THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY GREECE

ARTICLE 7 UNCAC

PUBLIC SECTOR

GREECE (EIGHTH MEETING)

A) In relation to article 7 of the Convention:

1) With regard to the recruitment/appointment procedure of the judiciary in Criminal Justice Institutions (i.e. Courts and Prosecutors’ Offices), we should inform you that it can take place only after their success in a relevant demanding competition and their graduation from the National School of Judges.

Furthermore, it should be noted that, as provided for in article 88, paras 1 and 5, of the Constitution of Greece: (a) the appointment of Judges and Prosecutors is established by a Presidential Decree, in accordance with a law defining their qualifications as well as their recruitment procedure, (b) their term in Office is life-long and (c) the retirement age limit for those magistrates up to the rank of the Judge in the Court of Appeals or the Vice-Prosecutor in the Appeals Prosecutor’s Office and the corresponding ranks coincides with the completion of their sixty-fifth year. The retirement age limit, however, for the Senior Judges (i.e. those of the President of the Court of Appeals or the Appeals Prosecutor and the corresponding ranks), is the sixty-seventh year.

Moreover, pursuant to articles 90, par. 1, of the Constitution and 78 of Law 1756/1988 on «The Code on the Organisation of the Courts and the Status of Judges», as applicable, the Supreme Judicial Council for Civil and Criminal Justice, chaired by the President of the Supreme Court «Areios Pagos», in the presence of the General Prosecutor of the same Court, is regarded as the responsible and competent body for the professional development of the judiciary of Civil and Criminal Courts and Prosecutors’ Offices.

Last, as far as the judicial staff of the Courts and Prosecution Offices is concerned, it should be said that, as provided for in article 92, paragraphs 1 and 3, of the Constitution, their permanence in Office is secured. Also, according to the same provisions, the Judicial Staff Service Boards, consisting by majority of Judges and Prosecutors, are considered to be the competent bodies for the status and development of the Courts and Prosecution Offices’ personnel.

2) First of all, we should inform you that, in our country, the competent body, tasked with the training of the judiciary of Civil and Criminal Courts and Prosecutors’ Offices on Prevention and Combating Corruption issues, is the National School of Judges.

Thus, within the framework of the cooperation of the abovementioned School with the «Hercule III» programme of the European Union, two seminars on «Fraud at the expense of EU interests - Agricultural subsidies and smuggling of tobacco products» as well as on «Tax Evasion Crimes. Addressing problems after Law 4337/2015 and Tax-Law issues» were held in November 2016 and in March 2017, respectively, for Judges in Civil, Criminal and Administrative Courts, as well as Prosecutors. Moreover, the latter will have the opportunity to attend, within 2017, a training seminar on «Justice - Administration and Combating Corruption in the Public Sector» to be held by the same School.
Finally, in the context of the participation of the National School of Judges in training programs for the judiciary, organized by European Union training bodies, the European Judicial Training Network (EJTN) in particular, it should be noted that a) in October 2016, a Deputy Prosecutor attended a seminar on «Economic Crimes, Asset Recovery and Confiscation in the EU», which was held in London, b) in November 2016, another Deputy Prosecutor participated in a seminar on «La corruption: detection, prevention, repression», which was held in Paris, and c) in March 2017, a Prosecutor attended a seminar on «Training Cooperation - Follow the Money: Financial Investigations» organized by EJTN in cooperation with CEPROC in Budapest.

3) With reference to criteria concerning the election to a public (political) office for the judiciary tasked with the administration of Criminal Justice, it should be stressed that according to Article 89, paras 1, 3 and 4, of the Greek Constitution, they (i.e. the Judges and the Prosecutors) are forbidden to provide any other employed/waged service, to practice any profession, to be assigned administrative tasks, as well as to participate in the Government. As a result, there is no possibility for them to take on public (political) office, parallel to their official duties.