



Greece

## Specialised courts - Greece

This section provides you with information on the organisation of specialised courts in Greece.

### Council of State

The Council of State (*Συμβούλιο της Επικρατείας*), provided for in Article 95 of the Greek Constitution, is the **supreme administrative court** and exercises its jurisdiction in **Plenary Session** (*Ολομέλεια*) or **Sections** (*τμήματα*). The Plenary Session is composed of the President, at least ten Councillors (*σύμβουλοι*), two Associate Councillors (*πάρεδροι*) and a Clerk (*γραμματέας*).

There are **six Sections**: I, II, III, IV, V and VI.

The first four Sections (I, II, III and IV) exercise the Council's judicial powers and meet in public. Sessions include the President of the Section (Vice-President of the Council), two **Councillors**, two Associate Councillors and a **Clerk** (five members).

Each Section may also meet in a seven-member formation, with the participation of two more Councillors. This may occur only in cases submitted to a seven-member Section by the President of the Court or referred by a five-member Section.

Section V is responsible for processing decrees and exercising disciplinary power. It is made up of a President (Vice-President of the Council), at least one Councillor, one Associate Councillor (with a casting vote) and a Clerk.

Section VI is responsible for the judicial review (annulment) of judgments relating to the Public Revenue Collection Code (*Κώδικας Είσπραξης Δημόσιων Εσόδων*) and to damages arising from administrative disputes. Its composition is equivalent to that of the first four Sections.

The main **duties** of the Council of State are set out in **Article 95(1) of the Constitution** and are performed as provided for by law.

The jurisdiction of the Council of State includes:

- annulment on request of enforceable acts by administrative authorities for abuse of power or breach of the law;
- review on request of final judgments by ordinary administrative courts, as defined by law;
- hearing substantial administrative disputes referred to it under the Constitution and by law;
- handling all decrees of a regulatory nature.

Authorities must comply with judgments for annulment by the Council of State. Any competent authority, as defined by law, may be held liable for failure to do so.

### Court of Audit

The Court of Audit (*Ελεγκτικό Συνέδριο*), provided for in Article 98 of the Greek Constitution, is a **high court** of a dual nature, with **judicial and administrative duties**. It preserves its judicial character when exercising administrative powers. The composition of the Court of Audit is equivalent to that of the Council of State. The Court of Audit exercises its judicial powers in **Plenary Session** (*Ολομέλεια*), **three Sections** (*τμήματα*) and **Units** (*κλιμάκια*).

Its **main powers** are:

- **auditing expenditure** by state and local governments or other legal persons governed by public law;
- **auditing contracts** of major financial value with the State or an entity with equivalent status;
- **auditing accounts** of public accounting officers and local governments or other legal persons governed by public law;
- **providing opinions** on legislative proposals on pensions or recognition of service for pension entitlements;

- **drafting and submitting a report** to Parliament on the government's revenue and expenditure report (*απολογισμός*) and balance sheet (*ισολογισμός*);
- **hearing litigation** on the awarding of pensions;
- hearing cases on the **liability** of civilian or military civil servants for any damage caused deliberately or by negligence to the State.

The rulings of the Court of Audit are not subject to the judicial authority of the Council of State.

## Other specialised courts

### Courts martial (*στρατοδικεία*), naval courts (*ναυτοδικεία*) and air force courts (*αεροδικεία*)

These are **special criminal courts**. All offences committed by military personnel in the army, navy or air force (without exception) are subject to the jurisdiction of the military courts.

## The Supreme Special Court

The Supreme Special Court (*Ανώτατο Ειδικό Δικαστήριο*) is a [specialised court](#), similar to a Constitutional Court in that most disputes within its jurisdiction are constitutional. The Court is provided for in Article 100 of the [Greek Constitution](#) and is responsible for judging the validity of parliamentary elections, removing [Members of Parliament](#) from office or resolving conflicts between the three Greek high courts. Judgments of the Supreme Special Court are final and are not subject to [appeal](#).

The Court is composed of the President of the Council of State, the President of the Supreme Court (*Άρειος Πάγος*), the President of the Court of Audit, four Councillors of the Council of State and four Councillors of the Supreme Court (appointed by lot every other year).

The Court is presided over by the **eldest President of the Council of State or the Supreme Court**. When hearing cases involving the resolution of conflicts and disputes on constitutionality or the interpretation of legal provisions, the Court includes two regular professors of law from Greek universities.

### Special Court for Mistrial Cases

The Special Court for Mistrial Cases (*Ειδικό Δικαστήριο Αγωγών Κακοδικίας*) is provided for in **Article 99 of the Constitution** and Law 693/1977 and hears mistrial cases against judicial officials. The Court is composed of the President of the Council of State, who acts as President, a Councillor of the Council of State, a Councillor of the Supreme Court, a Councillor of the Court of Audit, two regular law professors from Greek universities and two lawyers (members of the Supreme Disciplinary Board of lawyers, appointed by lot).

### Special Court Judging the Liability of Ministers

The Special Court Judging the Liability of Ministers (*Ειδικό Δικαστήριο Ευθύνης Υπουργών*) is provided for in **Article 86 of the Constitution**.

It is brought together for each case and is composed of **six members of the Council of State** and **seven members of the Supreme Court**, selected by lot by **the Speaker of Parliament** after a lawsuit is lodged. **Hearings take the form** of a public session of Parliament and are led by the members of the two high courts in question, who must have been appointed or promoted to their rank before a proposal to start legal proceedings is submitted. The highest-ranking among the selected members of the Supreme Court presides; if more than one member holds the same rank, the eldest among them presides. **A member of the Public Prosecutor's Office of the Supreme Court** or a deputy, both selected by lot, acts as Public Prosecutor.

This Special Court is responsible for trying criminal offences by government ministers and deputy ministers acting in office, provided that the cases have been referred by Parliament.

### Special Court for Disputes on the Remuneration of Judicial Officials

The Special Court for Disputes on the Remuneration of Judicial Officials (*Ειδικό Δικαστήριο Μισθολογικών Διαφορών Δικαστικών Λειτουργιών*) is provided for in **Article 88 of the Constitution**.

It is formed by the members of the Special Court provided for in **Article 99 of the Constitution**, with the participation of one additional regular professor and one additional lawyer.

The Court is responsible for hearing **disputes on (all types of) remuneration** and pensions of **judicial officials** if settlement of the legal issues is likely to influence the salary, pension or tax status of a larger number of officials.

## Legal databases

1. The website of the [Council of State](#) contains more than 250,000 decisions.

Access to the database is **free of charge**.

2. These are the websites of the major **Greek administrative courts of first instance** (*διοικητικά πρωτοδικεία*):

- [Athens Administrative Court of First Instance](#)
- [Thessaloniki Administrative Court of First Instance](#)
- [Piraeus Administrative Court of First Instance](#)
- [Patras Administrative Court of First Instance](#)
- [Heraklion Administrative Court of First Instance](#)
- [Larisa Administrative Court of First Instance](#)
- [Alexandroupoli Administrative Court of First Instance](#)
- [Serres Administrative Court of First Instance](#)
- [Komotini Administrative Court of First Instance](#)
- [Kavala Administrative Court of First Instance](#)
- [Xanthi Administrative Court of First Instance](#)
- [Ioannina Administrative Court of First Instance](#)

The following services are available on the website of the [Athens Administrative Court of First Instance](#):

- search for case law;
- case law bulletins.

The following services are under construction:

- issuing certificates;
- monitoring cases;
- filing legal documents.

The following services are available on the websites of all other courts:

- electronic request for certificates;
- monitoring cases.

Most of the above sites also contain information on court jurisdiction, history, rules of procedure, organisational charts, judges in service, etc.

Access is generally free of charge. However, use of the legal database is restricted to judges and requires special user software and identification codes.

3. These are the websites of the major **Greek administrative courts of appeal** (*διοικητικά εφετεία*):

- [Athens Administrative Court of Appeal](#)
- [Thessaloniki Administrative Court of Appeal](#)

The following services are available:

- daily hearing schedules;
- electronic request for certificates;
- monitoring cases.

Access is generally free of charge. However, use of the legal database is restricted to judges and requires special user software and identification codes.

## Related links

 [Council of State](#)

 [Court of Audit](#)

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