

(English version)

Question for written answer E-000530/25
to the Commission
Konstantinos Arvanitis (The Left)
(5 February 2025)

Subject: Public attack on the Ombudsman by the Greek government

Following the refusal of a disciplinary investigation by the Coast Guard ⁽¹⁾, the Greek Ombudsman (a constitutionally guaranteed independent authority) issued a report on the multi-fatality Pylos ⁽²⁾ shipwreck, highlighting ‘a series of serious and reprehensible omissions in search and rescue duties on the part of senior officers of the Hellenic Coast Guard [...] which constitute clear indications for documenting the fatal exposure, and to the risk of danger to the life, health and physical integrity of those on board the trawler, the *Adriana*’. Furthermore, he stated that ‘the transparency of administrative action and the attribution of responsibilities, where they exist, for the multi-fatality Pylos shipwreck is an elementary constitutional demand, inextricably linked to respect for the rule of law, as is the thorough investigation by the administration of any other incident related to a violation of the right to life, health and physical integrity ⁽³⁾’.

The Ministry of Maritime Affairs and Insular Policy, in its immediate announcement, strongly attacked the Ombudsman, stating for example: ‘objectively, he is attempting to shift the discussion away from the criminal trafficking networks onto officers of the Coast Guard’, ‘he systematically supports those claims that question the proper exercise of the powers of the Coast Guard, without any reliable documentation’, and ‘he comes to arbitrary conclusions that risk prejudicing the judicial assessment’. ⁽⁴⁾

In view of this:

1. Does the Commission view the content of the Ministry's announcement as being in line with EU constitutional principles?
2. Does the Commission consider that the assessment of an independent authority affects the impartiality of justice?

Submitted: 5.2.2025

Answer given by Mr McGrath on behalf of the European Commission
(21 May 2025)

National human rights institutions, ombudspersons, equality bodies and other independent authorities have an important role in national checks and balances. The Commission monitors developments related to the functioning and independence of these authorities in the context of its Annual Rule of Law Cycle ⁽⁵⁾. As regards Greece, the 2024 Rule of Law Report ⁽⁶⁾ took note of investigations by the ombudsperson into alleged misconduct involving law enforcement officers. As further noted in the report, the Commission considers that effective and timely investigations of such incidents are an important demonstration of the ability of competent authorities to deliver an adequate response. The Commission will continue to monitor developments in this area and will provide an up-to-date assessment in its 2025 Rule of Law Report.

⁽¹⁾ <https://www.synigoros.gr/el/category/e8nikos-mhxanismos-diareynhshs-peristatikwnay8airesias/post/deltio-typoy-or-o-synhgoros-toy-polith-ereyna-to-nayagio-ths-pyloy>.

⁽²⁾ <https://www.synigoros.gr/el/category/default/post/deltio-typoy-or-porisma-toy-synhgoroy-toy-polith-gia-to-nayagio-ths-pyloy>.

⁽³⁾ See ECtHR *SAFI and Others v. Greece*, 07.07.2022 regarding the Farmakonisi shipwreck of 2014.

⁽⁴⁾ <https://www.kathimerini.gr/politics/government/563452327/nayagio-stin-pylo-i-apantisi-toy-ypoyrgeioy-naytilias-ston-synigoro-toy-politi/>.

⁽⁵⁾ https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/upholding-rule-law/rule-law/annual-rule-law-cycle_en.

⁽⁶⁾ 2024 Rule of Law Report, country chapter on the rule of law situation in Greece. Available at: https://commission.europa.eu/document/download/6741f4b2-6a10-44ba-b40c-97a5a38e6827_en?filename=21_1_58062_coun_chap_greece_en.pdf.