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**HUMAN RIGHTS IN GREECE:
JOINT CONCISE ANNUAL REPORT FOR 1999**

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GHM and MRG-G Focus: Freedom of expression and media; conscientious objectors; protection of ethnic minorities; citizenship; religious tolerance; protection of asylum seekers and immigrants; harassment of human rights activists.

Introduction

The most positive development in 1999, with lasting effects, was the consistently commendable work of the Ombudsman's office, set up in October 1998. His reports have provided official documentation to many longtime human rights violations and offered concrete solutions, some of which were soon after implemented. Moreover, in late July 1999, for the first time in Greece's modern history, there was a debate on the possible modernization of the country's minority and citizenship policies. Under the impetus of Foreign Minister George Papandreou, a renowned supporter of multiculturalism, the public was informed that Greece was finally moving towards the application of the internationally accepted norms for national minorities and the recognition of the right to self-identification for Macedonians and Turks. However, this created a general backlash among politicians and media against the Minister, and the minority and human rights NGOs that had previously made similar demands: as a result, the ratification of the Framework Convention on National Minorities, announced for the fall, was postponed indefinitely.

Many Greek journalists faced charges for criticizing public officials and/or were convicted to prison sentences for libel. Self-censorship and distortion of information were present in the coverage of the NATO air strikes on the Federal Republic of Yugoslavia. Alternative civilian service was made available to Conscientious Objectors, yet its application in practice continued to be punitive. Religious minorities faced different forms of discrimination by various local officials. Some Macedonians born in Greece continued to have problems entering their fatherland. The Roma minority faced numerous evictions, horrendous health and hygienic conditions, as well as social marginalization. There remained stateless people, recurrently harassed by the authorities. Immigrants faced discrimination and xenophobia and were unfoundedly blamed for the rise of criminality. The activities of human rights and minority organizations were occasionally met with hostility and predominant 'hate speech' in the media.

Freedom of Expression and the Media

In general Greek media were free, but there were still cases of journalists brought to court for alleged crimes related to the exercise of their profession. Despite multiple appeals by GHM and international freedom of expression organizations, Greece continued to punish journalists with prison sentences in cases of libel or defamation and to prosecute them for the publication of leaked confidential documents.

- In a positive development, on 21 January 1999, an Appeals Court acquitted Yannis Tzoumas, journalist and publisher of *Alithia*, a daily on the island of Chios. Tzoumas had been convicted in 1998 to four months' imprisonment for defamation because his paper had called Minister Stavros Soumakis "*minister of the ship owners ... who sunbathes at the villas of the ship owners.*" During the first instance trial, the facts were confirmed as accurate, but the court considered the "harsh style" of the article defamatory. The Appeals Court confirmed the veracity of the facts and stated that there was no intent to defame the minister but only to criticize his behavior, albeit in harsh style.
- Also in January 1999, the Supreme Court overturned a July 1998 censorship verdict. A Thessaloniki court had ordered the removal from the Dictionary of the Modern Greek Language, in every future reprint or edition, of the mention to the abusive use of the word "Bulgarian" to mean players and fans of soccer teams based in Thessaloniki, northern Greece. In the verdict, the Supreme Court stated that the disputed dictionary entry did constitute an offence against the plaintiff (lawyer and elected city councilor of Thessaloniki Theodore Aspasidis), but that the offence was not against the law, as it was included in a scholarly publication, and there was no intent to offend the plaintiff.
- On 7 March 1999, the Chief Prosecutor of the First Instance Court of Athens, G. Koliokostas, brought criminal charges for disclosure of state secrets –punishable with up to ten years imprisonment under article 146 of the penal code- against all those responsible for the publication on 6 March in the country's largest daily newspaper *Ta Nea* of a top secret report. The report was written by Greek Ambassador to Kenya G. Kostoulas and covered the events that contributed to Ocalan's capture by Turkey. In October, reporter George Papachristou and his publisher Leon Karapanayotis -charged as an instigating principal under article 46- answered the charges to the investigating judge. The case is expected to go to court in 2000.
- In March 1999 journalist Manolis Vasilakis was fired by the *Exousia* newspaper for an article in which he was examining the role of the nationalist group 'Network 21' in the Ocalan case. Network 21 members have since filed suits for aggravated defamation in civil courts, against him and many more journalists who made similar arguments, asking for disproportionate fines of hundreds of million of drs (\$1=app. 300drs).
- On 4 May 1999, a Three-Member Misdemeanor Court of Xanthi convicted Greek Helsinki Monitor Spokesperson Panayote Dimitras to a suspended sentence of 5

months in prison for defamation of minority lawyer Orhan Hadjiibram. P. Dimitras was never properly summoned and was nevertheless tried in absentia. The court considered defamatory a GHM statement critical of Hadjiibram's handling of the stateless issue, even though it stated that the facts therein were true. The court did not specify which words, phrases or sentences were defamatory, but considered that there was intent to defame the lawyer. An appeal is set for 12 January 2000.

- On 18 May 1999, journalist Dimitris Rizos, editor and publisher of the *Adesmeftos Typos* daily, was given by a Three-Member Misdemeanor Court of Athens a five-month suspended sentence for insulting George Papazoglou, a former cadre of the newspaper. The incriminating text did include insulting characterizations of Papazoglou. Rizos was set free on appeal.
- On 19 May 1999, journalist Charalambos Triantafyllidis, editor and publisher of the *Enimerosi* weekly (in Florina, northwestern Greece), was convicted by the three-member Appeals Court in Kozani, and given a five-month suspended prison sentence for insulting Florina's then prefect-elect Pavlos Altanis, on 11 November 1998. The incriminating text was nothing more than strong criticism of the alleged clientelistic and revengeful actions of the newly elected prefect and had no outright insulting characteristics that could stand in a fair court. Triantafyllidis was also given a fine of GDR 500,000 (approx. USD 1,635) for damages.
- On 21 May 1999, Dimitris Rizos was convicted by a Three-Member Appeals Court of Athens to twelve months in prison for the repeated aggravated defamation of four members of the board of directors of the rival *Eleftheros Typos* daily. His incriminating interview to a television station in September 1994 did include unsubstantiated allegations of embezzlement of funds. Rizos' sentence was converted to a pecuniary one. He bought it off and was set free.
- On 1 June 1999, Vicky Bataya, publisher of "High" magazine, was convicted by a Three-Member Misdemeanor Court of Athens to 18 months in prison for aggravated defamation of singer George Dalaras. She was set free on appeal.
- In another positive development, on 28 June 1999, an Appeals Court converted to a fine a previously imposed three-year sentence to the publisher of the daily "To Onoma" Makis Psomaidis for aggravated defamation of Minister Costas Laliotis. In 1998, the latter was first convicted to four years in prison, and the Supreme Court had partially overturned the judgement. He paid the fine and was set free.
- On 1 September 1999, the publisher of the local newspaper "Rhodiaki" in Rhodoes, Athanasios Marasiotis, was briefly arrested following charges brought against him for defamation by an individual. The charges were based on the fact that the newspaper published an out of court summons by a company claiming that the individual owed a large sum to the company. The publisher of another local paper, "Proodos," George Diamantidis, also charged for the same reason, escaped arrest as he was absent. It was

reported that the arrests were sought because of past criticism of the police by these newspapers.

- In November 1999, the Public Prosecutor of Mytilini indicted two journalists for defamation and aggravated defamation (articles 362 and 363 respectively) after charges were brought by the police of Lesbos. The two journalists, Stratis Balaskas and George Kondiloudis, had written an article in the *Eleftherotypia* newspaper. The article referred to alleged relations of police officers of Lesbos with smugglers in a local olive press.
- On 6 December 1999, a three-member Misdemeanor Court of Athens convicted Dimitris Rizos, publisher of “Adesmeftos Typos,” for aggravated defamation of Costas Mitsis, publisher of another newspaper with the exact same name, “Adesmeftos Typos.” He was sentenced to ten months in prison and was set free on appeal.

Although most journalists would deny its existence, self-censorship, especially on sensitive “national” issues, is a common practice among journalists in order to preserve their jobs and status. The coverage of the war in the Federal Republic of Yugoslavia provided several examples in this respect. In a letter to the Journalists’ Union of Athens (ESIEA), on 4 April 1999, veteran journalist Richardos Someritis stated that

“... many Greek journalists, mainly in radio and television broadcasting, behave like soldiers in the front: they have chosen their camp, their uniform, their flag. If they are columnists, it is their right to do so. Nevertheless, how come even the Patriarch is censored by many of the media? Isn’t ESIEA concerned about this problem? Shouldn’t it remind journalists that their role is to inform? I wonder if our statutes and our code of ethics have been replaced by declarations of various committees of ‘friendship’ and propaganda.”

On 2 April 1999, regarding the closure of the Serbian radio station B92 by the Serb authorities, the Greek state news agency reported on a statement by the International Federation of Journalists (IFJ), but mentioned none of the main IFJ arguments. Moreover, the IFJ reference to the credibility of military information was selectively distorted while no reference was made to the IFJ’s denunciation of the information blackout in Kosovo and the crackdown on the media in Serbia. Only after GHM raised the issue, did the agency write a complete coverage of the story.

On 11 June 1999, the private “Mega Channel” censored its mandatory pre-electoral program devoted to presentations by small parties, by removing the presentation of “Rainbow,” the Macedonian minority party, while keeping all other presentations including the one made by the extreme-right “National Front”. The National Radio and Television Council did not take the prescribed by law sanction, while no one condemned this act of censorship.

On 21 October 1999, two journalists from Halkidiki’s “Super Channel” were beaten by a mob led by Mayor Costas Papayannis, in Kasandra, Halkidiki (Northern Greece). Costas

Glykos and Michalis Katsamiras were covering the mob's attempt to prevent the local Jehovah's Witnesses (JWs) from starting the construction of their house of worship, construction that had been authorized by the authorities. During the violent incident, JWs as well as two representatives of the Ombudsman's office were harassed by the mob. The two journalists and the JWs pressed charges against the mayor and some alleged accomplices. On 22 October, the prosecutor formally indicted the mayor and his accomplices for crimes that included inciting to religious hatred. Nevertheless, neither during the incident, nor in the ensuing forty-eight hours, did the police arrest the alleged perpetrators of the crimes as called for by the code of criminal procedure.

On 9 November 1999, an Athens Court postponed for 2000 the trial of Sotiris Bletsas, member of the Society for Aroumanian (Vlach) Culture. He was indicted because in 1995 he had distributed a publication of the European Union's Bureau for Lesser Used Languages (in which Sotiris Bletsas was the Greek "observer") which mentioned the minority languages in Greece. The prosecution for dissemination of false information (article 191 of the Penal Code) was triggered by charges pressed by ND deputy Eugene Haitidis and the prosecution's witnesses included the leadership of the Panhellenic Union of Vlach Associations.

On 2 December 1999, twelve police officers raided the administrative offices of the non-profit association 'Biblical Circle' running Channel Station 2000 Radio, and arrested 73-year-old retired pastor Lakis Regas, who was working as a technician on the premises when the police arrived. Regas spent the night in jail. He was released the next day by a judge's order. Greek authorities accused Channel Station 2000 of not having the proper operating license, but it is well known that no private radio station has ever managed to get one. A trial was set for 31 January 2000. In 1994, the government had already shut down Greece's only Evangelical television station, "Hellas 62."

On 20 October 1999, a citizen's arrest of a "cameraman" during a demonstration led to the revelation that, at least since 1994, police officers were being officially assigned the duty of filming demonstrations and were given professional cards of photo press agencies as covers. Following media protests, authorities gave a vague promise they will stop such practice.

Finally, Evangelos Yannopoulos, abusing of his parliamentary immunity and his influential position of Minister of Justice, has repeatedly attacked and insulted journalists or other politicians who have been vocally critical of his present or past record, including by bringing charges against them. On 5 January 2000, a Three-Member Appeals Court of Athens convicted Prefect of Athens Theodore Katrivanos to 15 months in prison for aggravated defamation of the Minister, because he had challenged the latter's controversial resistance record during the Second World War. During the long trial, the Minister insulted veteran journalist Yannis Voultepsis calling him a "stool;" and brought charges against the communist daily "Rizospastis" for aggravated defamation along with a civil suit for 500 million drs. The newspaper had published Katrivanos' arguments challenging the Minister's record. ESIEA protested for the Minister's behavior.

Conscientious Objection

Law 2510/97 stipulates that the status of conscientious objector (CO) and civilian alternative service or unarmed military service are available to conscripts who declare that they oppose the personal use of arms for fundamental reasons of conscience based on religious, philosophical, ideological or moral convictions (Art.18.1-3). Some of the law's provisions -including the punitive length of the service, twice as long as the military one- still fall short of international standards, and its application since 1998 remains unsatisfactory. In some cases, COs were treated abusively by the state institutions where they work, including working long hours and having hardly any days off, as if they were serving in the military. In at least one case, an institution even addressed two COs as "soldiers of special duty."

In August 1999, the Ombudsman issued a series of constructive recommendations, including the partial "demilitarization" of the alternative service; the abolition of the unconstitutional possibility to change the status of a CO back into that of a draftee; the decrease of the length of the service; the introduction of the same special categories of shorter service as for military service; and the inclusion of NGOs in the groups of institutions in which such service can be carried out. The government promised vaguely to implement some improvements before the end of 1999 but did not carry out any.

Religious Tolerance

The Greek constitution gives the Eastern Orthodox Church the status of an official religion, relegating other religions to a disadvantaged status. Constitutional amendments introduced with a first parliamentary vote in 1998 did not affect this privileged status of the Eastern Orthodox Church.

Catholics

Oftentimes, the influence and pressure of the Greek Orthodox Church leads to administrative action, which clearly violates the freedom of religion. The Roman Catholic Archbishop of Athens, Nikolaos Foscolos, criticized Greece for requiring army officers to be Orthodox Christians. Referring to the discussions on a future visit to Greece by the Pope, the Archbishop said:

"Since 1989, a general anti-Catholic and a particular anti-Pope spirit have been growing stronger in Greece. Do not forget the statements of a few years ago by a Minister and by Orthodox bishops that the Pope is a war criminal. These were official statements that were never disclaimed by any official government or Church authorities... There is certainly oppression of the Catholics in Greece. Here the medieval principle of cujus regio egius religio (i.e. whoever owns the country also owns the religion) still applies. For many people, being Greek means being Orthodox. It is taken as strange if someone is Greek without being

Orthodox. Such mentality is nourished by both the state and the Orthodox Church” (Eleftherotypia, 31/8/99).

The above concerns were only confirmed by the spokesperson of the Archbishop of Athens and the Holy Synod, Theoklitos Koumarianos, who openly showed his dislike of such a visit, “*As regards this visit, there are problems and the Church of Greece cannot accept the Pope as a representative of a Christian Church*” (Eleftherotypia, 27/8/99). In the end, the Pope’s visit in 2000 was cancelled.

At the same time, the issue of the legal personality of the Catholic Church remained pending. In July 1999, a parliamentary amendment simply reconfirmed the -until then implicit in the civil code- recognition of the legal personality of all Catholic institutions constituted before 1946. The Catholic Church rightly considered this unsatisfactory.

Jehovah’s Witnesses (JWs)

Among the Christian minorities, the plight of the JWs gives the greatest cause for concern, insofar as their adherents are convicted by the courts, fined or imprisoned, and socially ostracized. This singling out of the JWs is almost certainly due to their religious militancy, which is expressed through proselytism, conscientious objection to military service and a variety of public activities, which call into question the interests of the dominant Church and the legislative and political system of the State.

In January 1999 the European Court of Human Rights struck out of its list the appeal of a JWs plaintiff who had been under surveillance by the Greek state, following a settlement between Greece and the plaintiff (*Tsavachidis vs. Greece*). Greece, admitting the surveillance, promised that neither Tsavachidis nor any other member of that Church would ever be under surveillance again.

Regardless of this positive development, however, JWs members are still frequently summoned to police stations for “identity checks.” They also repeatedly face difficulties in burying their dead in the cemeteries. In January 1999, Panayotis Pantazis was buried in a field outside the cemetery in Strymoniko near Serres, following the refusal of the local authorities to bury him inside it.

On 11 July 1999 the Mayor Papayanis incited the residents of Kassandria to hold a protest rally to impede the construction of a lecture hall by local JWs, who had obtained the necessary building permit No. 406 on 21 July 1995. The municipality had expressed its objection at the time with both lawful and seditious means. On 4 February 1999 the Ministry of Education and Religious Affairs finally approved the application of the JWs and on 5 July 1999 the Halkidiki Zoning Office permitted the continued construction. During the July protest the mob dug a trench around the JWs property using the municipality’s bulldozer and then proceeded to park cars in front of the property to make access impossible. After a new series of impediments, works resumed in October, only to lead to renewed violence, including the harassment of representatives of the Ombudsman’s

office. The latter called the issue a challenge to state authority (see freedom of expression above). Eventually, reactions calmed down and the works were completed in November.

On 20-22 August 1999, the Jews held their annual public meeting in Larisa (Central Greece). Like in previous years, the Orthodox Church showed its intolerance, this time with an anti-Semitic dimension. The mourning toll of the bells of the Orthodox churches filled the air. Noisy liturgies were held in the open at a close distance, opposite to the meeting place. Hostile slogans were chanted and an Israeli flag was burned. In both cases - 11 July and 20-22 August- there was no official condemnation of the incidents, while some media went into exuberant praise of the event in Larisa while some media reported the events in a praising way.

Protestants

Besides the raid against the Protestant radio station Channel 2000 (see above on freedom of expression), on 5 November 1999, a Salonica court acquitted Yannis Dimitriadis, a pastor of the First Pentecostal Church in Salonica, charged by the police with operating a church without a permit. Prosecution had gone ahead even though the church had a license dated 1938, and a license to move its premises to the present ones dated 1969.

On 25 October 1999, a Three-Member Misdemeanor Court in Larisa convicted pastor George Yfantidis and Mr. Apostolos Rizos to a suspended sentence of 6 months in prison because they had not put in the entrance of their “Christian Education Center” a sign mentioning “Laboratory of Liberal Studies.” The Center was a lecture hall of the local branch of the Greek Evangelical Church, and no courses were ever held there. The court argued that since its statutes included the possibility to offer foreign language classes, the sign was mandatory. It is noteworthy that many really private schools of foreign language do not have such signs, while never were any language classes held in that Center.

The same church also asked for a permit to open a house of worship in Larisa. For the first time ever, though, the administration, in an obvious effort to impede freedom of worship, asked for a certificate from the urban planning agency that the premises of the would-be house of worship are suitable for such use, a lengthy and expensive procedure.

Old Calendarists

The (New Calendarist) official Orthodox Church, with the acquiescence of the municipal and police authorities, continues to hold the little church of St Savas on a hill atop the Athens suburb of Galatsi, which it seized in 1998 from the Old Calendarists who had built it and owned it until then. This is the last of many similar cases since the split between the two Orthodox Churches in the inter-war period.

Jews

On 7 October 1999, the leader of Greece's small Jewish community complained about the letter from George Katsanevakis, the prefect of Chania, questioning why a restored 400-year-old synagogue was being reopened on the island of Crete even though there is only one Jewish resident in the town. In the letter, the prefect wrote he favored "maintaining and promoting even more the monument and its historical values and remove the religious services ... when there is not an adequate number of faithful for their participation and admission. (...) The services and ceremonies of the synagogue are directed at whom?" the letter continued. "An empty monument, idle tourists or those transported from another congregation?"

Muslims

On the continuing prosecution of one elected mufti and the vindication of another in the European Court of Human Rights see below under Turkish minority. Now Greece has been convicted in the 1990s for the violation of the rights of all traditional religious and/or national minorities (Macedonians, Muslims/Turks, Jehovah's Witnesses, Catholics, Protestants).

Otherwise, the minaret of the mosque in Kimmeria (in the Xanthi district of Thrace) remained unfinished as the authorities refuse to allow its building according to the approved by them extension plans, in 1996.

Protection of Ethnic Minorities

In recent years, the Greek government has signed a number of international documents providing guarantees to minorities. The ICCPR was ratified in early 1997. In late 1997, the Framework Convention for the Protection of National Minorities was signed but had not been ratified by the end of 1999, despite the public pressure in late July 1999 and the ensuing government announcement that ratification would take place in the fall.

Officially, Greece has been acknowledging the existence of only one "religious" minority, the "Muslims" of Thrace whose fundamental rights were formally guaranteed by the 1923 Treaty of Lausanne. The presence of (ethno)national minorities of Turks and Macedonians has yet to be acknowledged.

In late July 1999, Foreign Minister George Papandreou started an unprecedented campaign for changing the traditional position of the country as regards its ethnic minorities.

"If a Greek citizen feels that he belongs to some ethnic group, international treaties allow this. And Greece is a country that respects international agreements... No one challenges the fact that there are [in Greece] many

Muslims of Turkish origin. Of course, the [Lausanne] treaties refer to Muslims. If the borders are not challenged, it concerns me little if someone calls himself a Turk, a Bulgarian or a Pomak... Whoever feels he has such a [Macedonian] origin, Greece has nothing to fear from it and I want to stress this is not just my thought. It is a well-established practice that allows the integration of minorities throughout Europe, as well as in other countries like Canada, Australia, and the USA. Such an attitude defuses whatever problems might have existed, allows the real blossoming of democratic institutions, as well as gives these people the feeling that they too are citizens of this country” (Klik, 26/7/99).

At the same time, the Ministry of the Interior leaked to the media a plan to radically change the citizenship policy, so as to allow immigrants, after some years or residence, to qualify for legal residence, without excluding, as was the case until now, those from neighboring countries or of Muslim faith. Even the thorny issue of allowing the return of ethnic Macedonian political refugees, who fled as a result of the civil war in the late 1940s and banned from Greece since then, was to be finally settled.

Coincidentally, on 23 July, a public appeal for the recognition of a Macedonian and a Turkish minority, the unconditional ratification by Parliament of the Council of Europe’s Framework Convention, and the respect of these minorities’ rights was made by the three Turkish minority deputies in the Greek Parliament, three Macedonian, seven Turkish and three human rights NGOs (including the GHM and Minority Rights Group-Greece, MRG-G, which initiated the appeal).

The reaction to these three cases showed that neither the Greek public, nor the Greek opinion-makers were ready to accept such a progressive stand. There was a near unanimous verbally violent reaction to the appeal, enriched with xenophobic and other ‘hate speech’ and even some defamatory personal attacks against the signatories.

“There could not be even one Greek citizen, however conciliatory, ready to even discuss the presence or racial [sic] minorities. The Greek people is one and indivisible. With various religious beliefs that do not however affect the unity of the total population. The government should immediately rectify a lapse, even involuntary, that gestates obvious and less obvious dangers” (To Vima, 30/7/99).

On 23 August, Max van der Stoep, OSCE High Commissioner on National Minorities, also contributed to the debate, explicating Greece’s obligations as regards minority rights (<http://www.osce.org/inst/hcnm/news/stat-hcnm-99.htm>). In his final remarks he stressed that:

“The Treaty of Lausanne (Art.45) deals with the religious rights of the ‘Muslim minority’ in Greece. But that does not mean that the Copenhagen Document has no relevance for persons belonging to the Muslim minority in Greece. Within the wider religious group, there are smaller groups with an ethnic or linguistic

identity of their own, such as Turks, Roma and Pomaks to which the provisions of the Copenhagen Document do apply.”

On 8 October, representatives of the Macedonian minority political party Rainbow, as well as representatives of the Turkish minority in Greece met with Max van der Stoel in Athens and repeated their long standing position that they respect the country's territorial integrity and are opposed to all autonomist or secessionist claims.

Turkish Minority

The state has recently revised its estimate of the “Muslim” minority. The previous estimate of 120,000 people was cut down to 98,000 people (50% - of Turkish origin, 35% - Pomaks [an indigenous population that speaks a Slavic dialect and espoused Islam during the Ottoman rule], 15% - Roma).

The Muslims' most serious problem is certainly that of the continuous prosecution of their elected muftis.

- Mehmet Emin Aga's prosecution is a serious case of violation of the human rights of an individual in Greece. He was elected by minority members Mufti of Xanthi in August 1990. In August 1991 the Greek government applied a new 1990 law abolishing the old 1920 one that called for elections of muftis. The government appointed Emin Sinikoglu as Mufti of Xanthi. Mr. Aga has been charged with violation of Art.175.2 of the Penal Code (pretense of authority) because he issued 42 messages to the Muslims on religious holidays, signing them as Mufti of Xanthi. In February 1998, Amnesty International stated that Greece was acting in violation of international law in sentencing Mr. Aga to imprisonment solely for the peaceful exercise of his right to freedom of expression. To this day, First Instance Courts have convicted him to 139 months imprisonment (of which 18 months in two cases in 1999). Appeal Courts have reduced the sentences of seven cases from 107 months to 69 months (of which 17 months in two cases in 1999). Four new cases are also pending against him. Mr. Aga has spent six months in prison and has bought off the balance, at considerable financial cost.
- The European Court of Human Rights convicted Greece for the similar case of Ibraim Serif on 14 December 1999. Mr. Serif was elected the Mufti of Komotini on 28 December 1990 by those attending Friday prayers at the mosques. He was subsequently convicted by a Greek court also for pretense of authority for messages he issued, and for wearing the mufti's clothes. The ECHR held unanimously that there had been a violation of Art. 9 (freedom of thought, conscience and religion) of the European Convention on Human Rights. “In the Court's view, punishing a person for the mere fact that he acted as the religious leader of a group that willingly followed him could hardly be considered compatible with the demands of religious pluralism in a democratic society. Moreover, the Court did not consider that, in democratic societies, the State needed to take measures to ensure that religious communities remained or

were brought under a unified leadership. The Court recognized that it was possible that tension was created in situations where a religious or any other community became divided. However, it considered that this was one of the unavoidable consequences of pluralism. The role of the authorities in such circumstances was not to remove the cause of tension by eliminating pluralism, but to ensure that the competing groups tolerated each other.” It is hoped that Greek courts will now use this case to acquit Mr. Aga from identical charges.

There were also instances of harassment of secular Turkish minority leaders:

- On 23 April 1999, the Appeals Court of Thrace confirmed a 1986 First Instance Court verdict to dissolve the Turkish Union of Xanthi (founded in 1946) because “it created confusion on... the citizenship of its members whether they are Muslims with Greek citizenship or Turks in nationality and citizenship... and that a Greek association serves the aims of a foreign state that is the prevalence of Turkish ideals.”
- On 19 October 1999, twelve Turkish minority teachers (*Case of Raif Oglu et al.*) appeared before the Three-Member Appeals Court of Patras. The minority teachers’ union members appealed a suspended sentence of eight months handed down by the Three-Member Misdemeanor Court of Agrinio, on 5 June 1997. They had been convicted for the violation of Art.188 of the Greek Penal Code (“participating in an association the aims of which are contrary to criminal provisions”) because they had signed, on 21 March 1994, a union document that included the name of the “Union of Turkish Teachers of Western Thrace.” That “Union” (founded in 1936) had been dissolved in November 1987 after the Supreme Court decision 1729/1987 affirmed the relevant Court of Appeals of Thrace decision 159/1986. The courts had held that the word “Turkish” referred to citizens of Turkey and could not be used to describe citizens of Greece, and that the use of the word “Turkish” to describe Greek Muslims endangered public order. The case was postponed *sine die*.

In March 1999, the Holy Synod of the Church of Greece announced the introduction of a special monthly financial benefit, only for Christian families in Thrace -home also of Greece’s Muslim population- who have three or more children, “to fight the area’s major demographic problem.” A few days before that, the Archbishop had made it clear that this demographic problem resulted from the supposed larger number of children among Muslims than among Christians. This clearly discriminatory measure drew the criticism of Muslim Turkish leaders.

Macedonian Minority

Besides the censorship of a pre-election televised program of the Macedonian minority party (see above under Freedom of Expression), it is noteworthy that the campaign and the views of that party were not covered at all by Greek media, not even by those that made brief mention in the previous European election in 1994. The party received 5,000 compared to 7,500 in 1994.

On the other hand, the Home of Macedonian Culture failed to register itself as no lawyer in the district of Florina, where it has its seat, accepted to handle the case. In 1998, Greece was convicted by the ECHR for having denied registration to the Home.

Roma Minority

In 1999 numerous communities of Roma tent-dwellers were evicted or threatened with eviction. The biggest number of (threats of) evictions in 1999 took place in the Greater Athens area, which will host the 2004 Olympic Games: the local authorities almost always put forward the necessity to build sports facilities, when they decide to evict Roma from a site or to refuse their transferring to another area. On the other hand, the state's reaction to a major earthquake that devastated many of these areas of the capital provided ample evidence that Roma are discriminated against: within weeks from the tremor, tens of thousands of quake victims were successfully relocated to decent settlements. Years-long homeless "society victims" Roma living in the same areas were not even then relocated, but in one case bluntly evicted. A related NGO appeal to the Prime Minister fell upon deaf ears. Follow the 1999 developments in some of the scores of destitute Roma settlements around Greece: in most of the others, the situation remained unchanged and very unsatisfactory.

- **Evosmos/Gallikos/Gonou (Salonica)** The relocation of the largest Roma tent-dwelling community of Evosmos -from the river Gallikos where they have been living for a year to the former military barracks of Gonos- which will hopefully become the first real "model settlement" has been officially decided in 1998 with a deadline of late November 1998. However, it has been carried out very slowly: the infrastructure works in Gonou had yet to be completed by the end of 1999, as the Ministry of Public Health was withholding the necessary funds.
- **Aspropyrgos (Attica)** In February 1999, local authorities, escorted by the police, set fire to five Roma lodgings of the Nea Zoe settlement in Aspropyrgos, where 100 families had lived since 1990. The operation took place in the absence of a District Attorney and without protocols of eviction. It was based only on a discriminatory decision of the Town Planning Service to pull down only Roma shacks even though the whole residential area -inhabited by both Roma and non-Roma- does not comply with the town plan. Greek and international NGOs, as well as Progressive Left Coalition MP, Ms. Stella Alfieri, pressed charges for violation of international treaties and agreements binding on Greece. The organizations, in cooperation with the Prime Minister's Office for Quality of Life, proposed a site for the creation of a self-managed Roma settlement of the whole precinct. The mayor of Ano Liossia, Mr. Papademas, rejected this solution with the excuse of an alleged construction of Olympic sports facilities, coupled by the fact that his community cannot handle more than the "internationally accepted quota of 8% of Roma to achieve their successful integration."

- **Ano Liosia (Attica).** The Roma community that was relocated there in April 1997, in a “model settlement” with in fact horrible conditions, soon to be known as “the Simitis ghetto,” was evicted by the municipality in December 1999, because of the appalling health conditions, without any relocation plans.
- **Halandri (Attica)** 13 out of 30 families of the settlement received eviction orders after a trial *in absentia*. The families were charged with trespassing an area with no infrastructure where they had lived for about 20 years. After strenuous negotiations with the District Attorney and the police that would enforce the decision, the Roma were granted an extension until the end of April 1999. A parliamentary debate over the matter initiated by the Progressive Left Coalition -provoked by the negotiation efforts by the GHM, MRG-G and the PM’s Office for Quality of Life- the government promised to subsidize a 6-12-month lease of the land until a permanent solution was found. Although the owners accepted this, the municipality has not yet taken action, claiming that the owners could not be located.
- **Rio (Patras)** In October 1999, the municipal council of Rio (a Patras suburb) decided to evict the Roma living in or near the University of Patras area, for their alleged but unsubstantiated high criminality. Regrettably, the University President, speaking n behalf of the President’s Council, agreed with the eviction, “to protect the university’s international image.” On the contrary, the Prefect of Achaia refused any eviction until an area of acceptable relocation had be found.
- **Ioannina (Epiros)** In August the local authorities evicted 30 Greek and Albanian Roma families from an area with no infrastructure, where they had lived for seven years. The first threats of eviction were posed in May 1999. After an intervention of the researchers of the Ioannina University Roma Program, in which the camp had been included, the authorities promised to look into the possibility of relocation, something they never did.
- **Nea Alikarnassos (Crete).** Making use of a 1997 town council resolution and arguing that the area was going to be reconstructed, in March 1999 the municipality started an eviction procedure against its Roma. Protocols of eviction were serviced to 102 families. Roma relocation has not proceeded since none of the neighboring municipalities wanted to deal with the tent-dwellers. Their transfer to a former military barracks and the creation of a self-managed settlement -proposed by the NGOs in cooperation with the PM’s Office for Quality of Life- met with the stubborn opposition of the mayor who declared his intention to evict the Roma from his town. On 12 November, an Heraklion County Court took into account all relevant information, and concluded that even though the eviction decision was within the rights of the municipality, it was evidently abusive. It therefore accepted the Roma’s appeal the protocol of eviction, which was initially issued, be canceled.

In March 1999 the GHM, MRG-G, Doctors of the World – Greece, and the DROM Network for Roma Social Rights along with the Progressive Left Coalition submitted to

the PM's Office for Quality of Life a draft law for the creation of self-managed Roma settlements with a view to improve their living conditions and their smooth integration into society. This proposal is already being implemented, even with considerable delay and after a lot of pressure, in the settlement of Agia Sofia Gonou (Thessaloniki). Unfortunately, the Ministry of the Interior, which is responsible for entering this bill into Parliament, has not looked into the matter and arbitrarily cancelled the formation of a Committee for the Problems of Roma Tent-Dwellers. The latter Committee had been established after talks in the Ministry of the Interior between government officials, non-governmental organizations and Roma organizations in mid-June 1999.

An international survey by the Doctors of the World (ROMEUROPE Program, Medecins du Monde, Juin 1999) directly associated the odious living conditions in the settlements with the poor health of Roma tent-dwellers in Greece. Comparative data from other European states show that the percentages of Roma tent-dwellers in Greece with health problems are higher (42% for the women, 32% for the men). Roma access to the Greek health system is insignificant. In general Roma do not trust hospitals and Emergency Rooms. Out of the 40% of Roma who benefit from the social welfare system, only 30% are fully covered. These percentages are less than half of the equivalent average for Roma in other European countries.

Roma still faced abuse by police officers. Even in 1998 cases where policemen have been indicted for homicide or torture, they were not removed from their department, while Sworn Administrative Investigations and legal proceedings were still not concluded by the end of 1999. As far as education is concerned, few Roma of compulsory schooling age (6-15-years-old) attend school. This is very much due to the indifferent, if not racist attitude of state officials. An example of this was the statement by the Mayor of Zefyri Apostolos Zervas, regarding the Roma residents of his municipality. Answering to the allegations by Roma earthquake victims that they are systematically ignored in the aid supply, the Mayor stated, "Gypsy [pejorative in Greek] stories. Do not bother me more with the Tsiganoi [pejorative for Gypsy]. Because of them, the aid mechanism is inefficient. They have been robbing the whole world" (*Eleftherotypia*, 14/9/99).

The Greek delegation's response to GHM and MRG-G statements in the September 1999 Vienna OSCE Review Meeting was nevertheless commendable for its sincerity and the carefully worded but fair criticism of the Roma leaders inability to help solve the problems of the Roma population:

"The situation of the Roma in Greece is, in the eyes of the Greek Government, unsatisfactory and indeed unacceptable, and (...) although things have been improving, (...) the pace of change is often frustratingly slow. The sluggishness of bureaucracy in its every endeavor is not the least of the impediments encountered by the Government in this case. (...) Another important, but not unexpected, reason for the slow progress achieved is the fact that the Government programs must, at all stages, be inclusive of those concerned, i.e., the Roma themselves, and not be carried out in their absence. Consensus is therefore vital; and building it -

a time consuming exercise under all circumstances- is particularly arduous when dealing with a social group composed of smaller groups, scattered around the country, which do not easily speak in one voice.

Another serious obstacle to the Government efforts is prejudice toward the Gypsies, which, bred over many long years, is still widespread among large segments of the population and is hard to eradicate. Such prejudice, which finds expression in everyday life, takes on more alarming and dangerous character when it is displayed by police officers or by elected officials at the local administration level. We regret –and condemn- the incidents of racist remarks by elected officials and violent acts by police officers mentioned earlier by the representatives of two Greek NGOs.”

Citizenship

Christian Roma and most Muslim Roma whose ancestors were born in Greece were granted citizenship in the 1970s (most Roma had been stateless until then). But some Muslim Roma (self-identified as Turks) were forced by the police to continue to acquire expensive alien’s residence permits valid only for one year: on them police authorities mentioned they were of “undefined” citizenship and of Turkish nationality (i.e. ethnicity). The police department of Komotini refused in 1999 to give an stateless identity document -something it was obliged to do under the 1954 UN Convention Relating to the Status of Stateless People- to one of them, Durgut Sezgin. What is more, eight months after his application and only after the Ombudsman stepped in, the police alleged that the reference to an undefined citizenship was a mistake that had supposedly been repeated for years. They claimed that Mr. Sezgin had Bulgarian citizenship, and asked him to prove that he is not Bulgarian in order to consider him a stateless person. Greek authorities do not have any official document showing that Mr. Sezgin, who was born in Greece and never left it, was a Bulgarian citizen. They base their argument on birth certificates (in Greek) that his parents were coerced to sign, the way most illiterate Turkish-speaking Muslims did lest they ran into trouble with local powerful authorities. Greece is obligated not only to acknowledge the status of statelessness of these people, but also grant them citizenship, in the framework of Art. 32 of the UN Convention.

As a result of pressure from NGOs and minority deputies and organizations, around one hundred ethnic Turks previously made stateless under the by now abolished Article 19 of the Citizenship Code received in 1998 identity documents from Greek authorities in accordance with the 1954 U.N. Convention, valid for two years. These stateless residents of Greece had unjustly been stripped of their citizenship in first place, as they had never settled abroad, a prerequisite of Article 19. In August 1998, then Foreign Minister Theodore Pangalos stated that within a year most or all of the stateless living in Greece would be offered Greek citizenship; this promise was repeated in subsequent months by then Alternate and Deputy Foreign Ministers George Papandreou and Yannis Kranidiotis. In June 1999, Minister of Interior Vaso Papandreou announced that the stateless would be

naturalized. In the OSCE Review meeting, in September 1999, the Greek delegation reiterated that commitment. However, by year's end, the government had taken no steps to carry out this promise, even though most stateless have duly applied for naturalization. Worse, by the end of 1999 and the beginning of 2000, it was refusing the renewal of their stateless identity documents. The Greek government must grant citizenship immediately to these few hundred residents and consider additional means to redress the injustice. The former is a legal obligation under Article 32 of the 1954 U.N. Convention which Greece has been disregarding.

It should also introduce the possibility to grant citizenship to the few thousand former Greek citizens who are now living as stateless abroad. It should finally grant the former Greek citizens who have been stripped of their citizenship under Articles 19 or 20 of the Citizenship Code and live abroad with different citizenship (almost all are ethnic Turks or Macedonians) at least unhindered entrance to Greece, irrespective of their minority advocacy abroad; and examine favorably any possible (but expected to be rare) request for citizenship.

Protection of Asylum Seekers and Immigrants

In recent years, some 500-700,000 immigrants have settled in Greece, mostly illegally; two-thirds of them are Albanians, and most belong to minority religions, but no official figures are available. In 1998, a legalization procedure for those immigrants was launched, eventually involving some 230,000 people applying for residence permits. Only some 35,000 of them were granted permits by the end of 1999.

On 3 July 1999 all foreigners found in the streets were rounded up by the police and, even if holders of legal residence documents, taken to police stations. There, they all had their fingerprints taken for possible match against pending criminal cases. If illegal, the immigrants were expelled from the country. TV crews filmed the operation. This was done in violation of countless international human rights conventions and rose the wrath of over 300 intellectuals who signed a protest petition (published on 6 July). What did help more was the outcry of the Greek farmers, worried about their crops. Rather than face a new farmers' march to Athens, the government returned to old practices and immigrants were set free to offer again their cheap services. Similar, less publicized, "sweeping operations" have been recurrently taking place throughout 1999.

Xenophobia and, especially, Albanophobia were present too in 1999. Nurtured by statements linking illegal immigration to rising criminality, they often led to violence against immigrants. The worst case was that of a "racist serial killer", Mr. Kazakos, who, in the night of 21 October 1999, shot seven immigrants, killing two and injuring five, of which three sustained life disability injuries. In two cases he had an accomplice.

Harassment of Human Rights Activists

The actions of some Greek diplomats still compromise Greece and the political leadership of the Foreign Ministry, going as far as undermining Greek foreign policy and hurting Greece's interests.

- In February 1999, a Greek diplomat in Vienna, meeting with a member of the International Press Institute (IPI), tried to refute the references to Greece in the IPI annual report with defamatory comments about one of the members of the GHM and MRG-G.
- On 21 September 1999 the reports of the GHM and MRG-G, presented at the 1999 OSCE Review Meeting disappeared from the OSCE distribution table -most likely removed by Greek diplomats. The NGOs protested to the Greek delegation and the action was never repeated.

Undoubtedly, the 23 July public appeal for the recognition of the Macedonian and Turkish minorities, already mentioned, triggered the harshest reaction from politicians and media alike against the signatories, human rights and minority activists. Some of the more extreme statements follow:

- Former PASOK Minister of Macedonia and Thrace Stelios Papatthemelis: *“this action of the three deputies is very provocative and from all aspects repulsive. I should tell them in their language “Ai sihtir” [Fuck off!].*
- The president of the socialist splinter DIKKI Dimitris Tsovolas: *“It is an insolent provocation that stains the 25th anniversary of the restoration of democracy in our country. Greece does not have to defend itself to anyone, since the rights of all Greek citizens, regardless of political or religious beliefs, are fully respected. Such unacceptable, provocative, unhistorical actions are part of Turkish propaganda and of other anti-Greek circles.”*
- On 28 July 1999 PASOK Deputy Stelios Papatthemelis, during a televised interview on TV Channel Seven, reportedly made defamatory references to the GHM Spokesperson Panayote Dimitras. The latter formally applied to the National Radio and Television Council (Request 1448/13-8-1999) for a copy of the program, in order to ascertain the exact content of these remarks and possibly take the necessary legal action. The Council did not take the action prescribed by law.

With the exception of the leftist daily *Avghi* (with an April 1999 average daily circulation of 2,000 and with a pro-Coalition position), all other 21 Greek national dailies reacted with extreme hostility and hate speech to the appeal.

- *Kathimerini* (40,000, center-right) engaged in the most blatant misinformation. *“Unprecedented provocation yesterday by ‘obscure circles’ which circulated a*

'public appeal' that was allegedly signed by the three minority deputies asking for the recognition of the existence in Greece of 'a Macedonian and a Turkish minorities,'” “*unprecedented provocation with criminal consequences at the expense of Hellenism by 'unknown' individuals who are obviously playing the game of the nationalist circles of Ankara and others.*” “*The suspicious intentions become evident as the three minority deputies, with statements, deny they had any knowledge or participation in that action.*” “*According to Mr. Akifoglu, the whole story is an activity of the GHM Spokesperson Panayote Dimitras.*” Never mind that all three deputies had appeared repeatedly on the private electronic media confirming and explaining their signature, *Kathimerini* never bothered to retract its story in the following days.

- The state media (radio ERA and television stations ET-1 and NET) kept quoting the *Kathimerini* story through 24 July, confirming the suspicion that it was an orchestrated government attempt to use one of the country's supposedly authoritative newspapers to discredit the appeal and attack its initiator.
- In his weekly column in *Eleftherotypia* (31 July), ERA Director General Yannis Tzannetakos tried to challenge the credibility of the human rights NGOs that had initiated the appeal (GHM and MRG-G) by saying that they are “*pretending to be internationally affiliated.*”

On 29 July 1999, Foreign Minister George Papandreou called these reactions “harsh, an indication of fear and panic.”

Finally, besides the conviction of GHM Spokesperson in absentia for a GHM public statement on 4 May 1999 (see Freedom of Expression above), GHM Stateless Section Coordinator Aysel Zeybek was harassed in the Greek side of the border with Turkey on 8 December 1999. On her way back from a trip to Turkey, a plainclothesman security officer subjected her to a lengthy, abusive, humiliating check. He even looked at her personal agenda and made ironic comments for her human rights advocacy. Zeybek filed a complaint with the Ombudsman.