

The Capital Punishment in Greece

1. The Greek Constitution does not generally rule out the legislative provision for the capital punishment. Nevertheless the Greek Constitution sets limits for the legislator. By consequence he must comply with the basic principle of respect for the human value (article 2 par.1). The Constitution, also, strictly prohibits that this punishment is imposed on political crimes (article 7 par. 3). Although the Greek penal law still provides for the imposition of the capital punishment in cases of serious felonies, the Courts have stopped imposing it for many years, since it is considered incompatible with the values of modern Greece.

2. A new legal "status quo" has been established since Greece has ratified the International Covenant of Civil and Political Rights of 1966 and the Second Optional Protocol (law 2462/1997).The country has committed itself internationally to abolish the capital punishment, with an option that it may be applied in cases of war crimes.

Thus, legislative provisions, which do not comply with the above mentioned Agreement, are considered invalid according to the article 28 of the Greek Constitution.

3. The Greek legal "status quo" which is in effect today reflects in general the substantial attachment of the European legal civilization to the respect of the human value. The above principle has inspired along with the Greek legislation, relevant European legislations which have introduced the abolishment of the capital punishment in their corpus.

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