

3 - My rights after the trial

A. Do I have the right to appeal the court's decision?

Yes, if a sentence of imprisonment of more than 2 months has been handed down by a single-member misdemeanour court or of more than 4 months by a three-member misdemeanour court or of at least 2 years by a mixed jury court, or if confinement in a special juvenile detention facility or reformatory or therapeutic measures have been imposed by a single-member or three-member juvenile court.

B. What other recourse options do I have?

You can apply for annulment of the proceedings within 15 days if the accused person who has been convicted by a final judgment has not been able, in due time, for reasons of *force majeure* or for other irreversible causes, to notify the court, by any means, of an insurmountable impediment to their appearance at the trial and to request that the hearing be adjourned. You can also apply for annulment of a ruling if the whereabouts of accused person were unknown at the time of their conviction, but known when the writ of summons was served on them.

C. What are the consequences if I am sentenced?

i. Criminal record

All final convictions are entered in the criminal record. All sentences are entered in the copy that is available for judicial use, whereas prison sentences of up to 6 months are not recorded in the copy that is available for general use after 3 years, sentences of up to 5 years are not recorded after 8 years and sentences more than 5 years are not recorded after 20 years. Once the person reaches the age of 80, or 5 years after expiry of the suspension period, the record is destroyed.

ii. Execution of sentence, transfer of prisoners, probation and alternative sanctions

If a person is sentenced to imprisonment for less than 3 years, the court orders execution of the sentence to be suspended for a period of 1-3 years, unless it considers, on specifically stated grounds, that imprisonment is absolutely necessary in order to prevent the sentenced person from committing new offences. Greece may recognise and enforce judgments which have been handed down in another Member State of the European Union and impose a custodial sentence or detention order, and may apply for recognition and enforcement of a corresponding judgment of a national court addressed by Greece to another Member State of the European Union. The sentenced person must be located in the issuing or enforcing State. Double criminality must be verified, with the exception of certain serious crimes, which are punishable in the issuing State by a custodial sentence of no more than 3 years.

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