

GREECE

HELLENIC REPUBLIC

Head of state: Constantinos Stephanopoulos

Head of government: Constantinos Simitis

Capital: Athens

Population: 10.6 million

Official language: Greek

Death penalty: abolitionist for ordinary crimes

There were numerous allegations that police had ill-treated detainees. A Rom and an Albanian citizen were shot dead by police officers in unrelated incidents. Serious concerns continued about failures to bring to justice police responsible for ill-treatment and other human rights violations. In the first half of the year undocumented migrants and asylum-seekers under deportation orders continued to be detained for months without judicial review; in June a law was introduced setting the maximum period of detention at three months, but some detainees were held beyond that time. As increasing numbers of undocumented foreign nationals arrived in the country, there were reports that some were being denied the right to apply for asylum, and concerns persisted about their conditions of detention. Legal proceedings continued against people for exercising their rights to freedom of expression and religion. Conscientious objectors continued to face trial.

Background

Under amendments to the Constitution adopted in January, the death penalty was abolished except for "serious offences committed in time of war and related to it". An interpretative note was added to the Constitution which allowed for legislation permitting conscientious objectors to military service to perform alternative civilian service.

Intergovernmental organizations

In May the UN Committee against Torture considered Greece's third periodic report submitted under the Convention against Torture. The Committee made specific recommendations concerning the use of force by police, and concerning harsh conditions of detention. Similar concerns and recommendations were among those presented in reports by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment in its reports on earlier visits to Greece, which were finally published in September, together with government responses.

Ill-treatment

Allegations persisted that police had ill-treated detainees. Some detainees reported that they were sexually humiliated by police officers. Alleged victims were often undocumented migrants and asylum-seekers, foreign workers and Roma.

☞ In February a 16-year-old Albanian, Refat Tafili, was arrested in Athens during a police operation to identify and expel foreign nationals lacking residence and work permits. Refat Tafili was allegedly pushed to the ground and repeatedly kicked. After being taken to a police station, he became ill and was promptly released. Relatives took him to hospital where he underwent an operation for a ruptured spleen. A week later he was rearrested at the hospital and detained at a police station pending deportation; after five days in unhygienic conditions of detention, he was readmitted to hospital with an infection and internal bleeding. Following intervention by the Ombudsman his appeal against imminent deportation was granted. A criminal investigation into his complaints of ill-treatment had not been completed by the end of the year.

☞ In May, two brothers, Panayiotis and Giorgos Skouteris, were arrested in Athens; a police officer reportedly forced one of them to publicly lower his trousers to be searched for drugs, and hit him when he protested. No drugs were found, but the officer later allegedly threatened to plant drugs on them if they challenged his version of the incident.

☞ In June a group of some 160 possible asylum-seekers, many of Kurdish origin, arrived in Crete. At least 16 of them were reportedly beaten by coastal guard forces; doctors who examined them found severe bruising and other injuries consistent with their account. One man further alleged that a coastguard had attempted to rape him with a truncheon. An administrative investigation was undertaken by the Port Authority, and disciplinary proceedings were subsequently begun against an officer and five coastguards for the "irregular performance" of their duties. In November, four were punished with between 30 and 50 days' imprisonment, and two received lesser penalties. A criminal investigation had not been completed by the end of the year.

Killings by police

Two men were shot dead by police officers in the Athens area in separate incidents. Marinos Christopoulos, a Rom, aged 21, was shot and killed in October, and Gentjan Celniku, aged 20, an Albanian citizen, in November. In both cases, the police officers concerned claimed that their guns had fired accidentally. They were charged with murder and released on bail; one of them was returned to service. Investigations into these deaths had not been completed by the end of the year.

Investigations and impunity

Criminal and other investigations into complaints of ill-treatment by police were slow, and official figures indicated that police officers enjoyed almost complete *de facto* impunity. In March government officials stated that between 1996 and 2000, 163 complaints of ill-treatment had resulted in administrative investigations, and that criminal investigations had been opened into 52 of these cases. In that period no police officer was convicted of ill-treatment and only 24 officers had been disciplined. These figures appeared not to include a small number of convictions of police officers for inflicting "bodily harm" on detainees.

☞ In October AI observed a trial in Patras at which a police officer was acquitted of charges under Article 137A of the Penal Code of beating and injuring two young Roma in 1998 at Mesolonghi police station to force them to confess to crimes. Lazaros Bekos and Lefteris Koutropoulos, then aged 17 and 18 respectively, had been arrested for attempted theft. The court found no causal link between the officer's conduct and the boys' injuries. In earlier administrative proceedings the officer had been fined for failing to prevent the boys from being ill-treated by another officer, although the senior police officer who carried out the administrative investigation concluded in 1999 that the two officers had "behaved with exceptional brutality".

☞ In October an appeals court in Athens ruled that Vasilis Athanasopoulos, a plainclothes police officer, was guilty of having caused grievous bodily harm to Melpo Koronaïou, but reduced his sentence of 30 months' imprisonment imposed in 1999 (and suspended pending appeal) to a sentence of 15 months' imprisonment suspended for three years. Vasilis Athanasopoulos had been found to have caused serious injuries to Melpo Koronaïou when he kicked her face and head after she had been knocked to the ground by police during a demonstration in Athens in 1995.

Refugees

There were concerns that the authorities were impeding the applications of some possible asylum-seekers. There were reports that many undocumented migrants, including possible asylum-seekers, arriving via Turkey from third countries, were detained by police and forcibly returned to Turkey without observing due procedures for deportation. In November Greece and Turkey signed a protocol allowing for the reciprocal return of migrants from third countries. Greece stated this would not be applied to asylum-seekers. However, soon afterwards there were reports that boats carrying migrants were being turned back in mid-sea to Turkey, without examining if any of the passengers would want to seek asylum or were refugees entitled to protection. In October it was reported that police were frequently serving administrative deportation orders on arriving migrants, requiring them to leave the country within 30 days, without giving them the chance to apply for asylum.

Detention of undocumented migrants and asylum-seekers

The numbers of undocumented foreigners arriving in the country increased. According to official figures, between January and the end of September some 205,000 undocumented migrants, the majority Afghans and Kurds from Iraq, were arrested for illegal entry and residence in the country. They and others were detained without judicial review, sometimes for months, pending deportation or a decision on their asylum request. However, a law came into effect in June making it illegal to hold such persons in excess of three months, and providing for the right to challenge their detention in court. Scores continued to be held illegally. On 28

June the human rights organization Greek Helsinki Committee appealed to the Ombudsman on behalf of 10 men, including several asylum-seekers, who remained in detention, although they had already been held for between three and 12 months. Following the intervention of the Ombudsman, they and some 60 other foreigners illegally detained in Attica were released.

The conditions of detention of many foreigners held pending deportation were reported to be often inhuman and degrading, with severe overcrowding and lack of hygiene.

Freedom of expression and religion

People continued to face legal proceedings for peacefully exercising their rights to freedom of expression and religion.

☞ In February a court in Athens convicted Sotiris Bletsas, a member of the Society for Aromanian (Vlach) Culture, of "distributing false information liable to cause public alarm" and sentenced him to a fine and 15 months' imprisonment suspended for three years. He was found guilty of distributing a leaflet at a 1995 festival which listed minority languages in European Union member states, including Aromanian and several other languages in Greece. However, in December he was acquitted on appeal.

☞ In January a court in Lamia sentenced Mehmet Emin Aga to four months' imprisonment, a penalty replaced by a fine, on charges of "usurpation of the function of a Minister of a known religion".

The charges related to religious messages he had distributed to Muslims in Xanthi, signed as the Mufti of Xanthi. Mehmet Emin Aga is not recognized by the state in this function, although in 1990 he was elected to this position by local Muslims. Later in the year he was acquitted at four other trials (twice in the first instance and twice on appeal) on 12 other counts for the same offence. Legal proceedings against him continued.

Conscientious objectors

Provisions of the law on conscription fell short of international standards. Alternative civilian service continued to be of discriminatory and punitive length. The appeal hearing of conscientious objector Lazaros Petromelidis was due to be heard in June, but was postponed. There were also complaints about delays and lack of coordination in the services dealing with applications for conscientious objector status.

AI country reports/visits

Reports

- Greece: The alleged ill-treatment of two young Roma, Theodoros Stephanou and Nikos Theodoropoulos, by police on the island of Cephalonia (AI Index: EUR 25/005/2001)
- Greece: Sweep Operation – The alleged ill-treatment and torture of 16-year-old Refat Tafili, an Albanian citizen (AI Index: EUR 25/010/2001)

Visit

AI visited Greece to observe two trials and carry out research