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

THIRD SECTION

DECISION

Application no. 11765/17
Lambros KALANTZIS against Greece
and 2 other applications
(see list appended)

The European Court of Human Rights (Third Section), sitting on 19 May 2026 as a Committee composed of:

Peeter Roosma*, President*,
Ioannis Ktistakis,
Lətif Hüseynov*, judges*,
and Olga Chernishova, *Deputy Section Registrar,*

Having regard to:

the applications against the Hellenic Republic lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") by a Greek national Lambros Kalantzis ("the applicant"), on the various dates indicated in the appended table;

the decision to give notice of the complaint under Article 6 § 1 in conjunction with Article 6 § 3 of the Convention to the Greek Government ("the Government") represented by their Agent, Ms N. Marioli, and their Agent's delegate, Ms A. Magrippi, Legal Representative at the State Legal Council, and to declare the remainder of the applications inadmissible;

the parties' observations;

Having deliberated, decides as follows:

SUBJECT MATTER OF THE CASE

1. The case concerns the applicant's complaint under Article 6 § 1 in conjunction with Article 6 § 3 of the Convention concerning the service of documents, related to criminal proceedings against him, as a person of unknown address.

2. Three separate sets of criminal proceedings were instituted against the applicant in 2009.

3. In 2012 (application no. 11765/17) and 2013 (applications nos. 20632/17 and 70798/17) the Public Prosecutor's Office attempted to serve the applicant at his business address with an indictment and a summons to the hearing. This was the only address indicated in the criminal case-file. As the applicant's business had ceased operations in the meantime, the authorities could not locate him there. Consequently, the service of the documents took place on the applicant as a person of unknown address.

4. In application no. 70798/17, the Public Prosecutor's Office had also previously attempted to notify the applicant at the address indicated in the criminal complaint lodged against him, but it had also failed to locate him.

5. The applicant did not attend the hearings before the Thessaloniki One-Member Misdemeanours Court, which were held on 5 March 2013, 29 October 2013 and 16 June 2014. Consequently, the court tried him "as if present", under Article 340 § 3 of the Code of Criminal Procedure, and sentenced him to 18, 12, and four months' imprisonment respectively, with the execution of the sentences suspended for three years, and to a fine (judgments nos. 7500/2013, 41435/2013 and 10870/2014). The court's judgments were again served on the applicant as a person of unknown address.

6. On 15 December 2014 the applicant lodged three appeals against the above-mentioned judgments. He submitted that all the summons served by the Public Prosecutor's Office on him regarding the three cases had been invalid, as he should not have been served as a person of unknown address. The authorities had been aware of his residential address from other criminal proceedings, in which, in 2010, the Public Prosecutor's Office had served documents on him at the address of his brother, where he had been temporarily residing. He had attended the relevant hearings, which demonstrated that he had been duly informed of those proceedings.

7. On 20 February 2015 the Thessaloniki Three-Member Misdemeanours Court ("the appellate court") dismissed the applicant's appeals (decisions nos. 1945/2015 and 1944/2015 and judgment no. 1946/2015). The court noted that the applicant had been searched for at the only address mentioned both in the criminal complaint against the applicant and the cheques issued by the applicant. The applicant had not notified the Public Prosecutor's Office of a change of address, despite the fact that he had been aware of other criminal proceedings instituted against him. The documents regarding the previous criminal proceedings had been served at the address of the applicant's brother more than three years before; moreover, they had not been directly served on him, but they had been posted on the door ("*θυροκολλήθηκαν*"), as the applicant had been absent. Furthermore, the court noted that the bank account extracts adduced by the applicant in order to establish that he had been living at his brother's address were his brother's and not his own. Therefore, the appellate court concluded that it had not been established that the applicant had been residing at the address of his brother

at the material time of the serving of the documents and, thus, the summons had been validly served on him as "a person of unknown address".

8. Subsequently, the applicant lodged three appeals on points of law with the Court of Cassation. The court noted that the appellate court had not simply relied on the certificates of service in order to establish the applicant's address, but it had examined the applicant's submissions on the merits and assessed all evidence adduced by him. Accordingly, the Court of Cassation upheld the appellate court's reasoning and dismissed the applicant's appeals on 8 January 2016 (judgment no. 733/2016 in application no. 11765/17 and judgment no. 1253/2016 in application no. 70798/17) and 16 September 2016 (judgment no. 1463/2016 in application no. 20632/17).

9. Relying on Article 6 §§ 1 and 3 (c) of the Convention, the applicant complained that the fact that the prosecutorial authorities had not exhausted all possible ways to locate him had deprived him of the right to a fair trial and the opportunity to participate effectively in the proceedings.

RELEVANT DOMESTIC LAW

10. The relevant domestic law and practice are described in *Popovitsi v. Greece* (no. 53451/07, §§ 9-11, 14 January 2010) and *Elyasin v. Greece* (no. 46929/06, §§ 15-18, 28 May 2009).

THE COURT'S ASSESSMENT

A. Joinder of the applications

11. Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

B. Application no. 70798/17

12. The Government submitted that the applicant had not complied with the six-month time-limit in so far as judgment no. 1253/2016 of the Court of Cassation had been finalised on 8 September 2016, whereas the present application had been lodged with the Court on 9 March 2017. Furthermore, the Government argued that the application should be declared inadmissible as manifestly ill-founded. The applicant contested those objections.

13. The Court does not find it necessary to address all the above-mentioned objections, given that the application is inadmissible for the following reasons.

14. The Court refers to its established case-law that in the Greek legal order, where the domestic law does not provide for service of a written decision, the six-month time limit starts to run from the date the decision was

finalised (see *Papachelas v. Greece* [GC], no. 31423/96, § 30, ECHR 1999-II).

15. The Court observes that judgment no. 1253/2016 was finalised on 8 September 2016, on which date the applicant could have obtained a copy. Accordingly, the six-month time-limit expired six calendar months later (see *Sabri Güneş v. Turkey* [GC], no. 27396/06, § 44, 29 June 2012), that is, on 8 March 2017. The applicant lodged his application with the Court on 9 March 2017.

16. It follows that the application was introduced out of time and must be declared inadmissible in accordance with Article 35 §§ 1 and 4 of the Convention.

C. Applications nos. 11765/17 and 20632/17

17. The Government submitted that the applications should be declared inadmissible as manifestly ill-founded. The applicant contested those objections.

18. The Court does not find it necessary to examine the entirety of the arguments advanced by the parties since the applications are in any event inadmissible for the following reasons.

19. The Court refers to the general principles with regard to trials *in absentia* as summarised in *Sejdovic v. Italy* ([GC], no. 56581/00, §§ 81-88, ECHR 2006-II) and *Sanader v. Croatia* (no. 66408/12, §§ 67-74, 12 February 2015). Furthermore, the Court has dealt with the issue of the serving of documents on persons considered to be of unknown address under Greek law, notably in cases of *Popovitsi* (cited above, §§ 17-19) and *Elyasin* (cited above, §§ 26-27).

20. The Court observes that, in the present case, the applicant was not automatically served as a person of unknown address. The domestic authorities tried to locate him at his business address, which was the only address indicated in his criminal case-file, without success. It was only then that they considered that the applicant was of unknown address (contrast *Popovitsi*, cited above, § 22).

21. The Court further notes that the domestic courts did not simply rely on the certificate of service in order to affirm its validity upon consideration of the applicant's appeal. In contrast, they examined the applicant's submissions and proceeded to a full examination of the evidence adduced by him. Nonetheless, it could not be established that the applicant resided at the address of his brother – or at any other known address – at the time of the serving of the documents (contrast *Elyasin*, cited above, § 32).

22. In view of the foregoing considerations, the Court considers that the domestic courts gave convincing reasons for their decisions, which do not appear arbitrary or manifestly unreasonable. Therefore, the very essence of the applicant's right of access to court and of his right to defend himself in

person was not impaired (compare *Ioannis Papageorgiou v. Greece*, no. 45847/09, §§ 36-47, 24 October 2013).

23. It follows that this part of the applications must be rejected in accordance with Article 35 § 4 of the Convention as manifestly ill-founded.

For these reasons, the Court, unanimously,

Decides to join the applications;

Declares the applications inadmissible.

Done in English and notified in writing on 11 June 2026.

Olga Chernishova Deputy Registrar	Peeter Roosma President

APPENDIX

List of applications:

No.	Application no.	Case name	Lodged on	Applicant Year of Birth Place of Residence Nationality	Represented by
1.	11765/17	Kalantzis v. Greece	05/02/2017	**Lambros KALANTZIS** 1980 Thessaloniki Greek	Panteleimon KARAMBINAS
2.	20632/17	Kalantzis v. Greece	24/09/2017	**Lambros KALANTZIS** 1980 Thessaloniki Greek	Panteleimon KARAMBINAS
3.	70798/17	Kalantzis v. Greece	09/03/2017	**Lambros KALANTZIS** 1980 Thessaloniki Greek	Panteleimon KARAMBINAS