

Greece: Ongoing acts of harassment against GHM
*(Case GRE 040408.3 - Follow up of Case GRE 040408 -
Human rights defenders: Judicial proceedings / Harassment)*

Geneva, 21 September 2010

The International Secretariat of the World Organisation Against Torture (OMCT) has received new information and requests your intervention in the following situation in **Greece**.

New information:

The International Secretariat of OMCT has been informed by the Greek Helsinki Monitor (GHM), a member of OMCT SOS-Torture network, about new developments in the acts of harassment against GHM and activists who filed criminal actions against Greece's neo-Nazis.

According to the information received, on September 22, 2010, Ms. **Anna Stai**, Ms. **Rena Koutelou** and Mr. **Lambis Katsiapis**, members of the Greek non-governmental organisation Antinazi Initiative (Antinazistiki Protovoulia), will be tried before the Appeals Court of Athens for dissemination of false information through the press following a complaint by Mr. Kostas Plevris, author of the book "The Jews: The Whole Truth". According to the indictment, in a poster they published on 14 January 2009 and an announcement on their website published on 28 January 2009, the defendants claimed that Kostas Plevris is supported by anti-Semitic prosecutors and judges, who constitute a "fascist network" in the judicial system.

Furthermore, on January 24, 2011, Ms. **Andrea Gilbert**, Mr. **Panayote Dimitras**, respectively GHM's specialist on anti-Semitism and Spokeperson and Messrs. **Benjamin Albalas**, **Leon Gavrilidis**, **Moisis Konstantinis**, and **Avraam Reitan**, members of the Central Board of Jewish Communities in Greece (Kentriko Israilitiko Symvoulío - KIS), will be tried before the 6th Misdemeanors Court of Athens, for false accusations, perjury and aggravated defamation against Kostas Plevris, following a complaint he filed in 2007.¹

The International Secretariat of OMCT expresses its deep concern about this judicial harassment against these human rights defenders, which seems to merely aim at sanctioning their human rights activities, in particular their activities against discrimination and anti-Semitism in Greece.

The International Secretariat of OMCT also recalls that according to Article 12.2 of the United Nations Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998, "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration".

Background information:

Mr. Panayote Dimitras, testified at a trial against the extreme-right newspaper Eleftheros Kosmos, which had published articles on October 27, 2006 in conjunction of the anti-Semitic book by Mr. Plevris, The Jews - The whole truth (May 2006). During Mr. Dimitras' testimony, Mr. Plevris and his lawyer verbally attacked the witness. As soon as the testimony was finished, Mr. Dimitras was further attacked by a journalist at the State television channel. The presiding judge did not order the arrest of the assailant for disruption of court proceedings,

On December 13, 2007, the Second Three-Member Appeals Court of Athens convicted Mr. Plevris to a suspended prison sentence of 14 months for "incitation to racial violence and hatred and for racial insults". Since the end of the trial, Mr. Dimitras has been threatened through messages posted on the Internet forum of the LAOS youth organisation. Furthermore, Mr. Plevris has launched several legal

¹ See OMCT Press release, 3 September 2008, "Greece: Ongoing acts of harassment against GHM-Case GRE 040408.1 - Follow up of Case GRE 040408".

actions for defamation including racist and defamatory comments against Mr. Dimitras, Ms. Gilbert, and Messrs. Moses Konstantinis, Benjamin Albala, Abraham Reitan and Leon Gavrilidis, who had all testified against him.

On 27 March 2009, an Athens Five-Member Appeals Court acquitted Mr Plevris, reversing the December 2007 judgment. On 15 April 2010, the Supreme Court rejected a motion for cassation upholding the acquittal.

Actions required:

Please write to the Greek authorities, urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Ms. Anna Stai, Ms. Rena Koutelou and Mr. Lambis Katsiapis, Mr. Panayote Dimitras, Ms. Andrea Gilbert, and Messrs. Benjamin Albalas, Leon Gavrilidis, Moisis Konstantinis, and Avraam Reitan;
- ii. Put an end to all acts harassment, including at the judicial level, against Ms. Anna Stai, Ms. Rena Koutelou and Mr. Lambis Katsiapis, Mr. Panayote Dimitras, Ms. Andrea Gilbert, and Messrs. Benjamin Albalas, Leon Gavrilidis, Moisis Konstantinis, and Avraam Reitan, as well as all human rights defenders in Greece;
- iii. Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly on December 9, 1998, especially its Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels”, as well as above-mentioned Article 12.2;
- iv. More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with international and regional human rights instruments ratified by Greece.

Addresses:

- Mr. George A. Papandreou, Prime Minister, Prime Minister's Office at the Hellenic Parliament, Greek Parliament Bldg, Constitution Square, Athens, Greece. Fax: +30 210 6715799, Email: pressoffice@primeminister.gr
- Mr. Dimitris Droutsas, Foreign Minister, Athens, Greece, Fax: + 30 210 3681433, Email: gpap@mfa.gr
- Mr. Charalampos Kastanidis, Minister of Justice, Transparency and Human Rights, Athens, Greece, Fax +30 2107489231, E-mail: minjust@justice.gr
- Mr. Yorgos Kaminis, Ombudsman for Human Rights, Fax : +30 210 7289643
- H.E. George J. Kaklikis, Ambassador, Permanent Mission of Greece to the United Nations in Geneva, Rue du Léman 4, 1201 Geneva, Switzerland, Fax: +41 22 732.21.50, Email: missionofgreece@bluewin.ch or grdel.gva@mfa.gr
- Diplomatic Mission of Greece to the European Union, 25 rue Montoyer, 1000 Brussels, Belgium, Fax: + 32 2 512 79 12 / + 32 2 551 56 51.

Please also write to the embassies of Greece in your respective country.

Geneva, September 21, 2010

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.