



**HELLENIC REPUBLIC  
MINISTRY OF MERCANTILE  
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**Ref. No.: 3136.A.17/09**

**TO : I.M.O. Secretariat**

**Subject: Request addressed to all Member States by IMO Secretariat for information on national legislation on Piracy.**

Ref.: Circular letter No.2933 from 23 December 2008

With reference to IMO Secretariat Circular letter dated 23 December 2008, the Ministry of Mercantile Marine, the Aegean and Island Policy (MMMAIP) avails the opportunity to provide information on national legislation with regard to the prevention and punishment of piracy and armed robbery at sea, as follows: .

***National legislation - Definitions***

1. Piracy:

Article 215 of the Greek Code on Public Maritime Law provides for a definition of the crime, while para 3 thereof sets a sentence of at least 5 years of imprisonment. It is noted that the definition of piracy under Greek law is similar to that enshrined in UNCLOS restricting the commission of the crime to the high seas.

2. Armed robbery at sea:

There is no such specific crime in the Greek legislation. However, the general provisions on armed robbery may be applicable.

***National legislation on the following acts of piracy/armed robbery:***

3. In case of attempts to commit piracy or armed robbery at sea as well as in cases of aiding and abetting of such crimes, the general provisions of the Greek Penal Code are applicable.

### ***Prosecution***

4. According to the Greek Penal Code (Article. 8), piracy is a crime *jure gentium*. In case that a person has committed or is suspected of committing acts of piracy or armed robbery, that person is prosecuted according to Article 8 of the Penal Code. It is noted that national courts –according to this Article- have universal jurisdiction irrespective of nationality of pirates/armed robbers. Furthermore, according to Article 7 of the Penal Code, Greek penal laws are applicable to any person abroad for any illegal act under the following conditions: (a) the act is committed against a Greek citizen, and, (b) this act is punishable according to the laws of the country where this act occurs or this act has been committed in a failed State.

5. On the other hand, the Greek Code on Public Maritime Law (Article 215) defines the crime of piracy along the lines of the UNCLOS. Under Greek law, investigative acts onboard the ship may be made by the captain of the Greek commercial ship on the high seas who can decide to detain the pirate (Article 242 of the Greek Code on Public Maritime Law). The arrest of pirates onboard a Greek ship triggers the application of Greek penal rules and procedures including the Greek Code on Criminal Procedures.

6. We remain at your disposal in case further clarifications are needed.

**The Commandant**

**Vice Admiral (H.C.G.) RENTZEPERIS TH.**