

The European Protection Order (EPO) as established by Directive 2011/99/ EU **was transposed in Greek legislation on 29/1/2016 by Law 4360/2016**. Although Greece has transposed and adapted in a very satisfactory way most of its provision, it has not been implemented in practise yet. This is because the transposition of the EPO Directive was not accompanied by practical guidelines for legal and social professionals as well as for judicial authorities involved in its implementation.

In Greek law, protection measures provided for victims of all forms of violence are contained in generic Civil and Criminal Law, whereas more specific provisions are found in Domestic Violence (D.M) Law.

1) In Civil Law (articles 731 *et seq.* Code of Civil Procedure) **Security Measures** are foreseen and Civil Courts may order any action, omission or tolerance of a specific act by the person against whom the application is directed. The Court's decision is of a temporary nature and is valid only if the victim files a lawsuit for the permanent settlement of the case. Security measures that could indicatively be ordered for the protection of victims are; *the eviction of the defendant from the family residence, the relocation, the prohibition to approach the residence or work premises of the applicant or the residences of close relatives/ children's schools and shelters*. A Temporary and immediate form of judicial protection by the issuance of an *interim order* may also be granted so that persons do not remain unprotected until the hearing of the security measures.

2) In Criminal Law, restrictive conditions are imposed on the person causing danger and are indicatively listed in article 283 par.1 (Criminal PC); *the provision of a guarantee, the obligation of the accused to appear at certain periods to the investigator or to other authority in Greece or in Greek consular abroad, the prohibition to go or reside in a certain place or abroad and the prohibition to associate or meet with certain persons*. Competent Judicial authority, conditions, their type and duration differ in every stage of the criminal proceedings. Article 169A par. 2 PC provides for imprisonment of up to three years for anyone who violates restriction orders, regarding freedom of movement or residence imposed by a court decision or a panel of judges.

3) According to Law 3500/2006 on Domestic Violence (D.V), article 15 provides for security measures that can be ordered by civil courts against a (D.V.) perpetrator. Furthermore, in the context of criminal proceedings, article 18 contains an indicative list of the restrictive conditions imposed on the perpetrator in the event of a (D.V) crime and defines the procedure, the conditions and the purpose of their imposition. It is also explicitly provided that above measures are imposed for as long as it is required, since after the amendment of Law by the Istanbul Convention, the imposed restrictive conditions are valid



until their revocation, replacement or modification by the Judicial authority/ by the competent Prosecutor that imposed them. Article 18 par. 1 also provides a sentence of imprisonment in case above mentioned measures/ restrictions are violated.

As a general remark, a law practitioner may invoke both provisions of civil and penal Greek law, in order to maximise protection for a person in danger, since security measures are mostly targeted towards victims' safety, whereas restrictive conditions towards perpetrators' actions.