



PERMANENT MISSION OF GREECE
GENEVA

Ref.: F. 6171.14/ 66/ AS 1842

The Permanent Mission of Greece to the Office of the United Nations and other International Organisations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the letter of the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography Mr. J. Miguel Petit [Ref. G/SO 214(69-14)] dated 30 July 2004 has the honour to provide herewith comments of the competent Greek Ministry, and kindly requests to forward them to its addressee.

The Permanent Mission of Greece to the United Nations Office and other International Organisations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 5 November 2004



Encl.-: ment.

Office of the High Commissioner for
Human Rights
Palais Wilson
Rue des Pâquis 52
1201 Geneva

OHCHR REGISTRY

10 NOV. 2004

Recipients :...S.P.B...
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HELLENIC REPUBLIC

MINISTRY OF PUBLIC ORDER

Subject : Child Pornography

- a. On 15 October 2002 Greek Law 3064/2002 came into force. This law concerns the crimes of human trafficking , sexual crimes, child pornography and in general financial exploitation of sexual acts and it provides for assistance to the victims of these crimes. It should be noted that under this law, "Child Pornography" (article 348a) constitutes a separate offence and is classified as a felony.
- b. In accordance with the provisions of article 348a of the Greek Penal Code, pornographic material can be termed any description of or an actual or simulated depiction of the body of a child on any kind of material with a view to causing sexual arousal, as well as the recording or filming on any kind of material of an actual or simulated lecherous act for the same purpose involving a child or with the participation of a child.

Any person who produces, possesses, obtains, purchases, transfers, traffics in, disposes of, sells or puts pornographic material in circulation in any way as defined in the above paragraph, is subject to at least one year of imprisonment and a fine. Trafficking in pornographic material involving the taking advantage of needy children, those with mental weakness and deaf children, or physically abusing a child is also punishable by imprisonment.

The provisions of articles 29 and 30 of Greek Law 5060/1931 for "Obscene Publications" are also applied. These articles inflict penalties for misdemeanours on persons who put on public view obscene material using any kind of printed or electronic means.

- c. In accordance with the provisions of articles 121 of the Greek Penal Code, as amended by Greek Law 3189/2003, juveniles are defined as being between eight and eighteen years of age, while children are defined as those younger than eight years.
- d. Although no law obliges internet providers to keep records related to pornography shown on their sites, upon request and by order of the Prosecutor's Office, these providers supply the necessary data when available.
- e. The Public Security Division of the Greek Police-Headquarters is the competent authority to prevent and combat the child pornography at the national level. At an operational level the Public Security Directorate of Attica and the Public Security Directorate of Thessalonica are responsible, assisted by their specialized services (Anti—trafficking Team, Juvenile Protection subdivision, Electronic Crime Squad). All the other police services of Greece are also competent, and when they deal with child pornography cases, they are assisted by the specialized services, when necessary.
- f. The aforementioned specialized services have sophisticated technological equipment and are staffed by officers with special knowledge in the subject and police personnel who receive constant in service training through national and international seminars regarding electronic crime.
- g. Close cooperation exists among the competent services, the Prosecutor's Office, the representatives of hotlines etc. in combating child pornography. In addition to the above, at regular intervals, information and advice are given to parents and children via the media concerning measures to protect children and achieve a safer Internet.