



**HELLENIC REPUBLIC
MINISTRY OF PUBLIC ORDER
HELLENIC POLICE HEADQUARTERS
ADMINISTRATIVE BRANCH
DIRECTORATE OF ORGANIZATION - LEGISLATION
STRATEGIC PLANNING DEPARTMENT**

Code of police ethics

(PRESIDENTIAL DECREE 254/2004)

PRESIDENTIAL DECREE No 254/2004**Code of Police Ethics.**

THE PRESIDENT OF THE HELLENIC REPUBLIC

Taking into account:

1. The provisions of Article 53 par.1 of Law 1481/1984 “Ministry of Public Order” (Greek Official Gazette 152/A’).

2. The provisions of Article 28 par.1 of Law 2800/2000 “Reorganization of the Services of the Ministry of Public Order, establishment of the Hellenic Police Headquarters and other provisions” (Greek Official Gazette 41/A’).

3. The provisions of Article 29A of Law 1558/1985 “Government and Government Bodies” (Greek Official Gazette 137/A’), which was added to Article 27 of Law 2081/1992 (Greek Official Gazette 154/A’) and was replaced by Article 1 of Law 2469/1997 (Greek Official Gazette 38/A’).

4. The fact that the provisions of the present Decree do not further increases the national Budget expenditure.

5. The Opinion No. 277/2004 of the Hellenic Conseil d’ Etat after proposition of the Ministry of Public Order,

We decide the following:

**Article 1.
General obligations.**

The Police personnel:

a. Shall serve the Greek people and perform its duties in accordance with the Constitution and laws.

b. Is obliged to respect human dignity and protect human rights of people both as individuals and as members of society.

c. Shall always act with a view to securing public order and safety, serving public interest and guaranteeing citizens’ legitimate interests.

d. Shall act, while carrying out its duties, guided by the principles of legitimacy, proportionality, leniency, good public governance, non-discrimination and respect of people's diversity.

Article 2.
Guidelines for Police Action.

The Police personnel:

a. Is subject to the principles of constant readiness and execution of orders while on duty.

b. Shall proceed to the implementation of law guided by social consideration and shall never surpass permitted limits of the discretionary power invested to them. Police personnel are obliged during intervention to give evidence of their police status and professional identity.

c. Shall perform their duties guided by the principles of impartiality, objectivity, transparency, prudence, self-control, firmness, decisiveness and dignity with a view to protecting all citizens without any discrimination by unlawful acts committed against them.

d. Shall respect the every person's right to life and security. Police does not inflict, instigate or tolerate acts of torture and inhuman or degrading treatment or punishment and reports cases of violations of human rights.

e. Shall use non-violent means while maintaining and enforcing law. The use of force is permitted only when absolutely necessary and to the extent envisaged and required for law enforcement. The use of force shall always respect the principles of necessity, adequacy and proportionality. Police shall use the most moderate means possible by avoiding any unnecessary disturbance, cruelty or unjustifiable damage to property. Police shall not proceed to abusive use of chemicals and other available means, in particular those that are likely to harm public health. Police shall use firearms only in cases provided for by law and shall immediately report the incident.

f. Shall act with a view to maintaining and reestablishing public order and safety in order to secure respect of all citizens' human rights and smooth social living, crime prevention and combat, protection of democracy by avoiding behaviors that may lead to conflict and enforce only the necessary rights' restrictions envisaged by law.

g. Shall confirm the violations of the law without any discrimination guided by sound judgment, calmness and politeness. Police shall explain the violation committed by the violator, as well as his / her rights as clearly as possible in order to clear up doubts by avoiding disputes and exaggerations.

h. Shall protect the private and family life of individuals and intervene when necessary in accordance with the procedures provided for by law in order to serve legal and specific causes. Police personnel shall respect confidentiality as far as top secret incidents or information are concerned, as well as in case of incidents or information obtained while on duty or due to their police status, either these concern police matters or they refer to the private and family life and in general to personal matters of citizens, unless lifting of confidentiality is permitted by law.

Article 3.
Guidelines during arrest and detention by the Police.

The Police personnel:

a. Shall proceed to the arrest of persons as provided for by the Constitution and law. The arrest shall be conducted in a cautious and consistent way, the police personnel must behave correctly and omit any action that can insult the honour and pride of the arrested person and in general insult the dignity of a person. Police must use force only when absolutely necessary and shall restrain the arrested person only when the last one reacts violently or is suspect of escaping.

b. Shall immediately inform detainees of the reasons for their arrest and detention, for any charge against them, their rights and for the procedure applicable to their case. Detainees, who do not understand the speaking language, shall be informed in a language that they understand by way of interpretation or by any other available means.

c. Shall take care of the direct communication by telephone or any other available means of the arrested persons with another person of their choice or the consular authorities of their country in case they are aliens in order to notify the third party for the reason and place of their detention.

d. Shall make easier the provision of legal assistance to the arrested person and secure his / her direct and unhampered communication with a lawyer.

e. Shall secure the communication of the detainee with his / her family, the consular authorities of his / her country in case he / she is an alien and national and international committees that are competent for the protection of detainees according to international conventions and the law.

f. Shall permit the communication of the detainee, in case he / she approves, with official collective bodies that provide support to the detainees and in general protect their human rights.

g. Shall secure detention conditions that guarantee safety, health and protection of the personality of the detainee and makes sure that the rest of detainees are not put together with criminal detainees, men with women, minors with adults, while special care shall be provided to vulnerable persons.

h. Shall take care of the protection of the detainees' health, securing direct medical care if necessary and the possibility of examination by a doctor of the detainee's choice.

i. Shall prevent and immediately report any act of torture or other form of inhuman, cruel or degrading treatment or punishment, any form of violence or threat of violence, as well as any form of unfavourable or discriminating treatment against the detainee.

j. Shall bring to justice or to any other competent authority the arrested person as soon as possible and in any case within the deadlines set by law.

k. Shall take all available legal measures, as the case may be, in order to prevent the escape of the arrested person.

l. Shall not publicize the identity, group, race, ethnic origin or nationality of the arrested person, unless it is deemed necessary for the purpose of anticriminal policy.

m. Shall register all arrests and detentions in the official records of the Service.

Article 4. Guidelines during preliminary investigation.

The police personnel:

a. Shall act according to the provisions of the Criminal Procedure Code during preliminary investigation with a view to quickly accomplishing the purposes of preliminary investigation.

b. Shall respect the presumption of innocence of the person accused and is obliged to secure all his / her rights. Everyone accused has the right to be informed promptly of the accusation against him / her and to prepare his / her defence, in particular through legal assistance of his / her counsel. Those who do not understand the speaking language shall be informed in a language that they understand by way of interpretation or by any other available means.

c. Shall behave appropriately towards the arrested persons, suspects, witnesses and persons inflicted damage and shall not use force or pressure of any form in order to obtain information.

d. Shall protect persons inflicted damage and witnesses, in particular when there is danger of them being intimidated. Police shall also take seriously in mind the mental health, specific occasion and interests of victims of sexual exploitation or molestation, trying as much as possible to limit the victim's secondary victimization.

e. Shall act according to domestic law during inspection and every kind of search, showing special care and decency and avoiding any publicity. In particular, Police shall make sure that during body and home searches the personality and private life of the persons involved are respected and that any disturbance not necessary is avoided.

Article 5. Helping out citizens.

1. Among the police personnel's duties are, above all, the protection of citizen's rights and the creation of the conditions under which helping out the public in a quick, unhampered and easy way can be possible. Police shall also improve the relations between police and citizens. In particular, police personnel shall immediately examine citizen's requests that relate to offences and incidents of police interest and offer their legal assistance without any delay.

2. Among the everyday duties of the police personnel are the following: dealing with the citizen's needs with humanity, modesty, social awareness and flexibility, avoidance of formalism, demonstrating initiatives and adopting practical measures in order to avoid injustices and succeed in dealing with them effectively. Furthermore, the police personnel shall create relations of common trust, cooperation and social consent.

3. Among the basic parameters of Police behaviour are the following: avoiding prejudice based on colour, sex, ethnicity, ideology, religion, sexual orientation, age, disability, marital status, economic and social position or any other personal distinguishing characteristic.

4. The police personnel shall show special care in particular for the protection of children, women, over-aged and disabled people, refugees, members of ethnic minorities and in general persons of vulnerable social groups. The police personnel shall offer assistance to pregnant women, women in childbed, sick persons and persons in need. In particular, Police shall show minors understanding and humanity, shall protect them from damaging effects and dangers to which they may be exposed. Police shall also deal with minors with exceptional sensibility in case they have violated the law, as well as minors and women refugees or victims of physical, psychological or sexual violence or exploitation.

Article 6.
The Police officer as a public servant.

The police officer:

a. Has the same rights with the rest of the citizens with the exceptions provided for by the Constitution and law. These exceptions are necessary for the fulfillment of the Police mission in a democratic society.

b. Shall respect, conform to and implement the rules that apply to the relations between senior and lower rank officers and the relations of the colleagues among them in order to secure the proper, unhampered and efficient functioning of the Service in a climate of discipline, solidarity and unity.

c. Shall secure that in case citizens express complaints against a colleague police officer, the procedures of investigation and control are conducted impartially and effectively.

d. Shall follow the commands of his / her superiors and is accountable for any action or omission committed. The police officer is personally responsible for his / her actions or omissions and may also be held responsible for carrying out illegal or anti-constitutional orders.

e. Shall facilitate the investigations and controls conducted by judicial, administrative and independent administrative authorities.

f. Fully cooperate with civil servants of other public Services while on duty, as well as representatives of public bodies, institutions and organizations in order to serve public and social interest.

g. Shall reject any effort of bribery and shall in general behave and live by setting the example of a good citizen and uncorrupted police officer.

h. Shall not use his / her position in order to gain personal advantage or favour the interests of third parties, neither shall he / she allow to his / her relatives or friends to use directly or indirectly the police officer's status in order to promote their interests.

i. Shall deal with austerity and fight against any act of corruption and report such an act to the competent authorities.

j. Shall show an honourable behaviour while on duty and shall not accept directly or indirectly any present or free services, also imposing the same behaviour to his / her close relatives.

k. Shall not take part while off duty in activities and shall not proceed to any action that may harm his / her police officer status.

l. Shall try to improve on a permanent basis his / her performance and knowledge and receive on-going training.

**Article 7.
Declaration.**

The police personnel when assuming duty accepts the following declaration:

“I declare that I shall respect every person’s human value and defend human rights. I have the great honour to serve the Greek people by exercising police power trusted upon me according to the Constitution and law.

I assume my obligations and accept the dangers of my profession and declare that I shall work with impartiality and render justice for the shake of society. I shall constantly try to improve my behaviour as a responsible public servant, I accept the social control of my actions and I intend to be supported by the public”.

**Article 8.
Entry into force.**

The present decree will be put into force from the day of its publication to the Greek Government Gazette.

The Minister of Public Order is responsible for publicizing and executing this Decree.

Athens, December 2, 2004

THE PRESIDENT OF REBUBLIC
KONSTANTINOS STEFANOPOULOS

THE MINISTER
GEORGIOS VOULGARAKIS