

[National Laws](#)

Legislation of Interpol member states on sexual offences against children

Greece - Grèce - Grecia

Athens

The information on this page is up to date as of spring 2006

I. Ages for legal purposes

Age of simple majority

The legal age of majority is eighteen (18) years.

Age of consent for sexual activity

The legal age of consent for sexual activity is fifteen (15) years.

Age of consent for marriage

The legal age of consent for marriage is eighteen (18) years. Nevertheless, the Court can allow the marriage, even before the completion of the 18th year of age, if the wedding is imperative by a significant reason, after having heard the persons about to be married and the parents or guardians of that person.

II. Rape

In the Hellenic Legislation, there is no special provision that deals with sexual contact with a minor, involving the use of violence.

The general provision of Article 336 of the Greek Penal Code can be applied, as it refers to adults and minors of both sexes:

'One who by physical force or threat of serious and immediate danger forces another into extra-marital intercourse or attempts an indecent act, is punished with confinement.

If the act of rape is committed by two or more perpetrators who were acting jointly, the persons are punished with confinement of at least 10 years.

If the act of rape causes the death of the victim, confinement of at least ten years or life-imprisonment is imposed.

Penal Prosecution is exercised in officio.'

III. Other forms of child sex abuse

'Seduction of minors', Article 339 of the Greek Penal Code

'1) One who commits an indecent act with a person under fifteen (15) years of age, or causes this person to commit or undergo such an act through deception, is punished as follows:

- a) if the victim is under ten (10) years of age, with at least ten years' confinement.
- b) if the victim has completed ten (10) years of age, but is under thirteen (13) years of age, with confinement of up to ten years.
- c) if the victim has completed thirteen (13) years of age, with imprisonment.

2) If in case of section c) of the first paragraph, the perpetrator has not completed seventeen (17) years of age, the Court can only impose reformatory or curative measures.

3) If a wedding was performed between the perpetrator and the victim, no criminal prosecution will be exercised and if such has been instituted, it is declared inadmissible.'

'Abduction with consent', Article 328 of the Greek Penal Code

'One who abducts or detains with intent of marriage or debauchery an unwed and minor woman, with her consent but without the consent of the persons legally responsible for her, is punished with imprisonment for up to three years if he committed this act with intent of marriage, or with imprisonment if he committed this act with intent of debauchery.

A complaint is required for the criminal prosecution.'

'Abuse of minors', Article 342 of the Greek Penal Code

'1. With imprisonment of at least one year is punished, one from whom a minor has legally descended or a foster parent who commits an unchaste act with his/her minor descendant or foster child, a guardian or commissioner or tutor of any kind who commits the same act with the minor they have in custody, the teachers or educators with their minor students or trainees, the clerics with their minor go-children.

2. The same punishment shall be inflicted to the servants or tenants who commit an unchaste act upon a minor who belongs to the same domestic circle, as well as

anyone who commits an indecent act upon a minor entrusted to his supervision or guardianship, even temporarily.'

'Incest', Article 345 of the Greek Penal Code

'1. Sexual intercourse with blood-relatives of an ascendant is punished with confinement for up to ten (10) years, and with blood-relatives of a descendant, with imprisonment for up to two (2) years, and between brothers and sisters or half-brothers and half-sisters, sexual intercourse is punished with imprisonment for up to two (2) years.

2. Lineal blood descendants may be absolved from punishment if at the time of the commission of the act, they had not reached seventeen (17) years of age.

The criminal prosecution is exercised ex officio.'

'Indecency between relatives', Article 346 of the Greek Penal Code

'1. The attempt of another indecent act between relatives as mentioned at Article 345 is punished with imprisonment for up to one (1) year.

2. The second paragraph of Article 345 shall also be applied in this case.

The criminal prosecution is exercised ex officio.'

'Insult of sexual dignity', Article 337 of the Greek Penal Code

'1. One who insults heavily the dignity of a person concerning his sexual life, with the perpetration of unchaste gesticulations or with proposals regarding unchaste acts, shall be punished with imprisonment of not more than one (1) year or with a fine.

2. The act described in the above-mentioned paragraph is punished with imprisonment from three (3) months to two (2) years if the victim is younger than twelve (12) years of age.'

'Sodomy', Article 347 of the Greek Penal Code

'a) Abuse of a relationship of dependence based upon employment; or

b) Sodomy committed by an adult through the seduction of a person under seventeen (17) years of age, or for financial gain, shall be punished with imprisonment of at least three (3) months.

The criminal prosecution is exercised ex officio.'

IV. Child prostitution

Child prostitution is completely prohibited in Greece. This results from the provision of Article 6 of the Law 1193/81, according to which 'any woman intending to prostitute herself for money, must have reached twenty-one (21) years of age and submit relevant application to the competent police authority.'

The following provisions of the Greek Penal Code are also applicable with a view to encounter child prostitution:

'Pandering', Article 349

'1. One who induces, urges, procures or facilitates the prostitution or lewd acts of minors with the intend to facilitate another one's debauchery, shall be punished with imprisonment for at least nine (9) months and not more than three years, and a fine.

2. The penalty will be increased to imprisonment for at least one year and a fine if the offence is committed under one of the following circumstances:

a) If the victim is under sixteen (16) years of age;

b) If the perpetrator is an ancestor through blood or marriage or a foster parent, spouse, guardian, or any other person to whom the minor is entrusted for rearing, education, supervision or custody, even temporarily.

The criminal prosecution is started ex officio.'

'Trafficking in prostitution', Article 351 of the Greek Penal Code

'1. One who, with a view to facilitate another one's debauchery, engages or influences a female minor person for the purpose of prostitution, even with her consent, shall be punished with imprisonment for at least one (1) year and not more than three (3) years, and a fine.

2. The penalty will be increased to imprisonment for up to five (5) years if the offence is committed by an ancestor through blood or marriage, a foster parent, spouse, guardian or by any other person to whom the minor is entrusted for rearing, education, supervision or custody, even temporarily.

3. These penalties will be imposed, even though the acts of the above-mentioned crime have been perpetrated in different territories.'

'Neglect of a minor', Article 360 of the Greek Penal Code

'1. One, with the duty of care for a minor under seventeen (17) years of age, who fails to prevent such minor from committing a criminal offence or being engaged in prostitution, shall be punished with imprisonment for up to one (1) year.

2. The person who commits this offence by neglect, will be punished with imprisonment for up to three (3) months.

3. If the offence is committed by a parent, guardian or representative under whose care a minor has been placed, the penalty mentioned in the first paragraph will be increased to a maximum of two (2) years' imprisonment, and the penalty mentioned in the first paragraph will be increased to a maximum of six (6) months' imprisonment.

The criminal prosecution is started ex officio.'

V. Child pornography

1. *According to the provisions of Article 348A of the Greek Penal Code, Pornographic material constitutes every depiction, real or fictitious imprinting, on any material carrier of a minor's body, intended for sexual excitement, as well as the recording or imprinting, on any material carrier, of a real, simulated or fictitious indecent assault acted for the same purpose by or with a minor.*

Whoever, on the cause of speculation (gain), prepares, possesses, puts by any means into circulation pornographic material, coming under the definition of the preceding paragraph, is sentenced to at least one year imprisonment plus a monetary penalty, while pornographic material distribution associated with the exploitation of need, of mental weakness, of vanity, of minors inexperience or with the performance of physical violence against a minor, constitutes an aggravated circumstance punishable as a felony.

Provisions of articles 29 and 30, of law 5060/1931 "concerning indecent publication" are implemented in assistance and inflict misdemeanor penalties to whoever exposes to public view, indecent material, by means of any kind of printed or electronic matter.

2. *According to article 121 of our penal code, which has been modified by law 3189/2003, minor is considered any person aged from eight (8) to eighteen (18) years old, while younger ages, come under the meaning of a child.*