

EXTERNAL

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GREECE:

## ALLEGED ILL-TREATMENT OF LAZAROS BEKOS AND LEFTERIS KOTROPOULOS BY POLICE OFFICERS

Amnesty International is concerned about allegations that Lazaros Bekos and Lefteris Kotropoulos, two Roma aged 17 and 18 years old respectively, were subjected to ill-treatment by police officers during interrogation at Mesolongi police station on 8 May 1998.

On 8 May 1998 Lazaros Bekos and his friend Lefteris Kotropoulos were stopped in Mesolongi by police officers for attempting to steal ice-creams from a fridge in a kiosk. According to Lazaros Bekos: *"I was trying to break the second lock on the fridge, when plainclothes police officers arrived and hit me on the back of the head with the gun. One of them pushed me to the ground and stepped on me"*.

The two boys were then taken to the police station where they allege they were further ill-treated. Lazaros Bekos said he told one of the police officer who was about to hit him on the head not to do so, as he *"[had] problems, but he hit me on the head, stomach and all over my body with a truncheon, then he took an iron bar from under his desk (the one I had used to force the kiosk) and put it under my throat saying he would asphyxiate me if I did not tell the truth"*. Lazaros Bekos pushed the police officer back and was then allegedly beaten on his back with the iron bar and kicked in the neck.

Both youths were kept in custody overnight and state that they underwent further ill-treatment during their interrogation the following morning. During the interrogation by the station's deputy-commissioner Lazaros Bekos was asked to provide information on the whereabouts of a drug dealer but, as he refused to speak, he was taken back to his cell. Later he was brought back for interrogation and was allegedly beaten with truncheons and slapped before being returned to his cell. Later, two plainclothes police officers took him again for interrogation to an office where two other police officers were waiting.

According to Lazaros Bekos: *"One after the other, they beat me, slapped me, hit me with truncheons on the legs, neck and shoulders. At that moment, the station commander came in. He said: 'Why are you beating them? One has a problem with his leg [Lefteris Kotropoulos suffers from injury to the meniscus of his right leg] and the other with his head'. And he left. The other said: 'You need further beatings' and one told me: 'pull your trousers down. If you don't pull them down, I'll fuck you. You will die here'. There were three other [police officers] with him. I said I won't pull [my trousers] down. He took the button and undid it. I buttoned it back up and then the four of them beat me."*

*"The station commander walked in and said: 'Stop it. They've had enough'. And turning towards me he said: 'You won't be beaten any more'".* At about 8.30pm on 8 May 1998, before Lazaros Bekos was brought to the prosecutor's office, a police officer allegedly punched him twice in the stomach. On Saturday the two boys were released. Lefteris Kotropoulos confirmed Lazaros Bekos' allegations, complained of similar ill-treatment by police officers and added that when he asked to call his mother to reassure her on his whereabouts, he was denied the right to do so by the police officers.

An inquiry into this incident has reportedly been ordered by the Ministry of Public Order.

The two boys were examined the following day by a doctor who recorded on the medical certificate a number of which were inflicted with a "broken instrument" about 24 hours before he the victims' examination. On Lazaros Bekos: *"two 10cm parallel 'double bruises' on his skin, in deep red (almost black) tone on his left shoulder.. extending to the area of his right shoulder. Pain in the knees, pain in the left side of his head"*. Lefteris Kotropoulos' injuries were recorded as: *"multiple 12cm parallel 'double bruises' on his skin, in deep red (almost black) tone on his left shoulder, including... ecchymosis of about 5cm on the back of the left upper arm, ecchymosis of about 2cm on his left wrist, pain in the left side of his head, in the mesogastric area.. [he suffers] from [injury to] the meniscus of his right leg and shows pain of movement and difficulties in walking."*

Amnesty International is calling on the Greek authorities to conduct a prompt, thorough and impartial investigation, to bring to justice those responsible and to ensure that Lazaros Bekos and Lefteris Kotropoulos receive 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 proceed to a prompt and impartial investigation of cases where there are reasonable grounds to believe that an act of torture has been committed, to ensure that victims of torture have the right to compensation or, where a death had occurred as a result of an act of torture, that the victim's dependants are entitled to compensation and that those responsible for the torture are 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.

*The information in this case comes from a medical certificate and interviews with the two boys which was carried out by the Greek Helsinki Monitor, a non-governmental organization which collaborates with Amnesty International.*