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The Criminalisation of Human Rights Defenders in Greece

Implications, Consequences and Strategies of Resistance

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Abstract

This thesis explores the criminalisation of human rights defenders in Greece, taking a particular look at the role of the European Union, the resulting consequences and the tactics employed by these individuals advocating for the promotion and protection of people-on-the-move.

The research commences by laying out a comprehensive overview of the legal and political framework regarding human rights defenders in Greece, analysing relevant international and European policies and legislation and its alignment with the criminalisation of these individuals. Furthermore, this study delves into the concept of civil society and civic space in an attempt to provide a grasp of the linkage between these theories and the progressively challenging situation these people find themselves in.

This thesis uses semi-structured interviews with a small number of human rights defenders to provide a nuanced understanding of the implications of criminalisation methods. It examines the impact on human rights defenders' ability to carry out their activities in the face of legal persecution, harassment and intimidation tactics. Additionally, the tactics employed by human rights defenders will be highlighted to outline the obstacles presented by criminalisation and the ever-shrinking civic space in Greece.

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INTRODUCTION

In the last fifteen years, Greece has been a principal entry point for people-on-the-move arriving in Europe (Agelopoulos et al. 2018). “Two overlapping humanitarian crises” (Cabot 2018: p.3): financial crash caused by the debt crisis and the so-called refugee “crisis”, have resulted in immense pressure being put on the country's resources, infrastructure and igniting an increasingly hostile climate towards people-on-the-move and those who support them. In addition, European and Greek legislation on migration and human rights defenders, arguably, have played a role in shrinking civic space and shaping the overall discourse surrounding people-on-the-move and those who support them. Subsequently, human rights defenders working in the migration field have been victims to an increasingly challenging environment, obstructing their ability to operate and subject to harassment, the misemployment of criminal law, smear campaigns and threats and attacks (Lawlor 2023).

By investigating the consequences of criminalisation on human rights defenders in Greece, this thesis focuses on understanding the roles played by the Greek state and the European Union. By analysing the intricate dynamics involved, this study will highlight the diverse and unfavourable consequences experienced by those who advocate for the rights of people-on-the-move. This research will also delve into practices employed by human rights defenders to combat this phenomenon, highlighting fundamental techniques that contribute to their resilience and ability to defend against legal persecution.

This thesis will provide further input on the existing body of knowledge on the criminalisation of human rights defenders in Greece by highlighting the intertwining nature between civil society and civic space. Combining these two notions aims to underline the complex dynamics human rights defenders face in this ever-changing climate. Furthermore, this thesis includes the crucial first-hand experiences of human rights defenders operating in Greece over the last seven years, thus adding depth and originality to the diverse understanding of the realities, tactics, and challenges faced by human rights defenders. Through the analysis of European and Greek legislation, the notions of civil society and civic space and the on-the-ground experiences, this research seeks to contribute to a more profound understanding of the criminalisation of human rights defenders in Greece and ultimately opens the door to further research on the area.

Research Objectives

I aim to address the ever-shrinking civic space that human rights defenders face in Greece. To do this, I will analyse the role of the Greek State and the supranational function of the EU and how this impacts human rights defenders in Greece. Within this, I will explore the tactics used by human rights defenders and NGOs in combating this changing trend.

List of research objectives:

1. How has the criminalisation of human rights defenders changed in Greece?
2. How has criminalisation personally affected human rights defenders on the ground in Greece?
3. What tactics are used by human rights defenders as a form of resistance?

Chapter Overview

The following chapter will discuss the literature that shapes this thesis's research body by focussing on the legislation and policies concerning human rights defenders within the international framework and the European Union. The chapter then outlines the Greek context, highlighting the impact of migration, economic struggles and legislation regarding human rights defenders and NGOs active in Greece.

Moreover, in chapter 2, the ideas of intellectual political philosophers- Locke, Hobbes, Tocqueville and Gramsci, on the interconnection between civil society and the state will be explored. This, hopefully, will provide a context to better understand and situate the ongoing criminalisation process of human rights defenders by the Greek state.

Chapter 3 explains the methodological approach to my research, detailing the method of semi-structured interviews and reflecting on the choice and implementation of the data collection. In addition, ethical issues, limitations and data analysis techniques are discussed to provide a comprehensive outlook on the complexity of the methodology process.

In Chapter 4, I analyse different aspects of my findings, mixing primary data with a critical literature discussion. Each section corresponds to a theme uncovered through the interviews, exploring the reasoning behind the legislative restriction, the changing environment for human rights defenders, their responses and the consequences of a tightened civic space for

human rights defenders. Throughout my discussion, I will return to civil society and civic space as a compelling analogy to understand the criminalisation of human rights defenders more comprehensively.

Finally, I will discuss the need for further research into people-on-the-move as human rights defenders, highlighting the specific challenges they encounter while promoting the protection of human rights.

DEFINITIONS

Human Rights Defenders

Defining human rights defenders can be difficult due to the large range of elements it must consider. According to the United Nations Declaration of Human Rights Defenders, human rights defenders are “people who, individually or with others, act to promote or protect human rights in a peaceful manner” (United Nations n.d).

The term encompasses a wide range of actors such as activists, lawyers, community leaders and individuals who contribute to human rights protection (Bennet et al. 2018). However, arguments have arisen regarding which human rights defenders deserve protection and assistance and which do not. Nah et al. (2013) confirm this statement, adding that:

“some place more emphasis on the specific actions of a person needing protection, while others only consider as a HRD those who demonstrate greater ‘professionalism’. Such considerations are part of deciding whether or not protection mechanisms and resources designated for HRDs apply to specific actors” (2013: Nah et al.: p.402)

In addition, tensions may rise from opposing actors owning the same label of a human rights defender, leading to confusion over who has the right to obtain this definition.

“Law enforcement agents, for example, can be considered HRDs by virtue of some of their actions. However, this can be disconcerting for human rights activists in the same socio-political milieu, who may also experience them as perpetrators of human rights abuses.” (Nah et al. 2013: p.403)

Bennet et al. (2018) assert that human rights defenders are “those engaged in rights-related work are threatened or put at risk for what they do – it is a way of legitimising, bringing visibility to and reiterating their right to do this type of work.” (Bennet 2018: p.888)

For this thesis, the term human rights defenders will be employed to highlight the individuals who are actively participating in the defending the rights of people-on-the-move. Using this term aims to acknowledge their role in advocating for human rights and underlining the risks they face to do so.

People-on-the-move

The terms “refugee” and “migrant” are commonly heard from State officials, in the media and in humanitarian bubbles. However, originally, they have distinct meanings. Scholars have argued that there needs to be a shift beyond the use of these terms due to the difficulty in distinguishing between them (Crawley & Skleparis 2017).

A refugee as defined by the 1951 Refugee Convention is “someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion” (United Nations nd). However, this term has different social-political understandings, depending on the State where it is employed. Crawley and Skleparis (2017) argue that “the seemingly neutral and objective category of ‘refugee’ is in fact being constantly formed, transformed and reformed in response to shift in political allegiances or interests on the part of refugee-receiving countries and the evolution of policy and law” (Crawley & Skleparis 2017 p. 51). In addition the grounds for which persecution is defined “remains very much a question of degree and proportion” depending on national interpretations”. Therefore, the term risks being discriminatory and exclusionary.

According to the International Organisation for Migration (IOM) a migrant is “a person who moves away from his or her usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons” (IOM 2022). Although they stress the fact that there is no universally accepted definition for migrant, they

add that “a number of well-defined legal categories of people such as migrant workers; persons whose particular types of movements are legally-defined, such as smuggled migrants; as well as those whose status or means of movement are not specifically defined under international law” (IOM 2022). Migrants, under international law, do not hold the same rights as refugees. Only the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Migrant Workers Convention) and the International Labour Organisation (ILO) protect migrants and their families. Therefore, “unless a migrant falls under the scope of these legal regimes as a labour migrant, there is no international legal instrument which defines their rights more generally” (Pijkenburg and Rijken 2020 p.267)

BVMN define the term people-on-the-move as “those who, for a variety of reasons, have left their country of origin due to, among others reasons, climate change, economic and social inequalities, political conflicts, terrorism, colonial legacies and organised crime. In addition, the term specifically includes those who are in the process of moving and are still in transit, or those who are stranded” (BVMN Rule p.2)

This thesis, following in the same vein as Pijkenburg & Rijken (2020), will use the term people-on-the-move (POM) as it can be seen as an “overarching category including a wider range of human mobility for whom there needs to be a basic standard of protection” (Pijkenburg & Rijken 2020 p.273)

Criminalisation

In this context, criminalisation can be directed at an organisation or the volunteers working for them. It refers to the process by which those who advocate for and defend the human rights of individuals are harassed, targeted and persecuted. It is essential to acknowledge that two forms of criminalisation of human rights defenders exist.

Formal criminalisation occurs through legal procedures. BVMN states that this form manifests “through judicial accusations, court trials, and administrative and criminal charges” (BVMN 2022a: p.10). Laws are often manipulated, applied or created, thus hindering the work of human rights defenders and subjecting them to legal sanctions.

Informal criminalisation is the other, often more subtle form. BVMN defines it as expressing “itself through acts of repression, threats, surveillance, intimidation, interrogation, and the disturbance of services that provide humanitarian assistance to people-on-the-move, amongst others” explaining that the motive stemming from the European, national and local authorities is the narrative that civil society organisations are “a pull-factor or facilitator of irregular migration” (BVMN 2022a: p.12).

Another term to signify similar processes is the ‘criminalisation of solidarity’ which Vallies (2021) defines as “a process that encompasses several trends and strategies used by the authorities that seek to obstruct the work of those defending the right to migrate, going beyond the criminal prosecution of defenders.” (Vallies 2021: p.11). For consistency, the term criminalisation of human rights defenders will be employed throughout this thesis.

CHAPTER 1: LEGISLATION, POLICIES & PRACTICES

Introduction

The criminalising of human rights defenders is a troubling phenomenon within the scope of human rights protection. Despite human rights acting as fundamental principles in creating equal and fair societies, laws and policies have been implemented causing great harm to individuals engaged in defending these very rights. Human rights defenders often find themselves subject to legal sanctions and persecution from governments and local authorities as their actions may be perceived as a threat.

The adoption of European immigration laws, practices and policies has led to the degeneration of migrants’ rights through an increase in detention centres, deportation, increased border violence and the non-existence of safe passages (Dadusc & Mudu 2020). However, instead of persecuting those who are responsible for these measures, paradoxically, it is those who choose to help “by acting in solidarity with migrants, often refusing to obey unjust laws” (Dadusc & Mudu 2020: p.2) who are criminalised either through administrative and legal methods or by what Carrera et al. (2018) describe as ‘policing the mobility society’

(Carrera et. al 2018). This describes informal methods of criminalisation, which include intimidation, harassment, and scrutinising.

Over the past number of years, the discourse concerning migration has shifted, leading to a change in the ways policies and laws are created and in the practices on the ground. Migration may have been regarded as a human rights issue in the past, but it has increasingly become a securitisation issue. This switch has created “an overlap between criminal law, migration management and the fortification of the EU’s external borders” (Beck *et al.* 2023). Although criminalisation, above all, attacks people-on-the-move in the most robust way. This chapter examines the legislation and policies enacted with the international community and the European Union concerning human rights defenders as well as the effects they have on their activities.

International Framework

When discussing legislation concerning human rights defenders in Greece, it is essential to mention the existing international framework which attempts to act as a shared universal human rights standard to which the Member States (MS) involved must abide. The international framework affecting human rights defenders plays a vital role in upholding their rights and enabling their essential work. This section examines the principal mechanisms and instruments that mold the and support the protection of human rights defenders on an international scale.

The most important documents within this framework are the Universal Declaration of Human Rights¹, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights³. These three documents together form the International Bill of Human Rights. It is also crucial to note that Covenants and Treaties are legally binding; thus MS who have ratified these are legally obligated to abide by the elements within them. Therefore, MS must coincide their domestic legislation

¹<https://www.un.org/en/about-us/universal-declaration-of-human-rights>

²<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

³<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

with those laid out in the international framework and thus is accountable under international law.

Equally, it is essential to point out the existence of non-legally binding instruments within the international framework. These contain guidelines or principles regarding a particular area, for instance, the Declaration on Human Rights Defenders⁴, which sets out to protect those fighting human rights violations across the globe. As such, there is no legal obligation to follow these instruments; however, “they contribute to the dynamic development of international legal norms and reflect the commitment of States to move in certain directions, abiding by certain principles”.

Within the international framework, the UN Protocol Against the Smuggling of Migrants by Land, Sea and Air⁵ is significant in the context of the criminalisation of human rights defenders. Created in 2000 and later adopted in 2004, this instrument focuses on the criminalisation of migrant smuggling and promotes international cooperation to prevent and combat this crime. In contrast to the EU’s Facilitators Package, which I will discuss later, this Protocol states that for a person to be criminalised for smuggling, it must be “committed intentionally and for the purpose of obtaining directly or indirectly, a financial or other benefit” (Vallies, V. 2021 p.64).

European Framework

In the world of human rights, Europe plays a key role in the protection of human rights defenders. The European framework, which includes the Council of Europe and the European Union, set the foreground with which MS rely on for the implementation of mechanisms defending human rights. This section will explore a nuanced inquiry into the European framework’s influence on human rights defenders by utilising relevant literature and NGOs reports, taking a particular look at the EU’s Facilitators Package and acknowledging its potential shortcomings and limitations.

⁴ <https://www.ohchr.org/en/civic-space/declaration-human-rights-defenders>

⁵ https://www.unodc.org/documents/middleeastandnorthafrica/smuggling-migrants/SoM_Protocol_English.pdf

Council of Europe

The Council of Europe (CoE) is an international organisation consisting of 46 European countries promoting the rule of law, democracy and human rights. This organisation is an actor in defending the rights of human rights defenders and, through its mechanisms, can be an effective tool in combating criminal action taken against human rights defenders (Council of Europe 2014).

The most important document of the CoE regarding human rights is the European Convention on Human Rights (ECHR). This is a “treaty that obliges Member States of the Council of Europe that have signed and ratified it to secure the rights enshrined in it to everyone within their jurisdiction” (Beck *et al.* 2023). Greece signed this treaty in 1950 and then ratified it in 1974.

The primary mechanism within the CoE concerning human rights defenders is the European Court of Human Rights⁶ (ECtHR). This court “monitors the respect for human rights in the Council of Europe Member States that have ratified the ECHR” (Beck *et al.* 2023 p.49). In addition, each decision made by the ECtHR is legally binding, meaning that the MS has a legal obligation to enforce its ruling. This, in turn, allows human rights defenders to utilise this mechanism when they feel their rights have been violated, according to the ECHR. However, it must be noted that accessing this court is a long process, as one needs to exhaust all local remedies before submitting an application

European Union

There are two main streams regarding human rights policy within the European Union framework. One involves the protection of human rights amongst the citizens of the EU member states, and the other promotes the protection of human rights around the world (European Union). The main document setting out the fundamental rights and freedoms of the individuals of the member states is the European Charter of Fundamental Rights. This legally binding document reinforces the protection of human rights within the EU and serves as a framework for upholding fundamental rights in the European legal system.

As for legislation concerning the criminalisation of human rights defenders, in 2002, The Facilitators Package was adopted. This package comprises two different EU legislations

⁶ <https://www.echr.coe.int/>

(Council Directive 2002/90/EC⁷ and Framework Decision 2002/946/JHA⁸), which together form “the EU’s legal position on the smuggling of migrants” (Beck *et al.* 2023 p.63). In the Council Directive, the illegal facilitation of entry is defined as “any person who intentionally assists a person who is not a national of a Member State to enter, or transit across, the territory of a Member State in breach of the laws of the State concerned on entry or transit of aliens” (Council Directive 2002/90/EC 2002).

Carrera *et al.* (2018) have outlined the main concerns regarding these legislations stating that it permits the criminalisation of human rights defenders and civil society organisations along with people-on-the-move and their families. He describes the two main elements of the Facilitators Package that contribute to this: the lack of financial or material gain needed for criminalisation and the lack of a compulsory exemption of humanitarian assistance (Carrera, S. *et al.* 2018).

Carrera *et al.* (2018) argue that the Directive 2002/90/EC and its positioning on financial or material gain allow member states a “wide scope for criminalisation” (Carrera, S. *et al.* 2018) due to it not being “a requirement for the offence of facilitating illegal entry or transit” (Beck *et al.* 2023 p.30) into an EU state. This is in direct contrast to the UN Protocol against Migrant Smuggling, which I mentioned previously, where “offence is characterised by its for-profit element” (Carrera, S. *et al.* 2018: p.29).

Humanitarian exemption is intended to protect citizens and volunteers who are offering assistance to people-on-the-move in the EU. The Council Directive of the Facilitators Package does explicitly refer to “exempting humanitarian assistance” (Council Directive 2002/90/EC’ 2002), however, Carrera *et al.* (2018) note that this is not mandatory, meaning that MS are left to decide whether they want to exempt such people (Carrera, S. *et al.* 2018). This has resulted in “only seven Member States specifically includ(ing) in national law an exemption from punishment for facilitation of unauthorised entry and/or transit intended to provide at least some form of humanitarian assistance (BE,EL,ES,FI,It,MT,UK)” (European Commission REFIT Evaluation op. cit. 2017: p.31)

⁷ <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32002L0090>

⁸ <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32002F0946>

EU policymakers have justified the granting of resources and development of policies by describing smuggling as an increasingly violent crime (Allsopp et al. 2020). However, these methods have been proven ineffective as empirical research has shown that this has “resulted in more trafficking in human beings” (Allsopp, et al. 2020).

The Border Violence Monitoring Network (BVMN) has also criticised these legislations due to their ambiguous and lenient nature. They argue that due to the factors outlined by Carrera et al. above, there is a strong possibility for “harsh anti-smuggling legislation” (Beck *et al.* 2023: p.63) within EU member states. Moreover, they add that depending on the political climate in the MS at the time, human rights defenders can be treated differently, for example, a government with strong anti-migration views will be able to capitalise on the extensive margin of appreciation to implement it in their favour (Beck *et al.* 2023).

The European framework carries a strong influence over the ability for human rights defenders to carry out their work in a safe manner. While the EU facilitators package has an aim to crack down on the ‘illegal smuggling of migrants’, it is clear that the end result has been negative for people-on-the-move and human rights defenders and effectively fallen short in their aim of reducing human trafficking. Moreover, the broad scope allowed for MS has ultimately led to the criminalisation of actions performed by human rights defenders. These results highlight the need for refining and reassessing the EU facilitators package to align with the ensure the safety of people-on-the-move and human rights defenders.

Greek Context

Greece has been confronted with a difficult and challenging context due to economic crisis and the so-called refugee “crisis”. The economic turmoil which followed the worldwide financial crisis had profound consequences on the country resulting in a hard recession and substantial debt. Concurrently, Greece experienced a challenging period when it found itself forced to manage and support the arrival of many individuals arriving at its shores. This section will examine the consequences these two crises had on Greece, highlighting their implications on people-on-the-move and human rights defenders.

The so-called refugee “crisis” of 2015 saw the arrival of 1.25 million people-on-the-move to Europe, with Greece being the most affected. The scale of the crisis led to concerns about “its political, economic, and societal implications” (Greussing, E. and Boomgaarden, H.G. 2017: p.1749), creating fears over its strain on public resources, immigration policies and national sovereignty, amongst others. The crisis also heightened xenophobic and racist attitudes within society as groups capitalised on the situation by spreading “anti-immigration, anti-islam and anti-Europe rhetoric” (Stockemer, D. et al. 2019: p.2). On a European level, fighting against migrant smuggling became a key objective for the European Security Agenda and the European Agenda on Migration. As a result, in order to decrease ‘irregular immigration’ “anti smuggling measures were (...) artificially framed as migration management tools” (Carrera, S. *et al.* 2018).

It is also vital to mention Greece's immense struggle after the 2008 financial crisis. As the economy crashed worldwide, Greece was particularly affected by unemployment tripling, and the gross domestic product decreased by 25% (Anagnostopoulos et al. 2017). This evidently had repercussions on Greek society as they battled with this “socio-economic and cultural crisis” (Anagnostopoulos 2017: p.2). Equally, it should be acknowledged that Greece has been the principal entrance to Europe for people-on-the-move for many years. Anagnostopoulos *et al.* (2017) stated that since 2008 “Greece is the main host country for African and Asian refugee population” (Anagnostopoulos *et al.* 2017: p.3), and as I have previously mentioned, Greece saw the majority of the over 1 million people arriving to Europe in 2015 (Greussing & Boomgaarden 2017). As a result, Greece is one of the most economically challenged countries in the EU and therefore is more likely to feel forced to compromise on human rights principles to meet the requirements necessary for people-on-the-move. Furthermore, the issue of Greece being an EU frontier country in the people-on-the-move context and the poor management of this by the European Union results in an uneven distribution of responsibilities and pressure on each country.

As International organisations, the European Union and member states continue to struggle in the management of this crisis, the elements mentioned above have not ceased to exist. In turn, it could be argued that this has laid the foundation for policies and laws that were to come in Greece, affecting the work of human rights defenders on the ground.

Greece has put in place laws and policies which affect human rights defenders. As previously mentioned, Greece recognises and protects the rights of human rights defenders through

international human rights instruments. However, there have been criticism and concerns over specific laws and practices on a domestic level in Greece which I will now highlight in the next section.

Legislation Affecting NGOS and Human Rights Defenders in Greece

In Greece, over the last few years, Greece has experienced a range of complex interplay between policies and legislation and NGOs and human rights defenders. This chapter will delve into the legal framework concerning the latter, illustrating the deep impact these laws have held over the work of NGOs and human rights defenders. By shedding light on the legislation concerning these groups, this section will highlight the key legal developments linked to the shrinking of civic space in Greece and the implication for NGOs and human rights defenders and their efforts to promote social justice, protect human rights and advocate for change in Greece. First, this chapter will focus on registration laws for NGOs which have significantly impacted their ability to operate followed by legislation addressing the spread of fake news intended to disseminate false information. Last, legislation regarding humanitarian exceptions will be illustrated, highlighting the nature in which this is treated.

Registration of NGOs in Greece

The registration of NGOs operating in Greece has been a topic concerning the national government for many years. There have been important changes in the operations of NGOs working in Greece since the so-called refugee “crisis” of 2015. According to the Greek ministries, the laws were put in place as an attempt to facilitate fighting against “anti-money laundering” (Lawlor 2023: p.8) supposedly being done by CSOs in Greece. One year following the crisis, in 2016, the adoption of a Joint Ministerial Decision (JMD) created an NGO registry. However, this JMD did not contain overly extensive requirements for NGOs at the time. (ECRE & ELENA 2021).

Joint Ministerial Decision

Two years later, in April 2020, a second JMD was established in accordance with the new Law 4662/2020. This law seemed exceptionally crafted to create onerous requirements on

NGO's operating in Greece. The new law required NGO's to register on an NGO registry which has significantly impacted the operations of the NGO's, especially those working in the field of asylum and migration. NGOs felt that their freedom of association was being violated as this law "makes provision for an NGO registry which contains information not only about the organisation itself but also on its members, employees and associates" (Civicus Monitor 2020).

In addition, Greek authorities were provided with a "seemingly unlimited margin of appreciation" (ECRE & ELENA 2021: p.1) when it came to rejecting the applications of the NGOs. They based these decisions by performing "an assessment of its activities, or the registration of an individual applicant following an assessment of their activities and personality" (ECRE & ELENA: p.2). As a result, many NGOs were denied registration on the grounds that it seemed unfair to them. Lastly, authorities had the power to remove NGOs or natural persons from the registry. They could do this on rather vague grounds, such as illegal acts or where the implementation of the NGOs activities was deemed as poor.

Overall, it can be argued that this new law aims at giving the government more say in the daily operations of the organisation and more of an insight into what type of work CSOs are performing. The Council of Europe's 'The Expert Council on NGO Law' raised concerns their, considering the new law to contain "both procedural and substantive difficulties with respect to freedom of association and the protection of civil society space" (Lawlor, M. 2023: p. 8).

In September 2020, a third JMD was issued, which was very similar to the second; however, there were several modifications and additions. These measures again tightened the requirements imposed on NGOs and the individuals working in them. With regards to additions, the new JMD now demanded detailed audit reports which needed to be provided upon registration and also had to be performed by state-licensed accountants (ECRE & ELENA 2021). The authorities also modified time limits with deadlines for providing missing documents (in the registration process) reduced from 10 to 15 days. An extension was also made for the authorities' decision on the application from 30 to 60 days.

Compulsory NGO Registration

The second JMD had made it obligatory for NGOs to be registered in order to operate in facilities overseen by national migration legislation, such as regional asylum offices and reception facilities. The new JMD made registration compulsory for NGOs to operate anywhere in Greek territory. The laws read that unregistered NGOs

“cannot participate in the materialisation of activities of international protection, migration and social integration within the Greek territory and particularly in the provision of legal, psychosocial and medical services of Article 47 para. 5, in the provision of material reception conditions of Article 55 para 1 and in the provision of information and updates of Articles 66 and 69 of Law 4636/2019 (A’ 169)” (Amnesty International 2020: p.1).

Search and Rescue

In 2021, further restrictions were applied to those working on search and rescue operations. With the introduction of Law No. 4825/2021. NGOs operating in the Aegean Sea were met with burdensome bureaucracy in the form of registration and a loss of autonomy. Now, search and rescue operations were obliged to gain authorisation from the Hellenic Coast Guard before executing a mission; they must “operate under the orders and instructions of port authorities” (Lawlor M 2023: p.8) and failure to abide by these rules can result in “significant fines and imprisonment” (Lawlor 2023: p.8). Therefore civilian search and rescue, to the detriment of the people crossing the sea, is now de facto prohibited.

Spread of Fake News

The definition of spreading “false information” was expanded by the Greek Parliament in November 2021. The amendment to article 191 of the Civil Code states that it is now a criminal offence to “spread news that is capable of causing concern or fear to the public or undermining public confidence in the national economy, the country’s defense capacity or public health“ (Human Rights Watch 2021). In addition, the consequences for these actions have also gotten stricter, with people facing up to 5 years in prison if convicted. Moreover, there are concerns over the vague nature of the amendment, such as from Special Rapporteur for human rights defenders Mary Lawlor who stated that “as “false information” is not defined in the law, its interpretation could be left to the police or the prosecution services” (Lawlor 2023: p.7). Therefore, the fear is that this amendment may be used to attack opposition parties, the media, civil society and journalists. Finally, Human Rights Watch has

claimed that this legislation “falls short” of Greece’s legal obligation to follow the right to free expression under Article 11 of the EU Charter of Fundamental Rights and Article 10 of the ECHR (Human Rights Watch 2021).

Law No. 4251/2014-

Human rights defenders working in the field of asylum and migration and journalists have been increasingly facing criminal charges for their work in this area. Law No.4251/2014 on migration and social integration provides a humanitarian exception protecting human rights defenders from these charges; however, evidence has shown that this is “rarely implemented” (Lawlor 2023 p.12). Human rights defenders are, therefore, sometimes seen as people smugglers or human traffickers before the law. Mary Lawlor, the United Nations Special Rapporteur for human rights defenders, made the recommendation to align Law No.4251/2014 with the international framework, in particular with the Protocol against Smuggling of Migrants by Land, Sea and Air.

Practical Implications

The criminalisation of human rights defenders has become an alarming trend across Europe and in Greece, threatening their work and safety. This section aims at highlighting the practical implications of human rights defenders and the extensive consequences it poses for them and the broader human rights movement. By navigating through the various dimensions of this phenomenon, this section attempts to shed a light on the reality of the situation by providing examples of this threatening trend. In this section, the fear and violence experienced by human rights defenders as a result of criminalisation will be examined, outlining the profound impact on their personal well-being and safety. The following section will focus on the increasing challenges faced by human rights defenders to keep their organisations afloat amid harsh legislation. Additionally, the growing trend of movement of human rights defenders being confronted with legal action and criminal charges will be illustrated and lastly, this section will address the tactics of smear campaigns and heightened scrutiny that human rights defenders endure.

Fear & Violence

Over the past number of years, human rights defenders in Greece have felt an increasingly higher level of fear when advocating for the promotion and protection of human rights concerning people-on-the-move. In a United Nations report on Greece, Mary Lawlor, the Special Rapporteur for human rights defenders, alludes to the cause of this emanating from “the criminalisation of migration itself” (Lawlor 2023: p.11) along with the work done by human rights defenders to defend the rights of people-on-the-move. This fear has proven to be justified, as there has also been a rise in violence and hostility against human rights defenders. This phenomenon can be linked, among other factors, to the rise of the far-right in Greece and many countries around Europe. To give an example, in September 2020, Mare Liberum, an NGO which ran two ships monitoring the Aegean Sea, a significant point of crossing for people-on-the-move, was subject to severe police intimidation and vigilante attacks when “their ship was illegally searched and their devices were confiscated by HCG (Hellenic Coast Guard), without being informed of the search’s legal grounds, nor rights” (Beck *et al.* 2023 p.35). This violence has also touched journalists working in the field of human rights, with increasing numbers facing criminal charges and also being attacked with surveillance equipment such as “software equivalent to Pegasus (Predator)” as well as “monitored by the national intelligence (EYP)” (European Commission 2022)

Operations

In addition, civil society organisations have found it progressively difficult to operate due to the strict registration laws implemented in Greece. Mary Lawlor states that CSOs who have cited “helping undocumented migrants” (Lawlor, M. 2023: p.12) have received rejections, further showcasing the stigma facing these groups. Furthermore, due to the strict and vague rules regarding registration, many CSOs either fail to register or do not attempt to do so. This leads to CSO’s having restricted access to the people they are working with, making it impossible to enter camps, borders or detention centres (Lawlor 2023).

The heightened bureaucratic obligations and increased repression for those working in the field of migration have influenced the ability and the way in which CSOs operate. As a result of this, some CSOs have either been forced to “cut back their operations” or decrease “visibility” (Lawlor 2023: p.14). In a very recent case in May 2023, Mare Liberum, who had already reduced their operations amid continuous harassment by the Greek and other European authorities, decided to cease operations, stating that “we have decided with a heavy

heart to withdraw from Lesvos, end our human rights monitoring as Mare Liberum, and dissolve the association..” (Mare Liberum 2023).

Criminal Charges

This section will now discuss the criminal charges that human rights defenders are facing in Greece. Human rights defenders are often subject to judicial proceedings on charges containing limited justifications. Several rights violations, such as unlawful detention and the absence of the right to a fair trial, are being implemented “as a way to interfere with their ability to defend and promote human rights” (Amnesty International, 2017 p.11). These legal actions are used not only to press charges but also to tarnish the reputation of human rights defenders and apply pressure to their work (Amnesty International, 2017). The work of human rights defenders is increasingly represented as facilitating the trafficking or smuggling of humans. Arguably, this is influenced by the EU’s Facilitator’s Package, previously mentioned in my thesis, which states that a financial or material gain is not necessary in order for smuggling or trafficking to occur. To illustrate this, I will look at an example from 2020 when the Greek police presented a press release stating that 33 human rights defenders and four international NGOs were under police investigation for being a potential “organised circuit to facilitate the illegal entry of aliens in Greek territory” (Beck *et al.* 2023: p.35). Information regarding the accusations of the investigation, such as “espionage, violating state secrets, creating and participating in criminal organisations and violating migration law” (Beck *et al.* 2023: p.16) were leaked to the Greek media in an attempt to sway the public’s opinion of these workers and to apply pressure. The people under investigation were not notified by the authorities but rather by the journalists to whom the information was leaked. Moreover, the defendants never faced trial nor indictment therefore illustrating the government’s “continuous harassment in form of legal action” and desire to create “negative media coverage and defamation” (Beck *et al.* 2023: p.81).

Smear Campaigns

Smear campaigns are a tactic used by the Greek government in an attempt to hinder the work of human rights defenders as well as silencing those who speak out against them. BVMN stated that in the last year, NGOs reporting on Human Rights violations of people-on-the-move had been systematically accused of spreading fake news (Beck *et al.*

2023). One such allegation came from Migration Minister Notis Mitarakis in March 2021 when he suggested that “people smugglers are feeding the media “fake news” on illegal pushbacks” (Nielsen, N. 2021). Recently, in May 2022, the human rights defenders Isasonas Apostolopoulos was branded a “traitor” (Lawlor 2023: p.7) by an official from the Greek Government after he expressed his concerns to the European Parliament during a hearing about the Hellenic Coastguard. The Greek media, hearing these comments, published stories about this affair, leading to “stigmatising comments targeting Apostolopoulos, including death threats” (Lawlor 2023: p.14).

Scrutiny

Furthermore, CSOs in Greece have raised their concerns related to the new registration laws being imposed on them with regards to scrutiny. They fear that the autonomy of their organisations is threatened as CSOs are now obliged to disclose information concerning “the implementation of the organisation’s actions” (Amnesty International 2020: p.9) and the “number and specialisations of paid staff and volunteer personnel” (Amnesty International 2020: p.9). The government portrays these rules as a way to evaluate the suitability of the CSO, whereas the fear is, in reality, that they “allow the authorities to scrutinise the internal management, organisation and other private affairs of an NGO” (Amnesty International 2020:p.9). This illustrates another example of how CSOs in Greece fear that the space for civil society is shrinking.

Conclusion

The criminalisation of human rights defenders in Greece has become increasingly apparent, evident in the legal framework surrounding their ability to operate and their protection, notably through the national JMDs and the EU Facilitators Package. While there are international conventions and national laws in place to safeguard the work of human rights defenders, the progressively harsh legislations and policies targeting NGOs and activists have resulted in a negative effect on their activities and livelihood. The examples given have illustrated the rising climate of fear and repression experienced by individuals promoting justice, equality, and the protection of fundamental rights.

CHAPTER 2: CIVIL SOCIETY & CIVIC SPACE

Introduction

The concept of civil society is crucial to understanding the fabric of democratic nations. Different theorists throughout history have provided varied perspectives on civil society. Despite there being “no commonly agreed definition of civil society” (Kastrati 2016: p.1), there is, however, broad areas of commonality in the work of most theorists on this concept. Kaldor, in her definition of civil society, states, “Civil society, according to my definition, is the process through which individuals negotiate, argue, struggle against or agree with each other and with the centres of political and economic authority” (Kaldor: 2003: p.585). Furthermore, Chadnhoke (2007), commenting on the complex nature of civil society, adds that:

“The idea of civil society has proved very elusive, escaping conceptual grasps and evading sure-footed negotiation of the concept itself. Resurrected in a very definite historical setting, that of authoritarian states, the concept of civil society came to signify a set of social and political practices that sought to engage with state power” (Chadnhoke 2007: p.607).

To give a more comprehensive definition of a modern understanding of civil society, Cooper (2018) outlines that it is:

“widely understood as the space outside the family, market and state (WEF, 2013). What constitutes civil society has developed and grown since the term first became popular in the 1980s and it now signifies a wide range of organised and organic groups including nongovernmental organisations (NGOs), trade unions, social movements, grassroots organisations, online networks and communities, and faith groups” (Cooper 2018: p.2).

The ideas surrounding this concept have changed and developed over the centuries, with the origins traced back to the times of Ancient Rome and Greece, with Aristotle being “credited with the first usage of the term civil society” (DeWiel 1997: p.7). However, the concept of civil society varies depending on cultural, historical and political differences. Initially, theorists did not see a clear distinction between civil society and the state. Nevertheless, throughout history, there has been a shift in thinking, with intellectuals making a notable

demarcation between the two, understanding that civil society is a unique sphere, different from the state (Kaldor 2003).

By examining the theories of John Locke, Thomas Hobbes, Alexis de Tocqueville and Antonio Gramsci, this chapter will shed light on their distinct ideas on civil society and how they can help give an alternative understanding of the concerning trend of criminalisation of human rights defenders in Greece. In addition, this section will offer an insight into the shrinking civic space phenomenon, illustrating the consequences on democratic societies and, notably, civil society organisations. The various factors contributing to the restricted civic space, such as censorship, negative labelling and restrictive bureaucracy, will be examined. Moreover, this chapter will discuss the potential reasoning behind the rise of shrinking civic space.

John Locke

Locke's idea of civil society centred on the social contract and the protection of individual rights, emphasising the government's need to respect the rule of law and obtain limited power. Criminalising human rights defenders in Greece raises issues concerning the state's duty to protect the freedoms of individuals and nurture a fair civil society. John Locke's notion of civil society provides a valuable framework for analysing this issue. Locke states that "the end of law is not to abolish or restrain, but to preserve and enlarge freedom" (Locke 2015: p.15). His emphasis on the consent of individuals and the preservation of freedom can be linked to protecting human rights defenders as they advocate for the guarantee of upholding the natural rights of individuals.

He distinguished a difference between the political order and the society and placed "the moral basis of the political order on the consent of the 'community', that is on society" (Kastrati 2016: p.65). Looking at criminalisation through a John Locke lens, it could be argued that the criminalisation of human rights defenders is an act violating the social contract, affirming that the government failed to respect the rights of these individuals, thus undermining the principles of civil society.

Alexis de Tocqueville

Similarly to Locke, Alexis de Tocqueville, the French political thinker from the 19th Century, emphasised the importance of a robust civil society. He stressed the significance of intermediary institutions within civil society as they act as a mediator between the individual and the state, emphasising “that in a political state, political and civil society must be mutually supporting” (DeWiel 1997: p.29). Regarding civil society organisations, Tocqueville perceived them as an essential element of a strong and functioning society and “being crucial for democracy for the reasons, among others, that they countered the power of the state and the state government and that they promoted self-reliance and the civilised virtues as among the citizen-body” (Covell 2020: p.6). Overall, He recognised the importance of the role played by civil society organisations as they promoted active citizenship, encouraged social cohesion and served as a significant actor in resolving collective issues.

The criminalisation of human rights defenders in Greece seems to go against Tocqueville’s view of a well ordered polity, potentially being viewed as an attempt to diminish civil society’s ability to act as a counterbalance to the state’s power, “viewing them as a vital component of civil society and a tool in combating “oppression, including tyranny by a democratic majority” (DeWiel 1997: p.29). His viewpoint on the importance of individual rights and the active participation of citizens in the preservation of a healthy civil society is illustrated with the statement “the majority raises formidable barriers around the liberty of opinion; within these barriers, an author may write whatever he pleases, but woe to him if it goes beyond them” (Tocqueville 1838: p. 91).

Although Tocqueville is referring to what he saw as a functioning democracy in America in the 19th Century, he is also casting a backward glance at the French aristocratic regime which collapsed with the French revolution. This outlines his belief in the significance of protecting the freedom of expression and the consequences met by those who speak out against the authoritative power.

While both Locke and Tocqueville wrote in different centuries, Locke in the 17th and Tocqueville in the 19th, both provided the ideas and framework which very much underpins liberal democratic theory. Which in turn, helped shape the form and structure of the so-called western democracies of which Greece is very much part. These include separation of powers,

social contract, parliament democracy, liberty, equality, individualism, religious toleration and market economy.

Contrary to Locke and Tocqueville, not all theorists believe that civil society should be robust and vibrant and have a significant degree of autonomy vis a vis the state. While these two intellectuals vouch for the empowerment of civil society as a protection mechanism to safeguard against tyranny and promote individual liberties, there are dissenting voices in the academic framework. One such opponent, differing significantly from Locke and Tocqueville's views, Thomas Hobbes, whose ideas are very helpful in the better understanding of the criminalisation of human rights defenders in Greece.

Thomas Hobbes

Hobbes has a different outlook on civil society, arguing for the need for a strong central authority to hinder the chaotic and conflictual elements of a state of nature. He stated that "during the time men live without a common power to keep them all in awe, they are in that condition which is called war, and such a war as is of every man against every man" (Hobbes 2016: p.109). Therefore, civil society acts as a means to establish order and security, and that "if society is to be held together at all, it must be through the power of the sovereign" (Kastrati 2016: p.65). In addition, Hobbes asserted that individuals should give up some of their freedoms to the state or sovereign in a trade-off for greater safety and security. Setiano (2007) states that for Hobbes, "civil society was not merely the opposite of the state of nature; it represented an escape from the state of nature, achieved when free, rational people entered into an agreement" (Setiano 2007: p.111). While there is a social contract, it is not one which bolsters civil society, rather it is one where the members of society willingly hand over power to a king or monarch to secure peace for themselves. This view is in fact the opposite of Locke and Tocqueville and favours dictatorship over democracy.

It is evident therefore that Hobbes's opinion on the criminalisation of human rights defenders would differ from that of Locke and Tocqueville as he argues that if the government deems that there is a threat to sovereignty and social order, then it may be justified to criminalise those perceived as dangerous in order to preserve the overall security of the state and the individuals within it. For that reason, in certain circumstances, limiting the rights and

freedoms of specific individuals for the greater good would certainly take preference over the rights of human rights defenders.

Antonio Gramsci

For Gramsci, the Italian Marxist philosopher, civil society cannot be reduced to a neutral area of voluntary associations and activities. It is deeply entangled with relationships of power and social hierarchies. He argued that civil society institutions such as the church, schools, trade unions and associations are essential in exercising ideological and cultural domination or hegemony. For Gramsci, “hegemony means the ideological subordination of the working class by the bourgeoisie, which enables it to rule by consent” (Anderson 2017: p.61)

Adding to Gramsci’s notion of hegemony, Anheier et al. (2001) note that:

“on the one hand, it is through this cultural ‘superstructure’ that the bourgeois class imposes its hegemony, using it to keep the working class in its place. On the other hand, it is a kind of wedge between the state and the class-structured economy, which has the revolutionary potential of dislodging the bourgeoisie.” (Anheier et al 2001: p. 13).

Consequently, using these institutions, the ruling class transmits its ideas, values, and norms thereby ensuring its dominance over subordinate groups acting as a ”a key mechanism for the maintenance of authority” (Jones 2006: p.48)

In Gramsci’s Marxist perspective, while civil society is most typically a calm space ruled by consent, it can also potentially be a site of conflict or struggle where the working class or more marginalised groups can seek to assert their rights. An example is where human rights defenders seek to disrupt the ruling powers by challenging existing power structures, exposing social injustices and demanding that governments be held accountable. From a criminalisation perspective, it can be argued that in order to conserve the dominant narrative, silencing those who speak out against the authorities may be a helpful tactic. The pressure felt by human rights defenders could be viewed as a reflection of the state’s attempt to maintain control and preserve the status quo within civil society. Gramsci’s idea of civil society and the criminalisation of human rights defenders in Greece outlines the fact that, in order to protect

the existing power structures and hinder the “potential of dislodging the bourgeoisie” (Anheir *et al.* 2001: p.13), the state would diminish the civil space for those advocating for human rights and social change. In fact, it is clear that from Gramsci’s perspective, heightened by his experience in Fascist Italy’s prisons, the state would use whatever violence necessary to deal with whatever threats or dangers it faced.

Civic Space

Civil society and civic space are closely intertwined due to their shared nature of shaping democratic societies. Buyse (2018) defines civic space as “the practical room for action and manoeuvre for citizens and Civil Society Organisations (CSOs). It operationalises this space by the extent to which these organisations can enjoy the freedoms of association, peaceful assembly and expression” (Buyse 2018: p.969). Civil society can flourish amid a healthy civic space encouraging active citizen participation and open dialogue. However, a shrinking civic space hinders the performance of civil society, reducing its capacity to operate freely, silencing the voice of the people and disregarding democratic principles. Shrinking of civic space refers to the slow contraction of the sphere where citizens freely engage in activities to exercise their rights, express their opinions, and contribute to the democratic process.

Bouchet & Wachsmann (2019) argue for the importance of recognising early signs of shrinking civic space. These involve:

“the state of freedom of association, assembly, and expression; the legal use of the concept of general interest and its application; the extent to which the state creates an enabling and safe environment for civil society; the number and diversity of CSOs; whether restrictions concern only specific groups or the sector as a whole” (Bouchet & Wachsmann 2019: p.2)

For example, governments may implement measures in order to limit the freedom of expression by censoring the media, creating web blackouts (banning certain websites or platforms) and creating online discrimination by using surveillance tactics and other intrusive behaviour (Keutgen and Dodsworth 2020). Furthermore, human rights defenders and NGOs may experience complex regulatory procedures. Strict regulations and burdensome bureaucratic policies demanding excessive documentation and subsequent fines can be imposed. Registration measures imposed on small NGOs are seen to act as a sort of

surveillance strategy by authorities “ensuring that the state can monitor them” (Gresham and Allen 2006: p.40).

In addition, ruling powers may attempt to tarnish an NGO's reputation “by naming and shaming” (Dupuy et al 2017: p.1), ultimately striving to delegitimise their credibility and legitimacy. In the same vein, negative labels such as “foreign agents” (Wolfe & Poppe 2015: p.4) are employed, thus gluing stigmatising connotations to their activities and raising doubt on the motives enlarging the ‘security threat’ narrative pushed by certain groups. The United Nations High Commissioner for Human Rights, alarmed by the shrinking of civic space around the world, raised its concerns demanding governments respect and ensure protection of the rights of individuals as well as civil society, stating that “according space to civil society is not optional.” (United Nations 2018)

Van der Borgh and Terwindt (2012) were among the first to discuss the possible reasoning behind the shrinking of civic space (Hossain et al. 2018). They highlighted that in order to attempt to understand the narrowing of civil society space, it is necessary to take into account the domestic political context, the variety of pressures NGOs are faced with, and the functions, organisational methods and characteristics of the NGOs (Van der Borgh and Terwindt 2012).

One of the reasons they delve into revolves around the type of political regime operated by the government and how it contributes to the outlook for civic space, whether it be authoritarian, democratic or other. The rise of authoritarian regimes and the disintegration of democratic values can lead to the shrinking of civic space, imposing restrictive laws and curtailing freedom of expression. In the case of Greece, Makrides (2021) claims that its history of weakened civic space can be understood, amongst other reasons, by the “prevailing neoliberal policies of the state, which aim at continuously creating new profit-oriented opportunities for companies and individuals and hence impinge upon the nonprofit civil society sector” (Makrides 2021: p.252).

The shrinking of civic space can also be linked to the government's disdain for criticism and critique. For instance, state authorities may block foreign funding to NGOs, especially in newly elected governments, as NGOs can be perceived as a political threat supporting “the opposition” (Hossain et al 2018: p.16). Additionally, it is crucial to recognise that this

phenomenon can be witnessed worldwide and is not solely focused on the global south. Buyse (2018) states that “more than 50 countries currently have enacted restrictions on foreign funding for civil society” (Buyse 2018), while Wolff & Poppe (2015) argue that Europe is “very much implicated, either by supporting restrictive policies in the name of counterterrorism or by, themselves, introducing restrictive laws and regulations at home” (Wolff & Poppe 2015: p.5).

The shrinking of civic space can be linked to the worrisome trend of criminalising human rights defenders. Through governments tightening their grip on power and restricting freedoms, those advocating for human rights find themselves increasingly targeted, harassed and victims of legal persecution. To protect human rights defenders advocating for people-on-the-move, it is imperative that, as Gramsci mentions, the relevant sectors of civil society challenges repressive measures and supports an environment where their work can exist without fear of reprisal.

Conclusion

Civil society’s diverse perspectives presented by Locke, Hobbes, Tocqueville and Gramsci permit a better understanding of the role of state powers in relation to civil society and especially in the context of the criminalisation of human rights defenders in Greece. Locke and Tocqueville’s ideas connect closely to the modern concept of democracy, underlining the significance of nurturing individual freedoms and active citizen participation. Their views promote civil society's power to counterbalance the state's power. Hobbes introduces a different regard, focusing on the necessity for a central power to maintain order and prevent chaos. His standpoint illustrates a less optimistic outlook than the others regarding democracy. In fact, he is hostile to the notion of democracy. Finally, Gramsci holds a more cautious approach, recognising the state’s power and its potential for tyranny. He highlights the need for society to keep a critical outlook and for civil society to remain vigilant of the state in order to robustly safeguard individuals’ freedoms. And of course, in keeping with his Marxist perspective, to identify moments of revolutionary possibilities to dislodge the bourgeois state and move to revolution.

The disparity in viewpoints allows for an insight into the complex interplay between governance, power and the silencing of disagreeing voices within civil society. Analysing

these theorists' ideas throughout history provides a tool to comprehend the challenges faced by human rights defenders.

Furthermore, the shrinking of civic space presents an inability of individuals and civil society organisations to express their opinions freely, contribute to the democratic process and advocate for those most vulnerable. This results in decreased accountability, limited democratic governance and weakened social connections.

CHAPTER 3: METHODOLOGY

Introduction

This chapter will address the methodological choices made in this research paper, outlining the implementation of grounded theory as the guiding framework. Moreover, I will discuss the selection of semi-structured interviews as the means of primary data collection, the criteria selected for the choice of participants, ethical issues, limitations, and finally, the data analysis techniques employed.

Research Method

In this thesis, I decided to apply a qualitative research method. This type of research aims to understand and shed light on human behaviours and experiences. Strauss & al (1998) state that qualitative research can refer to “research about persons’ lives, lived experiences, behaviours, emotions, and feelings as well as about organisational functioning, social movements, cultural phenomena, and interactions between nations” (Strauss & al 1998: p.11).

Grounded Theory

Grounded theory is a type of qualitative research methodology which focuses on creating theories. Therefore, it differs from approaches which set out to test theories or those whose principal aim is to give descriptive details of the subject matter (Descombe 2017: p.89). This approach originates in the works of Barney Glaser and Anselm Strauss in the 1960s and has since been used extensively in social research (Descombe 2017: p.88). Strauss et al (1998) state that grounded theory is “derived in data, systematically gathered and analysed through

the research process” (Strauss et al 1998: p.12). This means that the main objective is to develop theories using the data accumulated during the research stage. Therefore, the researcher does not undertake their research with a preconceived idea or hypothesis of the outcome, thus leaving the space for new theories to materialise from the information collected.

Semi-structured interview

For the data collection part of my research, I decided to use semi-structured interviews and reports from NGOs, international organisations, and the Greek government.

Firstly, my research included semi-structured interviews with various people working or volunteering in the field of migration in Greece. Placing itself in the middle between structured and unstructured, semi-structured interviews contain a “degree of predetermined order but still ensures flexibility in the way issues are addressed by the informant” (Clifford & al. 2010: p.105). The nature of these interviews laid out a structure while permitting free-flowing conversation and the possibility to delve further into specific areas of interest. Implementing this method of interviewing facilitated the generation of intricate and interesting data as it promotes the “exploration of the perceptions and opinions of respondents regarding complex and sometimes sensitive issues” (Barball and While 1994: p.330).

Conducting interviews

For the purpose of my research, I prioritised the consent and anonymity of the participants. Before the interviews, I sent a ‘Participant Information Sheet’ containing the purpose, procedures and outline of my thesis. I also attached a section regarding consent. Participants then had the opportunity to ask questions and make informed decisions regarding their involvement. Following the interviews, I reiterated their right to no longer be involved in the research and the opportunity to erase all data collected from them.

Between May and June 2023, I performed interviews lasting between thirty minutes and one hour. Due to geographical distances, each interview took place using the Zoom platform. Although face-to-face interviews would have been preferable, as they allow for a more profound sense of connection and a more intricate read of body language (Longhurst 2009),

using Zoom proved beneficial in terms of accessibility and convenience. All participants were hundreds of kilometres away; therefore, with this advanced technology, it was feasible.

Choosing Participants

When choosing the participants for this thesis, I wanted to ensure a diverse range of perspectives on the criminalisation of HRDs in Greece by involving non-Greek and Greek. I recognised the importance of outlining the experiences of people who had spent significant time in Greece, primarily since 2015, as their prolonged exposure to the migration situation could provide profound observations and intricate perspectives.

By including an individual with less experience volunteering in Greece, I wanted to discover their perceptions and opinions based on their shorter exposure. Moreover, the Greek participant provides a unique and crucial native perspective, elucidating the context through a Greek lens. By gathering this varied group of participants, I was able to assemble a rich fabric of experiences and outlooks, benefiting immensely the outcome of my thesis. Although each participant shared the same professional domain, their work covered different areas and locations. Regardless of their similar expertise, their diverse work environments provided original contexts and challenges while equally offering various similarities. This method permitted a broad understanding of the topic while taking into consideration the variables that arose from working in different areas and operating in distinct areas.

To conduct my research, I chose to interview individuals who had experience working with POM in Greece. In order to find my participants, I used a snowball sampling or chain referral method, which refers to obtaining contacts from “people who share or know of others who possess some characteristics that are of research interest” (Biernacki and Waldork 1981: p.141). It involved relying on acquaintances to contact potential participants. As a common contact referred the interviewees, they may have felt more comfortable participating in the study, acting as a link, attesting to the research's credibility and establishing a level of trust. Additionally, this method proved to be time efficient as it relies on the networks and connections of people, therefore greatly beneficial for my thesis.

I gave pseudonyms to the participants and their organisations to respect their anonymity, as found in the following table:

Table 1. Participants' pseudonyms and background

<i>Participant</i>	<i>Pseudonym</i>	<i>Background</i>
1.	Holly (Advocacy Activist)	-Distribution NGO -EU-level advocacy -Research of dead and missing persons
2.	Naomi (Search and Rescue)	-Search and Rescue -Advocacy
3.	Elly (Activist)	-Search and Rescue -Research & Investigation for border monitoring NGO
4.	Stavros (Advocacy Officer)	-Advocacy officer in Greek NGO

Ethical issues

When deciding to research the area of migration and finally human rights defenders, I carefully considered the ethical concerns of such research. Although, people-on-the-move are “not often included as participants in research”, (Birman 2005: p.160), involving them in research “is an ethical issue” (Birman 2005: p.160), I decided that due to my lack of expertise in the area along with ethical reasons such as the notion of consent amongst others, I would focus my study on human rights defenders.

First, I had to consider the possibility that some people-on-the-move may have experienced “serious physical, psychological and emotional trauma” (Mackenzie 2007: p.302) either in Greece, during the journey or in their home countries. Second, I was also aware of the power imbalances between myself and POM, whether it be legal status or socio-economic differences, thus raising the issue of consent. Cultural differences, power imbalances and trauma can lead to difficulties in ensuring the complete understanding of the participant in the purpose of the research therefore, “the balance of power is overwhelmingly in favor of the researcher” (Bailey and Williams 2018: p.4). In saying this, I would like to highlight that ethical precautions are also necessary in researching HRDs and therefore had to consider this equally.

Limitations

Throughout the research and writing of this paper, I have strived to provide valuable perceptions and insights to the already existing body of knowledge on the criminalisation of HRDs. However, it is essential to acknowledge the limitations ingrained in this thesis which are sometimes “out of the researcher’s control” (Theofanidis & Fountouki 2018: p. 156). It is through recognising these limitations that we guarantee a transparent and nuanced understanding of the results. I will now discuss the limitations faced during my research.

Sample size

First, the relatively small sample of participants interviewed for my thesis research can have significant implications for the validity and generalisability of the findings. The small size can reduce the possibility to find subtle or less common patterns, thus resulting in less accurate or inconclusive findings. Results revolving around a small sample to ensure they accurately represent the population targeted, making it difficult to produce meaningful conclusions. However, through careful participation selection and precise methodology methods, I found that the insights yielded in this study were valuable. The participants possessed unique characteristics and experiences, which resulted in valid inferences to be made.

Bias

Secondly, given my political standpoint and experience as a human rights defender in Greece, I must acknowledge how this contributed to the production of this thesis. My personal beliefs on migration and the role of the European Union and national authorities may have influenced my subjectivity and analysis of this topic. Likewise, having volunteered in Lesbos and currently in Thessaloniki in the migration field, I am aware of the selective focus that may have arisen, leading to prioritising certain aspects of my research. Similarly, all of the participants are HRDs with similar ideas on migration, thus limiting my exposure to diverse perspectives or conflicting evidence that challenges my findings. Despite these aspects, my personal background as a human rights defender allowed for a unique perspective to my research. My firsthand experience working in this field can provide valuable insights and narratives which someone without a similar experience may overlook.

Time constraints

Time constraints imposed notable limitations on the assembly of this body of research. The complex nature of this topic, along with the desire to obtain multiple participants, proved challenging to complete within the allotted time frame. Nevertheless, the temporal limitations favoured precision and focus in my thesis, which led to certain areas of the acute analysis of certain aspects of the criminalisation of human rights defenders, such as the impacts on NGOs and HRDs of criminalisation and tactics to combat it.

Data analysis techniques

Understanding the content produced from the interviews was a fundamental part of my thesis, especially given the complex nature of the topic. To do this, I used thematic analysis to analyse the transcripts, which involves identifying and interpreting patterns known as themes within the data (Braun & Clarke 2006). This requires the data to be assembled and organised, then themes are identified, which in turn provide “an organised platform for the construction of meaning” (William & Moser 2019: p.45). This allows researchers to interrogate individuals’ experiences, beliefs and perceptions critically.

Elliot (2018) describes coding as “indexing or mapping data, to provide an overview of disparate data that allows the researcher to make sense of them in relation to their research questions” (Elliot 2018 p.2851). This proved to be a meticulous process as it obliged me to discover the patterns and themes and how they are connected between the participants. William and Moser (2019) state that the coding process must be “defined, rigorous, and consistently applied in order to confirm with validity and reliability standards associated with qualitative research” (William & Moser 2019: p. 47). This process helped me form the themes of the following chapter which are:

1. The role of the European Union
2. Consequences of criminalisation
3. Participants’ personal experience with criminalisation
4. Solutions going forward

5. People-on-the-move as human rights defenders

CHAPTER 4: ANALYSIS

Introduction

First, this chapter aims to delve into the legislation and policy landscape in the European Union, analysing its impact on the criminalisation of human rights defenders and shedding light on the labels adopted by the EU to describe the so-called refugee “crisis”.

Europe’s adherence to supporting human rights is enshrined in various treaties and international conventions, namely the European Convention on Human Rights⁹ (ECHR) and the Charter of Fundamental Rights of the European Union¹⁰. This section will examine the specific European policies and legislations playing a role in the criminalisation of human rights defenders in Greece. It will inquire into the role the EU has, which trickles down to national governments.

Although it can be argued that the EU has made efforts to address the challenges posed by migration, the terminology used to describe the ‘crisis’ has been questioned due to its tendency to be stereotypical and discriminating. This chapter will critically examine these labels and their consequences, arguing for a well-needed change towards an empathetic narrative surrounding migration and the protection of human rights. This section will focus on the EU’s use of language to describe people-on-the-move as a security concern, linking them to terrorism, crime and economic strain and how this stigmatises and demonises people-on-the-move, creating a climate of fear and hostility.

Second, in the face of rising levels of criminalisation, human rights defenders have proven to be resilient and active in the face of these harshened efforts. This chapter investigates the various tactics developed by human rights defenders in recent years to resist and counter the criminalisation campaign highlighting the dynamic and flexible nature of those working to defend human rights. Through exploring the reality of criminalisation measures, this section

⁹ https://www.echr.coe.int/documents/d/echr/convention_eng

¹⁰ https://www.europarl.europa.eu/charter/pdf/text_en.pdf

aims to deliver a comprehensive grasp of the dynamics surrounding the consequences of shrinking civic space by discussing the reduced number of operating NGOs, false information, restrictive legislations and pressure from locals. This section will outline the tactics used by human rights defenders to confront this trend, such as the creation of networks, implemented security measures, political choices and legal advice.

Human rights defenders have been forced to develop techniques to counteract acts of criminalisation against them. These tactics aim to protect the safety and rights of the defenders and, ultimately, the people-on-the-move. It is also a necessary action in order to ensure that their work continues to exist. This chapter will analyse the techniques employed by the people I interviewed to ensure their safety and the continuation of their operations.

The Role of the European Union

When the European Union was initially created, the general objective was to create unity between European countries and to break down borders by implementing the single market, and later by the creation of the Schengen area and the single currency (Eilstrup-Sangiovanni 2020). In the face of heightened migration, the European Union opted to fortify and externalise its borders using strict immigration and border control policies motivated by social integration, security, and economic challenges. Jünemann et al. (2017) criticise these policies arguing that "Europe, however, is not as helpless and overstrained as one might believe according to the popularised discourse. It 'just' needs to appreciate the complexities involved in migration patterns and migration policies" (Junemann et al. 2017: p.7). Instead, a more inclusive and compassionate policy model would be favourable, guaranteeing safe and legal migration routes and asylum procedures. Vallies (2021) adds to this train of thought, arguing that these methods have seriously affected humanitarian aid through its "focus on preventing criminal offences and deterring migration" (Vallies 2021: p.24) and he suggest furthermore that it falls short on "protecting the human rights of those migrating towards the EU" (Vallies 2021: p.24)

Contestably, the European Union does not have a direct role in criminalisation, as argued by Holly (Advocacy Activist 2023) "there is only a certain extent to which the EU can control

what national authorities implement" However, she adds that although the EU may not be directly involved in criminalisation it nevertheless has a significant role which she outlined as follows:

"The architecture of migration management has been created by the EU and that is an architecture that criminalises movement, that links illegal migration to smuggling and that creates all of these links. So whilst I wouldn't say they have a direct hand in the actual cases and actions that are happening, I would say they sit on the architecture that legalises movement, which then legalises solidarity by proxy" (Holly Advocacy Activist 2023)

To illustrate the implication of EU policies on Member States, examining the case of the Greek islands highlights some of their shortcomings. The arrival of people-on-the-move to Greece over the last two decades has been a constant source of tension, becoming even more intense over the last decade with the civil war in Syria, the economic crisis in Greece, and rising tensions in Libya, Afghanistan, and Iraq (Agelopoulos et al. 2017:p.123). This tension was experienced particularly in Lesbos as it witnessed a severe humanitarian crisis starting in 2015. A combination of EU policies and burdensome bureaucracy has resulted in lengthy stays on the island, with "many asylum seekers forced to wait for months, if not years, for their asylum-application process in the hotspots" (Tunaboyle & Van Liempt 2019: p.2). Stavros (Advocacy Officer 2023) echoed this statement, emphasising its effect on the locals.

"I mean, this resulted in people being trapped in Greece and creating you know, really strong reactions at a local level, I mean, for an island that suddenly , you know, has over ten thousand people arriving to their door, I can totally understand, irrespective of whether I agree or not, with that justification, I can understand the reaction"

Furthermore, Naomi (Search and Rescue 2023) asserted that Greece's response to the so-called refugee "crisis" was to be somewhat expected considering the context wherein the nation found itself due to the policies implemented by the European Union.

"In Greece, it's tough due to the geographical position and Dublin regulation. So, I mean Greece, Italy as well as Spain are completely left alone dealing with the whole migration topic. So it's not surprising that the reaction in these countries is more severe".

It can be argued that these restrictive policies ultimately lead to a point where migration is seen as a criminal offence. The snowball effect of harsh migration policies, in turn, extends to the criminalisation of human rights defenders, as argued by the Platform for International Cooperation on Undocumented Migrants (PICUM):

“The “criminalisation of migration” itself leads to migrants being treated as criminals and even viewed as a threat to national security. It follows then that those who seek to assist them can also be perceived and labelled as engaging in “illicit” activity and causing harm to society. Negative attitudes towards migrants greatly influence how official policies and practices are shaped. The legal and policy framework appears in many cases to be underpinned by xenophobic narratives and a lack of implementation of human rights obligations” (PICUM 2022).

Labelling by EU Institutions

A common theme amongst the interviews referred to the negative labelling directed towards migration and people-on-the-move. This refers to displaying migration in a hostile and unsympathetic manner, which involves using negative language, untrue statements, and false stereotypes. This generates a generally bleak outlook on people-on-the move and those who act in solidarity with them, creating stigma surrounding their motivations, impact on society, and purpose.

The EU has been criticised for the language it adopts when discussing migration. The language often focuses on economic concerns, control measures, or security worries, which can lead to a skewed vision of people-on-the-move and their motivations. Viewing migration as a security threat impacts the types of policies used to counteract this supposed "threat."

Koser (2011) states that this style of rhetoric justifies "greater surveillance, detention, deportation, and more restrictive policies ." Holly (Advocacy Activist 2023) argues that this is not a new phenomenon stating "the fact that migration has been rhetorically and politically linked to terrorism, you know, the day when they launched the war on terror in the US, the Spanish presidency of the European Council also announced the war on illegal migration".

The EU's attention towards the securitisation of borders and 'fortress Europe' can encourage an unsympathetic atmosphere towards people-on-the-move while at the same time failing to recognise their human rights. BVMN, regarding negative opinions on people-on-the-move, argue that "European governments and institutions are no strangers to these narratives" (BVMN 2022b: p.20), claiming that they "promote" this rhetoric "through public speeches" (BVMN 2022b: p.20).

In Greece and Europe, this narrative can be closely linked to a rising racist and xenophobic attitudes, mainly focusing on the Muslim community. The notion of a 'muslim cultural invasion' which Kirtsoglou & Tsimouris (2018) argue is also "upheld by high-level policy figures" and acts as fuel to an ever-burning argument that people-on-the-move are security risks with "radicalised individuals or terrorist sympathisers regularly infiltrating refugee populations" (Kirtsoglou & Tsimouris 2018: p.1888)

This argument is supported by Naomi (Activist- Search and Rescue 2023). She argues that the EU views people-on-the-move "as invaders or almost the bullet out of Erdogan's gun" and is therefore detrimental to fair policy making and public opinion. Here, she is referring to the term used by policymakers towards migration when in March 2020, the European Union hailed Greece as a "shield" following the opening of Turkey's borders (Rankin 2020).

Ester (Activist 2023) noted, "If we see migration as something dangerous and something like we want to keep out, then yes, of course, we raise higher borders, higher border controls, defences, and everyone close to this as a potential criminal."

Although this type of discourse can be heard at national and international levels, Koser (2011) criticises this, arguing that "there is very little evidence from any country in the world that there is a greater concentration of terrorists, potential terrorists, or criminals among migrant populations than among local populations." Gramsci's notion of culture/political hegemony in how those in power shape the ideas and language by which events are understood is very relevant here. By focussing on this it helps one understand how the state, by insisting on seeing people-on-the-move through selected negative categories as outlined above, actually encroaches on civil society and helps ensure there is a large degree of consent for punitive or restrictive legal measures.

In addition, the section on shrinking civic space in the literature review of this thesis helps us understand the detrimental effects of negative labels in migration narratives to the specific context of the European Union. Following the findings of Poppe & Wolfe (2017), who argue that in a shrinking civic space, utilising negative labelling becomes increasingly apparent, this previous chapter outlines how the EU adopts such terms within its discourse on migration. The evidence from the interviews with the participants and NGO reports highlight the severe implications of negative labels within the EU's discourse, such as the impact on policy

decisions, public attitudes and social cohesion. Holly's affirmation aligns with the analysis of Wolfe & Poppe (2017), seen in the literature review section, which outlines that in a shrinking civic space, labelling NGOs as "foreign agents" creates a perception that certain groups or individuals pose a threat to national security. This rhetoric has been closely linked with heightened surveillance measures and scrutiny (Keutgen, J. and Dodsworth, S. 2020).

Changes in Criminalisation in Greece

Shift in legislation

This research explores the changes in the criminalisation of human rights defenders in Greece. Vallies (2021) argues that Greek authorities obstructing the work of those who support people-on-the-move is not a new phenomenon, dating "back to the beginning of what was erroneously called the 'refugee crisis' in Europe starting in 2011" (Vallies 2021: p.44). Following 2015, the numerous NGOs stationed in Greece started to experience harsher regulations regarding their work. It could be argued that the Greek government adopted a vision of civil society that moved towards that of Thomas Hobbes. Therefore, NGOs were obliged to give up part of their freedoms for a strong central authority to direct their operations "through the power of the sovereign" (Kastrati 2016: p.65). The EU Agency for Fundamental Rights (FRA) confirmed these statements declaring that from January 2016, "a ministerial decision put all NGOs in Lesbos directly under state control and refused to recognise the operations of independent and unregistered NGOs, effectively criminalising them" (Vallies 2021: p.44).

Naomi (Search and Rescue 2023), noticed these changes concerning the transportation of people-on-the-move to the camps "I am not allowed since 2016 already to transport undocumented migrants in a private car, doing this now would put me in danger of being criminalised" (Naomi 2023). Further changes appeared when in November 2019, Greece's conservative government started discussing a new registration process which was "part of a series of measures (...) to make the country' less attractive' to migrants" (Wallis 2020). This registration process affected Hannah (Activist 2023), who outlined the challenging nature of running a small NGO in Greece. "The fact that we were not registered, there was a risk of heavy fines".

Reduced number of NGOs

During the conversations with the participants regarding the consequences of criminalisation of human rights defenders, each interviewee mentioned that over the last number of years and especially since 2020, there had been a noticeable reduction in the number of NGOs operating in Greece. Although this can be seen in a positive light in terms of less reliance on external factors in the domestic setting, which ultimately should be the ultimate goal of each NGO, as Lempert (2009) states, " (NGOs) must either provide relief for an unexpected occurrence or for losses created by outsiders to bring a system back to where it was before it suffered losses" (Lempert 2009: p.10). However, the participants linked the diminishing number with an intensified level of criminalisation.

Naomi (Search and Rescue 2023) noted this change following the ERCI case of 2018, where members of the NGO Emergency Response Centre International, notably Sarah Mardini and Sean Binder, were arrested in Lesbos, Greece, accused of espionage, money laundering, membership, and membership of a criminal organisation (Duarte 2020). "In 2018, the ERCI case happened, everyone got scared. Now they were like, oh my god, we are all going to be criminalised, the NGOs also got less and less" (Naomi- Search and Rescue 2023).

She also linked the reduction with false information passed between NGOs. Due to the rising level of fear, human rights defenders were unsure of what they could and could not do. "They often said things like, you know now it is illegal to give them a bottle of water. That's bullsh*t. That's one of the worst things that happens with the act of criminalisation. Now people believe that they actually cannot assist and that is just not true" (Naomi- Search and Rescue 2023).

Experience with local authorities

Poppe & Wolfe (2017) argue that to combat the shrinking space phenomenon worldwide, communicating with those who are ruling is vital. They state that "(we) cannot but include a serious engagement with the governments that are pushing it" (Poppe & Wolfe 2017: p. 485). Similarly, The Platform of European Social NGOs outlines that "European NGOs play an important role in linking the public with the political process and are key actors in building a structured civil dialogue between citizens and governments" (Platform of NGOs 2001: p.2).

Holly (Advocacy Activist 2023) noticed a distinct contrast in how her organisation could communicate with local authorities. She stated that since the change of government in 2019, the relatively good relations upheld with local authorities completely vanished due to the redundancy of her close contacts "in the past, in 2018/2019, we had a good relationship with the municipalities. We would meet them regularly and discuss our needs, but after New Democracy was elected all of our people that we were close with were made redundant" (Holly- Advocacy Activist 2023).

A similar experience was held by Naomi (Search and Rescue- 2023), who spoke of how the local authorities would seek help and advice. Those who were there for a long time "in a way appreciated our presence because they had no fu*king clue how to deal with, for example, a child who had symptoms of hypothermia or a pregnant woman". Before 2020, she added that her relationship with the authorities "was not a cooperation with the police, this is something we would not have done, but it was an okay coexistence with the authorities" (Naomi- Search and Rescue 2023).

Tocqueville's theory on civil society, stating that it plays an essential role as a mediator between the state and individuals, does not hold up in this context due to communication with authorities becoming increasingly difficult. The interviewees echo Tocqueville's theory demonstrating how open communication channels and mutual help led to a better situation for the people-on-the-move overall. However, his idea "that in a political state, political and civil society must be mutually supporting" (DeWiel 1997: p.29) does not apply to the participants as they report the progressively challenging nature of reaching out to government bodies, receiving responses or influencing decisions.

Consequences & Tactics of Resistance

Pressure from locals

At the beginning of the so-called refugee "crisis" of 2015, the Greek nation prided itself on its generosity and hospitality to the over one million people arriving on their shores. The prime minister at the time, Tsipras celebrated this by tweeting, "despite the financial crisis, the Greek people have given support to more than 1,000,000 refugees crossing our country"

(Lafazani 2018: p.622). However, as the situation continued, the general opinions surrounding people-on-the-move worsened. Holly (Advocacy Activist 2023) expressed this shift as she faced backlash from locals, who joined together to protest against the centre that she founded. "200 neighbours signed a petition to remove us". Symbolically, this objection resulted in Holly's centre being pushed out into the suburbs to the red light district area of the city, to "one of the only areas that would have us" (Holly- Advocacy Activist 2023), which is a somewhat common occurrence according to BVMN. "CSOs are often forced to work at less visible or central locations that are obstructed from the public eye, which makes it harder for people-on-the- move to access their services" (BVMN 2022a).

Naomi (Activist Lesbos 2023) also experienced animosity from a non-governmental group which "with the COVID regulations growing tension and threats of physical violence, we were forced to close."

BVMN (2022a) states that non-governmental actors are of particular relevance, as threats and harassment by them gain particular strength in case of a lack of protection from governmental actors" (BVMN 2022a: p.9) . This came in a different form to Holly in the form of violence. Her organisation was subject to members "being hunted by a racist mob with baseball bats" (Naomi - Activist Lesbos 2023)

Network of allies

Human Rights Defenders rely on networks by building connections with local communities, other NGOs operating in the same geographical area or abroad, and international organisations. They develop relationships by sharing information and advocating for individual rights collectively. Holmen agrees with this point, noting that "NGOs need to learn from other NGOs and to share information with others." (Holmen 2002: p.3). Human rights defenders benefit from creating a peer support network. Simon (Greek organisation- 2023) argues that for him, and his organisation, this is something that is lacking "there is a feeling that we need to have more of a broader network of allies in a sense just to be sure that if something happens, you can inform them and be informed".

Interestingly, another participant Holly, outlined the benefits of having a network, touching on her own experiences of criminalisation - "I think it is really important that *** is a collective that's geographically spread, everyone's at different points". She explains how having contacts in other countries who have experienced criminalisation led to her organisation having the tools necessary to prevent such a thing "I think what really helped us

was our partners in Croatia. This had already happened to all of them beforehand in 2017/2018. So they had already learned lessons and discovered the higher risks. So even beforehand, we had thing in place to be safe" (Holly - Advocacy Activist 2023)

Legal Aid

During the interviews, two participants outlined the importance of legal support when working in this field and how they rely on legal aid to overcome legal challenges. Legal aid is also essential for prevention methods; as Elly (Activitst - 2023) noted, "most of the things we are doing are in accordance with lawyers or legal organisations to verify before we do anything." We can see similar methods adopted by Naomi (Search and Rescue- 2023) when discussing how legal aid helped her search and rescue organisation "of course, we started being more careful in terms of how we documented our actions". In 2021 the Border Violence Monitoring Network (BVMN) published a toolkit to support human rights defenders against criminalisation. In this toolkit, they discuss the necessity of legal support,

"access to legal consultation and a good lawyer, or lawyers, can help to evaluate possible criminalisation situations from a legal perspective. A professional evaluation of the actual legal threat in case of an incident of criminalisation can help to understand the situation from a legal perspective and estimate what steps need to be taken to be safe. Often repression works through intimidation, impacting the mental and psychological well-being through the potentiality of a threat. Legal consultation can help to prevent panic and paranoia." (Beck et al. 2023: p.20)

Political or Operational

Human rights defenders are often involved in political affairs as human rights and politics are inherently linked. Concerning posting political statements, they enjoy the right to freedom of expression, as any individual, as outlined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. However, it is essential to note that human rights defenders may face challenges and risks when engaging in political activity, such as public statements. Some organisations, who still opt for publishing political statements, have been forced to do so in an anonymous way "everything has to stay anonymous; we cannot publish anything under the name of the collective" (Elly - Activist 2023).

In other cases, human rights defenders and organisations must decide which is more important, the political or operational aspect. Is giving services to people in need more important than advocating for their rights? BVMN (2022a) explains this difficult decision:

"Their reasoning for this is the fear that repression of their direct services might follow due to their advocacy activities. In Greece, this fear is founded on the fact that repressive actions by local police forces have increasingly been taking place over the years" (BVMN 2022a).

This is a choice that Holly (Advocacy Activist 2023) had to take, not only on a personal level but also on behalf of the organisation she founded. As she had been outspoken politically and experienced criminalisation on behalf of the Greek authorities, she deemed the best option for her organisation, which provides food amongst other services to principally people-on-the-move, was to distance herself publicly from them "this is why I try to keep myself a bit separate from ***, which is difficult right?, I don't have myself on the website or on the social media" (Holly- Advocacy Activist 2023). In addition, she affirms that her organisation's policies were forced to change following an incident of harassment that coincided with a political publication online. "We don't do anything political on social media, like we never sign statements or things like that" (Holly- Advocacy Activist 2023).

Security Issues

Mary Lawlor, the UN Special Rapporteur for human rights defenders, visited Greece in the summer of last year and noted in her subsequent report that "since 2019, human rights defenders and NGOs working in the field of migration have reported an increasingly hostile environment for their work, (...) lawyers and journalists have been facing criminalisation, intimidation, harassment and smear campaigns" (Lawlor 2023: p.11).

Regarding ill-treatment towards human rights defenders, BVMN (2022a) recognises the threats that they face; however, they argue that "compared to verbal violence, physical violence against volunteers and employees is taking place less frequently" (BVMN 2022a: p.14). Confirming the findings from the Special Rapporteur for Human Rights Defenders, two of the participants disclosed their experiences of extreme violence.

Holly (Advocacy Activist 2023) was forced to relocate her community centre following increased police intimidation and violent acts by unknown non-governmental groups. These

acts included "a situation where people came to the car park, where the distribution took place, and put pig's heads on the lampposts and spread pig guts around the area" and "We had police coming to distributions who got their guns out,". Subsequently, these incidents, linked with increased arrests of people-on-the-move led to her "moving the project indoors" (Holly-Advocacy Activist).

Similarly, Naomi (Search and Rescue- 2023) disclosed her organisation's struggles with a non-governmental group. Following threats online, intimidating behaviour, "cars going really near to our cars" and being pursued by an armed group (Naomi- Search and Rescue 2023), Naomi felt obliged to adopt strong security measures. "The solution was having a security team, we had two cars, one was for response and then one with four people making sure we were safe" (Naomi- Search and Rescue 2023).

BVMN (2022a), reporting on the consequences of this phenomenon, stated that "local volunteers and employees might be discouraged from taking action in fear of it harming their families and day-to-day lives" (BVMN 2022a: p.15). They also mention the implications of a reduction in volunteers feeling comfortable working with NGOs noting that "due to attacks and harassment, and to ensure safety for volunteers, employees and people-on-the-move accessing vital services, some sites of service were abandoned in 2021". This ultimately was the case for Naomi's collective. "If it's that dangerous, you cannot just go around and ask random volunteers to join. I mean, you need people that are a bit experienced in such a situation" (Naomi- Search and Rescue 2023).

Conclusion

By examining the consequences, exploring the tactics of resistance and magnifying the voices of those affected, this chapter seeks to contribute to a broader understanding of this issue by utilising first-hand reports from the ground.

This chapter has analysed the grave consequences for human rights defenders, the broader protection of human rights, and the viability of civil society. The tactics implemented to reduce the number of NGOs, the robust legislative restrictions and the subsequent effect on the locals have proved to result from criminalisation efforts. The consequences of criminalisation on human rights defenders are extensive. It nurtures an environment of fear and intimidation, demoralising and discouraging individuals from undertaking human rights

work . Besides hindering access to those most in need, it also weakens civil society's collective desire to combat injustice and inequality.

Nevertheless, despite these challenges, the resistance and resilience of human rights defenders in Greece is clear. They manage to continue enduring and countering the criminalisation strategies through numerous strategies and tactics. However, as Elly (Activist 2023) noted, these efforts are becoming increasingly burdensome, with some left with no choice but to cease operations.

Participant's Personal Experience with Criminalisation

This section will explore the personal experiences of the research participants who have faced various forms of criminalisation. It aims to highlight the multifaceted impact that criminalisation methods have on the lives of those who seek to protect the rights and freedoms of people-on-the-move. It is essential to recognise the significance of personal experiences in understanding the complex dynamics of criminalisation. I will be focusing primarily on one participant's experience; Holly (Advocacy Activist 2023), while interweaving the experiences of other interviewees to highlight the differences and similarities within the realm of criminalisation. Whilst Holly's story will serve as the backbone of the chapter, it is essential to recognise the importance of the multiplicity of experiences and sentiments to capture the complexity of this phenomenon. Through these personal accounts, this chapter highlights the emotional, psychological and social price criminalisation can endure upon individuals and their families. Firstly, Holly's background story will be illustrated, followed by her and the other participants' personal experiences with criminalisation.

Holly's background story

Holly (Advocacy Activist 2023) started her experience in the field of migration in 2016 when she undertook regular small trips to Calais and Dunkirk transporting donations and supplies during a period that saw large numbers of people-on-the-move arriving in the north of France. Following the completion her studies at university, Holly travelled to Greece and worked as a caseworker for two Syrian boys with autism and worked in a women's centre. After a while, Holly began to notice that the situation was much more difficult for people

who were not part of families or not from a country deemed as 'refugee producing' and that "there were hundreds of people on the streets eating out of bins", so she started organising food distribution with one organisation and helping with distributions in another collective a few times a week. Following this, Holly took up a more full-time role in running a small organisation, which started by driving to squats and supplying food, and then finally, they started distributing food from a car park behind the train station. Due to police intimidation and violent acts from other groups, which have been mentioned previously in more detail, Holly's organisation was forced to move its operation indoors, where it continues to operate. This indoor community centre became a secure place for people-on-the-move, and they started talking more often about violations they experienced at the borders. With this information, Holly contacted a well-known collective covering such violations and realised Greece did not have a partner. She, therefore, set up a Greece team and began taking testimonies of people-on-the-move.

Personal Experience with criminalisation

From 2019, with the violations monitoring network she was part of, Holly became quite outspoken, highlighting human rights violations towards people-on-the-move 'if I had known how the situation would deteriorate, maybe I would not have done that' (Holly- activist 2023). She explains that the criminalisation of human rights defenders was less visible in north Greece than in those involved in search and rescue on the islands. However, from March 2022, new practices arose on the Evros border with Greece and Turkey where people-on-the-move were "showing up on these small sand banks on the Evros river, called islets" (Holly Advocacy Activist 2023). People were either pushed back to these islets, made their way there, or were left there by smugglers. This led to NGOs being contacted for help as these people were stuck there without supplies or a way to exit them. Holly, and other NGOs, created an email chain to separate the cases to try for interim measures before the European Court of Human Rights (ECHR).

Effects of the media

Right-wing media focussed their attention on this collaboration and branded this as an orchestrated attempt to facilitate entry to Greece, thus implying that Holly's actions were criminal. In July 2022, following the death of a young girl on one of the islets, this new practice gained massive media attention. Disagreements ensued between Greece and Turkey over who should be held responsible for the lack of action to save these people from the

islands, leading to the little girl's death. Holly uncovered a map of the Evros River from the British National Archives which proved that the exact position of the people on the islets was in Greek territory, meaning that Greece was responsible.

Comparably, media pressure was felt similarly by another participant. Stavros (Advocacy Officer 2023) describes an issue involving a publication released in the media that linked his organisation's president to the opposition party to the government. This statement echoes the claim by (Hossain et al. 2018) that in a shrinking civic space, governments tend to see NGOs as a threat and, therefore, the opposition. Stavros (Advocacy Officer 2023) argues this is common practice for organisations fighting against human rights violations in Greece. "If you're an NGO highlighting violations of human rights, you are seen as either promoting Turkish propaganda, working for smugglers, or working for the main opposition".

Social media threats

Following uncovering the map and the subsequent action taken, Holly began receiving photoshopped images of the girl who died on social media and a hashtag on Twitter with images of Holly and the other people working on the cases.

Similarly, Naomi (Search and Rescue 2023) received intimidating messages online regarding her work. "there were warning signs as there were already threats on the internet" (Naomi Search and Rescue 2023). At the same time, Stavros (Advocacy Officer 2023) explains that neither he nor his organisation has faced criminal charges regarding their work. However, like Holly and Naomi, he has been subject to harassment online from "fake accounts on social media" (Stavros- Advocacy Officer 2023).

During this same time, Holly was involved in the location and repatriation of people-on-the-move who had died and was contacted concerning a man who had passed away. Having received videos and the location of the body, she alerted the police asking for the man's collection. However, the police remained inactive. "They kept on ignoring my calls" (Holly- Advocacy Activist 2023). Holly went public on social media and contacted MEPs to say that a dead person was not being recuperated. More reports in right-wing media started to appear, doubting Holly's legitimacy and questioning how this information found its way to her. This links into Dupuy et al.'s (2017) argument that "naming and

shaming”(2017:p.1) is a technique in a shrinking civic space, attempting to tarnish the reputation of an individual or organisation.

Personal life

While the tension was rising surrounding this case, Holly saw threatening behaviour creep closer into her personal life. While out of the city, the police arrested her partner outside their house. "Two motorbikes, four police came up and immediately took his phone, he had just managed to text me the word police" (Holly- Advocacy Activist 2023). During his time in the police station, they told him, "we know who you work for, give us information" (Holly- Advocacy Activist, 2023). This was followed by violent and intimidating behaviour as they stripped-searched him, threatened to beat him, and took his phone.

In the aftermath of this incident, Holly describes a feeling of being followed and "some weird instances" unsure whether they were related or not, to the case. This resulted in her partner leaving Greece within a week and Holly within three weeks. Holly's decision came after a conversation with her lawyer, who explained that she may be at risk of legal action.

"So I called my lawyer, who said that it had been leaked to him that they were trying to build a case against me for facilitating illegal migration and he said that we could stay and fight, but at the end of the day, you are fighting against the state, and they do have all the power and the tools."

The threat of criminalisation and a "constant feeling of paranoia" led to her decision to leave Greece.

Decision to 'leave'

Naomi (Search and Rescue 2023) and Elly (Activist- 2023) share similarities with Holly's obligation to leave Greece. Strict regulations and threats directly targeted Naomi's NGO. In light of the escalating violence, COVID measures and the safety of her and the other volunteers at stake, Naomi reluctantly decided to cease operations. The risk of criminalisation became suffocating and unlivable with her to rationalise staying open.

Naomi (Search and Rescue 2023) outlined her experience as follows:

“Beginning of December we had to stop (the NGO). Yeah. It was basically the corona measures. In Greece, there was a very strict lockdown. You were not allowed to leave your house, especially not in the night, unless you had very specific reasons. But it was not an option to say I'm going to do my voluntary work at the shoreline. It was kind of not really possible anymore. I mean without being taken in by the police and charged each and every time with really heavy fines”

In addition, while recognising her privileged position compared to some people-on-the-move, Naomi (2023) expressed a personal consequence stemming from the threat of criminalisation. Growing up "in a part of Germany where there is more Turkish than German people", ingrained in her a "strong connection to the Turkish culture". She mentions that the geographical location of Greece allows for easy access to Turkey, however, due to her role as an activist for people-on-the-move and being "known by the police", Naomi (Search and Rescue) has opted against travelling to the country with which she feels close. "If there were a trial they would use this against me because if they find out I go, then it is kind of like, oh you are travelling to Turkey forwards and backward, so you are very clearly involved with traffickers."

Consequently, while criminalisation and the threat of the same obliged Holly (Advocacy Activist 2023) to leave a country, for Naomi (2023), it is stopping her from entering another.

Correspondingly, Elly holds first-hand experience of the closure of an NGO. She was a member of an NGO which struggled with legal issues, scrutiny, heightened restrictions and negative media attention. "I've been working with them this year, and then in the past year it nearly made the work really impossible for the organisation" (Elly- Activist 2023). Following a legal case criminalising the NGO, they began finding recruiting and accessing funding difficult. "It led to the fact that people are more scared, like people would rather less join an organisation that is criminalised" (Elly- Activist 2023). Finally, amongst the immense pressure, the organisation decided to close. "People didn't have the strength to go on" (Elly- Activist 2023).

Although Naomi and Elly's experiences differ from Holly's forced departure, similarities can be drawn from the consequences and decision-making stemming from criminalisation tactics.

Holly herself was targeted, while for Naomi and Elly, it was their NGOs; therefore, all were forced to 'leave' something.

Conclusion

In summary, the personal experiences outlined by the participants provide an intricate and poignant outlook into the effect of criminalisation on their lives. Through the central portrait of Holly's (Advocacy Activist 2023) and the interweaving accounts of the other participants, it is clear how the criminalisation of human rights defenders moulds individuals' trajectories and life choices. By utilising the participants' personal narratives, a more comprehensive understanding of the diverse impacts of criminalisation was highlighted. Seen through the civil society lense of the theorists discussed earlier, bar Hobbes, it can be observed that the criminalisation process as experienced by these human rights defenders involves clear encroachment by the state of the boundaries of civil society. And following Gramsci, one can see that the actual legal steps in the criminalisation process follow on from and are accompanied by the intensification of the negative language used in the realm of cultural/political hegemony.

Solutions Going Forward

Interestingly, a similar theme emerged after questioning the participants "what do you think needs to change to improve the situation of criminalisation?". The interviewees vouched for the necessity for states to uphold their legal obligations and drew attention to Greece's repeatedly violating laws. Two participants, Stavros (Advocacy Officer 2023) and Holly (Advocacy Activist 2023), responded with a seemingly straightforward solution. They outlined the obligation of the Greek state to abide by and implement the existing laws. As claimed by the two interviewees, the key lies in respecting and enforcing these laws to protect and uphold the rights of human rights defenders. By respecting the legislation, the Greek state can send a strong message to the public and potentially change the narrative surrounding people-on-the-move and those who support them.

Holly (Advocacy Activist 2023): “I just think it's so basic why we're not asking for much. My one wish would be to make people follow the law like states follow the law. If everyone followed the asylum decree as it is in the legislation of the EU and the UN level, we wouldn't have this issue. So I don't think it's that much, like just follow the legislation as it's written.”

Stavros (Advocacy Officer 2023) “I mean at this point, or at least, implementing what is provided by the European Union’s law. You have every member state agreeing to some minimum rules, implement them, nothing more. Just implement what you have already agreed.”

Similarly, Naomi (Search and Rescue 2023) accentuated Greece’s failure to implement these laws. She argues that Greece disrespects human rights and the rule of law, therefore nurturing a troubling environment where reporting mistreatment of people-on-the-move to the police becomes dangerous.

Naomi (Search and Rescue 2023):

“They are not only very strict in how they read the law, but they are breaking the law constantly. So this makes it very difficult. You know, it basically makes it feel like being in a failed state because you have zero guarantee of what could happen to you and what could not happen. And not only to you but more importantly, to the people-on-the-move. So I think that for sure that you have to be way more careful, especially testimonies. Now, it's quite interesting to have testimonies about pushbacks. But you can't or should not publish them or advise somebody, for example, to go to the police and make a complaint or to declare your husband missing because the husband was pushed back, the wife is still here. You know, you cannot advise people because you have to be afraid that if they go to the police three days later, they will disappear from the camp and then to never be seen again”.

While state action is essential, it must go beyond the mere existence of laws and policies and strive towards their implementation. Additionally, the involvement of supra-national bodies is vital, notably when a state does not uphold its agreement. However, it remains to be seen if, collectively, this is the end-line objective of all the parties involved.

People-on-the-move as Human Rights Defenders

Researchers and activists have studied the criminalisation of various actors in migration (Vallies 2021) (BVMN 2022, 2023). However, it is crucial to recognise the critical role that people-on-the-move themselves play in promoting and protecting human rights and the heightened risk of criminalisation they face. Their engagement in advocating for justice and challenging wrongdoings by authorities risks making them targets of repressive measures and legal persecution. People-on-the-move can encounter a range of discriminatory practices aimed at silencing them, and in contrast to others, frequently, their legal status renders these strategies extremely dangerous. People-on-the-move who choose to speak up for their rights or the rights of others face the threat of detention, pushbacks, deportation or even prison on falsified charges. Moreover, as Elly (Activist-2023) and Holly (Activist-2023) mentioned, labelling them as security threats or criminals can be used to delegitimise their activism, thus diminishing public support and enlarging social marginalisation. This creates a climate of fear and intimidation, making it difficult for them to perform their work as human rights defenders.

During the interviews, the participants mentioned the challenges faced by people-on-the-move who act as human rights defenders, outlining that due to their nationality, legal status or racism, they are subject to enlarged risks. Mary Lawlor (2023) echoes this sentiment in her UN report ‘Situation on Human Rights Defenders’ noting that “in a submission for the present report, PICUM notes that migrants who help others ‘face greater risks’” (Lawlor 2023: p.17/24). Holly (Advocacy Activist 2023) stresses a crucial reality that often goes unnoticed. Using her first-hand experiences and profound understanding of criminalisation, Holly (Advocacy Activist 2023) strongly asserted the stark differences that people-on-the-move face compared to herself. “Migrant rights defenders who are migrants themselves, are always like twenty times more at risk”.

Human rights defenders that are people-on-the-move are often stuck in complex legal systems, including lengthy bureaucratic asylum procedures and can be prone to abuse. They may face detention, difficulties obtaining legal status or be subject to pushbacks or deportation. At the same time, the people-on-the-move human rights defender may have legal status in their country. This factor does not change the fact that they are still in a vulnerable

situation. In both cases, they “may be afraid of losing their residence status or compromising their application for international protection” (Lawlor 2022: p.17/24).

In many instances, the host government and international organisations may fail to provide the necessary protection to these at-risk human rights defenders. This can leave them vulnerable to physical or media attacks, as they may lack physical or legal protection mechanisms to shield them from harm. Therefore, people-on-the-move may feel a heightened sense of fear and hesitation when speaking up for their rights.

Elly (Activist- 2023), offered her outlook on this issue. She claimed that people-on-the-move often are confronted with significant barriers that prevent them from speaking out. Emphasising the emotional and physical fatigue, she notes the fear and apprehension accompanying their activism. Unfortunately, increased pushbacks and criminalisation have made it increasingly difficult to be outspoken about their rights. Explaining the situation at this time, she explains that

“People do not dare to organise anything, dont dare to stand up for their rights because of course if you have been through thirty push backs and you arrived on the island and there’s a risk of being criminalised for driving a boat then you rather shut up and stay in the dark.” (Elly-Activist- 2023).

As a result, Lawlor (2022) highlights that “many cases of criminalisation are likely to go unreported because of fears that media attention could further endanger” them (Lawlor 2022: p.17/24). The outcome of this shift is immense, as not only are people-on-the-move’s rights denied, but it also hinders critical voices and perspectives on this situation.

Human rights defenders not coming from a migration background face fewer obstacles than people-on-the-move when advocating for human rights. For example, a human rights defender possessing a European passport holds privileges and options that a people-on-the-move may not have. With this passport, an individual facing criminalisation or intimidation, in Greece, for instance, has the freedom to leave the country and settle in another European Union country. This example is witnessed in Holly’s (Activist- 2023) story in the previous chapter. The ability to flee potential harm is a crucial tool in the belt of human rights defenders.

In contrast, people-on-the-move who are human rights defenders finding themselves victims of criminalisation may find themselves more in danger and limited in terms of their options for seeking safety and defending their rights. Elly (Activist 2023) recognises this privilege regarding her work. “Me as a white person with an EU passport. I can leave the island whenever it might be dangerous for me. Working with people who cannot, changes your perspective”.

Consequently, people-on-the-move human rights defenders not coming from a migratory background are essential in raising awareness and advocating for people-on-the-move. They can utilise their legal status to advocate for criminalised human rights defenders and for unjust laws and advocate policy reform. Their privileged position allows for greater visibility, thus permitting them to act as ‘the face’ of particular struggles. Holly (Advocacy Activist 2023) argues that this privilege comes with a specific responsibility believing that sometimes they “need to take the hit if it needs to be taken” referring to how she has “far more security” and that she “can leave Greece.”

CONCLUSION

This thesis has discussed the disconcerting issue of criminalising human rights defenders in Greece. Through literature research, International and NGO reports and interviews, this study confirms that human rights defenders in Greece face several forms of criminalisation, varying from legal restrictions, defamation campaigns, physical intimidation and violence and surveillance. Equally, it affirms the role that the European Union and the Greek state play a vital role in causing and upholding the latter. It is important to remember that the core reason that human rights defenders are the focus of state persecution stems from the overall aim of the EU is to severely curtail the arrival of people-on-the-move to Europe.

These methods targeting human rights defenders and undermining their work seriously threaten the protection and promotion of human rights defenders operating in Greece. By delving into these strategies, the study provided a nuanced comprehension of the challenges and threats faced by human rights defenders in Greece in the hope of raising awareness of the

urgent need for protective measures which ensure the protection of their fundamental rights and, crucially, enabling them to continue defending human rights.

The various tactics employed by human rights defenders to hinder and resist these criminalisation efforts were examined. Despite their challenges and difficulties, the individuals interviewed showed the innovative and desperate resilience they are being forced to create. The power of alliances, legal support and security measures were highlighted as essential aids in challenging the criminalisation of human rights defenders. By creating networks, advocating for human rights and navigating the legal system, human rights defenders have continued operating and drawing attention to their struggles.

In the thesis, the notion of civil society and civic space has acted as a framework for analysing and understanding the data collected from the interviewees. Civil society is the solid foundation or bulwark for any state or polity that sees itself, as Greece does, as a western liberal democratic state respecting the rights and liberties of its citizens. Civil society, understood in this way, also serves as a check on the power of the state. The shrinking of civic space and the ever-rising issues of criminalisation directly touched on the role played by human rights defenders and outlined the importance of protecting their rights.

Furthermore, this research paper has highlighted the involvement of the European Union, their policies and legislation, and Greece's participation. The EU has a vital role in upholding and advocating for the promotion and protection of human rights, and as a result, its policies should reflect a desire to protect those who defend human rights. However, it is clear that EU policies and legislation have not provided the necessary support for human rights defenders in Greece and undoubtedly play a role in Greece's ever-challenging laws targeting NGOs and human rights defenders.

Importantly, this thesis has shed light on the necessity to reflect on the realities and experiences of people-on-the-move as human rights defenders. As people-on-the-move continue to grapple with the mishandling of the current migration situation in Europe, these defenders play a vital role in advocating for the fundamental rights of people arriving there. However, they are confronted with supplementary layers of discrimination and harassment, rendering them even more vulnerable to criminalisation. Further research would be essential

in order to explore the particular difficulties these defenders encounter and give them a safe platform to speak up as well as promote change.

The criminalisation of human rights defenders in Greece has seen a worrying change, becoming progressively grave over the last few years. The analysis of this thesis outlined a comprehensive grasp of the different types of criminalisation faced by defenders and their resisting tactics. This research put in the foreground the urgent necessity to protect these individuals and safeguard the principles of human rights while also stressing the importance of future research and advocacy initiatives for people-on-the-move who advocate for human rights and are victims of criminalisation. The European Union, the Greek government and the international community must come together to grow an enabling environment that respects and protects human rights defenders' vital role in Greece and elsewhere.

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