

GRANTING OF OFFICIAL PARDON

The Ministry of Justice has the responsibility to conduct the necessary administrative procedure for granting pardon, under article 47, para.1, of the Constitution. The relevant article may be found in the Ministry of Justice website, under «The Constitution of Greece» (Το Σύνταγμα της Ελλάδος).

Granting of pardon is within the exclusive authority of the President of the Republic and is exercised upon an opinion of the Pardon Council and a recommendation of the Ministry of Justice.

If you have been convicted under an irrevocable court judgment and wish that your penalty be pardoned or mitigated or converted into another punishment or that the adverse legal effects of your sentence be lifted, you may institute a process for the granting of pardon. The relevant application form may be found at the Ministry of Justice website, under «Application forms» (Εντυπα αιτήσεων).

A n a p p l i c a t i o n m a y b e f i l e d f o r

- A. The granting of pardon (remission)
- B. The mitigation of a sentence
- C. The conversion of a sentence
- D. The lifting of the legal effects of a conviction
- E. The granting of pardon and lifting of the effects of a conviction
 1. A request for pardon (remission), mitigation or conversion of a sentence may be submitted if there is a convicting judgment and the imposed penalty has not been served or is being served, immediately after the judgment becomes final (irrevocable).
 2. A request for lifting the legal effects of a conviction may be submitted, if the penalty has been served in full however there are adverse effects (impediment in appointment to an office, incapacity and deprivation of rights) provided under the Penal Code or under any special penal law or under any other law preventing you from being employed in the various State services or the broader public sector or the Local Government Organizations or to practice a specific profession in the private sector, e.g. obtain a taxi licence, become a sailor, register with any Chamber of Commerce, exercise your voting right, etc. The application you shall file in this case must contain a specific request, i.e. the reason for which you request the lifting of the effects of the conviction (e.g. to recover your civil rights, resume the position you forfeited, regain your right to pension, to be employed, etc.). The President of the Republic, considering the case, has the right to decide that the lifting of the effects of the conviction or part thereof, or of a specific effect.
 3. A request for pardon with concurrent lifting of the effects of a conviction is allowed if the time of respite has not elapsed.
 4. A request for the lifting of the effects of a conviction may also be submitted when there is a conviction to a penalty with respite, after successful completion of the probation time. When the respite time has elapsed the penalty is eliminated, however the conviction judgment is not quashed nor are its effects.
 5. A request for pardon may also be submitted in the case of a conviction pronounced to you by a foreign court, if you are a Greek citizen. The President of the Republic has the right to grant pardon and lift the effects of convicting

judgments rendered by foreign courts in the case they bring about legal effects in Greece and only to the extent of these.

A petition for pardon is with no legal grounds and may not be submitted in the cases in which the request concerns:

1. Lifting of moral effects, i.e. so that the conviction is not a stigma. A pardon raises the execution of a penalty it does not, however, eliminate the convicting judgment nor dissolve the stigma. It also lifts the effects under the law, i.e. those that are stipulated under the provisions of law.
2. Lifting of effects so that the conviction be stricken off the penal record of the petitioner. The granting of pardon is entered in the penal records but the conviction judgment is not stricken off the penal records.
3. Pardon or lifting of the effects of security measures (such as attendance in a consultation support program by a user of narcotics, prohibition of stay in a specific place, the deportation of an alien, etc.). The security measures imposed along with the penalty or in lieu of it and are aimed not at the perpetrator's punishment but rather at the protection of society from the risk involved in the perpetrator's character or the use of certain objects, do not constitute penalties or legal effects of the conviction within the meaning of article 47 of the Constitution.

Where shall an application for Pardon be submitted

You may submit the relevant application to the Ministry of Justice; such application must be accompanied by a 60 Euro payment voucher, which you may obtain at any Public Cashier's Office, and a stamp duty of 50 cents.

The application may also be submitted at the Prosecution Office of the court where the relevant penal file is kept.

If you are in custody, you shall submit your application at the Direction of the Detention Facility where you are serving your sentence.