

CRIMINAL PROCEEDINGS AND DEFENCE RIGHTS IN GREECE

This leaflet covers:

- Information about FTI
- Definitions of key legal terms
- Criminal proceedings and defence rights in Greece
- Useful links

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About Fair Trials International

Since 1992 Fair Trial International has worked for the better protection of fair trial rights and defended the rights of people facing criminal charges in a country other than their own. Our vision is a world where every person's right to a fair trial is respected, whatever their nationality, wherever they are accused.

Fair Trials International was established to help people arrested outside their own country to defend their right to a fair trial. Every year we help hundreds of people and their families to navigate a foreign legal system by offering practical advice, including contacts of local lawyers; guidance on key issues encountered by people arrested abroad; and basic information on different legal systems and local sources of support. As a charity, we do not charge for any of the assistance that we provide.

We believe that respect for fundamental rights and the rule of law are the hallmarks of a just society and that the right to a fair trial is at the heart of this. Sadly too many shocking cases of injustice demonstrate how, time and again, this most basic human right is being abused. We fight against injustice by lobbying for the legal reforms needed to ensure that the right to a fair trial is respected in practice. Working with our clients and international networks, we also campaign for changes to criminal justice laws which are being abused and overused.

To find out more about how FTI can assist you, please contact our legal team (contact details on the back cover).

Fair Trials International is a registered charity (No 1134586) and is registered with limited liability in England and Wales (No 7135273). We are a non-governmental organisation; as such, we are a wholly separate and independent organisation from the Foreign and Commonwealth Office.

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DEFINITIONS OF KEY LEGAL TERMS

Appeal (*Efetiō- Εφετείο*): An opportunity to dispute a decision made at trial (either on guilt or on sentence) by asking a higher court to review it. This can result in the decision being overturned or changed.

Bail (*Eggeisi - εγγύηση*): The temporary release from police custody or from prison of a person accused of a having committed a criminal offence and awaiting trial.

Bar Association (*Dikigorikos Syllogos - Δικηγορικός Σύλλογος*): An organisation whose role is to represent lawyers and help people in their dealings with lawyers.

Charge/Indictment (*Kategoria - Κατηγορία*): A written statement accusing a person of carrying out an offence.

Consulate (*Proxenio - Προξενείο*): The section of the embassy whose task is to assist its citizens.

Court of Appeal (*Efetiō - Εφετείο*): A court that is competent to hear appeals (i.e. challenges) made to decisions of the lower courts.

Court of First Instance (*Dikastirio protou vathmou*): A lower court where a trial is initially heard.

Embassy (*Presvia - Πρεσβεία*): The office of a government official who resides in a foreign country and represents his/her government's interests.

European Court of Human Rights (*Evropaiko Dikastirio Anthopinon Dikaiomaton*): The Court is based in Strasbourg, France, and hears human rights cases against the 47 countries which make up the Council of Europe (which is different from the European Union).

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Fast Track Proceedings or Summary Proceedings (*Diadikasia Aftoforou*): This is the name given to proceedings that take place immediately after arrest by the police. These proceedings are usually only used in simple and straightforward cases.

File (*Dikografia* - Δικογραφία): The name given to your case, or case file, by your lawyer.

Investigative Judge (*Anakritis*): A judge who performs an examining role and actively steers the course of a trial.

Judge (*Dikastis* - Δικαστής): A person with authority to hear and decide on cases in a court of law.

Judgment (*Aporasi* - Απόφαση): A decision on a case provided by a judge or jury in a court of law.

Judicial Council (*Dikastiko simvoulío*): A panel of three judges who make decisions about pre-trial detention after receiving an opinion from the public prosecutor.

Lawyer (*Dikigoros/ Δικηγόρος* - *Sinigoros/Συνήγορος* in criminal proceedings): A person whose profession is to give legal advice and assistance to clients and to represent them in court or in other legal matters.

Legal Aid (*Dikastiki Sindromi*): Financial assistance provided to a person who needs a lawyer and who cannot afford to pay for one.

Offences: There are three categories of offences in Greece: serious offences, called felonies (such as murder); minor offences, called misdemeanours (such

as theft) and petty offences, called infringements (such as speeding).

Plea (*apologia*): Statement given by the defendant in support of his cause

Police Custody (*Kratisi - Κράτηση*): Detention of a suspect by the police after arrest.

Pre-trial Detention (*Prosorini Kratisi/Profilakisi*): Detention in police custody or in prison during the investigations (and often during the trial itself as well), which happens before the decision on guilt or innocence is made by the court.

Public Prosecutor (*Eisaggeleas - Εισαγγελέας*): A judge who conducts a case against a person accused of a crime.

Power of Attorney (*Plirexousio*): Written authorisation provided by one person to another, allowing them to make decisions on their behalf. This can include matters of business or private affairs.

Remand: The act of sending a person accused of a crime into police custody.

Sentence (*Peeni - ποινή*): The punishment assigned to a person convicted of a crime as fixed by a court of law.

Warrant (*Entalma sillipsis - ένταλμα σύλληψης*): A document issued by a legal or government official authorising the police to make an arrest, search premises, or carry out some other action relating to the administration of justice.

INFORMATION ON CRIMINAL PROCEEDINGS AND DEFENCE RIGHTS IN GREECE

We have prepared these notes with the assistance of local criminal lawyers, who tried to describe how things happen in practice, i.e. in the real world. Even within one country, however, practice can vary a lot from one place to another and it is therefore possible that your experience will sometimes differ from the descriptions below. This document does not constitute legal advice and only provides general information. If you need advice in relation to your specific case, or if you are concerned about a possible violation of your rights, you should discuss this with your local lawyer.

1. LEGAL SYSTEM

Q1. Where do the laws of Greece apply?

The laws of Greece (the Hellenic Republic) apply to the entire Greek territory including all the Greek Islands (Crete, Rhodes, Corfu, etc.). The laws do not cover Cyprus, which is a different country and jurisdiction.

Q2. What kind of legal system is it?

In Greece, an investigative judge (*anakritis*) plays a role in the conduct of the investigations and is responsible for preparing the case for trial. The case is then passed onto a different judge (*dikastis*), who is then responsible for hearing the case. This is very different to a common law country where the trial is a contest between the prosecution and defence (who present their own version

of events) and where the judge acts as an independent referee and plays no role in investigating the case.

2. ARREST AND INVESTIGATION

You can only be arrested if:

1. There is a warrant against you (which can be issued by either the investigating judge or the public prosecutor, depending on the circumstances); or
2. You were caught in the act of committing a crime (i.e. red handed). Police have a special authority to arrest you, without a warrant, up to 48 hours after you have been caught in the act of committing a crime.

I. What are my rights upon arrest?

(a) Right to information:

Q3. Will the police inform me of my rights? Will this be done orally or in writing?

The police must inform you of your rights as a defendant, which include the right to a lawyer and an interpreter. You will get this information orally upon arrest and it will be confirmed in writing once in the police station.

Q4. Do I have a right to be informed of the allegations/ charges against me?

The police officer should inform you orally of the allegations against you if:

- You are arrested with a warrant - you have the right to read the warrant, which should clearly set out the allegations against you.
- You are arrested while committing a crime - the police will orally inform you of the allegations against you.

In all cases you also have the right to read the arrest report setting out the circumstances under which you were arrested. If you do not speak Greek, you will need an interpreter to understand the allegations against you.

(b) Right to inform people:

Q5. Do I have a right to have the consulate informed of my arrest?

Yes, you can call your consulate.

Q6. Do I have a right to inform my family of the arrest?

Yes, you have a right to call your family or a person close to you.

Q7. Do I have a right to a lawyer?

Yes, you have the right to a lawyer at any stage. In practice your lawyer will be present during police interviews.

Q8. Do I have a right to a translator/interpreter?

Yes, you have the right to an interpreter, who will be provided free of charge. S/he will be present during police interview.

Interpreters can be appointed for you by the police or the court from a list of duty interpreters. This usually does not take long. However, if you are arrested during the night there will be no duty interpreter until the following morning. In such case, if you know someone you trust and who speaks Greek, you may request that this person comes and acts as your interpreter. In practice, as most police officers speak English, you will be told informally of the reasons for your arrest even before your interpreter arrives.

Q9. Do I have to talk to the police or can I remain silent during police interrogation? Will it work against me if I am silent?

You have no obligation to talk to the police and your silence cannot be used against you.

The fact you remain silent when questioned by the police does not stop you giving an alibi for the first time at the trial. However, the court or the prosecutor may ask for an explanation as to why you did not mention the alibi at an earlier stage.

When deciding whether or not to talk to the police, you should always follow the advice of your lawyer. If you have not seen a lawyer, it is generally advisable not to talk to the police.

Q10. When will I know about the case against me?

You will be given full access to the case file to prepare your defence with your lawyer. Access to your file is granted from the point of arrest or, if there is no arrest, when you are charged. You are formally charged when the public prosecutor informs you of the allegations against you or a document containing these is served to you.

Q11. How long can I be kept in prison before my trial starts?

If you were arrested in the act of committing a crime you can be kept in pre-trial detention. In such a case you will be detained at the police station for 24 to 48 hours and will then be taken straight to court, where you will be tried under summary procedures (which is a fast-track procedure). This only applies to simple and straightforward cases.

Alternatively, if there is a suspicion that you have committed a crime, the police will arrest you. In that case you should be brought without any delay (within a maximum of five days) before an investigative judge (*Anakritis*) in order to present your defence. The investigative judge, with the consent of the public prosecutor, may order your pre-trial detention.

In such a case you may be kept in prison up to 12 months and in exceptional cases 18 months, before you go to trial. The judicial council (*Dikastiko simvoulia*) decides on a disagreement between the investigative judge and the prosecutor about detention and also reviews the pre-trial detention after the first six months.

Q12. What is a summary procedure?

A summary or fast track procedure is usually used in simple and straightforward cases and in particular in cases where you were caught in the act of committing a crime, as it is considered that you have no practicable defence. You will not be asked whether you consent to a summary procedure, it will be imposed on you by the prosecutor.

You will have the same rights as a defendant in a non-summary trial: you can cross examine witnesses; you are entitled to request the court to adjourn the trial for up to three days in order to contact your lawyer and prepare your defence; and you are also entitled to a further 15 days' adjournment if you need to call witnesses or provide further evidence to the court.

3. LEGAL REPRESENTATION

For general information on why and how to appoint a local lawyer, please refer to FTI's "Arrested in Another Country?" leaflet.

Q13. How can I find a lawyer?

Lawyers are organised in local bars. There is a bar for each large city, the largest one is the Athens Bar Association. Please look at our “useful links” section for more information. Many embassies also have their own panel of lawyers and should be able to provide details of legal representatives who speak your language. FTI may also be able to assist.

Q14. What is the role of my lawyer? Will s/he investigate the case?

Your lawyer can offer legal advice and, when needed, can represent you in court. In court, s/he can appoint and examine (or cross-examine witnesses).

S/he has no investigative power. S/he can, however, produce evidence and guide the police or the investigative judge during the course of their investigations.

Q15. I cannot afford to pay for a private lawyer, what should I do?

Any citizen of an EU member state, or a country with reciprocal arrangements with Greece, is eligible for legal aid covering legal fees, provided they cannot pay for this themselves. Legal aid is also given to all defendants charged with a felony (i.e. a serious criminal offence) irrespective of their financial situation and place of residence. Legal aid is regarded as a key pillar of the welfare state.

To get legal aid, you need to apply before the chairman of the court that is to decide your case. You should

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apply at least 15 days before your trial and present evidence regarding your financial situation.

The Athens Bar Association also provides legal assistance for special categories of offenders in financial need, such as non-nationals and children. To apply, you should contact the Athens Bar Association (contact details are in our useful links section).

It is advisable to check with the bar association first as their criteria to offer free legal assistance may be less stringent than those of the court.

Q16. I am unhappy with my lawyer, how can I change my lawyer? How can I complain against my lawyer?

Please refer to FTI's "Arrested in Another Country?" leaflet for general information on how to appoint a lawyer, and how to get the best out of your lawyer.

A good first step is to speak to your lawyer about your concerns. If that does not resolve the issue, you can complain about your lawyer and seek to have another lawyer appointed (see below about how).

If your lawyer was appointed by the President of the Court through legal aid and you want to change lawyer, you need to apply to the President of the Court, who will decide whether or not you can change lawyer. You need to explain why it is important that you change lawyer (e.g. s/he does not follow your instructions).

If you appointed your lawyer privately, you only need to inform him/her that you want to change lawyer, and appoint a new one.

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If you would like to complain about your lawyer, you should write to the local bar association (i.e. where your lawyer is registered) and outline your concerns. The bar association will provide you with information on the complaints procedure.

4. PRE-TRIAL MATTERS

4.1 Pre-trial matters: detention

The information given below is specific to Greece. For general information and tips about how to obtain your release prior to your trial, please refer to our specific note on “Release pending trial”.

Q17. Will I have to stay in prison until my trial starts?

You may have to stay in prison until your trial starts. Although there is a presumption that people should be released pending their trial, in many cases defendants, particularly when they are foreign nationals, are kept in custody.

Reasons for keeping people in custody are to prevent them from:

1. Failing to attend their trial (i.e. absconding);
2. Tampering with evidence or interfering with witnesses;
3. Committing another offence; or

4. Being in danger from others or themselves.

Your detention prior to your trial will always be ordered in the following circumstances:

- if you are considered a flight risk and you are suspected of having committed an offence that carries a minimum sentence of five years imprisonment; or
- if you are suspected of having committed a minor offence and the prosecutor has decided that your case will be tried summarily (i.e. fast-tracked). In such case you will be kept in the police cell until you are taken to court at the earliest possible opportunity.

In practice, foreigners are often considered a flight risk so they are more likely to be placed in pre-trial detention

Q18. Are there alternatives to detention pending trial?

Yes, you can be released from custody until the end of your trial. You will be expected to attend hearings.

This release can be unconditional, or conditions may be imposed, such as:

- The requirement to pay money as a security;
- The prohibition of your leaving the country; and
- An obligation to sign in at a local police station on a regular basis.

Q19. How and when can I apply for release while waiting for trial?

You can apply for bail when the investigative judge and the prosecutor are considering your pre-trial detention.

If this is denied, you can submit a new application at any time (usually when there are changes to your circumstances).

If the application is rejected, you can appeal to the Judicial Council within five days.

There is no set time for regular reviews of the decision to detain you while awaiting trial. It depends on many factors, such as the nature of the offence, the status of the proceedings, etc. However, there is one automatic review after six months of detention.

Q20. Can I go back to my home country while on bail?

In theory yes, but in most cases travelling restrictions are imposed as part of the terms of bail.

Q21. What will happen if I breach my bail conditions?

An arrest warrant will be issued against you, the bail will be revoked and you will be taken into custody.

Q22. Do I need a lawyer to apply for bail?

You can make an application for bail without the assistance of a lawyer. It is however always better, if possible, to ask a lawyer for assistance.

4.2 Pre-trial matters: timing

Q23. How long before my case goes to trial?

The system in Greece is slow and it may take some time before your trial starts. If you are in pre-trial detention, your trial should take place within 12 to a maximum of 18 months. After this period of time, the First Instance Court must have heard your case and made a decision.

If the trial does not take place within the above time limits, the Judicial Council will release you until your trial.

Q24. There are always delays with my case, does that mean my lawyer is doing a bad job?

Delays happen at each stage of the proceedings and courts are known to be overwhelmed, which causes cases to be fairly slow to reach a conclusion. This is not necessarily the result of poor quality work from your lawyer.

4.3. Pre-trial matters: pleading guilty

Q25. Can I plead guilty? What are the consequences of pleading guilty?

Yes you can. However, the trial will take place even if you plead guilty because the judge will have to convince him/herself that you are indeed guilty. A confession may result in a lower sentence. It is very important to ask your lawyer for advice before confessing.

5. THE TRIAL

Q26. What happens at the trial?

- The judge will first ask for your name and will remind you of the offence you are suspected of having committed.
- The judges and the prosecutor first question the witnesses (*Martiras* - *μάρτυρας*) and experts, who are then examined by the lawyer of the victim and last by your lawyers (you can have up to three lawyers during trial, two prior to your trial).
- You will then explain your plea ("*apologia*"). If you are present at trial then you speak directly to the court. It is the most crucial part in a criminal trial. You will not be interrupted, nor questioned by the victim's lawyers or the prosecutor, unless permission is given by the court.
- After your plea, the public prosecutor will make recommendations (guilty or not guilty) and then the lawyers will give their closing arguments. Your lawyers speak last.
- The trial closes with the decision on your guilt or innocence. After a guilty sentence the prosecutor will recommend the sentence and the court will sentence you, taking into account mitigating factors.

Q27. Do I have to be present?

No, unless the court expressly requests your presence, you can decide not to attend and be represented by your lawyer. In most cases, however, judges appreciate your presence at the trial.

Q28. Can I ask for the trial to take place in my home country?

No.

Q29. Is there a jury?

Yes, but only in some cases. The court deciding on serious crimes (e.g. homicide, rape, grievous bodily harm, etc.) consists of three professional judges, four public members of the jury (who are not judges) and one professional prosecutor.

Q30. Can my lawyer call and cross-examine witnesses?

Yes, s/he can both call and cross-examine witnesses (*Martiras* - *μάρτυρας*).

Q31. I don't speak the language of the court; do I have a right to an interpreter? Is it free?

Yes, you do. The court will appoint an interpreter from a list of professional interpreters. If you are receiving legal aid, the interpreter will be free of charge.

Q32. Will the written evidence be translated for me?

Evidence can be translated if you request it but it is not free of charge.

Q33. Will the interpreter also help me if I need to talk to my lawyer?

Yes, they will.

Q34. Why is the victim taking part in the trial?

Victims (*Thima* - θύμα) are often called as witnesses.

If the alleged offence has caused damages to the victim, the criminal court can order damages to be paid to the victim without the need for a separate legal case on the civil courts. For this reason, victims often decide to take an active (although limited) part in the trial, but they have no obligation to do so. For example, victims have the right to appoint a lawyer who is involved in the trial and have certain rights of appeal.

Q35. Will I be informed of the decision of the court on the day of the trial?

Yes, you will be informed of the decision by the judge (orally). It is possible for the judge to decide that the decision will only be made one or two days later, but in practice this happens only very rarely. However, it takes time to obtain the decision in writing after the trial.

Q36. Can I receive a copy of the judgment in my mother tongue?

You can request to have it translated. It is not free of charge.

Q37. I was tried in my absence and was not informed of this, what can I do?

This is possible in Greece and, if it happens to you, you should contact a lawyer as soon as possible.

Depending on the circumstances, you have the following options:

If you did not attend trial and were not represented by a lawyer, but you were aware that a trial was taking place, you can lodge an appeal against the decision;

If you did not attend the trial because you had not been properly summoned to attend (e.g. the summons was served at the wrong address), you can apply for the decision to be annulled and request a re-trial within eight days of your arrest;

If, for reasons beyond your control, you did not attend the trial and the trial took place in your absence, you can apply for the procedure to be annulled within 14 days of the trial and request a re-trial.

6. APPEALS

Q38. I am not happy with the decision, can I appeal against it?

This is an extremely technical area with tight timeframes and therefore you should always seek advice from a lawyer if you want to appeal.

Your right to appeal will depend on the length of the sentence you were given (e.g. you cannot appeal against decisions that did not result in a prison sentence. You can usually appeal against your sentence or conviction if you were given a long prison sentence; if you have committed a serious offence and were only given a relatively lenient sentence, it is also likely that you will not be able to appeal against the sentence). If your sentence is too low and you cannot appeal against it, you will be given the option to pay a fine instead of serving time in prison (the amount of the fine is calculated based on the numbers of days you are supposed to serve and is equivalent to five to 10 Euros per day (approximately £4 to £8 or \$US6 to \$US12)). You are often asked at trial whether you prefer a low sentence, which cannot be appealed or if you prefer to be given a longer sentence against which you could appeal.

In any case, you can always apply to have the decision convicting you quashed if you think it violates the law. Appeals on points of law must be brought to the Supreme Court (Criminal Division). If the Supreme Court quashes the decision, it will send the case to another lower court for re-consideration.

Q39. How can I appeal?

This is an extremely technical area with tight timeframes and therefore you should always seek advice from a lawyer if you want to appeal.

You may file an appeal yourself or through your lawyer with the court secretary and may also be able to file an appeal at the Greek consulate in your place of residence.

Q40. Do I need to pay my lawyer more money if there is an appeal?

Yes. The lawyer is entitled to receive a legal fee for filing an appeal. If you are receiving legal aid, it will cover the appeal.

Q41. What is the time frame within which the appeal should take place?

You need to seek legal advice if you want to appeal against a conviction or sentence.

Time frames to appeal against a court decision are short (in general 10 days if you were present at trial and 30 if you were not present and do not live in Greece).

The case will be heard on appeal after approximately one year.

Q42. Could things get worse during the appeal?

Yes, things can get worse if the decision has been appealed by the public prosecutor. If you are the only

one who appealed, then things cannot get worse (e.g. you can be given a longer sentence).

Q43. If I am not convicted, can the prosecution appeal?

Yes s/he can, but in practice this is not very common. Note that the victim cannot appeal against your acquittal.

7. PRISON CONDITIONS

Q44. What are prison conditions like?

Prison conditions vary greatly from one prison to another. Across Greece there are complaints that certain prisons are overcrowded and lack facilities.

You should ask your lawyer or your consulate for more details about the prison conditions in the prison where you are/will be detained.

Q45. Do I have rights as a prisoner? Where can I find out about my rights?

Prisoners are only deprived of their freedom. As a prisoner you have some rights that cannot be taken away from you (e.g. the right to food and water; to see your lawyer; to be protected from bullying, violence and racial harassment, etc.). Your lawyer can provide you with more information and the prison officers/manager will inform you about your rights.

Q46. What can I do if my rights are violated?

You can report it to the warden of the prison. If s/he does not deal with your complaint satisfactorily, you may report to the prison council or inform your lawyer. Complaints are lodged in writing to the Manager of Prison.

Q47. Where can I get assistance regarding my welfare issues? Regarding abuse and mistreatment?

You can get assistance from the prison warden or the prison council. Some local organisations may also be able to assist (please check FTI's useful contact pages for more information).

8. POST-TRIAL MATTERS

Q48. Will I have to serve my sentence?

In the following circumstances, it is possible that you will not have to serve a prison sentence:

- If you were given a low sentence, you may be offered the possibility of paying a fine instead of going to prison. The amount that needs to be paid will be calculated on the basis of the number of days you are required to spend in prison.
- If you have been sentenced to three years or less imprisonment, and you do not have a criminal record (you have never been convicted

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of a criminal offence in the past), then your sentence will be suspended for three years. It means that you will not have to serve it, unless you commit another offence during that three years period. In practice, judges sometimes decide to give a suspended sentence to people who have been convicted and sentenced to less than one year imprisonment in the past (e.g. an 11 months prison sentence for one offence OR a five month plus a four month prison sentence).

Q49. Can I get my sentence reduced?

You may get your sentence reduced if you engage in training or work while in prison. In practice, however, it is sometimes difficult to find such opportunities, due to the overcrowding of many prisons.

Note that time served in pre-trial detention will be considered as part of your sentence.

Q50. What would help me get an early release?

If you demonstrate good behaviour inside the prison, you may apply to be released after you have served a certain amount of time which, depending on the offence, is two-fifths or three-fifths of the sentence. This is called “provisional release”, which means that you will still be under scrutiny and may have to respect certain conditions (such as not going out after a certain time, not going to certain places, etc.).

If you have been convicted for life, you may apply for early release after serving 20 years.

If you are older than 75, you may apply for your sentence to be served in home confinement. In such case you should appear the first day of each month at the nearest police station.

Q51. I have been sentenced to pay a fine, what will happen if I don't pay it?

If you refuse to pay, you will be given a prison sentence. However, you may be able to do some social work (in voluntary organisations or charities) instead of paying the fine.

Q52. Can I ask for a transfer to my home country?

It depends on the existence of relevant agreements between your country and Greece. Transfers are possible to other European countries. You should ask your lawyer or your consulate for information on whether a transfer agreement exists with your home country.

If you would like to apply for a transfer, please request FTI's note on "Prisoner transfers".

Q53. I have exhausted all legal remedies, is it possible to get my case reviewed?

You can have your case reviewed in exceptional circumstances, such as when new evidence or facts come up, or if you were convicted on false evidence. A decision by the European Court for Human Rights stating that there was a breach of your right to a fair trial or a wrong application of the criminal law would also give rise to a review.

Q54. I have exhausted all legal remedies; can I apply for a pardon?

Yes, you can. The application is sent to the Ministry of Justice or the Public Prosecutor's office. If you are a prisoner the application can be sent to the Manager of Prisons.

The pardon is granted by the President of the Hellenic Republic after a recommendation made by the Minister of Justice. Pardons are extremely rare in practice.

Q55. Can I be expelled instead of serving my sentence?

If you are sentenced to be deported from the country and your prison sentence is for less than five years, your imprisonment is suspended and you are deported straight away after your trial. If you enter the country again you will be sentenced to an additional two years' imprisonment.

Q56. Is there a risk that I will be deported after serving my sentence?

Yes – this will depend on the sentence that you are given and whether this included a requirement that you are deported.

The court may not deport you if it believes you will commit further offences. EU citizens are only deported exceptionally on public order and public security grounds. For EU citizens to be deported, they must pose a present, genuine and sufficiently serious threat to society; in practice it is very rare.

This is very technical and should be discussed with your lawyer.

USEFUL LINKS

ORGANISATION	MANDATE	CONTACT DETAILS
LAW GOVERNING BODIES		
<i>There is no National Bar Association in Greece. Lawyers will be members of local Bar Associations. Contact details will be available locally.</i>		
Athens Bar Association <i>(Dikigorikos Sylogos Athinon)</i>	<u>Languages:</u> English, Greek	<u>Website :</u> www.dsa.gr Athens Bar Association, 60 Academias Str., Gr - 106 79 Hellas - Greece T: +30 210 3398100
Thessaloniki Bar Association	<u>Languages:</u> English, Greek	T: +302 (31) 0543 451 Thessaloniki Bar Association, Dikastiko Megaro, 26th October Street 5, Thessaloniki 54626, Greece
OMBUDSMEN		
The Greek Ombudsman	<u>Mandate:</u> The Greek Ombudsman has the authority to intervene in cases involving public bodies, such as prisons, where a complaint has been made to him by a member of the public. His role is also to promote equal treatment.	<u>Website:</u> www.synigoros.gr/en E: communication@synigoros.gr T: +30 801 11 25 000 (24-hour)

ORGANISATION	MANDATE	CONTACT DETAILS
	<p><u>Criteria to receive assistance:</u></p> <p>Complaints can be made by anyone, regardless of nationality.</p> <p>Complaints must be made within 6 months of the incident complained about.</p> <p>Applicants must have sought redress from the public administration unit involved.</p> <p><u>Cost:</u></p> <p>Free</p> <p><u>Languages:</u></p> <p>Website available in Greek, English, Romanian, Russian, Polish, Turkish, Albanian, Italian and English.</p>	<p>T: +30 210 728 96 00</p> <p>F: +30 210 729 21 29</p> <p>5 Hadjiyanni Mexi Street, 11528 Athens, Greece</p> <p><u>Opening hours:</u></p> <p>8.30am – 2pm, Monday to Friday</p>
NGOs		
HUMAN RIGHTS		
Amnesty International: Greece	<p><u>Mandate:</u></p> <p>Based in Athens - AI has campaigned about the detention conditions in Greek prisons as recently as March 2011. It has also led reports in relation to alleged police brutality in Greece.</p> <p><u>Cost:</u></p> <p>Free</p>	<p><u>Website:</u></p> <p>www.amnesty.org.gr</p> <p>E: info@amnesty.org.gr</p> <p>athens@amnesty.org.gr</p> <p>T: + 30 21 0360 0628</p> <p>F: + 301 0363 8016</p>

ORGANISATION	MANDATE	CONTACT DETAILS
	<p><u>Additional information:</u></p> <p>If you have concerns about human rights issues in any particular country, or wish to report instances of human rights abuse, you should contact the Amnesty International Secretariat.</p> <p><u>Languages:</u></p> <p>Greek.</p>	<p>30 Sina Street Athens 106-72 GR /</p> <p>Σίνα 30, 106 72 Αθήνα</p> <p><u>Opening hours:</u></p> <p>10am – 3pm, Monday to Friday</p>
<p>Euro-Mediterranean Human Rights Network (EMHRN)</p>	<p><u>Mandate:</u></p> <p>The EMHRN promotes networking, cooperation and development of partnerships between human rights NGOs, activists and wider civil society in the Euro-Mediterranean region.</p> <p>The EMHRN acts as a regional forum for human rights NGOs and a pool of expertise on promotion and protection of human rights in the region.</p> <p><u>Additional information:</u></p> <p>EMHRN is based in Copenhagen, Denmark, with offices in Brussels, Paris, as well as small bases in Rabat, Amman and Cairo.</p> <p><u>Languages:</u></p> <p>Website in English, French and Arabic.</p>	<p><u>Website:</u></p> <p>http://www.euromedrights.org/en/</p> <p>E: info@euromedrights.net</p> <p>T: +45 32 64 17 00</p> <p>F: +45 32 64 17 02</p> <p>EMHRN Vestergade 16, 2nd floor DK-1456 Copenhagen K Denmark</p> <p><u>Opening hours:</u></p> <p>None given</p>

ORGANISATION	MANDATE	CONTACT DETAILS
<p>Greek Committee for International Democratic Solidarity (EEDDA)</p>	<p><u>Mandate:</u> The Greek Committee for International Democratic Solidarity (EEDDA) is a Greek non-governmental, non-profit making, public welfare organisation. EEDDA is an associated member of the International Organisation of Solidarity with the Peoples of Asia and Africa (AAPSO) and with the Department of non-governmental Public Information of the UN. EEDDA participates in the Network of NGO's of the UN Sub-committee for Racial Discrimination, and the Network for the Fight against Poverty and Social Exclusion.</p> <p><u>Languages:</u> Website available in Greek, English and Spanish.</p>	<p><u>Website:</u> www.eedda.gr</p> <p>E: info@eedda.gr</p> <p>T: +30210 38 13 052</p> <p>F: +30210 38 31 603</p> <p>GREEK COMMITTEE FOR INTERNATIONAL DEMOCRATIC SOLIDARITY (EEDDA) 27, Themistokleous str. 10677 Athens Greece</p>
<p>Greek Helsinki Monitor (GHM)</p>	<p><u>Mandate:</u> GHM monitors, publishes and lobbies on human rights issues in Greece and, occasionally, in the Balkans. It has participated in and often coordinated the monitoring of Greek and Balkan media for stereotypes and hate speech. It has prepared (usually jointly with other NGOs) detailed annual reports; parallel reports to UN Treaty Bodies; and specialized reports on ill-treatment and on ethno-national, ethno-linguistic, religious and immigrant communities, in Greece, as well as on the Greek minorities in Albania and Turkey.</p> <p><u>Languages:</u> Greek and English.</p>	<p><u>Website:</u> www.greekhelsinki.gr</p> <p>E: office@greekhelsinki.gr</p> <p>T: +30 210 347 22 59</p> <p>F: +30 210 601 87 60</p> <p>GREEK HELSINKI MONITOR (GHM) / MINORITY RIGHTS GROUP - GREECE (MRG-G)</p> <p>P.O. Box 60820, GR-15304 Glyka Nera</p>

ORGANISATION	MANDATE	CONTACT DETAILS
PRISONERS RIGHTS		
<p>ΠΡΩΤΟΒΟΥΛΙΑ ΓΙΑ ΤΑ ΔΙΚΑΙΩΜΑΤΑ ΤΩΝ ΚΡΑΤΟΥΜΕΝΩΝ</p> <p><i>(Initiative for the Rights of Prisoners)</i></p>	<p><u>Mandate:</u></p> <p>A not-for-profit independent organisation that campaigns for better detention conditions in prisons and jails, prisoners legal rights and medical care, and other human/prisoner rights</p> <p><u>Additional information:</u></p> <p>http://socialcenter.gr/ provides a summary of the group in various languages including Greek, English, German, Portuguese, Thai, Turkish, Welsh, French, Spanish, Hindi and Arabic, amongst others.</p> <p><u>Languages:</u></p> <p>Website in Greek</p> <p>http://socialcenter.gr/ (the website of an Immigration community centre in Thessaloniki) provides a short summary of this group in various languages including Greek, English, German, Portuguese, Thai, Turkish, Welsh, French, Spanish, Hindi and Arabic.</p>	<p><u>Website:</u></p> <p>http://www.keli.gr/</p> <p>E: Athens: kratoymenoi@gmail.com</p> <p>Thessaloniki: gedikoule@socialcenter.gr or can contact via other website: http://socialcenter.gr/</p> <p>T: Athens: +30 210 363 56 67</p> <p>T: Thessaloniki: +30 2310 265 346</p> <p>T: Larissa: +30 (0)6 95 171 97 93</p> <p>Athens: Akadimias 62, 5th Floor, Athens</p> <p>Thessaloniki: Immigration Community Centre, Ermou 23 & Venizelou</p> <p><u>Opening hours:</u></p> <p>Athens: meeting at 8pm on Thursdays</p> <p>Thessaloniki: meeting at 8.30pm on Mondays</p>

ORGANISATION	MANDATE	CONTACT DETAILS
BRITISH PRISONERS		
Prisoners Abroad	<p><u>Mandate:</u> Prisoners Abroad is a small UK-based charity dedicated to supporting British citizens imprisoned overseas. They also provide assistance to those affected by imprisonment, and help ex-prisoners start a new life free of crime after their release.</p> <p>Prisoners Abroad helps British prisoners wherever they are in the world, and whatever they have been charged with. We allocate our support purely on the basis of need.</p> <p><u>Criteria to receive assistance:</u> The person in prison must be a British Citizen – that is they hold a full British passport – and they must not hold a passport for the country in which they are detained.</p> <p><u>Cost:</u> Free</p> <p><u>Additional information:</u> For prisoners, PA can make grant payments for food and other essentials, depending on where they are held and what other support they receive. PA can send magazines and newspapers, information about prison and their rights, and PA may be able to help if they need medical treatment in prison.</p> <p><u>Languages:</u> English</p>	<p><u>Website:</u> www.prisonersabroad.org.uk/ E: info@prisonersabroad.org.uk T: 020 7561 6820 Helpline: 0808 172 0098 (this is free from all UK landlines) F: 020 7561 6821 Prisoners Abroad 89-93 Fonthill Road Finsbury Park London N4 3JH <u>Opening hours:</u> 10am-4pm, Monday to Friday</p>

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If you think that an important question is not covered in this fact sheet, please let us know.

FAIR TRIALS INTERNATIONAL

Working for a world where every person's right to a fair trial is respected, whatever their nationality, wherever they are accused

THANK YOU

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