

EXECUTIVE SUMMARY

This report demonstrates how current legislation on NGO registration in Greece will hinder civil society organisations' ability to provide services and monitor the treatment of refugees and displaced people. These organisations provide critical humanitarian support and have been instrumental in responding to, and exposing, the conditions faced by refugees and displaced people. Drawing on survey results from 70 of these civil society organisations, this report calls for legislation to be brought in line with European and international standards.

Criticised by leading bodies including the Expert Council on NGO Law of the Council of Europe, this legislation falls short of international, regional and EU freedom of association standards. How a State legislates the freedom of association - the fundamental human right to independently and without undue restriction form and operate an organisation - reveals the true state of its democracy.

In just over a year, legislation and requirements for registration have dramatically expanded in scope four times. The one common factor has been that registration is now obligatory in Greece for all organisations involved with migration. Survey responses indicate that these constant changes in legislation and registration procedures have led to widespread confusion, misunderstanding and legal uncertainty.

Legislation and changes in the format of reception in Greece will severely reduce the access of civil society to places where refugees and displaced people are located. This reduced access will have a negative impact on the services available as civil society provides everything from food to legal support to healthcare.

Of the 70 organisations surveyed, 20 noted that due to registration legislation they had already lost access to reception facilities or were faced with increasing difficulties with access. A further 40 anticipated problems with their ability to provide essential services, and 75 percent of the organisations foresaw problems with the ability of civil society to bear witness to the conditions facing refugees and displaced people.

Whilst it is reasonable for a State to maintain a register of organisations, the vast majority of the organisations believe that the registration process is just too complicated, with 45 percent believing that it is unlikely that their respective organisations could comply with all requirements. In general, the organisations are extremely concerned about the financial impact of the registration process; the need to prove efficiency and financial stability; restrictions placed on organisation's internal management; and the requirement to provide sensitive data for all members of the organisation.

For quite some time, experts have voiced concerns about the shrinking space for civil society worldwide. This registration adds to a rise in restrictions placed on civil society within Council of Europe member states, including mounting criminalisation, intimidation and restrictive laws.

The current Joint Ministerial Decision 10616/2020 which regulates the registration procedure must be revoked and other related legislation needs to be brought in line with European and international standards on the freedom of association. On a European and international level, there should be a push for comprehensive monitoring and analysis of legislation related to registration in Greece. This report confirms there are widespread concerns among organisations in Greece that the walls are closing in on civil society, but there is hope that it is not too late to turn back the clock.

