

International Comparative Legal Guides

Litigation & Dispute Resolution 2026

A practical cross-border resource to inform legal minds

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1 Litigation – Preliminaries

1.1 What type of legal system does your jurisdiction have? Are there any rules that govern civil procedure in your jurisdiction?

Greece operates under a civil law system, primarily influenced by Roman law and the German legal tradition, with the Greek Civil Code and the Greek Code of Civil Procedure forming the backbone of the legal framework governing civil disputes. Civil procedure is governed by the Greek Code of Civil Procedure, which sets out detailed provisions for all aspects of litigation, from pleadings, lawsuits and service to enforcement of the Court's decision and appeals. In recent years, significant reforms have sought to streamline procedures, minimise delays, and harmonise Greek civil justice with European standards, thereby enhancing legal certainty and judicial effectiveness.

1.2 How is the civil court system in your jurisdiction structured? What are the various levels of appeal and are there any specialist courts?

The Greek civil court system is organised across three main tiers: Courts of First Instance, which handle the initial hearing of civil claims (either as single-member or multi-member courts, depending on the value and nature of the case); Courts of Appeal, which review both facts and legal issues; and the Supreme Civil and Criminal Court (*Areios Pagos*), which addresses legal errors only and ensures consistency in jurisprudence. Greece also maintains specialised courts, including labour courts, land registry courts, administrative law and divisions for commercial and maritime disputes, reflecting the increasing complexity of modern litigation.

1.3 What are the main stages in civil proceedings in your jurisdiction? What is their underlying timeframe (please include a brief description of any expedited trial procedures)?

Civil proceedings are initiated with the filing of a lawsuit before the competent court. This filing triggers a fixed procedural calendar, commencing with the obligation of the plaintiff to serve the lawsuit upon the defendant. Service must be effected within 30 days if the defendant resides in Greece, or within 60 days if the defendant resides abroad or is of unknown residence. Following service, both parties

must submit their full written pleadings, including legal arguments and supporting documentation, within 90 days of service in domestic cases, or within 120 days when a party resides abroad.

Once the written submissions are complete, each party may file supplementary pleadings or rebuttals in 15 days. For subsequent facts that came to the knowledge of the party after the submission of the abovementioned pleadings, the party can submit further rebuttal 15 days prior to the scheduled hearing date. The hearing itself is typically scheduled seven to nine months from the date the lawsuit was initially filed. It is a brief, non-adversarial session that does not require the physical presence of the parties or witnesses. Its purpose is purely procedural, confirming that the case file is complete and properly submitted. The adjudication is based solely on the documentary evidence and pleadings in the case file. The court then proceeds to issue a written judgment, which is generally delivered within eight to 12 months, depending on the backlog and workload of the particular court. These judgments are subject to appeal. The deadline for filing an appeal is 30 days from service of the judgment if the appellant resides in Greece, or 60 days if the appellant resides abroad or is of unknown residence. If the judgment has not been served, the right to appeal remains open for a period of two years. A further remedy, cassation, is available before the Supreme Court but is limited strictly to issues that have to do with the implementation of law. The applicable deadlines for filing a cassation appeal mirror those for ordinary appeals.

Greek law also provides for a number of expedited procedures intended to offer swift and effective relief in specific types of disputes. These procedures are streamlined, cost-effective, and in many cases eliminate the need for a hearing altogether.

One such mechanism is the issuance of a payment order, which is available for uncontested monetary claims supported by appropriate documentary evidence, such as invoices or contractual agreements. The court may issue a payment order *ex parte* within a few days to a few weeks from filing.

Another expedited procedure concerns interim measures, which are available in urgent cases where immediate judicial protection is required, such as asset preservation.

Furthermore, Greece provides a simplified small claims procedure for disputes involving claims under €5,000.

A notable exception to the primarily written nature of civil proceedings arises in specific categories of disputes, namely family law cases, employment law and lease agreement disputes. In such proceedings, a full oral hearing is typically conducted before the court. The parties are required to appear in person, and witnesses are examined live during the hearing.

Despite the oral nature of these cases, the court continues to rely heavily on documentary evidence, while the hearing ensures a balanced consideration of sensitive or fact-intensive matters.

1.4 What is your jurisdiction's local judiciary's approach to exclusive jurisdiction clauses?

Greek courts generally uphold exclusive jurisdiction clauses, particularly in commercial agreements, provided that such clauses are clear and not contrary to Greek public policy or overriding mandatory provisions. In cross-border disputes, Greek courts apply EU Regulation (Brussels I), which governs jurisdictional matters, ensuring consistency with broader European legal practice.

1.5 What are the costs of civil court proceedings in your jurisdiction? Who bears these costs? Are there any rules on costs budgeting?

With regard to litigation costs, these include court filing fees, expert fees, and legal representation costs, all of which vary depending on the value and complexity of the claim. The prevailing principle is that the losing party bears the costs, though full reimbursement is rare, and courts exercise discretion. There is no formal costs budgeting regime, but courts have discretion to assess them, particularly in commercial litigation.

1.6 Are there any particular rules about funding litigation in your jurisdiction? Are claimants and defendants permitted to enter into contingency fee arrangements and conditional fee arrangements?

In Greece, contingency fee agreements and conditional fee agreements cannot be concluded between the parties to the case, but only between a party and their legal counsel (attorney). Such agreements take place in cases where high monetary compensation is being claimed, especially in claims for damages arising from tort or violation of personality rights. In the case of a conditional fee agreement, the lawyer's fee depends on the successful outcome of the case. According to the Lawyers' Code, such an agreement must be written and may not exceed 20% of the value of the subject matter of the case. If more than one lawyer is involved, the above percentage may not exceed 30%.

1.7 Are there any constraints to assigning a claim or cause of action in your jurisdiction? Is it permissible for a non-party to litigation proceedings to finance those proceedings?

Claims may generally be assigned, provided they are transferable in nature and not inherently personal (e.g., family law claims). While non-party litigation funding is not specifically regulated, there are no statutory prohibitions. However, the arrangement must not compromise the integrity of proceedings or violate public policy.

1.8 Can a party obtain security for/a guarantee over its legal costs?

Under Greek law, there is no provision for the payment of

security to cover legal costs. However, any party initiating a principal or incidental action is required to prepay the court fees related to its hearing. In addition, court fees must be paid in advance before filing for an application and before the hearing of any legal remedy (e.g., appeal) as well as for the performance of procedural acts.

2 Before Commencing Proceedings

2.1 Is there any particular formality with which you must comply before you initiate proceedings?

Yes, prior to initiating civil proceedings in Greece, certain formalities and procedural requirements must be observed, depending on the nature of the dispute. Most notably:

- For specific categories of cases, such as lease disputes, family matters, and certain commercial claims, the parties are required to attempt out-of-court dispute resolution before filing a claim. This is aimed at reducing court congestion and encouraging early settlement.
- Additionally, extrajudicial statements and notices or written demands are commonly served by the claimant (often via bailiff) to establish formal notice and potentially initiate settlement discussions. Although not always mandatory, failure to serve such notice may have implications on cost allocation or the admissibility of certain claims.
- All pleadings and supporting documents must comply with specific formalities, including full identification of the parties, a clear description of the facts and legal grounds, and submission of all supporting evidence at the outset, in line with the written procedure model under the revised Code of Civil Procedure.

Failure to comply with these formalities may result in inadmissibility of the action or procedural delays, underscoring the importance of strategic pre-litigation planning and legal advice.

2.2 What limitation periods apply to different classes of claim for the bringing of proceedings before your civil courts? How are they calculated? Are time limits treated as a substantive or procedural law issue?

Under Greek law, limitation periods (prescription of claims) are primarily governed by the Greek Civil Code and vary depending on the nature of the claim. These periods are generally treated as a matter of substantive law, as they affect the right itself rather than the procedural enforceability of that right.

Key limitation periods include:

- General contractual claims: Subject to a 20-year limitation period, unless otherwise specified.
- Tort claims: Typically subject to a five-year limitation period, starting from the time the claimant became aware (or should reasonably have become aware) of the damage and the liable party, with an absolute maximum of 20 years from the wrongful act.
- Commercial claims: Claims between merchants arising out of commercial transactions are usually time-barred after five years.
- Employment claims: Vary depending on the specific right (e.g., wage claims are typically subject to a five-year limitation).

3 Commencing Proceedings

3.1 How are civil proceedings commenced (issued and served) in your jurisdiction? What various means of service are there? What is the deemed date of service? How is service effected outside your jurisdiction? Is there a preferred method of service of foreign proceedings in your jurisdiction?

Civil proceedings in Greece are commenced by filing a lawsuit with the competent court and serving it to the defendant via court bailiff. Service must occur within 30 days of filing, at the latest, for regular proceedings. In the case of individuals residing abroad or of unknown residence, service must be effected within 60 days from the filing. In the last case, the service is done via the Public Prosecutor's Office of the competent court. The special procedures service of the claim must be effected at least 30 days before the hearing date (60 days if abroad). It is noted that the deemed date of service is the date of actual delivery.

3.2 Are any pre-action interim remedies available in your jurisdiction? How do you apply for them? What are the main criteria for obtaining these?

Under Greek law, pre-action interim remedies (provisional measures) are available to preserve rights, prevent imminent harm, or secure future enforcement. These may be sought before or during main proceedings and are commonly used to safeguard assets, prevent unlawful actions, or ensure the effectiveness of a future judgment.

Such remedies shall often include:

- Freezing orders (e.g., seizure or attachment of movable or immovable property).
- Prohibition of certain actions (injunctions).
- Temporary regulation of a legal situation (e.g., temporary custody, prohibition of the use of property).

An application is filed with the Single-Member Court and may be submitted *ex parte* (without notice to the opposing party) in extremely urgent cases. The applicant must provide:

- a written petition;
- supporting evidence (including affidavits); and
- a summary of the main claim, if not already filed.

To obtain such provisional measures or an interim remedy of any kind, the applicant must demonstrate:

1. urgency – that immediate action is needed to prevent serious harm or irreparable damage;
2. *prima facie* claim – a probable legal right or entitlement; and
3. risk of frustration – that a delay or lack of provisional protection would jeopardise the enforcement of the final decision or substantially harm the applicant's rights.

The court may issue an order fast, often within days, especially in urgent or *ex parte* cases. The decision remains in effect until the main case is resolved or until the court revokes or amends it.

3.3 What are the main elements of the claimant's pleadings?

Under Greek law, the claimant's pleadings are submitted in writing and must contain several key elements to be considered acceptable, legal and valid: (i) identification of the parties; (ii) jurisdiction and reference to the territorial and subject matter

competence of the Court; (iii) clear and detailed description of the facts of the case; (iv) legal basis of the claim; (v) specific claim request; (vi) reference to supporting documentation, evidence and reports proving the claim, which must be submitted within the prescribed time limits set by the law; and (vii) court fee confirmation, i.e., proof of payment of the relevant fees to the claimant's lawyer.

The claim must be clear, complete, and substantiated, as Greek procedure emphasises a front-loaded written process, with limited ability to introduce new elements later in the proceedings.

3.4 Can the pleadings be amended? If so, are there any restrictions?

Yes, pleadings may be amended only with the submission of all supporting documents/briefs, however, the amendments must not alter the fundamental identity of the claim or introduce entirely new causes of action. Minor factual or legal additions or corrections are permitted, provided they remain within the original procedural framework and do not prejudice the opposing party's defence.

3.5 Can the pleadings be withdrawn? If so, at what stage and are there any consequences?

The claimant may withdraw the claim without the defendant's consent before the latter proceeds to argue the merits of the case and before submitting written briefs and documents. A later withdrawal is inadmissible if the defendant objects and demonstrates a legitimate interest in the continuation and conclusion of the proceedings.

4 Defending a Claim

4.1 What are the main elements of a statement of defence? Can the defendant bring a counterclaim(s) or defence of set-off?

A statement of defence is the formal legal document filed by the defendant in response to the plaintiff's statement of claim in civil proceedings. It outlines the defendant's position, including which allegations are admitted, which are denied, and the grounds on which the claim is contested.

Main elements of a statement of defence include:

- Admissions and denials:
The defendant must respond to each allegation made by the plaintiff – either admitting it, denying it, or stating that they lack sufficient knowledge to admit or deny. Silence on a particular allegation may, in some cases, be treated as an admission.
- Statement of material facts and legal grounds:
The defendant sets out their own version of events, presenting the material facts and legal basis for their defence. This may include challenges to the facts or legal arguments raised by the plaintiff.
- Affirmative defences:
These are additional facts or legal arguments introduced by the defendant that, even if the plaintiff's claims were true, would justify dismissal or reduction of the claim (e.g., limitation period, estoppel, contributory negligence).

Counterclaim and set-off

A counterclaim is an independent legal claim brought by the defendant against the plaintiff, and sometimes against other parties. It can be related or unrelated to the original claim but must comply with procedural rules.

Legal set-off requires mutual debts that are liquidated and due. Equitable set-off applies when the debts arise out of the same or closely related transaction and it would be unfair to enforce one without considering the other.

4.2 What is the time limit within which the statement of defence has to be served?

In Greek Civil procedure, the statement of defence, which is submitted in the form of pleadings, as mentioned above, must be filed within the procedural deadline set by law, namely, 120 days from the filing of the claim in ordinary proceedings (or 150 if the defendant resides abroad). In special proceedings (e.g., labour disputes, lease disputes), it is submitted before the court at the hearing.

4.3 Is there a mechanism in your civil justice system whereby a defendant can pass on or share liability by bringing an action against a third party?

Yes, under Greek civil procedure, there is a mechanism that allows a defendant to pass on or share liability by involving a third party in the proceedings. This is primarily done through the Third-Party Notice, which may be served by the defendant to bring another party into the proceedings, arguing that this third party is wholly or partly liable for the claim. This is commonly used:

- For recourse actions, e.g., indemnity claims.
- In contractual chains, where more than one party may bear liability.

4.4 What happens if the defendant does not defend the claim?

Under Greek civil procedure, if the defendant fails to submit a statement of defence/pleadings within the prescribed time limit or does not appear at the hearing, the court may issue a default judgment in favour of the claimant. The key consequences are the following:

- The court assumes that the facts stated in the claim are true, unless they are obviously unlawful or unfounded.
- The defendant loses the opportunity to contest the claim or present evidence.
- A default judgment is enforceable like any regular judgment, unless successfully challenged.

4.5 Can the defendant dispute the court's jurisdiction?

Yes, under Greek civil procedure, the defendant may dispute the court's jurisdiction by raising a jurisdictional objection. The types of jurisdiction that the defendant may challenge are the following:

- Subject-matter jurisdiction (e.g., whether the case belongs to civil or administrative courts).
- Territorial jurisdiction (e.g., if the application/pleading is filed in the court residing in another geographic area).

As for the procedural requirements, they are the following:

- The objection must be raised with the statement of defence or at the first hearing, otherwise it is considered waived (unless it concerns public order, like subject-matter jurisdiction).
- If accepted, the court declines jurisdiction, and the claimant must refile the case before the competent court.

In any case, the court examines both territorial and subject-matter jurisdiction on its own motion (*ex officio*).

5 Joinder & Consolidation

5.1 Is there a mechanism in your civil justice system whereby a third party can be joined into ongoing proceedings in appropriate circumstances? If so, what are those circumstances?

Yes, under Greek civil procedure, there are mechanisms allowing a third party to be joined into ongoing proceedings, either by initiative of a party or voluntarily by the third party, provided certain conditions are met. Except for the Third-Party Notice, which occurs by request of party that has a legal interest in the outcome, as mentioned above, a third party may also intervene voluntarily in order, either:

- to support one of the parties (intervention); or
- to assert an independent right affected by the outcome (main intervention).

Moreover, if multiple claims or parties are connected by common legal or factual grounds, the court may allow or order joinder of parties, ensuring efficiency and avoiding conflicting judgments.

5.2 Does your civil justice system allow for the consolidation of two sets of proceedings in appropriate circumstances? If so, what are those circumstances?

Yes, under Greek civil procedure, the civil courts may order the consolidation of two or more sets of proceedings when the following conditions are met:

- Connection in subject matter. The cases must be factually or legally related, meaning they arise from the same event, transaction, or legal relationship (e.g., same contract or tort).
- Same parties or connected parties. The parties involved must be the same or closely related (e.g., co-defendants or claims between the same parties).
- Efficiency and consistency. Consolidation must serve the interests of procedural economy and help avoid contradictory judgments.

The consolidation may be requested either by a party to one of the proceedings, or by the court *ex officio*, if deemed appropriate.

5.3 Do you have split trials/bifurcation of proceedings?

Yes, under Greek civil procedure, courts may order the bifurcation of proceedings as a procedural tool that allows for the separate adjudication of certain issues when this serves the faster and more effective administration of justice. According to the Code of Civil Procedure, the court may order the separation, either upon a party's request or *ex officio*, when multiple claims are joined in the same lawsuit and:

- they are contradictory to each other;
- they do not fall within the court's jurisdiction due to their value;
- they do not fall within the territorial jurisdiction of the same court;
- they are not subject to the same type of procedure; or
- their joint hearing would cause confusion.

6 Duties & Powers of the Courts

6.1 Is there any particular case allocation system before the civil courts in your jurisdiction? How are cases allocated?

In Greece, there is a case allocation system in place to ensure transparency, impartiality, and efficient handling of civil cases. In most major courts (especially in Athens and Thessaloniki), civil cases are assigned to judges randomly through an electronic allocation system, supervised by the court's administration. This system is designed to prevent judge shopping and ensure objectivity. Civil courts are often divided into chambers, such as those handling family law, commercial disputes, tenancy, or labour law, and as a matter of fact, a case is first assigned to the appropriate division, and then randomly to a judge within that chamber. In cases of urgent or special matters involving injunctions, interim measures, or emergency hearings, the judge that is on duty at that moment is assigned the case according to a pre-established rota.

6.2 Do the courts in your jurisdiction have any particular case management powers? What interim applications can the parties make? What are the cost consequences?

Greek courts do not actively manage the case in the same way as in common law jurisdictions; however, the courts have the power to:

- Ensure compliance with procedural deadlines.
- Reject inadmissible submissions (e.g., late filings).
- Order the separation or consolidation of proceedings.
- Adjourn hearings for serious reasons.
- Dismiss obviously unfounded or abusive claims.

Regarding the interim applications available to parties, their options include the following:

- Applications for provisional measures (such as freezing orders, seizure of assets, orders for temporary use or custody).
- Applications for injunctions.
- Requests for expert appointment before the main hearing.
- Requests for more supporting documents.
- Requests to examine witnesses or take other evidence early, due to risk of loss.

All the above are usually handled under the interim proceedings and the provisional measures. The general rule in Greek civil procedure is that the losing party bears the costs of the proceedings, including costs of interim applications. However, the court has discretion to apportion or waive costs.

6.3 In what circumstances (if any) do the civil courts in your jurisdiction allow hearings or trials to be conducted fully or partially remotely by telephone or video conferencing, and what protocols apply? For example, does the court – and/or may parties

– record and/or live-stream the hearings and may transcriptions be taken? May participants attend hearings remotely when they are physically located outside of the jurisdiction? Are electronic or hard-copy bundles used for remote hearings?

In Greek civil courts, the personal appearance of the parties is not mandatory, and the hearing may take place with the presence of the party's lawyer alone. Under Greek civil procedure, hearings are traditionally conducted in person, especially in civil trials. Greek civil courts may allow procedural acts to take place remotely, but only in specific cases and under certain legal provisions, such as the examination of witnesses, parties, or experts remotely, if approved by the court and if the technical conditions ensure integrity and fairness.

6.4 What sanctions are the courts in your jurisdiction empowered to impose on a party that disobeys the court's orders or directions?

If a party fails to comply with procedural obligations or court orders (e.g., deadlines, document disclosure, attendance at hearings), the court may:

- Dismiss the claim or defence as inadmissible.
- Exclude late-submitted evidence.
- Deem certain allegations as accepted (e.g., in the case of unjustified absence or failure to challenge).
- Proceed *in absentia*, issuing a judgment without the participation of the defaulting party.

Monetary penalties and fines

In certain cases, especially where a court order imposes an obligation to act or refrain from acting (e.g., in provisional measures), the court may:

- Impose a pecuniary penalty (financial fine) for each violation or day of non-compliance, in accordance with Article 947 of the Greek Code of Civil Procedure.
- Enforce coercive detention (rarely applied in practice) against the responsible individual, subject to constitutional and human rights safeguards.

6.5 Do the courts in your jurisdiction have the power to strike out part of a statement of case or dismiss a case entirely? If so, at what stage and in what circumstances?

Greek civil courts have the authority to dismiss all or part of a case, either on procedural grounds (e.g., lack of jurisdiction, legal interest, or proper form) or on the merits, at various stages of the proceedings. However, there is no direct equivalent to a "motion to strike out" as in common law systems – instead, such results occur through procedural objections, judicial assessment, or preliminary rulings. Dismissal may occur with the court's decision.

6.6 Can the civil courts in your jurisdiction enter summary judgment?

The concept of summary judgment, as understood in common law systems (i.e., judgment without a full trial when there is no genuine dispute of fact), does not exist in the same form. However, Greek law provides functionally similar mechanisms that allow courts to issue swift judgments in clear or uncontested cases, without a full evidentiary hearing. For example,

the issuance of a payment order: a fast-track, *ex parte* procedure for monetary claims based on written evidence (e.g., invoices, contracts, checks). If the application meets formal requirements, the court issues a payment order without summoning the defendant. The debtor may file an objection within 15 working days, which leads to ordinary proceedings.

6.7 Do the courts in your jurisdiction have any powers to discontinue or stay the proceedings? If so, in what circumstances?

Civil courts in Greece have the power to discontinue or stay proceedings in certain circumstances. A stay of proceedings may be ordered when:

- The parties reach a settlement and request suspension to finalise the agreement.
- The case depends on the outcome of another pending proceeding (e.g., related or precedent cases such as related criminal case between the same parties).
- There are procedural impediments, such as pending jurisdictional challenges or lack of necessary parties.
- Exceptional reasons exist, like *force majeure* or illness of a party or counsel.

Discontinuance usually occurs when the claimant voluntarily withdraws the claim, sometimes with the court's approval, depending on the stage of the case.

7 Disclosure

7.1 What are the basic rules of disclosure in civil proceedings in your jurisdiction? Is it possible to obtain disclosure pre-action? Are there any classes of documents that do not require disclosure? Are there any special rules concerning the disclosure of electronic documents or acceptable practices for conducting e-disclosure, such as predictive coding?

Greek law does not provide for a standardised mechanism of disclosure as found in common law systems. The collection of evidence is based on the principle of free evaluation of evidence and the discretion of the parties to submit the evidentiary material they choose. However, the Code of Civil Procedure provides that each party may request the court to order the production of documents held by the opposing party or by a third party. The court will assess whether the document is essential to the outcome of the case and whether there is a legal obligation for its production. Finally, there is a possibility of interim judicial protection aimed at securing evidence (e.g., preservation or preventive collection of evidence).

7.2 What are the rules on privilege in civil proceedings in your jurisdiction?

In Greek Civil law, legal privilege mainly protects communications between lawyers and clients, as safeguarded by the Lawyers' Code. Such communications are confidential and cannot be disclosed without the client's consent. Privilege also applies to certain other professionals that are used within the framework of civil procedure. However, there is no general litigation privilege for documents prepared in anticipation of proceedings, unless another confidentiality obligation applies. The concept is narrower than in common law systems and focuses primarily on professional secrecy.

7.3 What are the rules in your jurisdiction with respect to disclosure by third parties?

In Greek civil jurisdiction, the rules regarding disclosure by third parties are regulated by the Greek Code of Civil Procedure and relevant data protection laws. Courts may order third parties to produce documents or provide testimony if such evidence is deemed necessary for the resolution of a civil dispute. However, disclosure is limited by confidentiality obligations, such as professional secrecy safeguarded by the Lawyer's Code and privacy rights under the General Data Protection Regulation (GDPR). A third party's refusal to comply without valid legal grounds may lead to penalties. Disclosure must always balance evidentiary needs with the protection of fundamental rights and personal data.

7.4 What is the court's role in disclosure in civil proceedings in your jurisdiction?

The court plays an active but limited role in the disclosure process. Unlike common law systems, Greece does not follow broad pre-trial discovery. Instead, each party is responsible for presenting its own evidence. However, under the Greek Code of Civil Procedure, the court may order a party or a third party to produce specific documents if deemed necessary for resolving the dispute. The court assesses the relevance and necessity of the requested evidence and ensures that any order respects confidentiality obligations and GDPR rules.

7.5 Are there any restrictions on the use of documents obtained by disclosure in your jurisdiction?

Yes, in Greek civil jurisdiction, there are restrictions on the use of documents obtained through disclosure. Such documents can only be used for the purposes of the specific legal proceedings in which they were disclosed. Their use in other contexts (e.g., other legal cases, public disclosure, or commercial purposes) is generally prohibited unless explicitly permitted by law or the court. Additionally, documents containing personal data are subject to the GDPR, which imposes strict rules on processing and sharing. Breach of these restrictions may lead to legal sanctions, including fines or exclusion of the evidence.

8 Evidence

8.1 What are the basic rules of evidence in your jurisdiction?

Under the Greek Civil Procedure, each party bears the burden of proving the facts that support their claims or defences. Evidence must be relevant, lawful, and submitted within procedural deadlines. The court evaluates the evidence freely, without being bound by formal rules of proof, applying the principle of "free judicial evaluation". Unlawfully obtained evidence, such as evidence violating privacy or confidentiality rights, is generally inadmissible unless exceptionally justified.

8.2 What types of evidence are admissible, and which ones are not? What about expert evidence in particular?

Admissible evidence includes documents (public and private), witness testimony, party examination, expert opinions,

judicial inspections, and legal presumptions. All evidence must be relevant, lawful, and submitted in accordance with procedural rules. Illegally obtained evidence – such as that violating privacy or confidentiality – is inadmissible unless exceptionally justified. Expert evidence is admissible when the court requires specialised knowledge to assess technical or scientific matters and is provided by court-appointed or mutually agreed experts.

8.3 Are there any particular rules regarding the calling of witnesses of fact, and the making of witness statements or depositions?

Yes, under Greek civil procedure, parties may request the court to summon witnesses who have direct knowledge of relevant facts. Witnesses of fact must testify orally before the court during the trial. Written witness statements or depositions are also accepted as evidence. Witnesses are required to speak the truth under oath, and false testimony may lead to penalties. The court decides on the relevance and admissibility of witness evidence and may limit or reject it if it is irrelevant or abusive.

8.4 Are there any particular rules regarding instructing expert witnesses, preparing expert reports and giving expert evidence in court? Are there any particular rules regarding concurrent expert evidence? Does the expert owe his/her duties to the client or to the court?

The rules governing the judicial work of expert witnesses are found in the Greek Code of Civil Procedure. Experts are usually appointed by the court, which defines their scope of work. They must act impartially and owe their duties to the court, not to the parties. Expert reports must be written, objective, and based on specialised knowledge. Experts may be called to testify in court to explain or clarify their findings. The court evaluates expert evidence freely and is not bound by it.

9 Judgments & Orders

9.1 What different types of judgments and orders are the civil courts in your jurisdiction empowered to issue and in what circumstances?

In Greece, civil courts are empowered to issue a variety of judgments and procedural orders, depending on the nature of the dispute and the stage of the proceedings. The main types of judicial decisions include final judgments, provisional (non-final) decisions, payment orders, and various enforcement-related measures.

- Definitive judgments are issued when the court has fully examined the case on its merits. These decisions definitively resolve the dispute between the parties, following a thorough analysis of all the legal and factual elements. These judgments are binding and enforceable and can be appealed. A definitive decision may be (a) declaratory judgment, which ascertains the existence or non-existence of a right or legal relationship (e.g., recognition of ownership), (b) condemnatory judgments, which oblige the defendant to pay a specific amount of money or to perform an act, or (c) constitutive (formative) judgments, which alter a legal relationship of a contract or annulment of an act.

- Non-definitive judgments are issued during the course of a trial to resolve procedural matters that do not determine the case's substance. These may include rulings on jurisdiction, the admissibility of evidence, the appointment of experts, or orders related to document production. While these decisions guide the process, they do not carry *res judicata* and are not independently enforceable.
- Default judgment/decision *in absentia* when a party, typically the defendant, fails to appear in court despite proper notification. If the plaintiff's claims are sufficiently supported, the court may render a decision in the absence of the other party. Such judgments are enforceable but can be challenged by the absent party through a motion to set aside (known as an "opposition to default judgment") within a set time limit.
- Payment order. This is a fast-track, non-contentious procedure available to creditors who have a clear and due monetary claim evidenced by written documents (such as invoices, contracts, or acknowledgments of debt). Once issued, the order becomes enforceable unless the debtor files an opposition within 15 days.
- Final (appellate) judgments – Issued after trial at second instance; subject only to cassation (appeal to the Supreme Court).
- Irrevocable (non-appealable) judgments – Issued after trial before the Supreme Court (Court of Cassation) and are no longer subject to any legal remedy.

9.2 Are the civil courts in your jurisdiction empowered to issue binding declarations as to (i) parties' contractual or other civil law rights or obligations, (ii) the proper interpretation of wording in contracts, statutes or other documents, (iii) the existence of facts, or (iv) a principle of law? If so, when may such relief be sought and what factors are relevant to whether such relief is granted? In particular, may such relief be granted where the party seeking the declaration has no subsisting cause of action, and/or no party has suffered loss, and/or there has been no breach of contract/duty?

Yes, Greek civil courts are empowered to issue binding declaratory judgments concerning:

1. Contractual or civil law rights and obligations.
2. Interpretation of contractual terms, statutes, or documents.
3. Existence or non-existence of facts.
4. Application or clarification of legal principles.

Such relief may be sought through a declaratory action in which the claimant must show a legitimate legal interest, even if no breach, damage, or enforcement is involved.

The court will assess whether the declaration serves a practical legal purpose, such as preventing future litigation or uncertainty.

9.3 What powers do your local courts have to make rulings on damages/interests/costs of the litigation?

Greek civil courts may grant compensatory damages to the injured party to cover actual loss or harm caused by the other party's unlawful act or breach of contract. Interest can be awarded either as contractual interest or statutory default interest, calculated from the time the claim arises until full payment. Regarding litigation costs, the losing party is generally ordered to pay the successful party's legal expenses, including court fees, attorney fees, and expert costs. The

court has discretion to allocate costs fairly, considering factors like the parties' conduct and case complexity.

9.4 How can a domestic/foreign judgment be recognised and enforced?

In Greek civil procedure, the recognition and enforcement of domestic judgments are generally automatic and require no special process unless enforcement measures (e.g., seizure) are needed. In such cases, the winning party must obtain an enforceable copy of the judgment with a writ of execution.

Under the Brussels I Recast Regulation, judgments from EU Member States are recognised and enforced in Greece without a special declaration of enforceability. The creditor must present a copy of the judgment and a certificate issued by the court of origin. Judgments from non-EU countries require exequatur/recognition by a Greek court.

9.5 What are the rules of appeal against a judgment of a civil court of your jurisdiction?

A party may file an appeal against a first-instance judgment if they have a legitimate legal interest and the judgment adversely affects them. The key rules of appeal include:

- **Time limit:** Appeals must be filed within 30 days if the appellant resides in Greece, or 60 days if abroad. The deadline runs from the formal service of the judgment.
- **Grounds:** Appeals may challenge both legal errors and factual findings of the lower court.
- **Court of Appeal:** Hears the case *de novo*, re-evaluating facts and legal issues.
- **Finality:** Judgments of appellate courts may, in limited cases, be further challenged before the Supreme Civil and Criminal Court (*Areios Pagos*), but only on legal grounds (not facts of the case).

Filing an appeal usually suspends enforcement, unless declared provisionally enforceable by the first-instance court.

10 Settlement

10.1 Are there any formal mechanisms in your jurisdiction by which parties are encouraged to settle claims or which facilitate the settlement process?

Yes, Greek civil procedure includes formal mechanisms to encourage and facilitate settlement, such as:

- **Mandatory initial mediation session.** For certain civil and commercial disputes (e.g., family law, co-ownership, high-value claims), parties must attend an initial mediation session, which has an informative role, in order for the parties to learn about the mediation, before proceeding to court.
- **Voluntary mediation.** Parties may, at any stage of the dispute, choose to resolve their dispute through certified mediators. A successful settlement is recorded in a written agreement that has enforceable status if filed with the court.
- **Court-encouraged settlements.** Judges may propose or encourage settlement during hearings, especially in the simplified procedure or family disputes.
- **Judicial settlement.** If the parties reach an agreement before the court, it is taken into account by the competent court and incorporated into the body of the judicial decision.

11 Alternative Dispute Resolution

11.1 What methods of alternative dispute resolution are available and frequently used in your jurisdiction? Arbitration/Mediation/Expert Determination/Tribunals (or other specialist courts)/Ombudsman? (Please provide a brief overview of each available method.)

The most common method of alternative dispute resolution (ADR), especially in commercial contracts, is **arbitration**. It concerns a voluntary and binding process that can be conducted both domestically and internationally, if the case has international elements, where the parties submit their dispute to one or more arbitrators. The award is enforceable like a court judgment.

Another common method is **mediation**, a process that can be either voluntary or mandatory. It involves a neutral mediator helping parties reach a mutually acceptable solution, which leads to a settlement that can be made enforceable if filed with the court.

Expert determination is used mainly in technical or financial disputes, where parties agree to be bound (or guided) by a neutral expert's opinion. It is less formal than arbitration; not commonly used but suitable for disputes involving technical complexity.

As for the **specialist courts/tribunals**, while not strictly ADR, **specialised divisions** within civil courts (e.g., for trademarks, maritime, family law) aim for efficient and expert resolution of complex matters.

The **Ombudsman** handles non-judicial complaints involving public administration or consumer disputes. It issues non-binding recommendations, but is often effective in resolving disputes without litigation.

11.2 What are the laws or rules governing the different methods of alternative dispute resolution?

Firstly, domestic arbitration is governed by Articles 867–903 of the Greek Code of Civil Procedure. International arbitration is regulated by Law 5016/2023, aligned with the UNCITRAL Model Law regarding international commercial arbitration. Parties must agree to arbitration through a valid arbitration clause or a separate agreement.

Mediation is governed by Law 4640/2019, which introduced both voluntary and mandatory mediation in certain civil and commercial matters. The law sets out mediator qualifications, procedures, and the enforceability of mediation agreements.

Expert determination is based on the freedom of contract (Article 361 of the Greek Civil Code) and there is no specific legislation. Specialist courts/tribunals operate within the structure of the civil court system and are governed by the Greek Code of Civil Procedure and special laws depending on the field (e.g., trademark law, maritime law, family law). Lastly, the Hellenic Ombudsman is regulated by Law 3094/2003 as it is modified by Law 5043/2025, and the Consumer Ombudsman by Law 3297/2004 as it is modified by Law 4512/2018.

11.3 Are there any areas of law in your jurisdiction that cannot use Arbitration/Mediation/Expert Determination/Tribunals/Ombudsman as a means of alternative dispute resolution?

There are certain areas in which the above-mentioned

means of ADR cannot be applied due to legal or public policy limitations. Arbitration is excluded in matters of family law, such as divorce, child custody, and inheritance disputes, as these issues involve public interest and are therefore not arbitrable. It is also not permitted in criminal cases and may be restricted in certain labour law disputes. Mediation, while broadly available for most civil and commercial disputes, is similarly excluded from criminal cases and certain matters of public law. In the case of expert determination, there are no explicit statutory prohibitions; however, it is seldom used in public law or family law disputes due to its primarily technical and contractual nature. Specialist courts or tribunals operate with limited jurisdiction and do not encompass all areas of law; for instance, they are not a substitute for general courts in criminal or administrative proceedings. Finally, the Ombudsman mainly addresses disputes involving public administration and consumer protection. It lacks jurisdiction over private contractual matters and criminal law cases.

11.4 Can local courts provide any assistance to parties that wish to invoke the available methods of alternative dispute resolution? For example, will a court – pre or post the constitution of an arbitral tribunal – issue interim or provisional measures of protection (i.e. holding orders pending the final outcome) in support of arbitration proceedings, force parties to arbitrate when they have so agreed, or order parties to mediate or seek expert determination? Is there anything that is particular to your jurisdiction in this context?

Greek law places particular emphasis on the principle of party autonomy, and Greek courts actively support ADR mechanisms with the aim of reducing judicial workload and promoting consensual settlements. However, they cannot impose such mechanisms directly on the parties, not even through interim measures. In this context, and pursuant to a recent legislative reform, the law now provides for mandatory initial mediation attempts in a broad category of civil and commercial disputes prior to filing a court action. The powers of the court in this respect include the following: (a) when parties resort to civil courts despite having agreed to submit their dispute to arbitration, the court examines incidentally the validity of the arbitration clause, and if found valid, it declares lack of jurisdiction and refers the case to arbitration; (b) the hearing of a case is declared inadmissible if the legally required initial mandatory mediation session has not taken place; (c) if the parties voluntarily choose to enter into mediation, the court suspends the proceedings until a settlement is reached and a mediation protocol is signed and submitted to the court. This protocol has the same legal force and enforceability as a court judgment; and (d) regarding expert determination, a distinction must be made between arbitral expert determination and judicial expert opinion. The arbitral expert report is submitted to the court by the parties as agreed, and serves as binding evidence, provided the parties have contractually agreed on its binding nature. On the other hand, judicial expert reports are ordered *ex officio* by the court, and their findings may be challenged by the parties.

11.5 How binding are the available methods of alternative dispute resolution in nature? For example, are there any rights of appeal from arbitration awards and expert determination decisions, are there any sanctions for refusing to mediate, and do settlement agreements reached at mediation need to be sanctioned by the court? Is there anything that is particular to your jurisdiction in this context?

Arbitration awards are binding and enforceable as equivalent to court judgments, provided they meet the formal legal requirements. Although there is no appeal on the merits, parties may apply for annulment of the arbitral award on limited procedural grounds (e.g., lack of jurisdiction, due process violations, or public policy breaches), under Articles 897–903 of the Greek Code of Civil Procedure and Article 43 Law 5016/2023). Expert determination findings are generally binding, provided the parties have contractually agreed to such effect, and they are used as evidentiary material before the courts, which may rely on them when rendering a judgment. However, expert determinations are not court decisions, and they may be challenged before a court if they are manifestly incorrect or issued *ultra vires* (i.e., beyond the expert's contractual authority). As regards mediation, no direct sanction is imposed for refusing to engage in voluntary mediation. Nevertheless, for certain types of civil and commercial disputes – such as family law cases involving minors – an initial mediation session is mandatory before initiating legal proceedings. Failure to attend this session may lead to procedural consequences, such as dismissal of the claim. Settlement agreements reached through mediation are binding once signed by the parties, and they can become enforceable upon filing with the competent Greek court, pursuant to Law 4640/2019. Once filed, they carry the same legal force as a court judgment. A particular feature of the Greek legal system is the relatively recent reinforcement of the institution of mediation, which was made more formal and broadly applicable through the enactment of Law 4640/2019, implementing the EU Mediation Directive. Greece also maintains a strict distinction between arbitrable and non-arbitrable matters, based on public policy considerations, particularly in the fields of family law and administrative law. Furthermore, judicial promotion of ADR is gradually increasing, with judges being empowered to propose mediation during court proceedings and to adjourn hearings in order to give parties time to explore the possibility of amicable settlement.

11.6 What are the major alternative dispute resolution institutions in your jurisdiction?

In Greece, the major institutions for ADR include:

1. Athens Mediation & Arbitration Organization (EODID).
2. Athens Chamber of Commerce and Industry (ACCI) Arbitration Centre.
3. Regulatory Authority for Energy (RAE) Mediation Service.
4. Greek Mediation Institute (GMI).
5. The Ombudsman.
6. The Consumer Ombudsman.



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Machas & Partners is rewriting the model for a full-service law firm in Greece, serving its clients locally according to international standards and in compliance with the sector's globally acknowledged best practices. As an independent, corporate, and commercial law firm with a strong presence in Greece and worldwide, the firm is distinguished for its global perspective, commercial pragmatism and pro-business approach. The firm's practice is focused on serving both corporate and private clients in the broad spectrum of their legal affairs. Corporate clients are provided with specialised advisory and expert representation, while private clients benefit from extensive experience in handling complex disputes, as well as from the firm's expertise in generating added value to HNWIs. Machas & Partners' core purpose is to become an agent for change in the Greek legal community, providing its clients with the service they deserve, in terms of quality and timing, and creating true and measurable value for them by its legal advice and insight. The firm strives to grow by enhancing the prospects and the impact of the matters it handles for its clients.

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