

GREECE

Prevention of Terrorist Acts and Recruitment by Terrorist Groups

After September 11, 2002, Greece reviewed and strengthened its security and protection measures at a national level. Portions of the Greek Penal Code and the Code of Criminal Procedure have been amended by Law 2928/01. Article 187 now punishes (to the degree of felony) “perpetrators of setting up and participating in criminal organizations (including terrorist organizations).” It includes criminal acts committed by criminal organizations and clearly defines a “criminal organization.” Establishment of such an organization is punishable by a 10-year sentence. Aggravating circumstances for the offense include “the manufacture, the procurement or the possession of weapons, explosive substances and chemical or biological materials or materials emitting radiation harmful to the health.” Article 187-A now offers lenient measures for everyone “who essentially contributes to the breaking up of an organization or a gang,” offering sentence exemptions and reduced sentences. As of October 2002, “Greece ha[d] not yet adapted its internal legislation to the frame-resolution of the EU Council as regards “combating terrorism.”

On the issue of recruitment of terrorists, Greek Penal Code, Article 187 states that “recruiting of a terrorist group is punished as instigation or mere complicity in a criminal act of setting up or participating in a criminal act.” Greece is still in the process of drafting new legislation that will prevent terrorists from using the country as a “safe haven.” It is also still drafting legislation that will prevent terrorists from committing terrorist acts against other states or citizens from within the Greek borders.

To help prevent terrorist activities, Greece has taken actions against trafficking of small arms and weapons. One way this has been accomplished through strengthened border patrols, both at land and at sea -- a cooperative effort of the Hellenic Police, Customs Authorities, and the Coast Guard. “Security measures in all entry points and the border controls have been increased while contingency plans in case, of potential development of crisis, have been drawn up. The Hellenic police (in conjunction with the Financial Intelligence Unit) are monitoring more closely legal weapons entities. The sale of weapons is now more regulated -- requirements for receiving weapons licenses have been increased and a national database of weapons sold is being compiled.

Prevention and Suppression of Financing of Terrorist Acts

Greece is in the process of implementing legislation that will help prevent and suppress the financing of terrorist acts in Greece. Currently, two working groups are drafting legislation to make the necessary changes to Greek laws.

The first working group, organized under the Ministry of Justice, “is elaborating the penal provisions that criminalize the financing of terrorist provided as well for additional measures of penal and administrative nature (e.g. freezing), to effectively combat the financing of terrorism.” This working group is also responsible for implementing Resolutions of the European Union that relate to this topic. This working group must also implement the International Convention for the Suppression of the Financing of Terrorism (ratified and put into force via Law 3034/2002). To accomplish these tasks, the working group is preparing amendments to the Code of Criminal Procedure.

The second working group, organized under the Ministry of Economy and Finance, has several responsibilities. First, it is drafting legislation that will incorporate into Law 2331/1995 (money laundering) the Recommendations of the Financial Action Task Force on Money Laundering (FATF). Law 2331/1995 already criminalizes money laundering and allows for the freezing of assets. Second, it is drafting legislation to implement provisions of Directive 2001/97/EU, “which extends the obligation to report suspicious transactions to the Greek Financial Intelligence Unit (F.I.U.) to professionals (e.g. attorneys, notaries, accountants, auditors) and to dealers of high value goods.”

International Cooperation & Operational Information Exchange

“Greece is a state party to all major antiterrorism conventions and protocols. Out of the 12 United Nations Conventions dealing with terrorism, Greece is a party to 10 of them, while, out of the two remaining, the one dealing with the Suppression of Financing of Terrorism has just been ratified and put into force by Law 3034/2002 and the other dealing with the Suppression of Terrorist Bombings is under the ratification process.”

To aid cooperation between nations with respect to terrorism, Greece has in place 21 Police Cooperation Agreements, several extradition treaties, and several treaties of mutual legal assistance in place with various nations.

“Greece is also a state party to the European Convention on Terrorism of the Council of Europe (27 January 1977).”

BIBLIOGRAPHY OF GREEK LEGISLATION

Prevention of Terrorist Acts and Recruitment by Terrorist Groups

1. Greek Penal Code, Article 187

Prevention and Suppression of Financing of Terrorist Acts

1. Law 2331/1995 (money laundering)
2. Law 3034/2002 - ratifies and puts into force the International Convention for the Suppression of the Financing of Terrorism.
3. Law 2928/01 (criminal acts committed by criminal organizations) -- amends portions of the Greek Penal Code and the Code of Criminal Procedure.
4. Penal Code 187, para. 1 (definition of “criminal organization”)
5. Implementation of Directive 2001/1997/EU - extends obligations to report suspicious transactions to the Greek Financial Intelligence Unit to professions and dealers of high value goods.

International Cooperation & Operational Information Exchange

1. Law 3034/2002 (ratifies and puts into force U.N. Resolution on the Suppression of the Financing of Terrorism).