

Country File
GREECE



Last updated: **August 2009**

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| Region | Europe |
| Legal system | Civil Law |
| UNCAT Ratification/ Accession (a)/ Succession (d) | 6 October 1988 |
| Relevant Laws | <ul style="list-style-type: none"> • Constitution of 1975 • Criminal Code (amended by Law 1500/1984) • Code of Police Ethics of 2004 (Presidential Decree No. 254/2004, 2 December 2004) |
| Relevant Articles | <ul style="list-style-type: none"> • Prohibition of Torture: <ol style="list-style-type: none"> 1. Articles 7 and 48 of the Constitution 2. Articles 2 and 3 of the Code of Police Ethics • Definition of Torture: Article 137A of the Criminal Code • Penalties: Article 137A of the Criminal Code • Others: <ol style="list-style-type: none"> 1. Defences: Article 48 of the Constitution 2. Participation in torture: Article 2 of the Code of Police Ethics |
| Languages Available | <ul style="list-style-type: none"> • English |
| Other Relevant Information | |

Relevant Articles – GREECE

ENGLISH (Translation)

Constitution of 1975

Article 7

1. ...
2. Torture, any bodily maltreatment, impairment of health or the use of psychological violence, as well as any other offence against human dignity are prohibited and punished as provided by law.
3. ...

Article 48

1. In case of war or mobilization owing to external dangers or an imminent threat against national security, as well as in case of an armed coup aiming to overthrow the democratic regime, the Parliament, issuing a resolution upon a proposal of the Cabinet, puts into effect throughout the State, or in parts there of the statute on the state of siege, establishes extraordinary courts and suspends the force of the provisions of articles 5 paragraph 4, 6, 8, 9, 11, 12 paragraphs 1 to 4 included, 14, 19, 22 paragraph 3, 23, 96 paragraph 4, and 97, in whole or in part. The President of the Republic publishes the resolution of Parliament. The resolution of Parliament determines the duration of the effect of the imposed measures, which cannot exceed fifteen days.
2. ...

Criminal Code (amended by Law 1500/1984)

Article 137 A

(1) Any public servant or military officer whose duties include the prosecution or interrogation or examination of criminal or disciplinary offences or the execution of penalties or the guarding or the custody of detainees, shall be punishable by imprisonment if he or she subjects to torture, in the course of the performance of his or her duties, any person under his or her authority, with a view:

- (a) To extorting from him or her or a third person a confession, deposition, piece of information or statement, especially that of repudiation or acceptance of a political or other ideology;
- (b) To punishing him or her;
- (c) To intimidating him or her or a third person.

- (2) The term torture refers to:
- (a) Any systematic infliction of acute physical pain;
 - (b) Any systematic infliction of physical exhaustion endangering the health of a person;
 - (c) Any systematic infliction of mental suffering, which could lead to severe psychological damage;
 - (d) Any illegal use of chemicals, drugs or other natural or artificial means aiming at bending the victim's will.
- (3) The cases involving physical injury, injury to the health, the use of illegal physical or psychological force and any other serious offence against human dignity, which is committed by persons under the conditions and for the purposes defined, are punishable by three to five years' imprisonment. Offences against human dignity include in particular
- a) The use of a lie detector;
 - b) Prolonged isolation;
 - c) Serious attack on sexual dignity of the person.

Code of Police Ethics of 2004 (Presidential Decree No. 254/2004, 2 December 2004)

Article 2 Guidelines for Police Action

The Police personnel:

- a. ...
- d. Shall respect the every person's right to life and security. Police does not inflict, instigate or tolerate acts of torture and inhuman or degrading treatment or punishment and reports cases of violations of human rights.
- e. ...

Article 3 Guidelines during arrest and detention by the Police

The Police personnel:

- a. ...
- i. Shall prevent and immediately report any act of torture or other form of inhuman, cruel or degrading treatment or punishment, any form of violence or threat of violence, as well as any form of unfavourable or discriminating treatment against the detainee.