not face problems in obtaining the registration required to become legal persons, there is another form of registration subsequent to this status being granted which has often proved to be an obstacle to them pursuing their activities.

32. This form of registration relates to procedures conducted by individual ministries and public agencies with respect to those NGOs who wish to undertake activities in connection with the specific responsibilities of those ministries. These activities are ones involving service and welfare provision to be undertaken by the NGOs, reflecting a situation in which these are matters not dealt with by the ministries themselves but for which they may be responsible under national or international law. Funding for the activities concerned may be provided by the ministries but this will not always be so and, where this does occur, it may be provided through the allocation of funds received from the European Union.

33. At present, there are registries operated by the Ministry of Culture, the Ministry of Foreign Affairs, the Ministry of Health, the Ministry of Interior, the Ministry of Migration and Asylum, the General Secretariat for Civil Protection, the National Centre for Social Solidarity and the Natural Environment and Climate Change Agency. Each of these ministries has its own requirements relating to documentation, deadlines and other matters to be satisfied in order to obtain registration, without which many activities which the NGOs concerned cannot otherwise pursue.

34. An attempt was made to establish a more coherent regulatory framework for this form of registration through the adoption of Law 4873/2021 by bringing together a range of other legislative provisions of relevance for NGOs, such as those concerned with funding, voluntary employment, organisational oversight and taxation.

35. In addition, it established a Directorate for Civil Society and Charitable Organisations within the Ministry of Interior, tasked with collecting and maintaining data in a new Public Database for CSOs and a Special CSO registry. However, the arrangements

provided for in the Law 4873/2021 have not superseded the registries operated by individual ministries and public agencies.

36. The operation of these different registries was not considered to be problematic in all cases, even though it is always time-consuming and the information to be provided generally relates to matters which are already on the websites of the NGOs concerned. They may even be required to prove it in outdated formats, such as on a CD-ROM.
37. A relatively “good example” of the approach cited with respect to registration was the process of obtaining it from the Ministry of Culture, which was said only to take five days. On the other hand, the Ministry of Social Cohesion and Family does not require any registration and seems able to function with a list that it has compiled and reliance on other sources available to it for the purpose of determining those NGOs with which it will work in, for example, the provision of shelters for victims of domestic violence and the introduction of rape centres.
38. However, considerable problems were instanced when it came to the registration of NGOs with the Ministry of Migration and Asylum, and the additional need for certification of those who will work with them in providing medical services, day care and psychological support to migrants following their arrival. In particular, echoing the findings of Expert Council on NGO Law with respect to the initial proposals with respect to the requirements involved,<sup>18</sup> the requirements involved were seen as not only onerous, complex, and time-consuming but also costly (especially for translation of supporting documents) and over-long (sometimes taking years).
39. The complexity and level of detail to be provided was such that it was not unusual for applications to be refused, which could necessitate the process having to be started afresh. Some recognition of the difficulties involved can be seen in official suggestions that seminars might be organised to help NGOs completing their applications but this would not be necessary if the process were more straightforward. Although there has been some hinting that the process might be simplified, the prospect of that actually occurring has undoubtedly been precluded by the high turnover of ministers, resulting in this never becoming a high priority.<sup>19</sup>
40. Difficult as the process of registration (and the need for it to be periodically renewed) is for NGOs themselves, even more problematic is the handling of the process of certification for those who actually provide their services. Obtaining this is vital as only those who have such can enter the camps where the migrants in need of their services are to be found. However, such approval is needed for all who work for the NGOs concerned, even if they only work in their offices and would never enter the camps. It

---

<sup>18</sup> See the [Opinion on the compatibility with European standards of recent and planned amendments to the Greek legislation on NGO registration](#) and the [Addendum](#) to this Opinion.

<sup>19</sup> Certainly, there was no simplification in the amendments made subsequent to the visit following the adoption of Law 5275/2026.

is not evident that this serves any useful purpose and indeed it can make it difficult for the NGOs to recruit the back-office staff that they need. This is exacerbated by the prohibition of certification for persons convicted of certain offences.<sup>20</sup> Overall, there is clearly a lack of trust in the NGOs despite them going through the registration process and the value of the services that they provide.

41. Furthermore, the process can be prolonged so that a positive decision for persons to provide medical services in the camps may come too late since many who work for the NGOs do so as volunteers on short-term leave from medical practice in their own countries. Moreover, even if timing were not of the essence, all documentation relating to foreign medical practitioners needs to be translated into Greek at not inconsiderable expense, there is not always a readiness to recognise foreign qualifications and not all countries can provide the sort of documentation required (e.g., proof of having no convictions) despite the persons clearly holding a reputable position in their country. No explanations tend to be given when applications are rejected and this inevitably fuels a sense of arbitrary decision-making, which is undoubtedly reinforced by the hostile, official rhetoric concerning NGOs discussed below.
42. The need for everyone to be approved applies even to those who might be acting as interpreters, meaning that there appear to have been instances where those seeking to provide legal services could not do so because they did not have an interpreter with the necessary approval, even though this is not needed for interpreters accompanying independent lawyers rather than those working for NGOs.
43. Even where approval has been obtained, actual authorisation to enter camps is a matter for individual commanders and the approach can vary not only between those in different camps but also on different occasions in the same one.
44. NGOs that are not registered are barred from participating in any activity relating to international protection, migration or social integration in Greece, which could cover activities involving advocacy on those issues. This is clearly incompatible with their right to freedom of expression under Article 10 of the European Convention and the freedom of NGOs “to undertake research, education and advocacy on issues of public debate, regardless of whether the position taken is in accord with government policy or requires a change in the law” recognised in Recommendation CM/Rec(2007)14<sup>21</sup>.
45. Some NGOs whose registration has been refused or not renewed have been faced with the closure of their accounts by banks. Such action has been taken by the banks as a result of them either misunderstanding the nature of such a decision or having been somehow misinformed as to its effect, even though it relates only to their

---

<sup>20</sup> See fn. 10.

<sup>21</sup> Paragraph 12.

interaction with the Ministry of Migration and Asylum can have no bearing on their continued status as a legal person.

46. Following the visit, the Greek Government published a draft law on legal migration, which was adopted as Law 5275/2026 on 5 February 2026<sup>22</sup> and subsequently commented by the Expert Council in an [opinion](#) published on 18 March. This has removed the current bar on non-registered NGOs from participating in any activity relating to international protection, migration or social integration on Greek territory but registration is still maintained as a marker of compliance with the minimum requirements for participation in such activities. In particular, non-profit organisations, voluntary organisations, and any similar organisation, Greek or international, that have not been registered in the register may not receive state or EU funding or operate in any way within the facilities of the Ministry of Migration and Asylum. In addition, registration of individual members, employees and partners of NGOs active in Greece on the NGO Members Registry continues to be expressly set a prerequisite for their performance of any activity on the Greek territory and for their engagement with public authorities.
47. Furthermore, the law not only, as previously noted,<sup>23</sup> extended the scope of criminal offences barring registration but also substantially increased the penalties for immigration offences committed by members of NGOs registered in the NGO Registry. Moreover, the ability of the Ministry to work with NGOs is restricted by the repeal of the possibility of it entering into programme contracts with them and the reduction of the percentage of an NGO's budget derived from state subsidies from 50% to 30%, excluding staff costs.
48. Thus, the assessment of the European Commission that there has been limited progress on the evaluation of the existing legal framework for the registration of NGOs<sup>24</sup> is somewhat of an understatement. However, its recommendation that registration requirements for NGOs should be simplified in view of maintaining an open framework for them to operate remains pertinent.

### *Consultation*

49. There is now a two-week window is prescribed by law for online consultation with NGOs and others interested before any adoption of legislative proposals occurs<sup>25</sup>. The observance of this was seen by the European Union in its Rule of Law assessment as a sign of further progress on stepping up the efforts to ensure the effective and timely consultation in practice of stakeholders on draft legislation. However, two weeks is a

---

<sup>22</sup> The Law was published the following day in the Official Newspaper of the Government (FEK A 17/6-2-2026).

<sup>23</sup> See fn. 10.

<sup>24</sup> See the [Annex to the 2025 Rule of Law Report](#), p. 9.

<sup>25</sup> The two-week window can be shortened to one week or extended to three weeks.

rather limited period and is unlikely to ensure the kind of meaningful process envisaged in [the Guidelines for civil participation in political decision making](#) that were adopted by the Committee of Ministers and the Code of Good Practice or seen in the practice of other countries<sup>26</sup>.

50. Nonetheless, there have been instances of a more expansive approach to engagement with civil society, most notably prior to the adoption of legislation on same-sex marriage. Furthermore, the parliamentarians met during the visit insisted that civil society can contribute to meetings of parliamentary committees, saying what they think. Yet such apparent openness to civil society was undermined by the expression of the view, without any elaboration that it was difficult to cope with the demands of those working on environmental and homelessness issues and the unsubstantiated assertion that NGOs were working against the country.
51. In any event, instances such as those involving the same-sex marriage proposals do seem to be rather limited. Indeed, the statutory requirement does not seem always to be observed and, even where it has been, NGOs have found the process to be somewhat formulaic with no effort being made to consider or take on board the suggestions of NGOs. A particular concern of the latter has been the absence of any consultation in the course of adopting legislation that has major implications for the protection of the environment and archaeological sites, notably where drilling for oil and gas is being authorised. It is not surprising, therefore, that the European Commission has seen the need for Greece to develop a regular and sustained structured dialogue with civil society organisations.<sup>27</sup>

## C. THE ENVIRONMENT IN WHICH NGOs OPERATE

52. The actual environment in which NGOs operate is as crucial as the formal legal framework governing their establishment and operation of NGOs for their ability to pursue their objectives effectively. In this regard, it is important, therefore, to consider various matters relating to the context that frames the environment for NGOs in Greece, as well as specific issues of importance to it, namely, the provision of funding and the extent to which hostility to and attacks on them go unchallenged.

### *Context*

53. The contributions made by NGOs in Greece, as in other Council of Europe member states, reflect the diverse body of activities identified in the Preamble to Recommendation CM/Rec(2007)14, namely, "acting as a vehicle for communication

---

<sup>26</sup> As to which, see International IDEA, [Public Consultations 2025 Guides on Citizen Engagement for Parliaments](#).

<sup>27</sup> See the [Annex to the 2025 Rule of Law Report](#), p. 9.

between different segments of society and public authorities, through the advocacy of changes in law and public policy, the provision of assistance to those in need, the elaboration of technical and professional standards, the monitoring of compliance with existing obligations under national and international law, and on to the provision of a means of personal fulfilment and of pursuing, promoting and defending interests shared with others”.

54. However, despite the legitimacy of all these contributions – not only recognised in the adoption of this Recommendation but also underpinned by Article 11 of the European Convention, the environment in which NGOs operate is not an entirely positive one.
55. Certainly, there seems to be a low level of public trust in them, stemming from a suggested lack of engagement by them with society as a whole and their reliance on state and European Union funding.<sup>28</sup> Yet this lack of trust also reflects apparent unawareness of the crucial role of NGOs in service provision on behalf of the government and their valuable contributions to the work of the Ombudsman and the Greek National Commission for Human Rights.
56. Although the nature of public attitudes to NGOs are perhaps unsurprising given that their activities could be perceived as marginal on account of the majority perceiving that it is not obtaining any direct benefit from them, that should not be so for politicians who ought to recognise not only the benefits of the services being provided by NGOs but also the importance in a democracy of accountability and the rule of law being secured through both informed critique of the efficacy of official policies and activities and litigation to bring them into compliance, if necessary, with national and international standards. Regrettably, the latter does not always seem to be the case.
57. Moreover, the fragmented nature of the NGO sector and the focus of those belonging to it on their individual spheres of activities means that it does not have a sufficiently strong collective voice underlining the value of those activities for Greek society as a whole. The establishment of a union of small civil society organisations is a step towards remedying this weakness.
58. It should also be noted that there were concerns on the part of some NGOs about being subjected to surveillance, a practice that also affects journalists, and that this was occurring without any of the safeguards for such an interference with the right to respect for private life under Article 8 of the European Convention.<sup>29</sup> Proving that there is such surveillance is not, of course, easy but the fact that such concerns exist is not surprising, not least given the rhetoric used by some politicians with respect to NGOs.

---

<sup>28</sup> See Bodossaki Foundation, [Action Plan for Civil Society](#), p.22.

<sup>29</sup> See, e.g., *Roman Zakharov v. Russia* [GC], no. [47143/06](#), 4 December 2015.

59. Finally, there does not seem to be a very favourable attitude to the organisation by NGOs of assemblies for the purpose of protest. Thus, restrictions on assemblies close to the tomb of the unknown soldier – which is located in front of the Parliament - make it difficult to draw the attention of parliamentarians to important issues. Elsewhere, more localised protests can be undermined by the arrest of participants, which seems solely to have that pursue as there is no subsequent prosecution. Moreover, the heavy presence of the police in the centre of Athens has an intimidatory effect of those wishing to protest in a peaceful manner.

### *Funding*

60. NGOs are not generally facing difficulties in obtaining funding where their activities do not involve the provision of services for public institutions. An exception in this regard has been those working on LGBTI and refugee issues, where the loss of funding from the United States as a result of its policy change at the beginning of 2025 has had a serious impact, with no alternative source materialising.

61. On the other hand, although funding is received by NGOs for their service provision, there can be delays in actually getting the cash – particularly that being disbursed by the government (especially the Ministry of Migration and Asylum) from funds provided by the European Union - and also making decisions about future services to be provided which can make budget planning rather precarious. For example, at the time of the visit, no announcement had been made about allocations from the European Social Fund for services relating to the provision of food, hygiene, health care and day centres for migrants despite these being supposed to commence the following month.

62. Also, NGOs in receipt of public funding will inevitably be affected by changes in policies. Most recently, such a change has meant that no funding will be provided for services or activities that have a gender focus.

63. Additionally, any loss of registration status with a ministry will necessarily lead to the automatic end of funding from it, with no opportunity for an orderly re-adjustment of affairs by the NGO concerned.

64. Finally, there is understandable concern on the part of NGOs that the unjustified attacks on them to be discussed in the following sub-section may affect the attitudes to them in the future of their other donors as these might be considered to have besmirched their reputation.

### *Hostility and attacks*

65. Politicians are increasingly calling in to question the activities of NGOs that speak out against government policies and even challenge them in legal proceedings. For example, prior to the visit, the Minister of Migration and Asylum had expressed surprise at the fact that NGOs registered on the ministry's registry had brought actions against the ministry and had represented individuals in proceedings before the European Court of Human Rights. In addition, he had stated that migration policy was shaped by the government and not by the courts or NGOs and had declared that the positions of NGOs were "utterly irrelevant" to the Ministry of Migration.<sup>30</sup>
66. The timing of these statements was particularly concerning as they followed the issuing of interim measures by the European Court to secure the right of eight asylum-seekers to remain in Greece until the examination of their suspension applications at the administrative courts is completed. In this connection, it is important to recall that the right to legal representation is fundamental to the rule of law and is safeguarded by the right to an effective remedy under Article 13 of the European Convention rights under it are at risk. Moreover, the [Guidelines on protecting NGO Work in Support of Refugees and Other Migrants](#) provide that NGOs should not be prohibited or prevented from submitting complaints or bringing proceedings under national and international procedures with respect to the rights and treatment of refugees and other migrants.<sup>31</sup>
67. The objection to the NGOs taking positions contrary to the official migration policy of the government is also inconsistent with the stipulation in Recommendation CM/Rec(2007)14 that NGOs should be free to undertake advocacy on issues of public debate, regardless of whether the position taken is in accord with government policy.<sup>32</sup>
68. Sometimes statements by NGOs about official policies are dismissed on the basis that they are playing a political role, as if that was solely the prerogative of politicians when the European Court has made it clear that characterising a position taken, an idea expressed or an outcome sought as "political" cannot be used to limit advocacy undertaken by NGOs but has also pointed to the incoherence and uncertainty that would result from labelling any goals which are in some way related to the normal functioning of a democratic society as "political" so that these could only be pursued by political parties.<sup>33</sup>
69. At, however, the language used is more strident, impugning the NGOs concerned with policies relating to migrants by suggesting that they are "enemies of the State" or

---

<sup>30</sup> See further, the [Letter to the Permanent Representative of Greece to the Council of Europe](#) of 5 September 2025.

<sup>31</sup> Paragraph 5h.

<sup>32</sup> Paragraph 12.

<sup>33</sup> *Zhechev v. Bulgaria*, no. [57045/00](#), 21 June 2007, at para. 55

“working for Türkiye” or even making broad and unsubstantiated allegations that they are involved in migrant smuggling.

70. All such comments are not only unjustified but they also contribute to diminishing further public trust in NGOs, not just those concerned with migration policy but much more generally. While the value of the work of NGOs in some sectors – notably health – might still be appreciated, the general view of NGOs is that the negative portrayal of those working on issues such as migration is adversely affecting the public’s perception of NGOs in general.
71. However, the attacks on NGOs are not limited to matters of rhetoric, despite that being sufficiently harmful in itself.
72. Thus, there are also both threats to take action against those NGOs who speak out against official policies and the institution of proceedings that disrupt their activities and the lives of those working for them with such proceedings ultimately being held to be unfounded.
73. For example, the Minister of Migration and Asylum in the statements discussed above also threatened to remove the NGOs concerned from the ministry’s register even though they had done nothing inconsistent with the criteria for registration.
74. In addition, audit proceedings have been instituted against some NGOs for alleged tax evasion, investigations have been announced in respect of others for alleged smuggling of migrants that led to no proceedings and actual proceedings for illegal use of funds and facilitating illegal entry have resulted in acquittals. This is inevitably damaging to the NGOs concerned, not least because the allegations may be widely covered by the media but the ultimate outcome attracts little or no interest and the length of the proceedings involved inevitably affects their ability to function effectively. Moreover, while the proceedings are under way, the bank accounts of the NGOs concerned may be frozen, making it impossible for them to pursue their activities for a prolonged period.
75. Furthermore, there has been a lack of protection from attacks on the advocacy and protest action of NGOs focused on corruption and harm to the environment where proceedings for defamation amounting to a strategic lawsuit against public participation were brought against them despite the adoption by the Committee of Ministers of [Recommendation CM/Rec\(2024\)2 on countering the use of strategic lawsuits against public participation \(SLAPPs\)](#). Indeed, the case of a SLAPP concerned with protests about environmental damage to a public space would appear to have been facilitated by the names of those involved in them being provided by the police to those instituting the proceedings, notwithstanding data protection requirements.

76. In addition, the online demonisation of those Greek citizens involved in associations that seek to preserve and promote the Turkish cultural traditions of persons seems to be tolerated even though it potentially amounts to hate speech.
77. It should also be noted that hostile rhetoric can also prompt physical attacks. Certainly, NGOs working on LGBTBIQ+ issues have found that some transsexuals have been so attacked following a pronouncement by the Prime Minister that there were only two sexes, something that previously did not occur.

## D. CONCLUSIONS

78. Although the legal framework for the establishment of NGOs complies in most respects with European standards, it would be appropriate to reduce the number of founders required for the establishment of associations.
79. However, this framework has been seriously tarnished by the repeated and prolonged failure to apply it in a manner consistent to those standards on account of the inclusion of the word "Turkish" in the names of associations whose registration has either been refused or removed.
80. Moreover, there are several respects in which the legal framework for the operation of NGOs is not consistent with European standards. This is so as regards the potential liability of members for an association's debts and the overbroad and indefinite restrictions on persons having committed certain offences from serving on the boards of associations.
81. Such inconsistency is even more problematic when it comes to the operation of registration arrangements for those NGOs providing services on behalf of certain ministries. Such arrangements and their implementation are often over-complex, unnecessarily duplicative in their requirements and administered with undue delay. Moreover, adverse decisions can be potentially misleading to banks and donors as to the legal status of the NGOs concerned.
82. The formal timeframe for consultation with NGOs is excessively short and it is not always respected, even though there are also instances of engagement with them that goes well beyond what is legally required.
83. There is a regrettable lack of public trust in NGOs, stemming from insufficient appreciation of the many contributions that they make, both for the well-being of the population in general but also in fulfilling many of the responsibilities which ministries are required to discharge. Rather than recognise and value these contributions, there is a tendency on the part of some of those ministries to impugn the legitimacy of activities sustaining accountability and the rule of law.

84. This is manifested not just in a hostile rhetoric but in the making of unsubstantiated accusations against NGOs working on issues that can be politically difficult and the adoption of measures that then affect their ability to function, thereby enhancing the low level of public trust in them.
85. The functioning of NGOs is also made difficult by the failure to allocate in a timely manner funding for their activities, even though its source is the European Union.
86. Moreover, many NGOs fear being subject to surveillance without observance of the necessary safeguards against the potential for misuse of the powers concerned. Moreover, the exercise of the right to freedom of peaceful assembly seems to be inhibited by excessive law enforcement measures and there is a failure to protect NGOs and those working with them against the use of SLAPPS and hate speech.
87. Overall, the environment in which civil society operates is, in many respects, far from being an enabling one despite NGOs continuing to contribute greatly to the fulfilment of important humanitarian and social objectives.

## E. RECOMMENDATIONS

88. Greece should:

- Ensure that the individual measures required by the judgments of the European Court finding violations of Article 11 are implemented by granting or restoring registration for the associations concerned without any further delay;
- Reduce the number of persons required to establish an association, eliminate the liability of the president of an association for its debts to the State and revise the bar on persons serving on the boards on NGOs so that these relate to offences relevant to this role and that its duration is not disproportionate;
- Implement all the recommendations in Recommendation CM/Rec(2024)2 of the Committee of Ministers to member States on countering the use of strategic lawsuits against public participation (SLAPPs);
- Replace individual ministerial registration arrangements by a unified register that covers both those matters that would be relevant for all ministries and, for those NGOs concerned, any additional ones needed by particular ministries and ensure that decision-making is prompt;
- Replace the need for individuals working with NGOs to be certified in advance by ministries with a requirement for NGOs to provide in advance sufficient relevant background on those who will be working with them so that any possible concerns of the ministry involved can be addressed;
- Extend the timeframe for consultation online with NGOs and other interested persons regarding legislative proposals and ensure that this is always observed;

- Take steps to promote better public understanding of the contributions made by NGOs and ensure that politicians desist from using hostile rhetoric or making unsubstantiated accusations regarding them;
- Ensure that the allocation of funding for activities to be performed by NGOs on behalf of NGOs occurs in sufficient time for them to make the necessary arrangements for the implementation of those activities;
- Eliminate undue restrictions on the exercise of the right to freedom of peaceful assembly and ensure that any surveillance of NGOs and those working with them is consistent with the requirements of Article 8 of the European Convention.

89. NGOs should do more to ensure that there is greater public understanding of the value and significance of their activities, whether doing so individually or collectively.

## Appendix: programme of the Visit

### Monday 11 November

- Meeting with Hellenic League of Human Rights (partner organisation)
- Meeting with the European Commission Delegation in Greece

### Tuesday 12 November

- Round table with organisations active in the areas of media and journalism, digital change, civic action and democracy (3 organisations)
- Round table with organisations active in the area of access to health and medical care, migrants and refugees, environment/climate change (5 organisations)
- Meeting with Members of the Greek delegation to the Parliamentary Assembly of the Council of Europe
- Meeting at the Ministry of Foreign Affairs
- Informal meeting with representatives of the authors of the [Action Plan for Civil Society in Greece](#), and further organisations dealing with migrant and refugee women, and refugee support.

### Wednesday 13 November

- Round table with organisations active in the area of migrants, refugees, vulnerable groups of the population (8 organisations)
- Round table with organisations active in the area of gender equality, women's rights, youth and persons with health conditions (4 organisations)
- Office of the Greek Ombudsman
- Greek National Commission for Human Rights

### Thursday 14 November

- Meeting at the Ministry of Social Cohesion and Family/General Secretariat for Equality and Human Rights

### Friday 15 November - transfer to Komotini

- Meeting with organisations representing minorities (three organisations)