



# Greece

## Ratified the European Convention on Human Rights in 1974

**National Judge: Linos-Alexandre Sicilianos (President of the European Court of Human Rights)**

[Judges' CVs](#) are available on the ECHR Internet site

Previous Judges: Christos Rozakis (1998-2011), Nicolas Valticos (1986-1998), Dimitris Evrigenis (1975-1986), Georges Maridakis (1959-1970)

[List of judges of the Court since 1959](#)

The Court dealt with 408 applications concerning Greece in 2018, of which 370 were declared inadmissible or struck out. It delivered 35 judgments (concerning 38 applications), 30 of which found at least one violation of the European Convention on Human Rights.

Applications processed in	2017	2018	2019*
Applications allocated to a judicial formation	422	420	186
Communicated to the Government	186	137	70
Applications decided:	431	408	162
- Declared inadmissible or struck out (Single Judge)	219	263	118
- Declared inadmissible or struck out (Committee)	159	105	18
- Declared inadmissible or struck out (Chamber)	10	2	15
- Decided by judgment	43	38	11

\* January to July 2019

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#).

Statistics on interim measures can be found [here](#).

Applications pending before the court on 01/07/2019	
Total pending applications*	749
Applications pending before a judicial formation:	727
Single Judge	22
Committee (3 Judges)	225
Chamber (7 Judges)	479
Grand Chamber (17 Judges)	1

\*including applications for which completed application forms have not yet been received

## Greece and ...

### The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **643** Registry staff members.

## Noteworthy cases, judgments delivered

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### Grand Chamber

#### **Molla Sali v. Greece**

19 December 2018

The case concerned the application by the domestic courts of Islamic religious law (Sharia) to an inheritance dispute between Greek nationals belonging to the Muslim minority, contrary to the will of the testator (a Greek belonging to the Muslim minority, Ms Molla Sali's deceased husband), who had bequeathed his whole estate to his wife under a will drawn up in accordance with Greek civil law. The courts considered the will devoid of effect because the law applicable to the case was Islamic inheritance law. They ruled that in Greece, the latter law applied specifically to Greeks of Muslim faith. Ms Molla Sali, who had been deprived of three-quarters of her inheritance, submitted that she had suffered a difference in treatment on grounds of religion because had her husband not been of Muslim faith, she would have inherited the whole estate.

[Violation of Article 14 \(prohibition of discrimination\) read in conjunction with Article 1 of Protocol No. 1 \(protection of property\)](#)

#### **Vallianatos and Others v. Greece**

7 November 2013

The case concerned the "civil unions" in Greece introduced in 2008 by a law entitled "Reforms concerning the family, children and society". This Law made provision for an official form of partnership, allowing the persons concerned to register their relationship within a more flexible legal framework than that provided by marriage. The applicants complained that this law provided for civil unions only for different-sex couples, thereby automatically excluding same-sex couples from its scope. They complained that the Greek State had introduced a distinction which, in their view, discriminated against them.

[Violation of Article 14 \(prohibition of discrimination\) taken together with Article 8 \(right to respect for private and family life\)](#)

#### **Sitaropoulos and Giakoumopoulos v. Greece**

15 March 2012

Concerned Greek nationals living in France who complained of their inability to vote in Greek elections from their country of residence.

[No violation of Article 3 of Protocol No. 1 \(right to free elections\)](#)

#### **M.S.S. v. Belgium and Greece**

21 January 2011

The applicant is an Afghan national, who left Kabul early in 2008 and, entering the European Union through Greece, then arrived in Belgium in 2009 where he claimed asylum. The case concerned his complaint about his expulsion to Greece by the Belgian authorities by virtue of the European Union "Dublin II Regulation"<sup>1</sup>. He complained about his detention and living conditions in Greece as well as deficiencies in the asylum procedure followed in his case.

[Violations of Articles 3 \(prohibition of inhuman or degrading treatment or punishment\) and 13 by both Belgium and Greece](#)

#### **Makaratzis v. Greece**

20 December 2004

Applicant's complaint that after driving through a red traffic light he was pursued by police officers who then used excessive firepower to stop him, putting his life at risk, and that the investigation into the incident had been inadequate.

[Violations of Article 2 \(right to life\)](#)

#### **Thlimmenos v. Greece**

6 April 2000

Applicant, a Jehovah's Witness, complained of refusal to appoint him to a chartered accountant's post because of his conviction of insubordination for refusing to wear military uniform.

[Violation of Article 14 \(prohibition of discrimination\) together with Article 9 \(right to freedom of thought, conscience and religion\)](#)

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<sup>1</sup> An EC regulation under which EU member States are required to determine, based on a hierarchy of objective criteria, which member State is responsible for examining an asylum application lodged on their territory.

## Noteworthy cases, judgments delivered

### Chamber

#### Cases by Articles of the Convention

##### Right to life cases (Article 2)

###### [Fountas v. Greece](#)

03.10.2019

The case concerned the police shooting and killing the applicant's son in 2010.

Violation of Article 2 owing to the authorities' failure to properly involve the applicant in an investigation into his son's death

###### [Patsaki and Others v. Greece](#)

07 February 2019

The case concerned the death of a drug addict in prison. The application was lodged by eight members of the deceased's family (his wife, daughter, mother, father and four brothers). The Court considered that the part of the application submitted by the deceased's father and two of his brothers was inadmissible.

Violation of Article 2 under its procedural limb

No violation of Article 2 under its substantive limb

###### [Gjikondi and Others v. Greece](#)

21 December 2017

The case concerned the murder of an Albanian national, Luan Berdellima, by an unidentified individual in central Athens. The applicants are the deceased's parents and sister.

Violation of Article 2

###### [Tsalikidis and Others v. Greece](#)

16 November 2017

The case concerned the investigation into the death of a phone operator employee, Costas Tsalikidis. He was found hanging in his apartment, the day before the Greek Government was informed that many of its members, including the Prime Minister, had had their mobile phones wiretapped.

Violation of Article 2

###### [Choreftakis and Choreftaki v. Greece](#)

17 January 2012

Concerned the murder of the applicants' son by a man previously convicted of intentional homicide who had been released on licence.

No violation of Article 2

###### [Papapetrou and Others v. Greece](#)

12 July 2011

Application lodged by relatives of the Patriarch of Alexandria and of members of his entourage who died in a helicopter crash in 2004. They complained in particular of shortcomings in the investigation into the causes of the crash.

No violation of Article 2 (effective investigation)

##### Inhuman or degrading treatment (Article 3)

###### [Kaak and Others v. Greece](#)

3 October 2019

The case concerned the conditions of detention of Syrian, Afghan and Palestinian nationals in the "hotspots" of Vial and Souda (Greece), and the lawfulness of their detention in those camps.

No violation of Article 3

No violation of Article 5 § 1

Violation of Article 5 § 4 (right to a speedy decision on the lawfulness of detention)

###### [Sh.D. and Others v. Greece, Austria, Croatia, Hungary, North Macedonia, Serbia and Slovenia](#)

13 June 2019

The case concerned the living conditions in Greece of five unaccompanied migrant minors from Afghanistan.

The Court declared the complaints against Austria, Croatia, Hungary, North Macedonia, Serbia and Slovenia inadmissible as being manifestly ill-founded.

The Court declared the complaints against Greece under Articles 3 and 5 § 1 (right to liberty and security) of the European Convention admissible.

Violation of Article 3

Violation of Article 5 § 1 with regard to three applicants

###### [Sarwari and Others v. Greece](#)

11 April 2019

The case concerned ten Afghan nationals who complained of being subjected to

ill-treatment by police officers searching for an Afghan fugitive who had escaped from a courtroom. Nine of the applicants complained of being ill-treated in the building in which they were living, and a tenth alleged ill-treatment at a police station.

[Violation of the procedural aspect of Article 3 in respect of nine applicants](#)

[Violation of the substantive aspect of Article 3 in respect of four applicants](#)

[No violation of the substantive aspect of Article 3 in respect of five applicants](#)

The Court declared the application inadmissible with regard to one of the applicants.

### **O.S.A. and others v. Greece** **(no. 39065/16)**

21 March 2019

The case concerned the applicants' conditions of detention in the Vial centre on the island of Chios, and the issues of the lawfulness of their detention, the courts' review of their case, and the information provided to them.

[No violation of Article 3](#)

### **H.A. and Others v. Greece** (no. 19951/16)

28 February 2019

The case concerned the placement of nine migrants, unaccompanied minors, in different police stations in Greece, for periods ranging between 21 and 33 days. The migrants were subsequently transferred to the Diavata reception centre and then to special facilities for minors.

[Violation of Article 3 on account of the conditions of the applicants' detention in the police stations](#)

[No violation of Article 3 as regards the living conditions in the Diavata centre](#)

[Violation of Article 13 \(right to an effective remedy\) taken together with Article 3](#)

[Violation of Article 5 §§ 1 and 4 \(right to liberty and security / right to a speedy decision on the lawfulness of a detention measure\)](#)

### **Konstantinopoulos and Others v. Greece** (no. 2)

22 November 2018

The case concerned inmates of Grevena Prison who had complained of ill-treatment inflicted on them by members of a special police anti-terrorist unit during a surprise search of their cells in April 2013.

[Violation of the substantive and procedural limbs of Article 3 as regards eleven of the applicants](#)

[No violation of the substantive and procedural limbs of Article 3 as regards ten of the applicants](#)

### **Lazaridou v. Greece**

28 June 2018

The case concerned physical injuries sustained by Ms Lazaridou on the day of a demonstration organised against the austerity measures imposed by the Government.

[No violation of Article 3](#)

### **Sidiropoulos and Papakostas v. Greece**

25 January 2018

The case concerned criminal proceedings leading to the conviction of a police officer for torturing Mr Sidiropoulos and Mr Papakostas, and in particular the sanctions imposed on the offender.

[Violation of Article 3 \(torture\) under its procedural head](#)

[Violation of Article 6 § 1 \(right to a fair hearing within a reasonable time\) on account of the length of the Assize Court proceedings](#)

[Violation of Article 13 \(right to an effective remedy\) on account of the absence of an effective remedy by which to complain of the length of proceedings](#)

### **Koureas and Others v. Greece**

18 January 2018

The applicants in this case complained in general of their conditions of detention and in particular of overcrowding in the cells, a lack of medical care (medication and doctors) and inadequate hygiene. They also raised issues relating to the quality of the food, a lack of individual assessment of the danger posed by the prisoners placed in their cells, and communication with the outside world (relatives and lawyers). Two of the applicants also submitted more specific complaints concerning health problems and the right to education.

[No violation of Article 3 with regard to the overall conditions of detention in Grevena Prison](#)

[No violation of Article 3 with regard to the medical issues raised by two of the applicants](#)

[Violation of Article 3 with regard to the conditions of detention of the applicant who](#)

was placed in a disciplinary cell for six months between 2014 and 2015  
Violation of Article 13 (right to an effective remedy) in respect of 25 applicants  
No violation of Article 2 of Protocol No. 1 to the Convention (right to education) in respect of the applicant who alleged that he had been prevented from attending classes in prison because of his placement in a disciplinary cell

#### **Sakir v. Greece**

24 March 2016

The case concerned an assault against Rafi Sakir in 2009 in the centre of Athens which led to his hospitalisation, and also the conditions in which he was detained in a police station after his release from hospital.

Violation of Article 3 and violation of Article 13 (right to an effective remedy) with regard to Mr Sakir's conditions of detention in the Aghios Panteleimon police station in Athens

Violation of Article 3 with regard to the conduct of the investigation carried out following the assault

#### **Martzaklis and Others v. Greece**

9 July 2015

The case concerned the conditions of detention of HIV-positive persons in the psychiatric wing of Korydallos Prison Hospital.

Violation of Article 3 taken alone and in conjunction with Article 14 (prohibition of discrimination)

Violation of Article 13 (right to an effective remedy)

#### **Xiros v. Greece**

9 September 2010

Concerned inadequate medical care provided to convicted terrorist serving a sentence of life imprisonment (notably for his eyesight problems).

Violation of Article 3

#### **Galotskin v. Greece**

14 January 2010

Concerned police brutality during arrest and detention of applicant who got into an argument with the police when stopped for an identity check

Violations of Article 3 (prohibition of inhuman and degrading treatment and lack of effective investigation)

### **Prohibition of slavery and forced labour (Article 4)**

#### **T.I. and Others v. Greece**

(no. 40311/10)

18.07.2019

In this case, three Russian nationals claimed that they had been victims of human trafficking. In particular, they alleged that they had been forced to work as prostitutes in Greece.

Violation of Article 4

#### **Chowdury and Others v. Greece**

30.03.2017

The case concerned 42 Bangladeshi nationals who did not have work permits and were subjected to forced labour. Their employers had recruited them to pick strawberries on a farm in Manolada (Greece) but failed to pay the applicants' wages and obliged them to work in difficult physical conditions under the supervision of armed guards.

Violation of Article 4 § 2

#### **L.E. v. Greece (no. 71545/12)**

21 February 2016

The case concerned a complaint by a Nigerian national who was forced into prostitution in Greece.

Violation of Article 4

Violation of Article 6 § 1 (right to a fair hearing within a reasonable time)

Violation of Article 13 (right to an effective remedy)

#### **Chitos v. Greece**

4 June 2015

The case concerned an army officer who had been forced to pay a fee to the State in order to resign before the end of his period of service.

Violation of Article 4 § 2 (prohibition of forced labour)

This is the first time that the Court has ruled on this matter.

### **Right to liberty and security (Article 5)**

#### **Kaak and Others v. Greece**

3 October 2019

The case concerned the conditions of detention of Syrian, Afghan and Palestinian nationals in the "hotspots" of Vial and

Souda (Greece), and the lawfulness of their detention in those camps.

[No violation of Article 3](#)

[No violation of Article 5 § 1](#)

[Violation of Article 5 § 4 \(right to a speedy decision on the lawfulness of detention\)](#)

**[H.A. and Others v. Greece \(no. 19951/16\)](#)**

28.02.2019

The case concerned the placement of nine migrants, unaccompanied minors, in different police stations in Greece, for periods ranging between 21 and 33 days. The migrants were subsequently transferred to the Diavata reception centre and then to special facilities for minors.

[Violation of Article 3 on account of the conditions of the applicants' detention in the police stations](#)

[No violation of Article 3 as regards the living conditions in the Diavata centre](#)

[Violation of Article 13 \(right to an effective remedy\) taken together with Article 3](#)

[Violation of Article 5 §§ 1 and 4 \(right to liberty and security / right to a speedy decision on the lawfulness of a detention measure\)](#)

**[Pouliou v. Greece](#)**

08.03.2018

The case concerned the placement in pre-trial detention of Ms Pouliou, a lawyer by profession, on suspicion of membership of a criminal organisation implicated in a series of crimes committed in 2008 and 2009.

[Violation of Article 5 § 4 \(right to speedy review of the lawfulness of detention\)](#)

### Cases concerning Article 6

[Right to a fair trial](#)

**[Sine Tsaggarakis A.E.E. v. Greece](#)**

23 May 2019

The case concerned divergences between the case-law of the Fourth and Fifth Sections of the Greek Supreme Administrative Court and also between the plenary Supreme Administrative Court and its Fourth Section.

[Violation of Article 6 § 1](#)

**[Kontalexis v. Greece \(No. 2\)](#)**

6 September 2018

The case concerned an unsuccessful application to have proceedings before the domestic courts reopened following a judgment of the Court.

[No violation of Article 6 § 1](#)

**[Kokkonis and Chalilopoulou v. Greece](#)**

23 November 2017

The case concerned the Greek courts' dismissal of the applicants' requests for the annulment of proceedings in which they had been convicted without having attended the hearing of the trial court.

[Application declared inadmissible.](#)

**[Constantinides v. Greece](#)**

6 October 2016

In this case, an individual who had been convicted in criminal proceedings complained of the admission in evidence at his trial of a graphologist's report prepared by an expert who did not attend the hearings.

[No violation of Article 6 § 1 or of Article 6 § 3 \(d\) \(right to examine witnesses\)](#)

**[Negreponis-Giannisis v. Greece](#)**

3 May 2011

Concerned the refusal to recognise the adoption of an adult by his uncle, a monk.

[Violations of Articles 6, 8 \(right to respect for private and family life\) and 14 \(prohibition of discrimination\)](#)

**[Reklos and Davourlis v. Greece](#)**

15 January 2009

Concerned the dismissal by the Greek courts of the applicants' complaint with regard to photographs taken of their new-born baby in the clinic without their consent.

[Violation of Article 6 § 1](#)

[Violation of Article 8 \(right to respect for private and family life\)](#)

**[Lionarakis v. Greece](#)**

5 July 2007

Court found that a presenter and coordinator of a radio programme broadcast live by the Hellenic Broadcasting Corporation, could not be held liable for defamation in the same way as the journalist, a guest on the programme, who had made possibly controversial statements on the "Öcalan case".

[Violation of Article 6 § 1](#)

[Violation of Article 10 \(freedom of expression\)](#)

Right to a fair trial within a reasonable time

**[Firat v. Greece](#)**

9 November 2017

The case concerned criminal proceedings relating to the conviction of a migrant smuggler who complained, firstly, of the length of the criminal proceedings before the Court of Appeal and the lack of a remedy by which to assert that complaint, and secondly, of having served a longer sentence than should have been the case because of the duration of the appeal proceedings following the lengthy adjournment of the hearing.

[Violation of Articles 6 § 1 and 13 \(right to an effective remedy\)](#)

[No violation of Article 2 of Protocol No. 7 \(right of appeal\)](#)

Right of access to a court

**[Tziovanis and Others v. Greece](#)**

19 January 2017

The case concerned the alleged violation of the applicants' right of access to a court and of their right to have their case heard "within a reasonable time".

[No violation of Article 6 § 1](#)

[Violation of Article 6 § 1 \(right to a fair hearing within a reasonable time\)](#)

[Violation of Article 13 \(right to an effective remedy\)](#)

**[Kendristakis and Others v. Greece](#)**

27 October 2016

The case concerned the procedures for compensating relatives of persons who were killed when a factory collapsed during an earthquake.

[Application declared inadmissible as manifestly ill-founded.](#)

**[Papaioannou v. Greece](#)**

2 June 2016

The case concerned the rejection of Mr Papaioannou's appeal to the Supreme Administrative Court pursuant to section 12 of Law no. 3900/2010 according to which appellants have a procedural obligation to show that the court has not already ruled on a specific legal question.

[No violation of Article 6 § 1](#)

**[Xynos v. Greece](#)**

9 October 2014

[Violation of Article 6 § 1](#)

**[Syngelidis v. Greece](#)**

11 February 2010

Applicant's complaint about Greek Parliament's refusal to waive his former wife's parliamentary immunity in custody case concerning their son.

[Violation of Article 6 § 1](#)

Presumption of innocence

**[Kapetanios and Others v. Greece](#)**

30 April 2015

The case concerned the imposition of administrative fines on individuals accused of contraband who had been acquitted of a criminal offence.

[Violation of Article 6 § 2 and of Article 4 of Protocol No. 7 \(right not to be tried or punished twice\) with regard to all three applications](#)

[Violation of Article 6 § 1 \(right to a fair hearing within a reasonable time\) and Article 13 \(right to an effective remedy\) with regard to Mr Kapetanios's application](#)

**[Konstas v. Greece](#)**

24 May 2011

The case mainly concerned comments made by the Greek Prime Minister and two Greek ministers about the applicant (former university professor, Minister for the Press and Minister Plenipotentiary at the Council of Europe) in the context of criminal proceedings against him that were still pending on appeal.

[Violation of Article 6 § 2](#)

[Violation of Article 13 \(right to an effective remedy\)](#)

Right to be assisted by counsel

**[Astikos Kai Paratheristikos](#)**

**[Oikodomikos Synetairismos](#)**

**[Axiomatikon and Karagiorgos v. Greece](#)**

01.06.2017

The two cases concerned the new admissibility conditions introduced under Law No. 3900/2010 relating to appeals on points of law before the Council of State.

[Application declared inadmissible.](#)

### **Vamvakas v. Greece (no. 2)**

9 April 2015

The case concerned the unexplained absence of the applicant's assigned counsel from a Court of Cassation hearing in the criminal proceedings against him.

[Violation of Article 6 §§ 1 and 3 \(c\) \(right to a fair hearing / to be assisted by counsel\)](#)

### **Case dealing with private and family life (Article 8)**

#### **Leotsakos v. Greece**

4 October 2018

The case concerned a search of the professional premises of a lawyer (Mr Leotsakos) and the seizure of several items and documents in the framework of a criminal investigation concerning him personally.

[Violation of Article 8](#)

#### **M.K. v. Greece (no. 51312/16)**

1 February 2018

The case concerned the inability of M.K., the mother of two children, to exercise custody of one of her sons (A.) despite a decision by the Greek courts awarding her permanent custody. Her ex-husband lives in Greece with their two sons, while M.K. lives in France.

[No violation of Article 8](#)

#### **Modestou v. Greece**

16 March 2017

The case concerned a search of the applicant's private home and business premises carried out in his absence as part of a preliminary police investigation.

[Violation of Article 8 \(right to respect for private and family life, the home, and the correspondence\)](#)

#### **Dolopoulos v. Greece**

10 December 2015

The application concerned the circumstances in which a bank branch manager developed a psychiatric illness and severe depression which, in his view, were caused in part by harassing tactics on the part of his managers.

[Application declared inadmissible as manifestly ill-founded.](#)

#### **I.B. v. Greece (no. 552/10)**

3 October 2013

The case concerned the dismissal of an HIV-positive employee in response to

pressure from other employees in the company.

[Violation of Article 8 taken together with Article 14 \(prohibition of discrimination\)](#)

### **Cases concerning freedom of thought, conscience and religion (Art. 9)**

#### **Pantelidou v. Greece**

10.10.2019

The case concerned Ms Pantelidou's not being able to have access to a church that had been opened in a public green space by the congregation of the "True Orthodox Christians" in breach of the urban planning code. The site was earmarked for the construction of the Athens Mosque under that code.

[Application declared inadmissible as manifestly ill-founded.](#)

#### **Papavasilakis v. Greece**

15 September 2016

The case concerned the authorities' refusal to grant Mr Papavasilakis the status of conscientious objector and to allow him to do alternative civilian work instead of military service.

[Violation of Article 9](#)

#### **Dimitras and Others v. Greece (no. 3) (nos. 44077/09, 15369/10 and 41345/10)**

8 January 2013

#### **Dimitras and Others v. Greece**

**(nos. 42837/06, 3269/07, 35793/07 and 6099/08)**

3 June 2010

Concerned the obligation made to the applicants to reveal their (non-Orthodox) religious convictions when taking the oath in court in the context of criminal proceedings.

[In both cases: violation of article 9 and of Article 13 \(right to an effective remedy\)](#)

#### **Alexandridis v. Greece**

21 February 2008

Applicant, a lawyer, complained that when taking the oath of office he had been obliged to reveal that he was not an Orthodox Christian

[Violation of Article 9](#)

[Violation of Article 13 \(right to an effective remedy\)](#)

### **Kokkinakis v. Greece**

25 May 1993

Applicant, a Jehovah's Witness, was arrested more than 60 times for proselytising.

[Violation of Article 9](#)

### **Freedom of expression case (Article 10)**

#### **Kapsis and Danikas v. Greece**

19 January 2017

The case concerned an award of damages of 30,000 euros (EUR) against the director of a daily newspaper (Mr Kapsis) and a journalist (Mr Danikas), jointly with the newspaper's proprietor, for a press article describing as "completely unknown" an actress who had been appointed to an advisory board on subsidies awarded by the authority for theatres.

[Violation of Article 10](#)

#### **Alfantakis v. Greece**

11 February 2010

Unjustified ruling against applicant, a lawyer, for criticising public prosecutor at court of appeal in connection with criminal proceedings.

[Violation of Article 10](#)

### **Freedom of assembly and association (Article 11)**

#### **Mytilinaios and Kostakis v. Greece**

3 December 2015

The case concerned the obligation imposed on the applicants, who are winegrowers, to be members of the Samos Union of viticultural cooperatives, and their inability to obtain a winemaking permit to market their wine.

[Violation of Article 11](#)

### **Right to marry cases (Article 12)**

#### **Theodorou and Tsotsorou v. Greece**

05.09.2019

The case concerned a judicial decision annulling the marriage of Ms Tsotsorou and Mr Theodorou on the grounds that Ms Tsotsorou was Mr Theodorou's former sister-in-law.

[Violation of Article 12](#)

### **Protection of property cases (Article 1 of Protocol No. 1)**

#### **Chatzigiannakou v. Greece**

18 July 2019

The case concerned the failure to enforce a decision entailing the demolition of parts of a building in Athens on account of its non-compliance with anti-seismic regulations. Ms Chatzigiannakou lived next door to the building and she alleged that her house would be at risk if it were to collapse.

[Violation of Article 1 of Protocol No. 1](#)

[Violation of Article 13 \(right to an effective remedy\)](#)

#### **Kanaginis v. Greece**

27 October 2016

The case concerned the reappropriation procedure for property expropriated by the State.

[Violation of Article 1 of Protocol No. 1](#)

#### **Mamatas and Others v. Greece**

21 July 2016

The case concerned the forcible participation by the applicants, who are private individuals holding Greek State bonds, in the effort to reduce the Greek public debt by exchanging their bonds for other debt instruments of lesser value. In 2012 a new law amended the conditions governing the bonds by dint of Collective Action Clauses enabling bond-holders to conclude a collective agreement with the State, deciding by an enhanced majority. That majority having been obtained thanks, in particular, to the participation of the institutional investors (banks and credit organisations), the new conditions came into force in respect of all bond-holders, including the applicants, despite the latter's refusal. Their bonds were cancelled and replaced by new securities worth 53.5% less in terms of nominal value.

[No violation of Article 1 of Protocol No. 1 \(protection of property\)](#)

[No violation of Article 14 \(prohibition of discrimination\) in conjunction with Article 1 of Protocol No. 1](#)

#### **Zolotas (no. 2) v. Greece**

29 January 2013

Mr Zolotas complained that the Greek courts had found his claims in respect of his bank account to be time-barred and had assigned the balance to the State.

[Violation of Article 1 of Protocol No. 1](#)

### **Apostolakis v. Greece**

22 October 2009

Complaint by applicant, who had reached retirement age, about full withdrawal of his right to a pension and social cover as a result of his criminal conviction.

[Violation of Article 1 of Protocol No. 1](#)

### **Zeïbek v. Greece**

9 July 2009

Refusal to grant the applicant, a Greek citizen and a Muslim, a pension payable for life as the mother of a large family.

[Violation of Article 1 of Protocol No. 1 taken alone and together with Article 14 \(prohibition of discrimination\)](#)

### **Zouboulidis v. Greece (No. 2)**

25 June 2009

Complaint by a civil servant – a contractual employee at the Greek Embassy in Berlin – about the limitation periods applied for payment of his claims to an expatriation allowance supplement.

[Violation of Article 1 of Protocol No. 1](#)

### **Former King of Greece and Others v. Greece**

23 November 2000

Concerned the ownership status of the property of the Greek Crown.

[Violation of Article 1 of Protocol No. 1](#)

### **Cases dealing with the right to education (Article 2 of Protocol No. 1)**

#### **Memlika v. Greece**

6 October 2015

Exclusion of children aged 7 and 11 from school after they were wrongly diagnosed with leprosy.

[Violation of Article 2 of Protocol No. 1](#)

### **Cases regarding right to free election (Article 3 of Protocol No. 3)**

#### **Dimitras and Others v. Greece**

07.09.2017

The case concerned the prohibition on publishing opinion polls on voters' intentions in the 15 days preceding the date of certain elections, and also the ban forbidding the media from broadcasting or re-broadcasting them.

[Applications declared inadmissible.](#)

### **Cases dealing with Article 4 of Protocol No. 7 (right not to be tried or punished twice)**

#### **Sismanidis and Sitaridis v. Greece**

9 June 2016

The case concerned the institution of proceedings against each of the applicants for smuggling despite the fact that the criminal courts had already irrevocably acquitted them of the same offence.

[Violation of Article 4 of Protocol No. 7 \(right not to be tried or punished twice\) as regards Mr Sismanidis](#)

[Violation of Article 6 §§ 1 and 2 \(right to a fair hearing within a reasonable time and presumption of innocence\) as regards Mr Sitaridis](#)

### **Pilot judgment procedure<sup>2</sup>**

#### **Glykantzi v. Greece**

30 October 2012

Concerned the length of pay-related proceedings in the civil courts that lasted more than twelve years.

[Violation of Article 6 § 1 \(right to a fair hearing within a reasonable time\) in conjunction with Article 13 \(right to an effective remedy\)](#)

#### **Michelioudakis v. Greece**

3 April 2012

Concerned an applicant who complained about the excessive length of criminal proceedings brought against him for incitement to commit perjury and the lack of a remedy in domestic law by which to obtain redress for his complaint.

[Violation of Article 6 § 1](#)

[Violation of Article 13 \(right to an effective remedy\)](#)

<sup>2</sup> The pilot judgment procedure was developed as a technique of identifying the structural problems underlying repetitive cases against many countries and imposing an obligation on States to address those problems.

See document "[The Pilot judgment procedure](#)" available on the European Court of Human Rights website.

## Cases by themes

### Cases concerning asylum seekers/refugees

#### [J.R. and Others v. Greece](#)

(no. 22696/16)

25 January 2018

The case concerned the conditions in which three Afghan nationals were held in the Vial reception centre, on the Greek island of Chios, and the circumstances of their detention.

No violation of Article 5 § 1 (right to liberty and security)

Violation of Article 5 § 2 (right to be informed promptly of the reasons for arrest)

No violation of Article 3 (prohibition of inhuman or degrading treatment)

No violation of Article 34 (right of individual application)

#### [B.A.C. v. Greece](#) (no. 11981/15)

13 October 2016

The case concerned an asylum-seeker waiting for a decision from the authorities since 2002.

Violation of Article 8 (right to respect for private and family life)

Violation of Article 8 in conjunction with Article 13 (right to an effective remedy)

There would be a violation of Article 3 (prohibition of inhuman or degrading treatment) in conjunction with Article 13 (right to an effective remedy) if Mr B.A.C. were returned to Turkey.

#### [De los Santos and de la Cruz v. Greece](#)

26 June 2014

The case concerned the applicants' conditions of detention prior to their expulsion from Greece.

Violation of Article 3 (prohibition of inhuman or degrading treatment)

#### [Horshill v. Greece](#)

1 August 2013

The case concerned the placement in detention of Ismail Alfateh Horshill and the conditions in which he was detained. The applicant, a foreign national who was due to be deported, was held successively for fifteen days in two police stations after having applied for asylum.

Violation of Article 3 (prohibition of inhuman or degrading treatment)

#### [Mahmudi and Others v. Greece](#)

31 July 2012

Concerned the detention of an Afghan family, including a woman who was eight months pregnant and four minors, in the Pagani detention centre on the island of Lesbos.

Violation of Article 3 (prohibition of inhuman or degrading treatment), Article 13 (right to an effective remedy), Article 5 § 4 (right to have lawfulness of detention decided speedily by a court)

#### [Zontul v. Greece](#)

17 January 2012

Concerned the rape with a truncheon of an immigrant, held in an asylum seekers' camp, by one of the Greek coastguard officers supervising him. He also complained in particular that the authorities had refused to allow him to be examined by a doctor who was on the premises and that those responsible had not been adequately punished, as the Appeals Tribunal had not considered that his rape with a truncheon constituted an aggravated form of torture.

A violation of Article 3 (prohibition of torture and inhuman or degrading treatment)

#### [R.U. v. Greece](#) (n° 2237/08)

7 June 2011

#### [A. A. v. Greece](#) (n° 12186/08)

22 July 2010

#### [Tabesh v. Greece](#)

26 November 2009

#### [S.D. v. Greece](#) (n° 53541/07).

11 June 2009

Concerned asylum seekers held unlawfully in inhuman and degrading detention conditions.

In all four cases: violations of Article 3 (prohibition of inhuman or degrading treatment) and of Article 5 §§ 1 and 4 (right to liberty and security)

#### [Rahimi v. Greece](#)

5 April 2011

Concerned the conditions in which a minor, a migrant from Afghanistan, who had entered Greece illegally, was held in a detention centre and subsequently released with a view to his expulsion.

Violation of Article 3 (prohibition of inhuman or degrading treatment), Article

13 (right to an effective remedy) and Article 5 §§ 1 and 4 (right to liberty and security)

**M.S.S. v. Belgium and Greece**

(no. 30696/09)

Grand Chamber

21 January 2011

(see p. 2)

**Saidoun v. Greece and Fawsie v. Greece**

28 October 2010

Refusal to grant social security to political refugees was discriminatory

Violation of Article 8 (right to respect for private and family life) combined with Article 14 (prohibition of discrimination)

**Cases concerning Roma**

**Lavida and Others v. Greece**

30 May 2013

The case concerned the education of Roma children who were restricted to attending a primary school in which the only pupils were other Roma children.

Violation of Article 14 (prohibition of discrimination) in conjunction with Article 2 of Protocol No. 1 to the Convention (right to education)

**Sampani and Others v. Greece**

11 December 2012

The case concerned the provision of education for Roma children at the 12th Primary School in Aspropyrgos.

Violation of Article 14 (prohibition of discrimination) in conjunction with Article 2 of Protocol No. 1 (right to education)

Under Article 46 (binding force and execution of judgments), the Court recommended that those of the applicants who were still of school age be enrolled at another State school and that those who had reached the age of majority be enrolled at "second chance schools" or adult education institutes set up by the Ministry of Education under the Lifelong Learning Programme.

**Ibishi and others v. Greece**

4 January 2012

Concerned eviction of Albanian nationals, of Roma ethnic origin, from a settlement in Votanikos (an area of Athens), alleged demolition of their sheds and belongings

and failure to provide them with alternative housing.

Application declared inadmissible for non-exhaustion of domestic remedies.

**Stefanou v. Greece**

22 April 2010

Serious ill-treatment of 16-year old Roma by the police

Violation of Article 3 (prohibition of inhuman and degrading treatment)

Violation of Article 6 § 1 (right to a fair trial)

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**Noteworthy pending cases**

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**Papageorgiou and Others v. Greece**  
(nos. 4762/18 and 6140/18)

Cases [communicated](#) to the Government in March 2018

These cases concern the difficulties of a group of parents to obtain an exemption for their children from compulsory religious education in primary and secondary school. According to the applicants, the religion classes in the curriculum have not been planned in an objective and neutral way but are based on the catechism and dogma of the Greek Orthodox Church, the dominant religion. The applicants, who live on two small Aegean islands, state that they are not Orthodox Christians and do not wish to attend such classes, which are seen as a profession of faith.

The applicants rely on Article 8 (right to respect for private life) combined with Article 14 (prohibition of discrimination), Article 9 (freedom of thought, conscience and religion) combined with Article 14, as well as Article 2 of Protocol No. 1 (right to education) to the Convention.

**Safi and Others v. Greece**  
(no. 5418/15)

Case [communicated](#) to the Government in February 2016

The case concerns the deaths of 11 refugees in an incident on 20 January 2014 in the Aegean Sea.

A fishing boat with 27 people on board, Afghan and Syrian nationals, was wrecked off Farmakonisi, a small island in the Dodecanese archipelago attached to Leros Island, while being towed by the Greek Coast Guard.

The applicants rely on Article 2 (right to life) of the Convention to complain that their lives were put at risk by the sinking of the boat because of acts or omissions by the coastguards. They also allege that the sinking resulted in the deaths of their relatives.

Relying on Article 2 under its procedural limb, the applicants complain of the lack of a proper administrative and judicial investigation into who was responsible for

the accident. They also allege under Article 3 that they have been subjected to inhuman and / or degrading treatment following their transfer to Farmakonisi by the Greek Coast Guard.

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