

**DEPARTMENT OF HUMAN RIGHTS
Special Report Summary (March 2009)**

**SPECIAL REPORT ISSUED BY THE OMBUDSMAN ON THE OPERATION OF
CEMETERIES, THE HONOURING OF THE DECEASED AND THE LEVEL OF
BURIAL FEES**

The Ombudsman prepared a special report which was forwarded to the speaker of the Greek Parliament, the Prime Minister and the ministries jointly responsible, regarding the urgent need to update the regulations governing the creation and administration of cemeteries in Greece (regulations laid down in the long-outdated compulsory Law 582/1968).

This report draws on the Ombudsman's experience, gained from investigating numerous complaints, and summarises the main problems concerning the management and administration of cemeteries, as well as the handling of the deceased in general. At the same time, the report indicates guidelines that the necessary regulatory intervention should follow either with regard to cemetery regulations, central administration or the legal provisions to be adopted. Pressing problems that have been identified chiefly concern:

- a) the lack of sufficient burial space in urban cemeteries to meet current needs, which leads *de facto* to the by-passing of existing provisions;
- b) the inflexibility of existing burial institutions and practices which do not allow the wishes of the deceased and/or those of their family to be honoured (e.g. cremation, alternative ways of handling and keeping bones);
- c) the ambiguous or selective observance of rules concerning the administration of cemeteries by municipal authorities (e.g. respecting the right to use a family grave, the procedure for disinterring remains);
- d) the fact that existing rules for the administration of cemeteries are not generally consistent with the current demographic situation and social needs;
- e) the violation of the principle of equality between citizens and/or permanent residents of the same municipality and of the principle of proportionality of financial charges, on the basis of the cost of the service provided (compensatory), when setting fees for using a grave;
- f) failure to observe formalities towards deceased infants during the relevant burial procedure.