

## EXTERNAL

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## GREECE: ILL-TREATMENT OF MELPO KORONAIYOU BY POLICE OFFICERS

The information on this case comes from a statement made by Melpo Koronaïou in the criminal complaint she lodged with the Athens prosecuting authorities on 1 June 1995, an interview conducted by Amnesty International with her lawyer; and on press articles published in *Eleftherotypia* and *Ta Nea*, which Melpo Koronaïou endorsed in her formal complaint.

On 14 April 1995 left-wing and right-wing groups clashed during a demonstration in Athens. A television channel showed right-wingers hurling stones and wood at the left-wing demonstrators, while the anti-riot police (MAT) looked on without intervening. When the MAT eventually moved on the demonstrators, they were unable to escape. MAT police officers used tear gas to disperse the demonstrators, some of whom had used molotov cocktails. Some demonstrators were seen being heavily beaten with truncheons by police officers. At about 7.15pm Melpo Koronaïou, who was peacefully marching at the end of the demonstration was suddenly surrounded by three police officers in uniform and one plainclothes police officer in Patissia Street.

She testifies: "*As I was walking normally, without provoking either by speaking or any action and without having with me any object (stone, wood, bottle etc...) which could have caused harm, incident or damage to police officers or anyone else, I was without reason attacked from behind by a group of police officers. Two or three of them wore the uniform of the MAT and obviously belonged to the police force which were dispersing the demonstration. One of the police officers was wearing civilian clothes. Despite the fact that I was alone, unarmed and that my back was turned towards them, the police officers - who had no need for action to disperse the demonstration because they had already obliged the demonstrators to return to their departure point outside the centre of Athens - attacked me violently without any reason. They surrounded me and started to kick me and beat me with truncheons all over my body until I collapsed on the pavement. Even then they did not stop to beat me. On the contrary, [the plainclothes officer] continued with more violence to beat me on the head and face despite the fact that I was entirely defenceless and overpowered.*"

Melpo Koronaïou further claims that the other police officers standing around her did nothing to stop their colleague beating her and moved away. The plainclothes police officer moved away only when he saw that blood from her mouth and other injuries was leaking onto the pavement. She was left lying on the pavement, bleeding a lot and having lost consciousness, for about 45 minutes. She was then transferred to Athens General Hospital where she remained until 25 April 1995. When discharged from hospital she was given a one-month work incapacity.

The doctors who examined her recorded bruises on her face and various parts of her body. As a result of the beatings she suffered a triple fracture of the lower and upper parts of the two jawbones and the chin, for which she underwent a three-hour operation on 17 April 1995. As a result of her injuries Melpo Koronaïou was completely unable to speak for two weeks.

On 1 June 1995 Melpo Koronaïou lodged a formal complaint of ill-treatment with the Athens prosecuting authorities. She stated at the time that she still experienced some difficulties in speaking and could not eat solid food as she could not move her mouth entirely freely.

The Minister of Public Order reportedly ordered an investigation into the circumstances under which the clashes and the injuries of police officers and civilians occurred. The police officer allegedly responsible for ill-treating Melpo Koronaïou was first suspended from the police force pending the result of the inquiry and later transferred for four months to work as a police officer in the island of Kos.

On 28 November 1995 Amnesty International wrote to the Prime Minister expressing its grave concern about the severe beating of Melpo Koronaïou by police officers, urging him to ensure that a thorough and impartial investigation be carried out. Amnesty International also requested to be informed of the progress and outcome of the investigation. No reply had been received by the end of August 1996. No progress either seems to have been made into the investigation reportedly opened more than a year ago.

Amnesty International is renewing its call on the Greek authorities to conduct a thorough and impartial investigation, to bring to justice those responsible and to ensure that Melpo Koronaïou receives fair and adequate compensation, as required by international standards.

**The Greek Constitution and national law** specifically prohibit the use of ill-treatment or torture.

Article 7, paragraph 2, of the Greek Constitution states that: “[T]orture, any bodily maltreatment, impairment of health or the use of psychological violence, as well as any other offence against human dignity, are prohibited and punished as provided by law”.

Under Article 137 of the Greek Penal Code the prescribed penalty, in principle, for someone found guilty of torture is between three years’ to life imprisonment. The penalty is of at least 10 years in the most serious cases and life imprisonment if the victim dies. A prison sentence of three to five years applies in less serious cases. Persons convicted of torture are automatically deprived of their political rights and dismissed from their jobs.

### **International Standards**

Greece ratified the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1988. In doing so, it expressly undertook to prevent torture taking place within its territory by undertaking to educate and train law enforcement officers, to ensure that its competent authorities would proceed to a prompt and impartial investigation of cases where there are reasonable grounds to believe that an action of torture has been committed, to ensure that victims of torture would have the right to compensation or, where a death had occurred as a result of an act of torture, the victim’s dependants would

be entitled to compensation and that those responsible for the torture would be punished by appropriate penalties.

Article 2, Paragraph 1, of this Convention states that: “ *Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction*”.

Greece also ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms in November 1974. Article 3 of the Convention states that: “*No one shall be subjected to torture or to inhuman or degrading treatment or punishment*”. Greece ratified in 1991 the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment which not only prohibits the practice of torture and other cruel, inhuman or degrading treatment or punishment, but also sets up a system of regular inspections of places of detention by the European Committee for the Prevention of Torture. Greece is legally bound to observe the provisions of this treaty.

