



PERMANENT MISSION OF GREECE TO THE UNITED NATIONS

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Ref. Nr. 100.1.3/1205

VERBAL NOTE

The Permanent Mission of Greece to the United Nations present their compliments to the Office of Legal Affairs of the United Nations and, with reference to their Note LA/COD/50 of 21 January 2015 concerning General Assembly resolution 69/114 of 10 December 2014, entitled "Criminal accountability of United Nations officials and experts on mission", has the honor to communicate the following information complementing the information provided by Greece in 2013 on the implementation of General Assembly resolution 67/88 of 14 December 2012:

- Article 8 of the Penal Code which establishes the principle of universal jurisdiction for the crimes enumerated therein has been amended by Law 4254/2014 (Official Gazette, Vol. A' 85/7.4.2014), Law 4198/2013 (Official Gazette, Vol. A' 215/11.10.2013), Law 4267/2014 (Official Gazette, Vol. A' 137/12.6.2014) and Law 4268/2014 (Official Gazette, Vol. A' 141/27.6.2014). Amendments were brought to subparagraphs c, d and h. As a result of these amendments (in bold), Article 8 reads as follows:

"Greek penal laws are applicable to nationals and foreigners alike irrespective of the laws of the country where the act was committed, for the acts committed abroad:

- a) high treason, treason against the Greek state and terrorist acts;*
- b) crimes concerning military service and the obligation for conscription;*
- c) punishable acts committed by persons in their capacity as civil servants/officials of the Greek state **or in their capacity as officials of an organ or organization of the European Union having its seat in Greece;***

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- d) acts against or directed to a civil servant/official of the Greek state or a **Greek official of an organ or organization of the European Union** in the exercise of his/her duties or related to his/her duties;
- e) perjury in the context of proceedings pending before Greek authorities;
- f) piracy;
- g) crimes against the currency;
- h) slave trade, trafficking in human beings, trafficking, child sex tourism (travel with the purpose of the commission of sexual intercourse or other lascivious acts against minors), **rape or abuse to lascivious acts against minors, seduction of children, abuse of minors to lascivious acts constituting a felony, child pornography, pornographic performance of minors, forced prostitution or sexual abuse of minors for profit or enforced disappearance of a person;**
- i) illegal trafficking in narcotic drugs;
- j) illegal circulation and trafficking in obscene publications;
- k) any other crime to which Greek penal laws apply by virtue of specific provisions or international conventions signed and ratified by Greece".

- Furthermore, Law 3658/2008 on "Measures for the protection of cultural property and other provisions" (Official Gazette, Vol. A' 70, 22.4.2008) stipulates in Article 13 par. 4 that the offences provided for in Chapter 9 of Law 3028/2002 on the "Protection of Antiquities and cultural heritage in general" (Official Gazette, Vol. A' 153/28.6.2002) are prosecuted and punished according to Greek penal laws even if committed abroad.

- Moreover, according to Article 2 of the Military Penal Code the provisions of this Code are also applicable to acts committed outside the Greek territory.

Article 3 of the Military Penal Code stipulates that the provisions of the Penal Code, as in force, are also applicable to military crimes, unless the Military Penal Code provides otherwise.

- Finally, as far as the participation of Greek Armed Forces personnel in UN missions is concerned, no penally punishable act has been reported so far.

The Permanent Mission of Greece to the United Nations avail themselves of this opportunity to renew to the Office of Legal Affairs of the United Nations the assurances of their highest consideration.




New York, May 15th 2015

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