

ENFORCEMENT OF FOREIGN JUDGMENTS

Greece



Enforcement of Foreign Judgments

Consulting editors

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Quick reference guide enabling side-by-side comparison of local insights into relevant treaties, conventions and other sources of law; limitation periods; types of enforceable order; competent courts; separation of recognition and enforcement; opposition; jurisdiction of the foreign court; awards and security for appeals; enforcement and pitfalls; and recent trends.

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LEGISLATION

Treaties

Is your country party to any bilateral or multilateral treaties for the reciprocal recognition and enforcement of foreign judgments? What is the country's approach to entering into these treaties, and what, if any, amendments or reservations has your country made to such treaties?

Yes. Greece has signed the following treaties for the reciprocal recognition and enforcement of foreign judgments:

- the treaty between China and Greece of 1994, ratified by Law No. 2358/1995;
- the treaty between Albania and Greece of 1993, ratified by Law No. 2313/1995;
- the treaty between Tunisia and Greece of 1993, ratified by Law No. 2228/1994;
- the treaty between Georgia and Greece of 1999, ratified by Law No. 2813/2000;
- the treaty between Ukraine and Greece of 2002, ratified by Law No. 3281/2004;
- the treaty between Armenia and Greece of 2000, ratified by Law No. 3007/2002;
- the treaty between Bosnia-Herzegovina, Republic of North Macedonia, Montenegro and Greece of 1959, ratified by Law No. 4007/1959;
- the treaty between the Lebanese Republic and Greece of 1975, ratified by Law No. 1099/1980;
- the treaty between the former Union of Soviet Socialist Republics (Russia, Belarus, Azerbaijan, Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan and Turkmenistan) and Greece of 1981, ratified by Law No. 1242/1982;
- the treaty between Romania and Greece of 1972, ratified by Law No. 429/1974; and
- the treaty between Syria and Greece of 1981, ratified by Law No. 1450/1984.

Based on the terms of certain of the above-mentioned treaties, Greece has reserved its right to deny the provision of judicial cooperation (ie, the recognition and enforcement of foreign judgments), if the cooperation prejudices the country's sovereignty, security or public policy.

As regards the recognition and enforcement of foreign judgments originating from countries that are members of the European Union, the respective rules of EU Law (Council Regulation (EC) No. 44/2001, where applicable, and Regulation (EU) No. 1215/2012 (the EU Regulation)) are immediately applicable within Greek territory and supersede the respective Greek law provisions and any other bilateral treaties. Greece is also a member of certain bilateral treaties with EU member states. To the extent that the provisions of these treaties coincide with the provisions of the EU Regulation, the latter supersedes the provisions of the treaties.

Also, Greece, as a member of the EU, abides by the Convention on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial Matters 2007 (the Lugano Convention) concerning the recognition and enforcement of judgments originating from Iceland, Norway and Switzerland (signed between the EU – on behalf of its member states – and Iceland, Norway and Switzerland). Finally, apart from the specific rules originating either from international treaties or EU law, (ie, if none of them is applicable), Greek courts will recognise and enforce foreign judgments under the general conditions of recognition and enforcement of foreign judgments, set out in articles 323 and 905 of the Greek Code of Civil Procedure (GCCP).

As for enforceable titles originating from the United Kingdom especially, enforcement is complicated and uncertain, since Brexit and the end of the Brexit transition period on 31 December 2020. The EU Regulation regime is no longer applicable, unless there are pending proceedings that were initiated before 31 December 2020 (articles 67 and 126 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community). On 8 April 2020, the United Kingdom submitted a request for accession to the Lugano Convention. Switzerland, Iceland and Norway have given their consent to the accession of the United

Kingdom to the Lugano Convention by notifications on 11 September 2020, 26 February 2021 and 30 March 2021 respectively. The EU first gave notification on 25 March 2021 that its declaration would be late, stressing that this should not be understood as a tacit agreement. Following that, on 28 June 2021, the Depositary was informed by a letter that the EU was not in a position to give its consent to invite the United Kingdom to accede to the Lugano Convention (see EPRS | European Parliamentary Research Service, The United Kingdom's possible re-joining of the 2007 Lugano Convention, November 2021). Thus, given the European Commission's decision to block UK accession to the Lugano Convention, the legal regime of Greece–UK judicial cooperation in civil matters will be governed, for the time being, by Greece's national law and, in turn, that of the UK.

Greece and the United Kingdom entered into a bilateral agreement on 27 February 1936, ratified by Law No. 730/1937 that provides for mutual assistance in civil matters (eg, service of documents), but this agreement does not provide for recognition and enforcement of judgments. In practice, this means that:

- in the case of enforcement of enforceable titles for which proceedings (ie, submission of a lawsuit) had been initiated before 31 December 2020, the EU Regulation regime is still applicable; and
- in the case of enforcement of enforceable titles for which proceedings were initiated after 31 December 2020, in the absence of any other applicable regime, enforcement of a UK enforceable title in Greece will be based on the rules of the GCCP (article 905 in combination with article 323, etc).

Greece, as a member of the EU, has also acceded to the Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters (concluded 2 July 2019). The Convention shall enter into force on 1 September 2023.

By the number of the treaties already signed and ratified, it seems that Greece is generally friendly in entering into this type of international agreement, and the terms usually agreed by the country are very similar to its internal rules of recognition and enforcement, as set out in articles 323 and 905 of the GCCP.

Law stated - 28 June 2023

Intra-state variations

Is there uniformity in the law on the enforcement of foreign judgments among different jurisdictions within the country?

Yes. The GCCP, EU Regulation and international treaties apply to all Greek territory.

Law stated - 28 June 2023

Sources of law

What are the sources of law regarding the enforcement of foreign judgments?

Greece is a civil law country. The source of law regarding the enforcement of foreign judgments is legislation. Case law is not considered a source of law, but legislation is interpreted by the courts and the Greek Supreme Court.

Law stated - 28 June 2023

Hague Convention requirements

To the extent the enforcing country is a signatory of the Hague Convention on Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters, will the court require strict compliance with its provisions before recognising a foreign judgment?

Greece, as a member of the EU, has acceded to the 2019 Hague Convention. The provisions of said Convention will apply to the recognition and enforcement of foreign judgments within Greek territory from 1 September 2023.

Law stated - 28 June 2023

BRINGING A CLAIM FOR ENFORCEMENT

Limitation periods

What is the limitation period for enforcement of a foreign judgment? When does it commence to run? In what circumstances would the enforcing court consider the statute of limitations of the foreign jurisdiction?

In principle, there is no limitation period. A foreign judgment can be recognised and enforced as long as the conditions set out in the applicable rules (EU regulations, the Hague Convention, bilateral treaties, or articles 323, 780 and 905 of the Greek Code of Civil Procedure (GCCP)) are fulfilled.

However, the entitlement of enforcement is also linked with the limitation period of the claim already judicially recognised. Therefore, the counterparty may object to the enforcement of the foreign judgment within Greek territory, because the claim has been time-barred according to the applicable law.

Law stated - 28 June 2023

Types of enforceable order

Which remedies ordered by a foreign court are enforceable in your jurisdiction?

In general, Greek law provides for the following remedies of enforcement:

- delivery and restitution of movable assets (including debt instruments);
- delivery and restitution of immovable assets, including real estate property, ships and aeroplanes (eviction);
- orders for specific performance (including physical actions, contractual declarations and return of a child);
- forced liquidation or forced administration of assets for the satisfaction of money claims (including provisional detention for tort claims); or
- interim measures judgments.

To the extent that the measure or order provided by the foreign judgment may be adapted to the above remedies, the judgment can be enforced in Greece.

Law stated - 28 June 2023

Competent courts

Must cases seeking enforcement of foreign judgments be brought in a particular court?

A distinction should be made between enforcement under Regulation (EU) No. 1215/2012 (the EU Regulation) and enforcement under the GCCP and bilateral treaties.

In the case of enforcement under the EU Regulation, the foreign judgment is considered automatically enforceable in Greece and the interested party may proceed with the specific enforcement actions provided by Greek laws without any prior involvement of a particular court.

However, in the case of enforcement under a bilateral treaty, the Hague Convention or the GCCP, the foreign judgment should be first declared enforceable in Greece by the competent Greek court. More specifically, according to article 905 GCCP, the single-member court of first instance of the place of residence of the debtor – or if the debtor does not reside in Greece, the single-member court of first instance in Athens – is competent to hear cases on the recognition and enforcement of foreign judgments.

Law stated - 28 June 2023

Separation of recognition and enforcement

To what extent is the process for obtaining judicial recognition of a foreign judgment separate from the process for enforcement?

Greek law, the EU Regulation, the Hague Convention and bilateral treaties all distinguish between recognition and enforcement. In principle, the recognition of a foreign judgment is provided ipso jure, as long as the relevant requirements of the EU Regulation, the Hague Convention and the GCCP are met, while regarding enforcement, either the foreign judgment is also automatically enforceable based on the EU Regulation or it must be declared enforceable by a judgment of the competent court based on the Hague Convention and the GCCP. Certain bilateral treaties provide that the recognition of a foreign judgment is not provided ipso jure but the respective judgment should be recognised and declared enforceable by the competent court.

Law stated - 28 June 2023

OPPOSITION

Defences

Can a defendant raise merits-based defences to liability or to the scope of the award entered in the foreign jurisdiction, or is the defendant limited to more narrow grounds for challenging a foreign judgment?

The defendant cannot produce objections on the merits of the claim. The Greek Code of Civil Procedure (GCCP), the Hague Convention, the ratified treaties and EU rules exclude merit-based defences in the context of the trial related to the recognition and enforcement of a foreign judgment. However, the defendant can always sustain that, depending on the factual background of the case, the ruling of the foreign judgment contradicts Greek international public policy and in that case, the court can dismiss the request for recognition and enforcement. Apart from Greek international public policy, the GCCP also requires the foreign judgment to be aligned with Greek good morals.

Law stated - 28 June 2023

Injunctive relief

May a party obtain injunctive relief to prevent foreign judgment enforcement proceedings in your jurisdiction?

In the case of enforcement based on the Hague Convention, the GCCP or a bilateral treaty (where the judgment must be previously declared enforceable by the court), the party against whom the declaration of enforceability of the judgment is sought may be summoned to attend the hearing or may intervene in the proceedings and oppose the application for the declaration of enforceability. The defendant may also appeal the judgment that declared the foreign judgment enforceable. In the context of appeal proceedings or in the context of enforcement proceedings already initiated, the defendant may request as an interim measure the suspension of enforcement proceedings.

In the case of enforcement based on Regulation (EU) No. 1215/2012 (the EU Regulation), the defendant may object to enforcement proceedings per se also producing objections on the recognition and enforcement of the foreign judgment. In that context, they may also request the suspension (or limitation) of enforcement based on article 44 of the EU Regulation, and, in that case, the court may:

- limit the enforcement proceedings to protective measures;
- make enforcement conditional on the provision of such security as it shall determine; or
- suspend, either wholly or in part, the enforcement proceedings.

Law stated - 28 June 2023

REQUIREMENTS FOR RECOGNITION

Basic requirements for recognition

What are the basic mandatory requirements for recognition of a foreign judgment?

The basic requirements for the recognition and enforcement of a foreign judgment in the territory of Greece, based on the general terms of international treaties and the Greek Code of Civil Procedure (GCCP) rules are the following:

- under Greek law, the judicial authority that issued the foreign decision must have been competent to hear the case;
- the judicial decision under recognition or enforcement must already be res judicata and enforceable according to the law of the country of issuance;
- the judicial decision under recognition or enforcement must not contradict a final and definitive decision previously issued by a Greek judicial authority between the same litigants and regarding the same case. Certain treaties even require the absence of a previous lawsuit between the same litigants and with the same subject matter within Greek territory;
- the recognition or enforcement of the judicial decision must not prejudice good morals or Greek international public policy; and
- if the judicial decision was issued in absentia (ie, in the absence of the litigant who lost the case), the latter must have been duly summoned before the competent judicial authorities, according to the procedure applicable for the party in the territory where the decision was issued. In general, the party that lost must not have been deprived of its right to defend and to participate in the trial. Certain treaties specifically provide that summons by simply displaying a notice on the litigant's door is not considered proper, whereas other treaties provide for specific time limits for the due summons of the interested party.

Based on EU Regulation No. 1215/2012 (the EU Regulation), a foreign judgment may be recognised in Greece unless:

- such recognition is manifestly contrary to Greek international public policy in the EU member state addressed;
- where the judgment was given in default of appearance, if the defendant was not served with the document that instituted the proceedings or with an equivalent document in sufficient time and in such a way as to enable them to arrange for their defence, unless the defendant failed to commence proceedings to challenge the judgment when they could do so;
- the judgment is irreconcilable with a judgment given between the same parties in the EU member state addressed;
- the judgment is irreconcilable with an earlier judgment given in another EU member state or a third state involving the same cause of action and between the same parties, provided that the earlier judgment fulfils the conditions necessary for its recognition in the EU member state addressed; or
- the judgment conflicts with:
 - sections 3, 4 or 5 of Chapter II of the EU Regulation (constituting specific jurisdiction bases for insurance cases, consumer contracts and employment agreements) where the policyholder, the insured, the beneficiary of the insurance contract, the injured party, the consumer or the employee was the defendant; or
 - section 6 of Chapter II of the EU Regulation regarding the exclusive jurisdiction of a particular court to hear the case.

Under the Hague Convention on the Recognition of Foreign Judgments in Civil and Commercial Matters, a judgment is eligible for recognition if the requirements of article 5 of the Convention are met (subject to article 7 concerning the refusal to recognise a judgment).

Law stated - 28 June 2023

Other factors

May other non-mandatory factors for recognition of a foreign judgment be considered and, if so, what factors?

No other factors for recognition of a foreign judgment may be considered, other than those provided by treaties, Greek legislation or EU regulations.

Law stated - 28 June 2023

Procedural equivalence

Is there a requirement that the judicial proceedings where the judgment was entered correspond to due process in your jurisdiction and, if so, how is that requirement evaluated?

In principle, no. A foreign judgment is enforced in Greece provided that the requirements set by the applicable provisions of the GCCP, the EU Regulation and bilateral treaties are met.

However, based on the GCCP, a foreign judgment will be declared enforceable by the competent Greek court if it is enforceable according to the law of the country of issuance and if it is not contrary to good morals or the Greek international public policy. In the case of in absentia judgments, certain treaties specifically provide that summons by simply displaying a notice on the litigant's door is not considered proper and therefore it constitutes a ground for denial of recognition or enforcement, whereas other treaties specifically require longer time limits to be applicable for the due summons of the absent litigant, for the issued judgment to be recognised and enforced abroad.

JURISDICTION OF THE FOREIGN COURT

Personal jurisdiction

Will the enforcing court examine whether the court where the judgment was entered had personal jurisdiction over the defendant and, if so, how is that requirement met?

A distinction should be made between enforcement under Regulation (EU) No. 1215/2012 (the EU Regulation) and enforcement under the Greek Code of Civil Procedure (GCCP) and bilateral treaties.

In the case of enforcement under the EU Regulation, the jurisdiction of the court that issued the judgment is not examined. A Greek court may examine if the court lacked jurisdiction only in specific cases and more specifically it will examine if the judgment conflicts with:

- sections 3, 4 or 5 of Chapter II of the EU Regulation where the policyholder, the insured, the beneficiary of the insurance contract, the injured party, the consumer or the employee was the defendant; or
- section 6 of Chapter II of the EU Regulation regarding the exclusive jurisdiction of a particular court to hear the case.

In the case of enforcement under the GCCP, the court that is responsible for declaring the judgment enforceable will examine whether the court where the judgment was issued had personal jurisdiction over the defendant and said requirement shall be judged according to the provisions of Greek law.

In case of enforcement under the Hague Convention, certain prerequisites regarding jurisdiction should be met, as provided in article 5 of the Convention.

Law stated - 28 June 2023

Subject-matter jurisdiction

Will the enforcing court examine whether the court where the judgment was entered had subject-matter jurisdiction over the controversy and, if so, how is that requirement met?

A distinction should be made between enforcement under the EU Regulation and enforcement under the GCCP and bilateral treaties.

In the case of enforcement under the EU Regulation, the jurisdiction of the court that issued the judgment is not examined. A Greek court may examine if the court lacked jurisdiction only in specific cases, and more specifically it will examine if the judgment conflicts with:

- sections 3, 4 or 5 of Chapter II of the EU Regulation where the policyholder, the insured, the beneficiary of the insurance contract, the injured party, the consumer or the employee was the defendant; or
- section 6 of Chapter II of the EU Regulation regarding the exclusive jurisdiction of a particular court to hear the case.

In the case of enforcement under the GCCP, the court responsible for declaring the judgment enforceable will examine whether the court where the judgment was issued had subject-matter jurisdiction over the defendant and said

requirement shall be judged according to the provisions of Greek law.

In the case of enforcement under the Hague Convention, certain prerequisites regarding jurisdiction should be met, as provided in article 5 of the Convention.

Law stated - 28 June 2023

Service

Must the defendant have been technically or formally served with notice of the original action in the foreign jurisdiction, or is actual notice sufficient? How much notice is usually considered sufficient?

The type of notice is specified by the procedural rules that are applicable in the territory of the country where the decision was issued. Specifically, in the case of in absentia judgments, certain treaties subject the recognition and enforcement of the foreign judgment to special rules relating to the type of summons of the interested party. For example, simply displaying a notice on the absent litigant's door is not considered valid, although it is a proper means of service under Greek law. Other treaties specifically require longer time limits to be applicable for the due summons of the absent litigant, for the issued judgment to be recognised and enforced abroad.

Law stated - 28 June 2023

Fairness of foreign jurisdiction

Will the court consider the relative inconvenience of the foreign jurisdiction to the defendant as a basis for declining to enforce a foreign judgment?

No, relative inconvenience is irrelevant. In the case of enforcement under the GCCP, the crucial question is whether the case was subject to the jurisdiction of the country's courts where the judgment was issued. If the originating country completely lacks a jurisdiction basis, the foreign judgment will not be recognised and enforced in Greece, in the case of enforcement based on the GCCP.

Law stated - 28 June 2023

EXAMINATION OF THE FOREIGN JUDGMENT

Vitiating by fraud

Will the court examine the foreign judgment for allegations of fraud upon the defendant or the court?

No, since Greek courts do not examine merit-based defences at this stage. It is possible, though, for Greek courts to hear allegations if the foreign judgment was issued in absentia and the alleged fraud relates to the absent litigant's right to defend themselves and to participate in the trial.

Also, depending on the alleged fraud and the factual background of the case, the defendant may sustain that the ruling of the foreign judgment contradicts Greek international public policy and, in that case, the court can dismiss the request for recognition or enforcement. Apart from Greek international public policy, the Greek Code of Civil Procedure (GCCP) also requires foreign judgments to align with Greek good morals.

Under the Hague Convention, recognition and enforcement are excluded in cases where the judgment was obtained by fraud.

Public policy

Will the court examine the foreign judgment for consistency with the enforcing jurisdiction's public policy and substantive laws?

Yes, the foreign judgment shall be recognised and enforced in Greek territory, only if the recognition or enforcement of the judicial decision does not prejudice the fundamental principles of the legislation (ie, Greek international public policy). However, Greek law distinguishes between Greek internal public policy (article 3 Greek Civil Code) and Greek international public policy (article 33 of the Greek Civil Code). Greek international public policy is narrower than Greek internal public policy. Not all mandatory provisions of Greek law are considered to fall within the notion of Greek international public policy; therefore, the significance of this exception is relatively limited under Greek case law.

In the case of enforcement under the GCCP, the foreign judgment shall be recognised and enforced in Greek territory, only if the recognition or enforcement of the judicial decision does not prejudice Greek good morals.

Under Hague Convention, recognition and enforcement are excluded if they would be manifestly incompatible with the public policy of the requested state, including in situations where the specific proceedings leading to the judgment were incompatible with fundamental principles of procedural fairness of that state, or in situations involving infringements of the security or sovereignty of that state.

Law stated - 28 June 2023

Conflicting decisions

What will the court do if the foreign judgment sought to be enforced is in conflict with another final and conclusive judgment involving the same parties or parties in privity?

When there is a conflicting local judgment between the parties relating to the same issue, the recognition and enforcement of the foreign judgment are not possible. Based on Regulation (EU) No. 1215/2012 (the EU Regulation), this exception is applicable, not only when the conflicting judgment is local, but also in cases where the previous judgment was issued by another EU or a third country.

Under the Hague Convention, recognition and enforcement are excluded when the judgment is inconsistent with a judgment given by a court of the requested state in a dispute between the same parties, or if the judgment is inconsistent with an earlier judgment given by a court of another state between the same parties on the same subject matter, provided that the earlier judgment fulfils the conditions necessary for its recognition in the requested state.

Law stated - 28 June 2023

Enforcement against third parties

Will a court apply the principles of agency or alter ego to enforce a judgment against a party other than the named judgment debtor?

No. A foreign judgment is enforceable only against the parties involved (ie, the official litigants and their successors).

Law stated - 28 June 2023

Alternative dispute resolution

What will the court do if the parties had an enforceable agreement to use alternative dispute resolution, and the defendant argues that this requirement was not followed by the party seeking to enforce?

In principle, the court will not examine the existence of an agreement to use alternative dispute resolution. An exception applies for arbitration, where the Greek courts examine – under Greek law – whether the court that issued the foreign decision had jurisdiction to resolve the dispute. They will also examine (upon the request of the defendant) whether an agreement for arbitration excluded the jurisdiction.

However, in the case of enforcement based on the EU Regulation, the court will not examine whether there was an enforceable agreement for arbitration that excluded the jurisdiction of the court that issued the judgment.

Law stated - 28 June 2023

Favourably treated jurisdictions

Are judgments from some foreign jurisdictions given greater deference than judgments from others? If so, why?

No.

Law stated - 28 June 2023

Alteration of awards

Will a court ever recognise only part of a judgment, or alter or limit the damage award?

In general, foreign judgments are recognised and enforced by the courts in their entirety. However, the foreign judgment can be partially recognised and enforced if some parts of the judgment are not enforceable under the applicable law or if they are not consistent with Greek international public policy. For example, based on recent jurisprudence, a judgment awarding punitive damages may be partially enforced in Greece (ie, only to the extent the amount awarded is not found by the court to be excessive). Thus, the amount considered excessive may be left unenforced.

Under the Hague Convention, recognition or enforcement of a severable part of a judgment shall be granted where recognition or enforcement of that part is applied for, or only part of the judgment is capable of being recognised or enforced under this Convention.

Law stated - 28 June 2023

Effect of sanctions

What effect do foreign or domestic sanctions have on the enforcement of foreign judgments in your jurisdiction? Will a court refuse enforcement of a judgment against or in favour of a sanctioned entity or individual? If so, which sanctions regimes do the courts of your jurisdiction recognise?

There have been no notable issues regarding sanctions in our jurisdiction.

AWARDS AND SECURITY FOR APPEALS

Currency, interest, costs

In recognising a foreign judgment, does the court convert the damage award to local currency and take into account such factors as interest and court costs and exchange controls? If interest claims are allowed, which law governs the rate of interest?

If the foreign court has awarded damages in a foreign currency, the creditor should request the competent court (local single-member first instance court) to convert the foreign currency into the local currency (article 917 of the Greek Code of Civil Procedure). If the foreign court has strictly adjudicated that damages should be paid in a local currency equivalent, the conversion through separate judicial proceedings is not required.

The foreign judgment shall decide on the calculation of interest concerning the law applicable to the dispute. The exchange rate to be applied is not defined by the courts but rather is set by the applicable law.

Law stated - 28 June 2023

Security

Is there a right to appeal from a judgment recognising or enforcing a foreign judgment? If so, what procedures, if any, are available to ensure the judgment will be enforceable against the defendant if and when it is affirmed?

Yes, judgments of the single-member court of first instance on recognition and enforcement are subject to appeal before the competent court of appeals. In principle, the fact that an appeal may be pending does not impede the initiation of enforcement proceedings against the defendant; however, the latter may request – via an interim measures' application – the enforcement proceedings' suspension until the issuance of a second instance decision. In that case, the claimant can also request the court to order interim or precautionary measures, to ensure that the defendant's property will remain intact until the final resolution of their dispute; for example, by imposing precautionary seizure on the defendant's property and in general by filing an interim measures application in that respect.

In the case of enforcement based on Regulation (EU) No. 1215/2012, the judgment is automatically recognised and enforced in Greece. The counterparty may address the court and request that the enforcement of the judgment is refused based on one of the applicable grounds. The decision on such a request may be appealed. In the case of such a request for refusal of enforcement, the court may:

- limit the enforcement proceedings to protective measures;
- make enforcement conditional on the provision of such security as it shall determine; or
- suspend, either wholly or in part, the enforcement proceedings.

Even if the court suspends the enforcement, it is our opinion that the claimant may also request the court to order interim or precautionary measures to ensure that the defendant's property will remain intact until the final resolution of their dispute; for example, by imposing precautionary seizure on the defendant's property and in general by filing an interim measures application in that respect.

Law stated - 28 June 2023

ENFORCEMENT AND PITFALLS

Enforcement process

Once a foreign judgment is recognised, what is the process for enforcing it in your jurisdiction?

First, the creditor must order the defendant to voluntarily comply with the Greek judgment that recognises the foreign judgment and allows enforcement within Greek territory (this happens via the service of an order for payment or compliance, which constitutes the first act of enforcement). In continuance, the creditor must wait for three business days and, if, in that time nothing happens, the creditor may ask the enforcement officials (the court bailiff) to enforce the judgment against the defendant obligatorily via the means of enforcement provided under Greek law (eg, seizure and auction of real estate or movable property, seizure of claims).

Law stated - 28 June 2023

Pitfalls

What are the most common pitfalls in seeking recognition or enforcement of a foreign judgment in your jurisdiction?

The most common pitfalls in seeking recognition or enforcement of a foreign judgment, especially in respect of the different regimes applicable, are the following:

- defendants tend to allege that the foreign judgment is not consistent with Greek international public policy or that it is contrary to Greek good morals and, in general, that it shall be considered abusive, pursuant to the factual background of each case; and
- at the stage of enforcement, defendants usually request – and sometimes manage to get – the suspension of the respective enforcement proceedings until the final resolution of the dispute. As a result, the creditor's satisfaction may be significantly delayed.

Law stated - 28 June 2023

UPDATE AND TRENDS

Hot topics

Are there any emerging trends or hot topics in foreign judgment enforcement in your jurisdiction?

No.

Law stated - 28 June 2023

Jurisdictions

	Australia	Ironbridge Legal
	Austria	WEBER & CO.
	Bahrain	Charles Russell Speechlys
	Egypt	Soliman, Hashish & Partners
	France	Signature Litigation
	Germany	Willkie Farr & Gallagher LLP
	Greece	PotamitisVekris
	Iran	Dadflamingo
	Italy	Ughi e Nunziante
	Japan	TMI Associates
	Jordan	Hammouri & Partners
	Nigeria	Streamsowers & Köhn
	Switzerland	Walder Wyss Ltd
	Turkey	Gün + Partners
	United Arab Emirates	Charles Russell Speechlys
	United Arab Emirates - Abu Dhabi	Charles Russell Speechlys
	United Arab Emirates - DIFC	Charles Russell Speechlys
	United Kingdom	Winston & Strawn LLP
	USA	Freshfields Bruckhaus Deringer