

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

THIRD SECTION

CASE OF MEGAGIANNIS v. GREECE

(Application no. 1868/18)

JUDGMENT

STRASBOURG

23 October 2025

This judgment is final but it may be subject to editorial revision.



In the case of Megagiannis v. Greece,

The European Court of Human Rights (Third Section), sitting as a Committee composed of:

Diana Kovatcheva, *President*,

Canolic Mingorance Cairat,

Vasilka Sancin, *judges,*

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having deliberated in private on 2 October 2025,

Delivers the following judgment, which was adopted on that date:

PROCEDURE

1. The case originated in an application against Greece lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 3 January 2018.

2. The applicant was represented by Ms P. Damouli, a lawyer practising in Athens.

3. The Greek Government ("the Government") were given notice of the application.

THE FACTS

4. The applicant's details and information relevant to the application are set out in the appended table.

5. The applicant complained of the delayed enforcement of the domestic judgment and of the lack of any effective remedy in domestic law.

THE LAW

I. ALLEGED VIOLATION OF ARTICLE 6 § 1 AND ARTICLE 13 OF THE CONVENTION

6. The applicant complained of the delayed enforcement of the domestic judgment given in his favour and of the lack of any effective remedy in domestic law. He relied on Article 6 § 1 and Article 13 of the Convention.

7. The Government argued that the delay in the enforcement was justified considering the complexity of the administrative enforcement procedure, the precarious financial situation of the Greek State at the time, and the importance of the case.

8. The Court reiterates that the execution of a judgment given by any court must be regarded as an integral part of a "hearing" for the purposes of Article 6. It also refers to its case-law concerning the non-enforcement or delayed enforcement of final domestic judgments (see *Hornsby v. Greece*, no. 18357/91, § 40, *Reports of Judgments and Decisions* 1997-II).

9. In the leading cases of *Kanellopoulos v. Greece,* no. 11325/06, 21 February 2008 and *Bousiou v. Greece,* no. 21455/10, 24 October 2013, the Court already found a violation in respect of issues similar to those in the present case.

10. Having examined all the material submitted to it, the Court has not found any fact or argument capable of persuading it to reach a different conclusion on the admissibility and merits of these complaints. Having regard to its case-law on the subject, the Court considers that in the instant case the authorities did not deploy all necessary efforts to enforce in due time judgment no. 5415/2014 of the Athens Administrative Court of Appeal in the applicant's favour.

11. The Court further notes that the applicant did not have at his disposal an effective remedy in respect of these complaints. The remedy provided by law no. 3068/2002 does not constitute an effective remedy as it is not capable of accelerating the execution of the domestic decision in case of the authorities' refusal to comply with it (see *Kanellopoulos*, cited above, § 21).

12. These complaints are therefore admissible and disclose a breach of Article 6 § 1 and Article 13 of the Convention.

II. APPLICATION OF ARTICLE 41 OF THE CONVENTION

13. Regard being had to the documents in its possession and to its case-law (see, in particular, *Kanellopoulos*, cited above; and *Bousiou*, cited above) the Court considers it reasonable to award the sums indicated in the appended table.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the complaints concerning the delayed enforcement of the final judgment in the applicant's favour and the lack of any effective remedy in domestic law, as set out in the appended table, admissible;

2. *Holds* that this application discloses a breach of Article 6 § 1 of the Convention and Article 13 of the Convention concerning the delayed enforcement of the domestic judgment and the lack of any effective remedy in domestic law;

3. *Holds*
   (a) that the respondent State is to pay the applicant, within three months, the amounts indicated in the appended table;
   (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

Done in English, and notified in writing on 23 October 2025, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina Acting Deputy Registrar	Diana Kovatcheva President

APPENDIX

Application raising complaints under Article 6 § 1 and Article 13 of the Convention (delayed enforcement of domestic judgments and lack of any effective remedy in domestic law)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Name of the court Date of the final judgment	Start date of non-enforcement period	End date of non-enforcement period Total length of non-enforcement	Amount awarded for non-pecuniary damage per applicant (in euros) [1]	Amount awarded for costs and expenses per application (in euros)[2]
1868/18 03/01/2018	**Anastasios MEGAGIANNIS** 1960	Damouli Panagiota Athens	Athens Administrative Court of Appeal, judgment no. 5415/2014, 09/10/2014	03/12/2015	06/10/2017 1 year and 10 months and 4 days	1,500	250

[1] Plus any tax that may be chargeable to the applicant.
[2] Plus any tax that may be chargeable to the applicant.