

TORTURE IN GREECE

The First Torturers' Trial 1975



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PREFACE

The report that follows is an analysis of the first torturers' trial in Greece, which took place in August and September 1975. Foremost in our minds during the preparation of this report was the need to present the essence of this historic trial to the non-Greek world as a welcome example of submitting accused torturers to due process of law.

In presenting this report, Amnesty International draws particular attention to two relevant "Nürnberg Principles" as guidelines for the bringing to justice of those responsible for the custody of prisoners who violate those prisoners' basic human rights:

Article 3. The fact that a person acted as Head of State or as responsible government official does not relieve him of responsibility for committing any of the offences defined in this code.

Article 4. The fact that a person charged with an offence defined in this code acted pursuant to an order of his government or of a superior does not relieve him of responsibility in international law if, in the circumstances at the time, it was possible for him not to comply with that order.¹

The second of these principles is relevant to this particular trial; the first principle would be of relevance to a trial of the Junta leaders, if it were to take place, on charges specifically related to torture.

Amnesty International began work on this report in late 1975 after the end of the first military police torture trial. Painstaking translations were made from unofficial court transcripts printed in Greek newspapers. This was the only way to proceed because official Greek court minutes exist only in note form. Because of the historic nature of this first of the torturers' trials, the Greek press covered the proceedings in detail and printed verbatim testimonies and courtroom dialogues. It was thus possible to corroborate the accounts between two, and sometimes three, sources.

The extracts from the trial that are presented and analysed in this report

¹The "Nürnberg Principles" were drafted and adopted by the International Law Commission, pursuant to a request by the United Nations General Assembly, which in Resolution 95 (I) of 11 December 1946 affirmed "the principles of international law recognised by the Charter of the Nürnberg Tribunal and the judgement of the tribunal".

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serve three purposes. First, the trial testimony offers a detailed picture of the workings of the Greek torture system, its degrading effects on victims and torturers, and the function it served in perpetuating the Junta's control. Second, the trial itself shows that it is possible to convict torturers of their crimes by due process, which is no small achievement in a world where torture has become a tool of state policy in an increasing number of nations. Third, and as a corollary of the first two points, the trial provided conclusive evidence that torture was practised on a systematic basis under the Junta's direction—as indeed had been alleged by individuals and organizations both within and outside Greece during that period.

It is rare for as secretive a practice as torture to be so thoroughly opened up to scrutiny as is now possible (albeit after the fact) in Greece. The entire Greek experience serves to underline the seriousness with which Amnesty International regards the persistent and substantial allegations of torture that today emerge from other countries in virtually all parts of the globe. It should also serve to awaken a broader spectrum of international concern to ensure that such allegations are impartially investigated and the torture halted.

Amnesty International hopes that this conclusive evidence about torture in Greece will prod *intergovernmental organisations* to re-examine their policies toward governments that condone or encourage torture. For example, the human rights machinery of the Council of Europe (which has evolved more substantial procedures for the investigation of allegations of human rights violations brought by governments or individuals than any other intergovernmental organisation) is excruciatingly slow. More than two years passed before the Council's Commission of Human Rights compiled and published its report on Greece, and more recently, its report on the 1971 allegations of torture in Northern Ireland took five years to reach publication.

Likewise, Amnesty International hopes that the Greek case will prompt *individual governments* to re-examine their policies toward governments that use torture. In the case of Greece, the Junta's friends and allies abroad who might have influenced it to stop the torture, on the whole chose not to do so. Because Greek democrats frequently appealed for support abroad, particularly to the Americans and to their fellow Europeans, Greece provides an important case study in the influence of human rights considerations on foreign policy.

The only governments to respond officially and positively to the Greek democrats' appeals were the Scandinavians and the Dutch, who filed complaints with the Council of Europe as early as 1967. By the end of 1969 they had succeeded in forcing the withdrawal of Greece from the Council of Europe. Other Western European governments were indecisive or unhelpful throughout the seven years; the French, for example, even

opposed the censure motions against Greece at the Consultative Assembly of the Council of Europe on the ominous grounds that state sovereignty supersedes international concern for human rights, although Greece itself was a party to the European Convention of Human Rights.

Most serious, of course, was the attitude of the United States government, which, because of its role as "protecting power" in Greece, had a singular responsibility among foreign governments. As one Greek democratic diplomat put it (the late Rodis Roufos), writing anonymously from Athens in 1971, ". . . the solution of the Greek problem depends on the USA more than on any other single country."¹ However, the U.S. administrations not only failed to exert significant pressure on the Junta to respect basic human rights and to stop the torture; they instead offered tacit, and sometimes explicit, approval of the Junta, its actions and policies. The U.S. State Department, including Ambassador Talbot and Secretary of State William Rogers, defended the Greek regime before the U.S. Congress; and the Congress, lacking at that time adequate parliamentary human rights machinery, was not able to restrain the executive branch of government.

There was also the failure of European governments to influence Washington; again to quote Rodis Roufos: "One of the few things Western Europeans can do about Greece . . . is to press Washington to reconsider the misguided policy it has been following in Greece over the last four years." Roufos then delineated the central failure of both the American and Western European governments to put direct and indirect pressure on the Greek Colonels. In so far as either had the power and influence to exert such pressure and failed to do so, they were the Junta's silent partners in violating human rights.

After the fall of the Junta, it seemed certain that the new Greek government, which so eloquently and forcefully supported actions against torture at such international *fora* as the United Nations, would show an equal resolve at home by enacting sufficient domestic legislation to ensure exemplary justice for torturers and by bringing to justice all the torturers from all the Junta's various security forces. It is sad to record, however, that in the year since work started on this report the situation in Greece with regard to seeking exemplary justice for torturers has deteriorated. Some torturers, especially in the civilian security police, who committed acts just as vicious as those committed by the military police convicted at the first trial, either have not been tried at all or after being convicted have been set free with a modest fine or a suspended sentence.

Since July 1974, Amnesty International has on various occasions

¹Anonymous [R. Roufos], *Inside the Colonels' Greece*, London 1972, pages 15 and 191-196.

addressed the Greek government on three issues: the enactment of domestic legislation against torture, the trying of all torturers and the compensation of torture victims. (A selection of this correspondence is included in Appendix E.) Prior to December 1976 the only substantive reply to these inquiries was an informative letter in June 1976 from Mr George Papoulias, Greece's Ambassador at the United Nations, concerning his country's commendable work against torture within the framework of intergovernmental organisations and related agencies.

Because of the importance of the Greek experience as an international model, and also because we are concerned that the full needs of domestic legislation, the trying of all the torturers and adequate compensation for torture victims have to date not been fulfilled at the national level, Amnesty International decided to include an Epilogue to this report. The Epilogue, while acknowledging the merits of Greek action, focuses on the shortcomings of the procedures by which the torture trials have been initiated and conducted as well as on the inconsistency in the treatment of alleged torturers from the various security agencies that used torture. A draft of the Epilogue was sent to the Greek government in November 1976, and in December 1976 the government submitted a Memorandum in reply, commenting in particular on matters of Greek law and the constitutional separation of powers. Amnesty International also sought the comments of independent Greek lawyers. The Epilogue as now published takes into account the government's response as well as the information received from the Greek lawyers.

Since our first approaches to the Greek government on the three issues mentioned above, the United Nations General Assembly, with strong Greek support, adopted the Declaration on the Protection of All Persons from Being Subjected to Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. This Declaration, adopted in December 1975, calls for national legislation against torture (Article 7), the investigation and prosecution of torturers wherever there is reason to believe that torture has occurred even though no formal complaints are forthcoming (Articles 9 and 10), and redress and compensation for victims of torture (Article 11). Amnesty International respectfully urges the Greek government to lead the way in implementing fully this UN Declaration. (See Appendix F.)

Any report on aspects of suppression during the Junta years must also record the courage of those prisoners and torture victims, and of their friends and relatives, who made it possible for Amnesty International and other organisations outside Greece to work with accuracy during the dictatorship. Besides its traditional programme of campaigns for the release of adopted prisoners of conscience and relief payments for adopted prisoners' families, Amnesty International sought every opportunity — whether by sending missions, making humanitarian appeals to the

government or issuing news releases — to draw world attention to the plight of torture victims in Greece. Much of our information was based on data collected with great care inside the country by Greek citizens and sent at great personal risk outside the country to those who were willing to draw attention to the Junta's excesses. Without the courage and persistence of these individuals, Amnesty International's work would have been far more difficult and inevitably less effective. It is, however, regrettable that those governments which were in possession of the facts and the capacity to influence events in Greece were noticeably slow to respond as torture continued and Greece suffered.

January 1977

INTRODUCTION: THE FIRST ESA TRIAL

At the time of the April 1967 military coup in Greece, the number of political prisoners in Greek prisons was relatively small. Several of these people were long-term prisoners from the days of the Civil War (1946-49), and early in 1967 there was reason to believe that these and other prisoners sentenced under long-standing emergency legislation would be released before the expiry of their sentences. The coup changed this situation drastically, and within a few months there were about 6,000 people held in deportation camps on the Greek islands. During the next half-year this figure dropped considerably, but in late January 1968 there were still 2,777 deportees held without trial in the island detention centres on Yaros and Leros as well as an unknown number of detainees in police stations and prisons throughout the country.

Among these deportees and prisoners were some who were old and infirm, having been arrested on the basis of security files prepared during the Civil War 20 years earlier. Many deportees remained in the island detention camps solely because they refused to sign a "Declaration of Loyalty" to the government. This declaration required the renunciation of any connection with the Communist Party of Greece (KKE) or "its variously named organisations" and the acknowledgement that, among other things, such activities sought "the mutilation and enslavement of the country to the Slavo-Communist camp and the removal of the Greek people from Helleno-Christian ideals".¹

From the first day of the Junta's rule, torture was an integral part of the state machinery for suppressing opposition. It should be stressed, however, that during the seven years of dictatorship it was used for different purposes at different periods. During the period 1967-71 the purposes of torture were to extract information about resistance activities and to deter

¹The text of this declaration was analogous to the forced recantations under torture that were extorted 30 years before, during the near-fascist dictatorship of Ioannis Metaxas, 1936-41. It is important to note that although torture was used in Greece before the Junta (specifically, during the Metaxas dictatorship, in the island concentration camps during the 1946-49 Civil War, and within the air force in a particular incident in the early 1950's), it was never an endemic part of Greek political life, as some apologists for the Junta have argued.

the population from political activity. Torture was conducted by trained officers of middle rank from the gendarmerie, the civilian security police (*Asfaleia*), the navy, and the military police (ESA). The policy was to avoid leaving marks, or at least not to allow detainees any contact with the outside until such marks had disappeared. During the period 1971-74, however, the purpose of torture increasingly became intimidation and terrorisation, with the specific aim of destroying the student movement. To a large extent torture was conducted by military police conscripts who were encouraged by their officers to leave marks on the victims. During these years the military police would arrest and detain people almost at random, subject them to ill-treatment and torture and often release them after a relatively short period of time, without ever having brought formal charges against them.

Although torture was used from the beginning of the Junta's rule in April 1967, it was not until November 1967 that reliable reports began to reach the world outside Greece. In response Amnesty International dispatched American lawyer James Becket and British lawyer Anthony Marreco to Greece in late December 1967 to investigate the torture allegations as well as to determine the extent and implementation of a much publicised Christmas amnesty for political prisoners. The beneficence of the amnesty proved almost entirely illusory, and the situation regarding torture confirmed Amnesty International's worst fears. Necessarily restricting themselves to Athens alone, the Amnesty International delegates interviewed 16 released victims of torture and obtained evidence about 32 other cases. Twenty-two methods of torture were documented, including sexual abuse, psychological pressure, electric shock and, most commonly, *falanga* (beating on the soles of the feet), which in almost every case was the initial form of torture. Major Theodoros Theofiloyannakos, a defendant at the first ESA trial in 1975, which is the specific subject of this report, was named as a torturer in the January 1968 Amnesty International report. The report of a second Amnesty International mission, published in April 1968, confirmed the findings of the first.

The two Amnesty International mission reports affected the deliberations concerning the status of Greece within the Council of Europe. The governments of Sweden, Denmark and the Netherlands had already filed applications in September 1967 to the European Commission of Human Rights, charging the Greek regime with violating eight articles of the European Human Rights Convention. This application did not include Article 3, the one prohibiting torture, but after the 1968 Amnesty International reports and other evidence, the sponsors amended their application to include Article 3. A sub-commission then heard the evidence of witnesses, and unlike the Amnesty International mission, the sub-commission was able to gather evidence concerning the police stations outside the capital. This

process and the writing of their well-documented, four-volume report lasted until the middle of 1969. In December of that year, after intense diplomatic negotiations and in the face of certain expulsion from the Council of Europe, the Greek government withdrew in order to avoid diplomatic defeat. Subsequent publication of the Commission's report left no doubt that torture and ill-treatment were regular and "officially tolerated" activities inside the Junta's police stations in Athens and throughout the country,¹ but torture continued as usual despite these limited diplomatic efforts. (See Appendix D on Greece and the Council of Europe.)

The severity of Greek torture is further borne out in the specific court-martial that is the subject of this report. As the first of the so-called "torture trials" in Greece, it deserves attention. In addition, this trial conformed to high legal standards, and after both the prosecution and the defence had been given ample time to argue their cases, the tribunal was able to sort out individual responsibility and to apportion blame for certain of the acts of torture during the Junta years. Although the trial did not pursue some of the broader questions concerning responsibility for torture, Amnesty International welcomes the precedent of this trial and commends the military court prosecutor for ordering an investigation and prosecution of the accused torturers.

Unfortunately, the standards of this first trial were not sustained in later trials. As a consequence, this first trial of some of the military police torturers stands as a better precedent in itself than the whole of the procedure by which some and not other torturers have been brought to trial. Therefore, we have decided to trace the background, development and findings of the first torture trial and to assess its significance and value as a judicial precedent for bringing to justice the violent excesses of oppressive regimes.

The trial began on 7 August 1975, when 14 officers and 18 soldiers of non-commissioned rank were brought before the Athens Permanent Court Martial on charges arising from torture during interrogation. Although all Greek Constitutions since the first in 1822 (including those of 1968 and 1973 promulgated by the Junta) contain general prohibitions against torture, there is no specific prohibition in the Greek Penal Code, which would have to provide the precise implementing law. Therefore, only indirect charges could be preferred against the 32 ESA defendants. These charges were *repeated abuse of authority, violence against a superior officer, unconstitutional detention, ordinary and serious physical injury, repeated insults to a superior, and recurrent moral responsibility for ordinary or serious physical injury*. The defendants faced various permutations of these charges, but

¹Council of Europe, European Commission of Human Rights, *The Greek Case: Report of the Commission*, 1969.

the only defendant to plead guilty to all charges against him was Sergeant Michail Petrou, a former jailor at the Athens headquarters of ESA who had returned from abroad to face the charges.

The court-martial was conducted according to Military Penal Procedure, which is a combination of the Penal Code and the Military Penal Code. Evidence called on behalf of the prosecution fell into five distinct categories: first, the evidence of retired officers as to their arrest and treatment from 1969 onwards; second, the evidence of students arrested after the Law School demonstrations in early 1973; third, the evidence of naval officers arrested after the unsuccessful naval mutiny in May 1973; fourth, the evidence of students and others arrested after the Athens Polytechnic events in November 1973; finally, the evidence of former ESA soldiers who described the processes of dehumanisation to which they had been subjected.

Like subsequent torture trials, the prosecution of these 32 ESA defendants was prompted by the cumulative pressure of private civil suits brought by several former prisoners against their torturers in the absence of public prosecutions. The prosecutor of the military court ordered a preliminary investigation which was facilitated by a deposition from Sergeant Petrou. Statements were taken before a military examining magistrate, and several of the accused were remanded in custody. Brigadier Digenopoulos was appointed chairman of the court-martial, with the remainder of the tribunal consisting of three colonels from the army legal branch and two active service officers. The prosecutor, Major Michail Zouvelos, was a member of the army legal service. The defendants were represented by counsel; many of the defendants, however, carried out some cross-examination themselves.

The defendants (see Appendix A) were all members of the Junta's military police (ESA, *Elliniki Stratiotiki Astynomia*) who had served in the Special Interrogation Section in Athens (EAT, *Eidikon Anakritikon Tmima*),¹ at its training centre (KESA, *Kentron Ekpaidevseos Stratiotikis Astynomias*), at its Piraeus section or at the military prison in Boyati. Toward the end of 1968 ESA was endowed with nearly absolute powers of arrest, detention and interrogation. The object of its attention was anyone suspected of being an opponent or potential opponent of the regime — whether civilian or military personnel — in short, anyone, whether communist or conservative democrat, who did not completely support the dictatorship. "Some of the defendants," said the prosecutor in his closing speech at the end of trial, "wanted to present EAT/ESA not as a place of

¹EAT literally translated is the "Special Interrogation Section". However, in colloquial usage EAT meant the place where the special unit operated, namely, ESA's Athens headquarters.

torture but as a national reformatory. Modestly reserving to themselves infallibility of judgement, they have tried to follow in the footsteps of the Holy Inquisition."

Many of the more senior intelligence officers were described in the trial as being guided by a fanatical anti-communism which they worked hard to instill in their command. Indeed, it was to be the defence of almost all the soldier defendants that they were merely obeying orders and were acting in a situation of compulsion and duress.

The first commanding officer of EAT/ESA, not under charge, was Major Petros Koutras. He was succeeded on 25 August 1970 by Major Theodoros Theofiloyannakos who had, in fact, exercised control even during Koutras' period of command. It was Theofiloyannakos who built up an efficient system of shadowing, arrests, and interrogation techniques, and who did so with the complete confidence of his patron, Brigadier Ioannidis, the chief inspirer of the system.

Theofiloyannakos was portrayed by the prosecutor as totally indifferent to the physical condition of his prisoners and firmly convinced of the infallibility of his own judgement. He was also a fanatical anti-communist. "I am convinced," said the prosecutor, "that if there had been a catastrophic earthquake, the only person in the whole of Greece to attribute it to the communists would have been Major Theofiloyannakos."

On 28 August 1972, Theofiloyannakos was succeeded by his second-in-command and protégé, Major Nikolaos Hajzisis, who was described at the court-martial as "a violent and most dangerous man". Finally, on 29 August 1973, Major Anastasios Spanos succeeded as the fourth and last commanding officer of the Junta's military police.

In the report that follows, chapters I, II and III describe the ESA pattern of torture and analyse the role of the military officers and soldiers who participated in it. Chapters IV and V present extracts, with a modicum of commentary, from the trial testimonies of the prosecution witnesses and the defendants (the accused torturers). Chapter VI seeks to assess the first ESA trial as a judicial proceeding and as a model of exemplary justice for torturers. The Epilogue is an account of the Greek government's failure to fulfil the expectations of those who hoped that the state would take greater responsibility for the investigation and prosecution of torturers.

I. THE ESA PATTERN OF TORTURE

The evidence presented at the court-martial inevitably concerned, to a large extent, the experience of individual torture victims and the role of individual ESA officers and soldiers. Extracts of this testimony, drawn from the testimonies of nearly 130 persons, are presented in later chapters of this report. From this mosaic of individual evidence, however, a larger picture emerges of a consistent pattern of arrest, torture and interrogation by ESA. Although the credibility of the individual witnesses themselves is not easy to evaluate, the cumulative evidence of a systematic routine of torture is striking and, indeed, it was this consistency that constituted the most persuasive part of the prosecution case. On the basis of this evidence, it is possible to construct a general picture of the ESA torture process as it existed at that time. It seems appropriate to record the basic elements of this system before proceeding to the more detailed analysis of the individuals and groups who played key roles in it. However, because the court-martial was only of military policemen and was concerned only with events from 1969, the following description is limited: it does not attempt to describe the overall repressive system of gendarmerie and civilian security police for which the Junta was also responsible.

Information with regard to potential suspects was apparently derived by ESA from many sources, and the interrogators do not appear to have required any reliable basis in order to act upon this information. Sergeant Petrou, one of the defendants, claimed that there was a close cooperation between EAT/ESA and the Government Information Service (KYP), the latter providing daily supplies of tape-recordings of tapped telephone conversations. According to Spyridon Rossis, a prosecution witness who was a former soldier at EAT/ESA, Major Hajzisis constantly pressed his guards to bring him information themselves, even about their own relatives and friends. Soldiers in the Prosecution Section of ESA would wear their hair long and would frequent theatres, nightclubs and other public places to keep a general surveillance.¹ Among ESA's informers there was even a priest, Polykarpos Psomiadis, who was a close friend of one of

¹Literally, the translation of *Tmima Katadioxeos* is "Persecution Section". This was the section of EAT/ESA in charge of collecting a dossier against suspected persons and liaising with the court-martial prosecutor.

the defendants, Major Spanos, and who reputedly carried a club under his cassock; Psomiadis informed particularly on student gatherings.

Arrests appear to have been carried out usually at night, without a warrant, by a car-load of ESA men under the command of an officer from the Prosecution Section and were often accompanied by a beating. On arrival at headquarters, the detainee would usually be taken to the commanding officer and verbally threatened with imminent and severe violence. In order to intimidate him, he might be shut into a guardroom where there were clubs, whips and canes hanging on the wall. He would soon be locked in a cell and told to write a statement of confession which would then be taken by the jailor to the interrogator who was responsible and then finally passed on to the commanding officer. The precise interrogation technique would be decided upon usually in conference between the commanding officer and the interrogator. The appropriate instructions were then issued to the duty officer, the jailor and the guards.

Threats of violence would be repeated to the new prisoner. He would be told in detail how powerless was his position and what was about to happen to both himself and his family. "You're in our hands. This is ESA. You will vomit blood . . ." Theofiloyannakos told the taxi driver Dimitrios Kotsakis. "You know," Ioannidis told Wing-Commander Minis, "it is possible that some parts of your body might be destroyed." ". . . either you won't come out or you will leave a cripple," Michail Sabatakakis, a dentistry student, was informed. "Theofiloyannakos said he would arrest my wife and the whole lot. He said he would draw my teeth one by one . . ." said General Pantelis Kalamakis, the former head of the National Security Service. "I remained worried for a fortnight," he continued, "that they had arrested my brother-in-law who had no connection with the case. Then Hajizisis promised to release him and play-acted in front of me, pretending to telephone. . . . It was a sad spectacle for a Greek officer. . . ."

According to the testimony, shortly after the initial threats, guards — normally in a group — would enter the cell and beat the prisoners with either clubs or their fists; this type of beating was known as a "tea-party". There were four large cells which were used for beatings. At EAT/ESA there were two types of blows, Sergeant Petrou explained in evidence:

"'General' blows were those administered when prisoners were being taken to the punishment block. 'Special' blows were administered during the ordeal. At this time there would always be two guards in the cell. The blows were administered on the buttocks and the shanks so that blood should start to collect in the lower extremities and cause pain. The blows on the buttocks were with clubs, alternately vertical and horizontal. These caused a particular type of swelling. . . ."

At the outset of the ESA torture routine, prisoners would be deprived of both food and drink. They would be told to remain standing in the

corner of their cell, sometimes on one foot but usually at attention. This ordeal would last several days. It would often be interspersed with more beatings — standings and beatings together known as a "tea party with toast". If the prisoner fell down, he would be made to resume his standing position. Sometimes prisoners would be taken to the training centre, KESA, where the escorting guards would pass on to a non-commissioned officer, Nikolaos Kainich, the orders from headquarters as to who was to receive further beatings.

"They wanted to give us the sensation that we were forgotten," said Mrs Virginia Tsouderou, a member of the present Greek Parliament who had been arrested in March 1973, "and that there was no-one to care for us. . . . Antonopoulos hinted to me that . . . all my friends had been arrested . . . the Security had taken my children's identity cards [the same day] and in this way I would not know what had happened to them."

After standing upright for a few days and being deprived of refreshment, the victim would normally begin to experience hallucinations. Ioannis Koronaos, a United States citizen who was arrested on 3 October 1970, said: "I began to see that I had two faces, one in front and one behind. I was delirious. I began to insult the government and everyone there. . . . Then I tried to separate my soul from my body so that I could leave my body to be tortured."

Michail Vardanis, a lawyer who was arrested in June 1973, had the following experience:

"On the walls I saw sad family faces. I saw the wall open and a gap for possible escape. I began to feel for the gap, to find the right point. Then my fingers touched the wall and I was disappointed. . . . The same evening, I saw a refrigerator on the wall. I said to the guard, 'Why don't you open it and give me a Coca Cola?' My mouth was parched. . . ."

Eventually, the standing ordeal would end, and the prisoner would receive some food and drink. Sometimes, it was reported, the water might contain soap, or, to increase the thirst, the food might be heavily laced with salt. Some former prisoners suspect that they were fed hallucinatory drugs.

At intervals, a prisoner might receive a visit from the former army doctor at ESA, Dr Dimitrios Kofas, also a defendant at the trial. He would advise when their condition made it dangerous for the ordeal to continue. He was said to have acted as the "traffic controller" for torture, although he disputed the degree of control that he was alleged to have had. But Michail Vardanis gave an example in evidence of such "traffic control": ". . . a man arrived who was introduced to me as Dr Kofas. He took my pulse and asked Petrou how many days I had been there. When Petrou told him it was the fourth day, he said: 'All right'. He then left and I continued having to stand upright."

Many witnesses claimed that Dr Kofas promised to return "in a minute"

or "tomorrow" with medication, but in fact did not re-appear for several days or even weeks. To one prisoner who was experiencing symptoms of heart failure, he sent aspirin after four days. When Squadron-leader Stapas began to suffer from blood in his urine, Dr Kofas recommended orange juice and rest. Because he prescribed orange juice as though it were the panacea for many serious ailments and injuries, he became known among prisoners as "the orange juice doctor".

For about the first 20 days of the routine, prisoners would not be permitted to wash, change clothes or smoke. Some even had to relieve themselves in their cells during the standing ordeal. In such an atmosphere, the smallest kindness was remembered by the prisoners with disproportionate gratitude. Foivos Koutsikas, for example, a lawyer who was arrested in November 1970, recalled the following experience during his evidence:

"At 11 pm they took me back to the cell. . . . a soldier came to the window, very disturbed, almost in tears, and asked me anxiously: 'Are you still holding out, Sir?' I was overwrought. I told him I could hold out for once more but that the third time I would succumb. I will always remember the behaviour of this soldier. I told him to come and see me when we were both free. . . . The previous evening a soldier came, very scared, and gave me a piece of cake. . . . Another time, . . . a soldier brought me a packet of cigarettes and a box of matches."

"What have we come to?" the prosecutor subsequently asked the court-martial. "A light for a cigarette is regarded as a benefaction." If a guard attempted to help a prisoner, he too would be punished. One guard, Dionysios Charalambopoulos, who was a prosecution witness, was locked in a cell and beaten by Major Spanos with a club for helping several arrested students; he was subsequently transferred as a punitive measure to the 513th Infantry Battalion at Komotini. Another guard, one Papan-dreopoulos, disappeared after allegedly helping a prisoner.

One effect of the torture routine on the victims, according to a number of prosecution witnesses, was their desire to commit suicide. Admiral Konstantinos Engolfopoulos, a former commander-in-chief of the Navy who was in compulsory retirement at the time of his arrest in May 1973, said: "I decided to commit suicide. I tried to find a way. I was desperate. I had seen an electric razor in a dirty lavatory we used. I asked to go to the lavatory. I took the razor but there was no blade. In that way they were well organised. Then I looked for a pin to tear my veins but I failed." Commander Iliopoulos, who was arrested in May 1973 and who was handed over to ESA by Naval HQ, confessed that he was "under great psychological strain. I was an object and not a person. I thought of suicide but could find nothing in my cell to do it with." Lieutenant-General

Nikolaos Papanikolaou, arrested in June 1969, had been even more desperate:

"I had hallucinations from thirst and standing upright. At one moment my cell was left open. I tried to escape. I ran in the direction of the U.S. Embassy, but they caught up with me. Then they beat me for two hours. . . . I woke up in a cell and my feet were swollen. Blood and liquid were running from my wounds and I had a terrible pain in my chest. I wanted to kill myself. . . . Sometimes I drank my own urine. . . . On 3 September I suffered a crisis and tried to kill myself."

Ioannis Sergopoulos, a law student who had been arrested in May 1973 and taken to KESA, made a similar decision about suicide but changed his mind: "Kainich beat me daily. Before beating me, he would sadistically show me the size of his fist and a monogrammed ring which he wore and which made his blows much more painful. I began to cough up blood. . . . Kainich also used me for training the ESA men, to show them how to beat. I was the sandbag and he was the boxer. . . . One morning he threw me onto a pile of bricks and began to hit me with them and kick me, preferably in the genitals. That day I decided to kill myself. I could stand no more and I didn't know how much further things might go. . . . The worst torture at KESA was waiting to be tortured. . . . The beating began at 9 am and I knew they would reach my cell at midday. . . . As my turn approached, I wished I could have been in the first cell to have got it over. This was a daily routine. . . . I was obsessed with the idea of suicide. But I suddenly came to my senses and rejected the idea. I thought my death would only help the dictatorship. I swore an oath: 'I am coming out of here alive. I shall live. It is my duty to live.'"

When the victims of torture sustained particularly serious injuries, they would be transferred to Military Hospital 401, normally to the neurological clinic, and admitted under a pseudonym. They would be escorted by ESA guards in civilian clothes who would sometimes remain at the hospital. Normally they came under the attention of Dr Andreas Davaroukas and his ward staff, although Dr Kofas, ESA's doctor, would often be present. Major Spyros Moustaklis was admitted with a cerebral stroke, probably caused by trauma, under the name of Michailidis. Professor Maronitis was admitted with stomach perforation under the name of Margaritis. Periklis Pangalos was admitted with severe pain in his ears under the name of Kalafatis.

It is also important to note that initial inquiries at ESA by relatives of prisoners were often met with unhelpful replies and occasionally with violence. "One day," said Vasilios Tzortzatos, a prosecution witness and former ESA soldier, "about 15 relatives had collected and were calling: 'Where are our children?' . . . Soon an Immediate Action car arrived and

the policeman asked me: 'Where is the demonstration?' I took him to Captain Petalas, who was in charge. He came out of the gate, furious, and began to push the relatives. He even cuffed . . . a prisoner's mother."

Evidence of the systematic character of the torture process at ESA (embracing as it did institutions and activities not limited to assaults on the victims) is further strengthened by the frequently heated exchanges during the trial itself concerning responsibility for the establishment and administration of the torture system and by the descriptions of the conditioning and training of ESA soldiers. It is to these aspects that the two following chapters are devoted.

II. THE OFFICERS

Of the 14 officers charged at the first ESA trial, 11 were found guilty and three were acquitted. On the whole, the officer defendants were the interrogators who had ordered the torture rather than the men who had actually used the clubs and whips. However, one exception to this general rule relates to the severe bodily injury to (then) Major Moustaklis: according to the soldier defendant Petrou, the torture marks on Moustaklis' face indicated that he was beaten by an officer, because no soldier would have beaten a major in the face.

"How could Greek officers sink to this moral degradation? Who are those responsible?" asked Major Zouvelos the prosecutor, broaching the issues of responsibility for torture and, by implication, of the officer defendants' motives and indoctrination: "Were they born with criminal instincts, or did external factors deform their characters? It is certain, members of the tribunal, that those morally responsible are not in this court. They are those who used the defendants, . . . who inspired in them wrong ideas about our national interest. They are those who, for many years, have given thousands of hours instruction on the fighting of communism without sparing even one hour to the defence of democracy."

In this speech the prosecutor raised questions that the trial did not fully answer. Although the tribunal examined the issue of responsibility with regard to the specific charges against the 32 ESA defendants, it did not pursue the broader questions concerning the political implications of a public authority committing such offences, nor did it expose the facts concerning the whole network of suppression and torture of which ESA was only a part and for which the Junta leaders were ultimately responsible. For example, some prosecution witnesses were reprimanded for mentioning names of those responsible in the leadership who were not tried for establishing the torture system. When interrupted by the chairman on one such occasion, prosecution witness Alexandros Panagoulis objected, saying that at his own trial in 1968, "I was allowed to say the things I want to say now."

Nevertheless, the tribunal was able to apportion blame for individual acts of brutality, and it is important to examine the issue of responsibility

within these limits before attempting to analyse the broader issue of the motivations for establishing this particular torture system. Theofiloyannakos accepted responsibility "as officer in command" for the enforced standing and the deprivation of food suffered by some victims, but without acknowledging that this ill-treatment amounted to torture. Nor did he accept responsibility for actually giving the orders that led to his soldiers' actions. In fact, it was a tactic of the officers' defence at the trial to appeal for the acquittal of the soldiers, thus appearing as their protectors, while at the same time to disclaim any direct knowledge of brutalities allegedly committed by the soldiers and to deny any responsibility beyond general moral responsibility.

If the officers' strategy was to win their subordinates' silence in court, they were not highly successful. The soldier Alexandros Lavranos said, "We served under them, and now they haven't the courage to take responsibility for what they ordered." "Now I'm in the dock," said soldier Dimitrios Stambolidis bitterly, "and that's because none of those in the front rows [i.e., the officer defendants] will take responsibility and say, 'Yes, Sirs, they were carrying out our instructions.' . . . Our reward was to be ruined and get a bad name which will stick throughout our lives; to help them carry out their crazy ideas. They ought to have killed themselves. Instead, they try to throw the blame on us."

It was of course in the soldiers' interest to accuse their superiors and to shield themselves behind the position of having to obey orders. By placing officers and soldiers together in the dock at the same trial — a procedure to which some officers took exception — the prosecution prevented each group from shifting blame to the other and thus trying to escape their own individual culpability. One of the most provocative exchanges between an officer defendant and a non-commissioned officer defendant followed an apparent verbal slip by Hajzisis as he was defending himself: "I am accused in regard to things that happened at KESA, and I found out that there is no deposition from the KESA commanding officer. Why should I be accused of things done by [the KESA corporals] Kainich and Demertzidis?" A voice from among the soldier defendants called out, "What are you saying?" and Kainich, crimson with wrath, left the courtroom, saying as he went, "I thought I was dealing with men, but it seems they're pampered harem women. I covered them, and now they're putting it all on me. That scum Hajzisis has forgotten when he sent me prisoners to KESA with instructions to beat them to a pulp. Now the coward says he didn't know what went on there." Though Theofiloyannakos tried to calm him and though Hajzisis attempted to make amends the next day by claiming moral responsibility for the soldiers, the result of the exchange was Kainich's supplementary statement to the court in which he named

Hajzisis for the first time as the officer who had given orders for severe beatings that he himself had administered.

Toward the end of the trial the prosecutor rightly noted that the officers had accepted responsibility for only "a few generalities" and had done so in a way that had not reduced the personal criminal responsibility of any of the soldiers. Shortly thereafter the two most senior officers, Theofiloyannakos and Hajzisis, jointly assumed criminal responsibility for their subordinates, but again saying "if these things happened" (Theofiloyannakos) and "whether these things happened or not" (Hajzisis), thus trying to slip the noose as if it were a cat's-cradle.

Unpersuaded by these tactics, the court was able to allot blame for individual acts of abuse of authority and of causing bodily injury (see Appendix A). What the court did not adequately pursue were the questions of (1) the indoctrination "for many years" of the officers directly responsible for torture and (2) the political motivations of (to use the prosecutor's words) "those who used the defendants", that is, the Junta leaders.

The system of indoctrination for ESA soldiers at the KESA training centre, which will be described in the next chapter, was explained in court testimony. Little mention was made, however, of the indoctrination of officers. Theofiloyannakos likened the KESA programme of brutality towards its selected conscripts to the rigours of his own training at the Cadet School. The particular training of ESA conscripts contained the same elements as their officers' previous training, but whereas the soldiers received some indoctrination and much physical abuse, the officers had received some physical abuse and much indoctrination.

To understand the political implications for the military coup of this indoctrination and its effect on the officers who set up and supervised the military part of the torture system once the coup had put them in power, one must look briefly at the reasons for the conservative, anti-left alignment within the military officer corps that the indoctrination was intended to re-enforce. The two predominant groups within the military officer corps in 1967 were rightwing extremists, from whom the Colonels sprang, and conservatives (in their majority royalists), who filled the highest echelons.

The historical events that created this alignment can be only sketched here. In 1935, responding to alleged attempts by royalists to undermine the republican constitution, liberal and republican sympathisers in the officer corps organised a coup. The attempt failed, leading indirectly to the return of the monarchy and to purges from the officer corps of all but royalist sympathisers. Retired General Ioannis Metaxas, as quasi-fascist dictator (1936-41), then re-organised the armed forces by instituting a screening of cadets at the Military Academy and by introducing a training programme that would ensure the homogeneity of the officer corps along

exclusively royalist and conservative lines.¹

The alignment of officers in the Second World War was likewise a formative influence in the creation of the modern officer corps. Faced by Axis occupation after 1941, Greek officers had to choose among acquiescence, collaboration, withdrawal with the King and the legitimate government to Egypt, or guerilla resistance in the mountains. By the end of the war, political polarisation had become increasingly acute. Centrist officers came under pressure from royalists and other conservatives on the one hand, who were the majority of the officers in the regular forces fighting with the Allies outside Greece, and on the other hand, from the communists, who were the largest of the wartime resistance forces inside Greece.

The middle position for officers became even more difficult to sustain when those with liberal views felt compelled to identify themselves with either the communist-led left or with the British-supported royalists. This polarisation was particularly re-enforced by a mutiny in April 1944 among the regular Greek armed forces in Egypt. Led by discontented republican officers and perhaps aided by a handful of communists acting without their party's authority, the rebellion was suppressed by the British on land and by Greek royalists supported by the British at sea. Approximately 10,000 officers and men were purged and sent to detention camps in Egypt, Ethiopia and the Sudan, again assuring firm conservative control of the re-organised officer corps.²

Shortly after the war, the courts ruled that membership in the Security Battalions, who had collaborated with the Axis, did not constitute a crime

¹The Junta's reverence for General Metaxas was explicit. Deputy Prime Minister Pattakos said in April 1968, "We are inspired by his example." An overtly fascist periodical, *4th August*, named after the date on which Metaxas prorogued parliament in 1936, was circulating freely in Athens in 1970, and one issue contained an article entitled "Rise up, O youth of Greece!" by Colonel Ladas, at one time Minister of Public Order. Speaking on 29 October 1969, the Junta-appointed mayor of Athens, Ritsos, also confirmed allegiance to the spirit of Metaxas, and in the process, linked the Junta officers to the Metaxas officer corps: "Rest assured, Ioannis Metaxas, that . . . the valiant second lieutenants of 1940, colonels of 1967, continuing your work, have saved Greece. . . ." (from Roufos, *Inside the Colonels' Greece*, pages 117 and 202). Ritsos' reference to 1940 was probably meant to recall Metaxas' refusal to capitulate to Mussolini and the repelling of the Italian invasion in October 1940.

²C. M. Woodhouse, *The Struggle for Greece, 1941-1949* (London, 1976), pages 79-81. Colonel (later, British MP) Woodhouse was the Commander of the Allied Military Mission to the Greek Guerillas in 1943. In 1945 he served in the British Embassy in Athens, and in 1946 he was Secretary-General to the Allied Mission for Observing Greek Elections.

because their purpose had been to maintain order (that is, to quell the resistance on behalf of the Axis). Many of these collaborationist officers were thus taken into the regular Greek army. Complementary to this absorption of Security Battalion officers was the attitude that came to prevail toward the leftist and other wartime resistance fighters. All officers previously involved in the leftwing resistance were placed *en disponibilité*. Their wartime activities became a source of suspicion rather than, as in other countries of occupied Europe, a cause of respect. This discrimination often led to years of bureaucratic and police harassment concerning jobs, permits, passports, university and even secondary school places, etc.¹

The lines of ideological struggle were clearly drawn for the 1946-49 Civil War that followed. Military officers had to choose between two distinct conceptions of society, one traditional and the other revolutionary, but both of them historically rooted in the Greek national character. By 1949, Greece had suffered as much devastation from civil strife as from the occupation. Over a hundred thousand Greeks on both sides died. Thousands of the defeated left went into exile, and thousands more filled concentration camps. The summary executions and brutal reprisals perpetrated by both sides left a legacy of hatred which persists in places to this day.

In the following cold war years, which were years of great American influence in Greek affairs, the army remained a power unto itself during the two consecutive elected administrations of Field-Marshal Papagos (1952-55) and Constantine Karamanlis (1955-63). The U.S. government was crucial in keeping the army as an independent entity within the state through which it could more easily sway Greek policy than through the less predictable politicians. The formal relationship of the U.S. military to the Greek army was a direct one through the U.S. Military Mission. It did not go via the American Embassy or the Greek government.

In the early 1950s the extremist officers (who formed the nucleus of the later Junta) emerged as a group within the anti-communist alliance that was the result of the cold war and the Greek Civil War. Their activities were largely conspiratorial. They organised themselves, especially within the army, at first as a reaction against liberalisation and later in protest against the royalist establishment. In 1956 three now familiar men — Papadopoulos, Makarezos and Ladas, all of whom were to become leaders in the Junta a decade later — were named as co-conspirators in the army. They were transferred but not otherwise disciplined. A second allegation followed against them in 1958, when General Nikolopoulos, head of the Supreme Military Council, revealed their plotting to his fellow senior officers. No action was taken; General Nikolopoulos resigned in

¹See Woodhouse, *ibid.*, page 227.

protest; his successor soon promoted them, making Makarezos chief of his personal staff.¹

The conspirators played a role in the 1961 election, when the conservative E.R.E. party was returned to power with an increased majority. There were serious charges of electoral fraud although in terms of national parliamentary representation, the alleged fraud would almost certainly not have been significant enough to have changed the results. In those days, however, army soldiers regularly voted "on parade", being marched to and from the polling station. And whereas the E.R.E. received 50.8% of the votes in the national poll, the army gave the party 70% of their votes. At least so far as new army conscripts from throughout the country were concerned, one would expect their votes to reflect more closely the national poll unless they were subjected to pressure. Much later it was learned that senior army officers had in fact established a secret committee to bring pressure against servicemen at the ballot-box and that the committee's secretary had been Major George Papadopoulos.

The Centre Union under veteran liberal politician George Papandreou won the November 1963 election, and to confirm its victory, forced a return to the electorate in 1964, winning an unprecedented 53% of the vote and an absolute parliamentary majority. Yet the army remained a covert source of political power parallel to the government and quasi-independent of the constitution. By early 1965, Papandreou suspected a faction of the army of being behind an anti-government propaganda campaign, which included a "communist plot" to sabotage the tanks in one strategic unit. An inquiry discovered no evidence of the alleged plot, but the incident was effective propaganda in the hands of the man who had engineered the "plot", the tank unit's commanding officer, Lieutenant-Colonel George Papadopoulos.²

The Prime Minister recognised the danger from within the army and sought to remove the Chief of the Defence Staff and the Minister of Defence, both of whom were sympathetic to the palace. Papandreou's clashes with young King Constantine II over these intended changes in the accountability of the armed forces led him to resign in July 1965. For 17 months Constantine appointed a series of prime ministers, who failed to maintain precarious parliamentary majorities against a vigorous campaign by Papandreou for new elections. Having reached an impasse in December 1966, Constantine dissolved parliament, appointed a caretaker government

¹The incidents in 1956 and 1958 are taken from C. L. Sulzberger, "Greece under the Colonels", *Foreign Affairs*, volume 48, number 2 (January 1970), page 304.

²The incidents in 1961 and 1965 are taken from Roufos, *op. cit.*, pages 35-43 and 49-53.

and set elections for 28 May 1967.

George Papandreou prepared to inaugurate his campaign with a massive rally in traditionally liberal Salonica on 27 April, and most commentators forecast a Centre Union victory at the election. The coup on 21 April prevented a show of popular support for a democratic candidate and was undoubtedly timed with that in mind. A second pressing consideration for the colonels was their desire to outflank the royalist generals, either by acting where the generals had for the moment declined to act, or by forestalling what the colonels perhaps suspected was an intended generals' or palace coup. This consideration was merely tactical, however, compared with their overriding concern to prevent another democratically elected government, almost certainly a Papandreou government that would this time move against the extreme rightwing faction within the army and would attempt to contain their political power.

Threatened with political curtailment, they overthrew democracy and seized power. The left wing of the opposition were the bulk of the early victims of arrest, torture and deportation. The severity of this human suffering from the first day of the Junta's power, usually in the hands of the civilian security police, has been amply proved in trials other than the ESA trial presented here. One must add with regret that in some trials, especially the security police trials, testimony by members of the leftist opposition was given less weight than it deserved because of their acknowledged political beliefs. (See Appendix B.)

The left were the obvious targets for suppression, and initially they sustained the heaviest blows. However, for the Junta and their adherents in the officer corps to stabilise their hold on power, they needed to do more than arrest or neutralise the opposition: they needed to win over significant numbers of royalist officers as well as conservative and centrist politicians. Significantly, among the early deportees were a few of these political leaders, and by December 1967, when a number of senior royalist army officers joined the King in an unsuccessful counter-coup, it was clear that the Junta had failed to form a ruling alliance with the senior members of the royalist establishment. The Junta's attempt to shape Greece into what they called an "Helleno-Christian society" would have to be made with very little support outside the civilian security forces and the military officer corps, the latter being steadily purged of senior royalists by either arrest or compulsory retirement.¹

¹American sources estimated at the time that by 1970 the Greek officer corps had lost the following percentages at its four top ranks since April 1967: the army 47%, the navy 52%, and the air force 95%. These figures include both purges and the abnormally high rate of voluntary retirement by officers who did not wish to remain in the Junta's officer corps. The arrest of royalists was the subject of a joke that enjoyed considerable currency in Athens at the time.

It was largely army officers of royalist backgrounds, arrested from 1969 onwards while in compulsory or voluntary retirement, and navy officers of royalist sympathies from the failed May 1973 rebellion, who were the military witnesses for the prosecution at the ESA trial. The abuse of fellow officers was of particular interest to the court-martial. Because the legal codes did not permit heavy penalties for charges based on brutality *per se*, the prosecution laid emphasis on violence and insults toward superior officers.¹ Admiral Konstantinos Engolfopoulos, formerly the Commander-in-Chief of the Greek Navy who was in compulsory retirement when arrested in May 1973, was stripped almost naked, locked in a small cell, subjected for two days to a blinding light and roaring megaphones and then interrogated by Major Kouloumvakis. The Admiral asked the court's indulgence when he broke down while trying to explain his humiliation, saying that "the Chief of Staff had been reduced to garbage". One night he had contemplated suicide: "I looked for a pin to tear my veins. But I failed. Then I sat on the cement floor and waited for what the 'saviours of Greece' would decide."

Lt-General Nikolaos Papanikolaou testified that following his arrest in June 1969 he had been kept standing and without water for two or three days. He attempted to escape, was caught and beaten. "I woke up in a cell and my feet were swollen. Blood and liquid were running from my wounds and I had a terrible pain in my chest. I wanted to kill myself. Theofiloyannakos was standing over me and laughing sardonically. That day they started beating me again and did not give me water. Sometimes I drank my own urine." When ESA officers Petalas, Tsalas and Antonopoulos rushed into Navy Vice-Captain Karamitsos' cell one midnight, Antonopoulos said, "Do you know who I am? I am Antonopoulos before whom all Greece trembles. . . . You will die in here."

In light of such testimony, the prosecutor's question "How could Greek officers sink to this moral degradation?" becomes particularly pointed. Some of the ESA officers on trial, particularly the commanding officers, clearly accepted and propagated the ideology and worldview of the Junta leadership. Others among the officer defendants shared with their superiors certain political and social prejudices that were exploited. In all cases their

Awakened by violent banging on the door after midnight, a frightened citizen opens the door to find policemen pushing their way in. "There must be some mistake, gentlemen," he says. "I'm only a communist. The royalists are on the third floor." (from Roufos, *op cit*, pages 201 and 206).

¹It is difficult to escape the conclusion that one reason for the inconsistency of sentences between the ESA trials and the other torture trials is that the victims of the ESA torturers included high-ranking military and naval officers. This was not the case at other trials, not even at the navy court-martial of the *Ellin* torturers.

unchecked power over the lives of the prisoners accentuated their prejudices and intensified their brutality.

As shown earlier in this chapter, the history of the Greek military pre-determined that most cadets selected for training as officers would come from conservative, nationalist families, or at least from families without immediate attachments to the left. Moreover, the training of cadets in modern times was designed specifically to instill a conservative ideology in future officers. But the officers on trial had reduced this ideology to a simplistic manicheism. "It is *we* who will create the Greater Greece. We will take Constantinople," Major Kouloumvakis told Admiral Engolfopoulos. Implied in this boast to his captive senior officer is more than mere territorial expansionism. Kouloumvakis also meant to distinguish between two kinds of military officers, indeed, between two kinds of Greeks — the "greater" Greeks who would purify the nation and (to the mind of the purifiers) the "lesser" Greeks, who were regarded as unpatriotic and "anti-Greek".

Throughout the trial the officer defendants identified themselves with the "greater" Greeks and more specifically with the ideals of the Greek officer corps, often treating accusations or insults against themselves as slurs on the whole of the officer corps and its cadet training programme. The most metaphysical statement of this notion came from Petros Goros, Commandant of Boyati Military Prison, during a dialogue with the prosecutor:

Goros: "I am amazed that all my requests are turned down. In this way I cannot defend myself; while our accusers and their witnesses throw mud at the Greek officer corps.

Prosecutor: The mud is not being thrown at the Greek officer corps but at certain individuals. For example, at Goros or at A or B. Don't identify yourself with the Greek officer corps, which is stainless.

Goros: Goros is the whole Greek officer corps. In the person of Goros all Greek officers should feel pride because Goros fought in Korea, on Grammos, on Vitsi and at Vardousia."¹

General Pantelis Kalamakis, the former head of the National Security Service who was arrested for the second time in 1971, put forward a very different view of the officer defendants and their relation to the Greek officer corps, with special reference to Theofiloyannakos and Hajizisis: "They have cut themselves off from the Greek officer corps. When I met them, they were no longer Greek officers. . . . There have been other coups

¹The last three were decisive mountain battles during the final stages of the Civil War.

in the past, but no one behaved like this." General Kalamakis had been the instructor of both Hajizisis and Theofiloyannakos at the Cadet School, and Ioannidis had been his subordinate for two years at the General Staff. When in 1969 (then) Colonel Kalamakis confronted Ioannidis at EAT/ESA, he asked what had become of the 70 officers from the rank of captain up to general who were under arrest at that time. Ioannidis' reply to this question shows that the Junta leaders feared to put on trial respected officers who would denounce their 21 April "Revolution" in court: "You must be joking, Colonel, to think we would bring you to trial, for you to say that the 21st April was a fraud. You won't be tried, Colonel. At the worst, you'll be deported."

The failure of the Junta to find support within the military leadership of the old royalist establishment was symptomatic of its overall failure to build broad support for its programme among even one social class. This in turn had a profound effect on the severity of oppression and torture as the years progressed. They were able to control the institutions of civil society — the church, schools, universities, local governments, professional and social organisations, etc. — by means of informers and appointees, but they were not able to persuade and convince members of these social institutions of the legitimacy of their rule. At most the Junta could convince the populace only of the reality of U.S. support for their rule, which in turn helped create a sense that organised resistance on any substantial scale would be futile.

What the soldier defendant Stambolidis called the ESA officers' "crazy ideas" did not win significant support among the general populace or within civil institutions. The attempt to organise older boys into the neo-fascist *Alkimoí*, for which the government bought uniforms and jackboots, was not highly successful. Nor was the Junta able, as other military dictatorships have been, to create their own political party based on a coalition with even a minority class. As a consequence, they turned more and more to the coercive agencies of the gendarmerie, the civilian security police and, in late 1968, to the newly strengthened ESA for the force and fear by which to maintain control.

Not surprisingly, their willing agents among the ESA officers steadily broadened the category of those they considered to be "lesser" Greeks. Within a short time the category included not only leftists, but centrists of various affiliations and, especially toward the end of the Junta years, democratic rightists. By 1970 former Prime Minister Karamanlis, who was then in self-exile in Paris, had become a rallying point for democratic rightist and some centrist opposition. It was difficult for rightwing officers to dismiss Karamanlis as "anti-Greek", so they usually spoke disparagingly of him by such epithets as "the mini-shipowner of Paris". Indeed, such remarks toward those prisoners who were perceived as privileged in some

way (for example, university students and civilians from white collar professions), betray a social jealousy. The officer who admitted the publisher Viktor Papazisis to EAT/ESA badgered him about owning a car and a yacht. Papacharalambous explained to prisoner Periklis Pangalos, a civil engineer, why they treated students so viciously: "We are not interested in the young. Our regime will last 50 years. We don't want clever people. We want mediocrities!" Hajizisis called Pangalos to his office one evening: "He showed me his shoe-soles, which were worn, and said, 'You, the upper middle classes, are wrecking society. You earn in a month what we earn in a year. But it is we who will re-make society.'"

This social resentment was extended to senior military officers. In this case it was the complement at the personal level of the Junta's political policy of detaining the military leadership of the old royalist establishment. Certainly the Colonels of the Junta proper on more than one occasion in their careers before 1967 had chafed at the frustrations of the middle ranks. They did not discourage their commissioned agents in ESA, who found themselves with the powers of life and death over former superiors, from gratuitously humiliating these senior officers.

The desire for upward social mobility by means of the Greek officer corps and ESA is part of the background to the ESA officers' resentment. Several of the officer defendants recalled their humble origins at one time or another during the trial. Major Spanos spoke of his peasant family, which had been uprooted from Turkey in the exchange of populations following the 1922 rout of the Greek invasionary forces. Like many of these displaced Greeks and their descendants, Major Spanos grew up in a small village in Macedonia.¹ "I took my leaving certificate [from secondary school] with distinction," he said. "For professional training I chose the Cadet School. This was for two reasons. First, out of patriotism. But I will be sincere: there was another, very weighty reason, the financial one. I was poor. I could have gone to university, but this would have entailed privations for my family, and to avoid this I chose the Cadet School."

There were additional and very attractive privileges in becoming an officer in ESA, which had its main offices in the Athens area. "Most Greek officers on the active service lists," the prosecutor explained to the court-martial, "live for whole decades either on the frontiers or in little villages where they and their families suffer hardship. So a posting to a

¹Government policy in the 1920s, following the expulsion of a million Greeks from Turkey, was to settle a high percentage of the immigrants in Macedonia in the place of the Turks who had been transferred to Turkey in the exchange of populations. The choice of Macedonia was further dictated by the need to protect Greek gains in Macedonia made during the 1912-13 Balkan Wars against rival claims by other Balkan states.

large urban centre is a privilege not easily appreciated by those who live there anyway." These explanations do not in any way justify the actions of the officer defendants, for there were very many officers of similar background who did not participate in torture. What is important is that once they were in positions of power, the officer defendants' attitudes of social jealousy, as conditioned by their backgrounds and their aspirations, surfaced in a most demeaning and vicious manner.

From the torture victims' testimony at the trial there also emerged considerable evidence of disturbing sexual obsessions among several of the officer (and some soldier) defendants. Numerous witnesses commented on Spanos' and Goros' obscene language and sexual threats to prisoners. Tsalas used another crude method. He showed Commander Apostolos Vasiliadis a photograph of a naked man and woman and covered their heads, saying that ESA was able to take telescopic photographs at night and hinting that the woman was the Commander's wife with another man. To others he showed photographs that were allegedly of their naked girlfriends. Alexandros Panagoulis was probably the most sexually abused prisoner. Theofiloyannakos seized him by the genitals when he was brought in, and he later supervised the insertion of an iron needle up Panagoulis' urinary tract. There were many sexual threats against male prisoners; Georgiou reportedly even showed his own sexual organ to a prisoner and threatened to violate him. The most remarkable of these obsessions belonged to Kainich, the non-commissioned officer at KESA. The following testimony by (then) law student Ioannis Sergopoulos was corroborated by others:

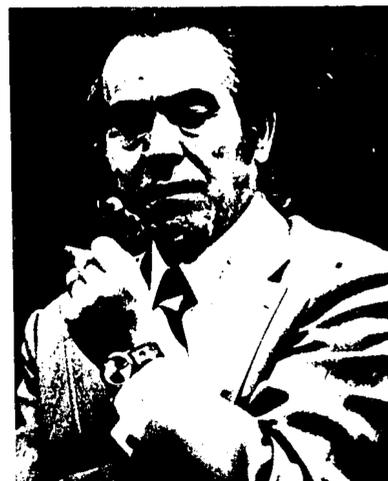
"I don't think Kainich is normal. I will give the following example. When he had beaten us in turn in the cells, he would go out into the corridor and order us to lie on our beds and act as if we were having intercourse with a woman — naturally in more basic words. Then he would shout, 'And I want to hear noises.' KESA was a kind of theatre of the absurd with Kainich as producer."

Although such sexual aberrations among torturers often attract considerable attention and deserved condemnation from well-meaning opponents of torture, it is important to see that these individual perversions are not the cause of a system of torture. Rather, once a system of torture has been created in order to support the political needs of those in power, the rulers' agents will exhibit patterns of behaviour that they would not otherwise be in a position to do. Social jealousy and sexual aggression are two cases in point.

What then were the political needs (in the prosecutor's words) of "those who used the defendants"? Clearly, their most pressing need was to remain in control, which became increasingly difficult without support from either the old royalist establishment or any other group outside the



Torturers in the dock: (left to right) Anastasios Spanos, Theodoros Theofiloyannakos, Dimitrios Antonopoulos and Nikolaos Hajizisis.



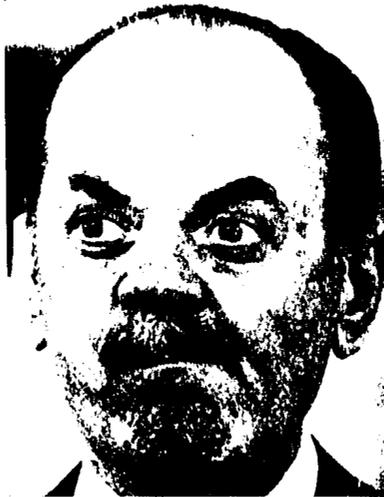
Theodoros Theofiloyannakos, commanding officer of ESA 1970-72.



Nikolaos Hajizisis, commanding officer of ESA 1972-73.



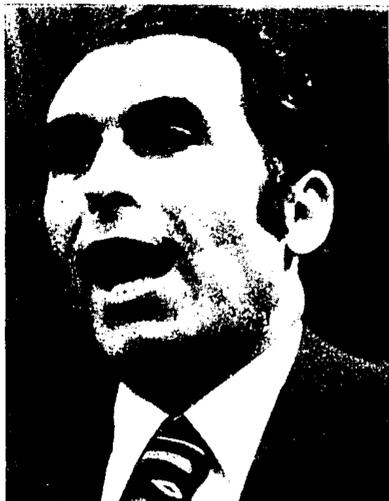
Two faces of torture: Theoflyannakos and Hajizisis. Their former instructor at the Cadet School, General Pantelis Kalamakis, said of them at the ESA trial, "They have cut themselves off from the Greek officer corps. . . . There have been other coups in the past, but no one behaved like this."



Conspirator and dictator George Papadopoulos has not been tried specifically for torture although ESA's torture system helped keep him in power until he was deposed in November 1973.



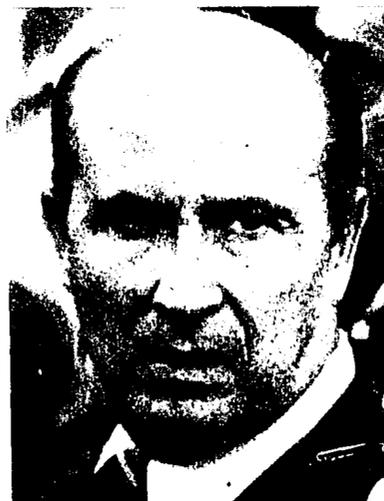
Admiral Konstantinos Engolfopoulos, former Commander-in-Chief of the Greek Navy: "I looked for a pin to tear my veins. But I failed. Then I sat on the cement floor and waited for what the 'saviours of Greece' would decide."



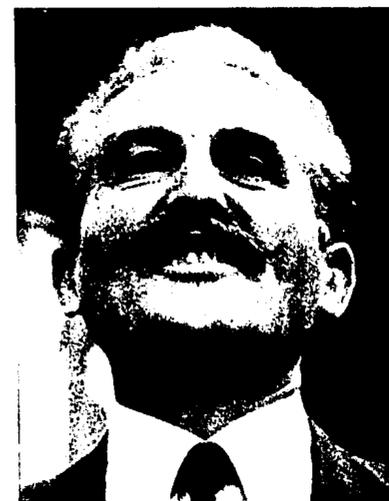
Anastasios Spanos, commanding officer of ESA 1973-74. Prosecution witness A. Minis said at the trial, "Spanos told me, ' . . . we've arrested her. What you and your wife and child are going to suffer!'"



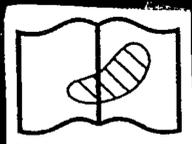
Georgios Tsalas, one of the "torture quartet" who received the heaviest sentences at the trial. He was noted for stubbing out his cigarettes on his victims.



Dimitrios Ioannidis was the Junta strongman and the presiding genius of ESA, visiting headquarters twice weekly.



Dr Dimitrios Kofas, "the orange juice doctor" at ESA, who promised medication for the torture victims "tomorrow".





Major Spyros Moustaklis, left mute and partially paralyzed by the ESA torturers, escorted into the courtroom by Mr Minis.



Torture victim Ippolytos Savouras, now a member of parliament, had to be restrained after being insulted and assaulted in court by a friend of some of the ESA defendants.

security forces. Looking back on the events of July 1974, one can interpret the attempted coup in Cyprus as a symptom of the Junta's insecurity. The hyperbolic over-reaching that led them to sponsor the short-lived Cyprus coup *could* be interpreted as a sign of the Junta's megalomania. It is more likely, however, that they exploited the desire for *enosis* (union with Greece) among their followers in the hope that annexation of Cyprus would strengthen their hold on power.

Their covert adventurism in Cyprus, which was an intensification of earlier policy, was a calculated political risk — if one accepts this interpretation — that had to be taken even in the face of overwhelming military odds. Unrest at home, and in particular the Athens Polytechnic events in November 1973, had already shaken Papadopoulos from power and had brought about his replacement by officials more responsive to the strongman Ioannidis. If a pro-Junta government with a programme based on annexation had been established in Cyprus without overt Greek military intervention, and if Turkey, with its massively larger army and armament, had been prevented by the NATO allies from invading, then the Junta would have had a better chance to weather the domestic crisis. They would have won somewhat broader political support at home from the more chauvinist elements in society, and equally important, they would have demanded increased U.S. support as a *quid pro quo* for bringing Cyprus within the bounds of U.S. influence and potentially into NATO. An increased U.S. presence would in turn have helped stabilise the Junta because dissidents at home would have perceived the futility of organised opposition.

The first step toward this goal was to attempt to satisfy the desire for *enosis* among Junta supporters in the army. It was a chord easily sounded. Several of the ESA officers on trial exhibited a passion for territorial expansion that was easily exploited by their superiors. Major Kouloumvakis' statement about conquering Constantinople (that is, modern Istanbul) has already been quoted. With Constantinople Kouloumvakis coupled eastern Roumelia (part of southern Bulgaria), northern Epirus (southern Albania) and Cyprus. Twice during the trial, defendant Antonopoulos made similar remarks. Prosecution witness Alexandros Panagoulis mentioned the anger of Ladas, the Junta Minister of Public Order (not a defendant at this trial): "Ladas screamed, 'You traitor, you deserter, why don't you let us extend Greece to the Danube?'" Colonel Goros' "one dream" was to see his homeland, northern Epirus, united to Greece.

In the past, the Greek army fostered such notions by reserving in the Cadet School a number of places for boys from the "foreign occupied territories". Besides serving in the Greek army, they were supposed to be ready to return to their homelands as guerillas when occasion offered. This policy was maintained at least as late as the Second World War in

regard to such areas as northern Epirus and Cyprus. For example, General Georgios Grivas, the Greek-Cypriot guerilla leader, started his career as an "occupied territories" cadet.

This notion to expand Greece had a particularly strong hold on Major Kouloumvakis, whose extreme nationalism bordered on religious mysticism, as is revealed in his closing defence statement:

"The charges are inconsistent with my character and ideology. . . .

I shall be among the first to fight in the front line because it has always been my dream to die on the field of honour. As an officer, I am an idealist, and my pride is in my love for my country. The officer's uniform has become one with my life-blood. I was among the first to volunteer for Cyprus in 1963-64 — for Cyprus, which is one part of what will constitute Greater Greece. For I believe in The Great Ideal, the Greater Greece. It is a dream of mine to be the officer who raises the Greek flag on Agia Sofia."¹

Kouloumvakis himself had little influence on ESA's decision-making, and his influence on the Junta was nil. Therefore, one can regard his passion as only a personal fantasy. That the Junta exhibited similar "crazy ideas" with regard to Cyprus in July 1974 indicates the severity of the political crisis they faced during the first half of that year.

This interpretation of events at the end of the Junta's rule helps explain not only the need for a torture system to enforce political authority during their seven years of dictatorship, but also why ESA itself, as one arm of that torture system, became more and more insular. As the 21 April "Revolution" failed to achieve support for its social and political programme, ESA steadily became committed only to its own survival. Some KESA soldier graduates were required to give special oaths of allegiance to their particular commanding officer, which is surely a practice that no regular army or even ordinary military dictator would willingly condone. ESA men were Papadopoulos' bodyguard outside Athens because he did not trust the police or other military officers. The number of recent trials of gendarmerie and security policemen does not indicate any less fervent support in those forces than in ESA for the Junta's worldview. Yet the ESA officers' own perceptions were nearly paranoid on the subject of their isolation, as revealed by the testimony of a former ESA guard who was assigned as one of Papadopoulos' bodyguards outside Athens: "Theofilyannakos even said that the police were obstructing our work and that we should attack them."

Not only did the ESA officers perceive *themselves* as isolated; they also

¹*Megali Idea*, or "The Great Ideal", is a nationalist slogan current since the 19th century. Agia Sofia is the former Byzantine Christian cathedral that is now a museum in Istanbul.

instilled these attitudes in their soldiers. Under the officers' tutelage the unit itself became increasingly segregated from the Junta's other security forces. The beatings of conscripts at KESA as part of their training was intended to reinforce that sense of separateness — Theofilyannakos called the KESA training programme an "initiation rite". The metaphor is an inviting one because entry into ESA was analogous to entry into a club. Contrary to normal military practice, EAT/ESA gave dormitory space to its former members when they visited Athens. Indeed, it was almost a surrogate family. Ioannidis, though not a defendant at this trial, was the presiding genius of ESA, visiting headquarters twice weekly and overseeing regularly the training at KESA. It is interesting that when a leader of the royalist resistance group "Eagle" was arrested in April 1974 (for distributing leaflets warning of a coup on Cyprus), his torturers, who at this late date were devoid of all but a few personal allegiances, told him, "You insulted *our father*, Ioannidis, and you'll die."

III. THE SOLDIERS

"... the subordinate ranks were . . . conscripted. They were not, as some people have tried to pretend, volunteers. After they had had every trace of individuality and humanity crushed out of them at KESA, after their lowest instincts had been aroused, after they had been threatened, terrorised and misled, they were let out like wild animals from their cages and set on their brothers to tear them to pieces. Most of them, not having the strength to resist, followed their orders. Some adjusted and identified themselves [with the procedures], after which they acted on their own, varying the repetitive monotony by personal initiatives. How can we today, members of the tribunal, go deeply enough into this to find out who are the guilty?" — from the prosecutor's closing address

At the trial it was variously estimated that the number of soldiers at any one time at EAT/ESA ranged from 100 (defendant's estimate) to 2,000 (prosecution witness's estimate). Because of the burning of ESA files at the fall of the Junta regime, exact figures can only be deduced. It appears that the figure was much higher than allowed for by defendants at the trial and probably ranged from 400 to 600 at any one time, while as many as 4,000 conscripts may have served there during the Junta years.¹ Yet only 18 soldiers were placed on trial. Nearly all denied the charges against them, and nearly all based their defence — as did the accused at Nürnberg — on the simple position that they were required to obey orders.

Article 70 of the Greek Military Penal Code punishes with death the refusal to obey an order of a commanding officer. The prosecutor pursued the question of subordinates' responsibility as follows:

"Therefore, what system obtains in Greece? It seems — and the commentators agree — that it is the system of blind obedience. Therefore he who receives an order can question only its formal and not its basic legality. . . . The law says that the soldier is obliged, when

¹This deduction was made meticulously by Maria Daraki-Malle (*I ESATZIDES*, Athens, Kedros ed. 1976, pp 13-15). Her calculation is based on the number of months spent on average at EAT/ESA by conscripts, an analysis of the varying estimates given by the commanding officers on trial and the evidence of soldier prosecution witnesses and defendants.

ordered, to carry out any service required of him. Service in the military sense is defined by regulations and the basic decrees and communiqués."

The level of the soldiers' responsibility and the degree of their indoctrination consequently became matters of some importance for the trial. Michail Sabatakakis, a dentistry student who was arrested for a second time in May 1973, summed up both issues in his evidence as follows: "There were two categories of ESA men. To the first belonged those who obeyed orders so as to survive. . . . To the second category belonged those who had been specially trained so that fascism had passed into their personalities. . . . They are not weird monsters but the results of a system of training."

ESA was presented to the trainees as "the most select unit in the Greek army". There seems to have been a triple screening — first to enter KESA, second from KESA to EAT/ESA, and third to become one of the jailors or a member of the Prosecution Section. Even when posted to headquarters, they would have further instruction, including courses given by Antonopoulos for jailors and soldiers in shadowing, methods of disguising and varieties of ill-treatment.

This effort to foster in the soldiers' minds the notion of being a select cadre affected their behaviour, especially if there was some reason to show social resentment toward the prisoner, as was the case with students. An ESA guard at the Piraeus interrogation centre told students as he beat them, "I learned about life the hard way, but you in the University learn nothing." At KESA, Demertzidis forced the student Sabatakakis to kneel before a photograph of Papadopoulos and his book *My Credo*, presumably as an act of intellectual self-abnegation. When a guard at ESA headquarters in Athens struck the textual proof-reader Stavros Stratidakis, who almost lost consciousness, the guard was taken aback and said, "Pardon, friend. I thought you were a student." The unmistakable bullying of prisoners appears to have become acute whenever students were the victims: when Petrou indulged in fisticuffs, he would ask students if he had a big fist, and the victim was supposed to answer, "as big as the Peloponnese".

As with the officers, an Athens posting was obviously attractive to soldiers, and in the case of ESA, it bestowed a certain amount of prestige. ESA soldiers were further not required to wear uniforms, had free entrance to all forms of public entertainment, the use of a car, and guaranteed entrées to employment in the public service on leaving. Hajizisis even claimed that a Greek from Australia had sent him 28,000 drachmas for distribution among the ESA guards.

A fairly consistent picture of the rigours of ESA selection and training emerged from the evidence of former ESA soldiers called as prosecution

witnesses. This picture was corroborated rather surprisingly during the trial by one of the defendants, Georgios Kambanas, who had been an ESA corporal and jailor. After making the following statement, Kambanas was put under special protective guard:

"I was called up in April 1973," said Kambanas. "I was in perfect health and was thrilled at the prospect. Now, two years later, I am in despair. My health is broken and my name is stigmatised. From the moment we arrived at KESA from the Basic Training Centre, the torture began. They snatched us from the army lorries and threw us down like sacks. The beating began and they made us eat the straps from our berets. . . . They beat us with belts and clubs. . . . The beating never stopped. . . . They beat us in the lorries, in the lecture halls and during the lessons. . . . I thought of asking to be transferred from ESA, but I realised that it was as much as my life was worth. . . . I beat prisoners to save myself. . . . Living in that atmosphere I got ill, and one Sunday evening I had a haemorrhage. Next day I was taken in the Military Hospital, and they found a patch on my lung. When I was transferred, it was as though I went from night to day. The officers behaved like officers, and the commanding officer was like a father to me. But my health got worse. I cough the whole time and have difficulty in breathing from kicks in the chest at KESA. . . . Now I'm a physical and mental wreck and disgraced in the eyes of the community."

Vasilios Tzortzatos, a prosecution witness and a former ESA soldier now employed as a waiter, said that KESA training had the effect of turning the trainees into "clockwork soldiers". The beatings continued even when they left KESA and were posted as new guards.

Many ESA men may well have suffered beatings similar to those they themselves later meted out. "It's nothing, Mr Chairman," said former Corporal Themistoklis Vlochaïtis, a prosecution witness, "to give someone five blows when you've had sixty from your comrades." "I could say," said Ioannis Kontos, a student who served at ESA for two years, "that we suffered more than some of the prisoners. We were made to forget what we had learned at school and from our parents. They tried to awaken the beast in us. . . . Sometimes one was ordered to beat in the presence of an officer. If a guard was lenient to a prisoner, he could be in danger. We had to choose between our own lives and that of another. The instinct for self-preservation dominated." Even Michail Petrou, the sergeant who pleaded guilty and on whose deposition the trial was largely based, said: "I beat prisoners, Mr Chairman. They were my orders and that's what I did. A soldier couldn't do anything else but obey."

The degree of the soldiers' responsibility and the amount to which they acted on their own initiative is a matter for assessment. Many of their

victims seemed unable to form a view. "I think," said Ioannis Papadonikolakis, a retired squadron-leader who was arrested in November 1970, "that the guards carried out orders. Perhaps they could react within very restricted limits. I believe that many of their actions were done under the influence of drugs." The lawyer Michail Vardanis also gave evidence that he believed the guards may have been drugged because of their "glazed eyes", but there was nothing to support this view. If it had been the case, then certainly those guards who gave evidence seemed totally unaware of it.

Most of the victims who were called held a surprising amount of sympathy for their former guards, and opinion varied as to their culpability. "In my opinion," said navy Captain Alexandros Papadongonas, currently Minister for the Merchant Marine, who had been arrested in May 1973, "I was dealing with people — I mean the guards and the other soldiers — who had been deprived of their personalities, and I do not know how far they were responsible. . . ." Wing-Commander Anastasios Minis actually sought clemency for the soldiers whom he regarded as "so de-humanised" as to be without responsibility. They had, said Minis, a vocabulary of little more than 130 words, almost all abusive. Ioannis Starakis, a French journalist who had been arrested in August 1969, proposed still another theory. "My long stay at ESA," he said, "gave me a chance to understand how the system worked. I think Theofiloyannakos and Hajizisis tried in every way to involve the ESA men in their guilt. It is the Mafia system which compels a new member to commit a crime so as to have a hold over him afterwards. It is a system for creating a new generation of criminals."

Against this, however, was the evidence of the former ESA soldiers, Dionysios Charalambopoulos and Evangelos Manolopoulos, and of Major Ilias Menenakos. Even though Charalambopoulos gave evidence that he had been severely beaten for helping a prisoner and was then transferred, and that another sympathetic guard, known as Papandreopoulos, had completely disappeared, he also testified that the guards did have some initiative with regard to the exact method by which they implemented their orders. Manolopoulos said he was merely threatened for assisting prisoners and that "perhaps" there were ways of not carrying out distasteful orders. Major Menenakos, who had been arrested in January 1974 for failing to carry out an order to attack the Athens Polytechnic students and who was subsequently deported to Yaros, was cross-examined by counsel for some of the soldier defendants on the issue of responsibility:

Counsel: Could a soldier not execute orders?

Menenakos: I think he could.

Counsel: And wouldn't he suffer for it?

Menenakos: I think not. But he would be transferred.

Counsel: But surely a soldier must execute orders?

Menekos: Certainly — as far as they are legal.

Counsel: Has a soldier the discrimination to judge whether an order is legal or not?

Menekos: Yes.

Prosecutor: Do not all soldiers know that it is illegal to beat someone?

Menekos: Of course.

There was also evidence that sometimes soldiers would enter the cells in a drunken condition and begin to torment the prisoners. Ioannis Koronaios, a United States citizen who was arrested in October 1970 after placing a protest bomb in the National Park and stopping passers-by to warn them, said: "On the Sunday they warned me that in the evening, drunken soldiers would enter my cell and that I would have trouble. And at midnight they actually came. What I went through in the next hours was a real hell. One who was behind me kicked me wherever he could, and they called out like football umpires 'Goal!', 'Foul!', 'Offside!'. They struck and kicked me. I fell down, they raised me, they struck me again and again I fell."

Publisher Viktor Papazisis, a member of a resistance group who had been arrested on the pretext of a traffic accident, gave evidence of a similar experience. "On Sunday evening, many guards came in and beat me till they drew blood. I remember this because it made an impression on me that they were all drunk. Later, I learned from fellow prisoners that these guards made a round of the cells. They had come from a bar and were discussing whom they should beat. Finally they decided: 'Let's beat Number 7 because he's new'. . . . Before they transferred me from ESA, I also remember very well how a guard rushed on me when I was in the hands of the gendarmes and beat me in front of them. I think this shows that neither the drunkard who beat me nor that guard could have had a definite order. They simply had power over life and death and did what they liked there. They made no impression of discipline or of an army. It was a swarm of ruffians."

If the evidence of Papazisis and Koronaios is true — and there is no reason to doubt it — then it is a powerful counter to the soldiers' general protestations of being nothing more than an indoctrinated cadre responding only to orders which they dared not disobey. It may be in some cases that they were unaware of the identity of prisoners; for example, when the naval officers were arrested in May 1973, they had their uniforms taken away. It may be that the soldiers became worse when in a group. For example, Andreas Stavroulakis, a senior Electricity Board official who had been arrested on 4 September 1972, said: "Even the worst torturer showed some human instincts when he was alone. It was when he was with others that he became like a wild beast." But unordered

beatings and the use of personal initiative by the soldiers cannot be denied.

Certainly several former soldiers who were called as prosecution witnesses spoke of the deep shame that they felt for their association with ESA. Ioannis Kontos, who had served from September 1971 until August 1973, said: "I feel ashamed of having served in ESA. When someone asks me in conversation where I served, I say, 'as a simple infantryman'. Mr Chairman, who is going to cleanse us of this stain?" Another witness, Vasilios Tzortzatos, spoke in similar terms: "We're stuck with the stain now and we'll never get rid of it. Everyone thinks all ESA men are criminals. In my district, no one speaks to me."

Antonis Georgalas, who had served from February 1969, gave a detailed example: "One day I was told that Theofilyannakos was asking for a sergeant. There was no one else, so I went. I saw a dark girl, whose name I do not know, but I think she worked in Telecommunications. She was at the mercy of a furious Theofilyannakos, who was hitting her on the soles of her feet with a club. He said: 'Why are you looking at me?' If I had had a pistol, I would have killed myself. I was ashamed not only as a soldier but as a human being."

Dimitrios Staikos, who had been called up in 1971, claimed that he had wounded himself with his service pistol in an effort to get a transfer. But perhaps most emphatic of all was Michail Petrou, the defendant who had pleaded guilty: "I feel it is my duty to state publicly that I take full responsibility for what I did and to apologise to those who suffered in the dungeons of EAT/ESA. I also want to say that I will not forget what happened in that dreadful place. Publicly, I ask forgiveness. . . . I want to reveal the truth. The only feeling which prompts me is the need to come clean."

How far such sentiments were a genuine expression of their feelings, and how far they may have been prompted by the national attention that the trial received, is, of course, impossible to say. Many conscripted soldiers, however, came from respectable, middle and working class families throughout the countryside, and there is no doubt that their relatives and friends felt shocked and bitter at what had become of the promising young men they had known. Character witnesses called on behalf of the defendant Alexandros Lavranos provide a convincing example. "We are a poor but decent family . . ." said his father, a farmer, "and now I see him in the dock as a torturer. I want to ask the court to examine how a boy who everyone said was 'a diamond' became a torturer. Who morally destroyed my family and my home?" His future father-in-law was equally incredulous: "I can't believe it. He was a good boy and that's why I gave him my daughter."

When Lavranos himself later came to give his defence statement, he reiterated what was becoming the traditional soldier defence:

"I think that in this hurricane of terrorism, violence and fear, I tried to participate as little as possible. I would rather not have participated at all, but it was impossible. . . . I was caught up in a machine and became a tool without any will of my own to resist. I remember Spanos threatening a soldier that he would ruin his family. The next day the boy began to beat prisoners. . . . Now all my friends and relations look upon me with suspicion and pity. I can't find work. A friend took me on and, after a few days, he gave me a quiet hint to leave. The ESA discharge certificate is like a leprosy.

". . . I feel the need to tell this respected tribunal and the Greek people that I am a human being like you, like your neighbour's son, like a friend. When I struck, it was not Lavranos' hand, but the hand of Spanos, of Hajizisis."

IV. THE VICTIMS' EVIDENCE

Oral evidence was called on behalf of the prosecution before the court-martial between 11 and 28 August. The evidence was composed of testimony from almost 100 former prisoners and 30 former ESA soldiers; in addition, several written depositions were read. Several witnesses said that they had been approached and asked not to testify, and that they had received either threats or offers of money in a bid to impose their silence.

It is clearly not possible to recount below the whole of the evidence given, nor to assess the credibility of the evidence in each instance, but some general conclusions are drawn at the end of this report and the general picture that emerged from the totality of the evidence has already been set out. It is inevitable in repeating the more detailed individual testimony that some selection must be made. No special criteria have been used in making this selection.

(i) KONSTANTINOS ANDROUTSOPOULOS, lawyer (arrested 31 August 1971):

"I was arrested at 3.30 am. . . . We had gone to await the escape of Alexandros Panagoulis so as to hide him. Suddenly two cars arrived full of armed men. I learned afterwards that Hajizisis was in command. They ordered us to get out with hands up. There was shooting as we got out. The commander asked who was Androutsopoulos. I replied that I was. Then they fell upon me with yells and began to beat me with their rifle-butts all over my body and to kick me on the head. . . . At ESA, Theofiloyannakos was awaiting me surrounded by others. By this time I was half-fainting, my face disfigured, blood running from my mouth and my hands swollen. . . . Theofiloyannakos began the interrogation with the proposal that we should cooperate. . . . He had a chair brought, put my feet up and began to beat me with a club, mostly on the soles. I was asked to tell them where Lady Fleming was waiting and I refused. Then Hajizisis came and told them to bring him a whip. They freed my hands, he put pencil and paper on the table and told me to write. As I did not write, he began to whip me on the back using all his force. When he got tired, he handed the whip to a soldier to continue. . . . At midday, they

took me to the canteen where officers and soldiers pelted me with macaroni and mince and abused me. They took me to a cell where the second stage began. I was kept upright for 240 hours and beaten [*sic*]. I was deprived of water. I had to relieve myself in front of an armed guard and of others who mocked me. . . . They made me stand at attention a little way from the wall. I got giddy and if I moved, they beat me. Then they made me squat. I couldn't manage it — more beating. . . . From the standing, my feet were too swollen for my shoes. I had hallucinations. I thought they were executing me. . . . Once at midday they brought me chicken soup with puree and made me eat it all up. . . . I suspect it might have been doctored with hallucinatory drugs."

(ii) WING-COMMANDER ANASTASIOS MINIS, M.B.E., now a member of the Greek Parliament (arrested 22 April 1972):

"Theofiloyannakos . . . told me . . ., 'Here you will tell everything. From here you either emerge as a friend or as a cripple.' . . . He finished by saying that they would give me a pencil and paper to write it all down. . . . I did not write anything. . . . Theofiloyannakos summoned me again . . . and introduced Hajizisis . . . who said . . ., 'We will give you money, we will send you abroad.' . . . On 24 June . . . Dr Kofas and the jailor told me, 'We look after the prisoners so we are taking you for a check-up.' . . . At Military Hospital 401, they took x-rays, a cardiograph and my pulse, and the doctor said, 'You're completely fit.' I tried to tell them that I had been invalidated out [of the air force] because of a spinal wound which had left me paralysed for 18 months. . . . On 1 July . . . they took the furniture from my cell . . . and made me stand at attention. . . . At midnight I could not hold out any longer and crumpled up. A guard ran and called Dr Kofas. . . . The jailor brought me pencil and paper. I told him I had nothing to write. . . . They stood me in a corner again and began to beat me with clubs. . . . Ioannidis told me in a gentle and quiet tone that they knew everything about me and that I must tell all. Then he continued, smiling and almost in a whisper, 'You know, we have the means of making anyone confess everything. You know, Mr Minis, it is possible that some parts of your body might be destroyed.' . . . He continued in the same tone, 'Do you know why we have been in power for six years? It is because we relegate the human factor to second place. Woe to us if we put this in the first place — we would have fallen within the first three to four months. I give you 24 hours to tell us everything.' . . . At the end of July Hajizisis summoned me and said, 'Listen! We are not going to tire. Here you'll spew it all up. We'll torture you for three months, for six months, for a year. We have patience.' . . . On 17 September . . . Spanos told me, '. . . we've arrested her. What you and your wife and child are

going to suffer!' . . . They put on a tape recording. It was the voice of my wife weeping and beseeching."

(iii) LADY AMALIA FLEMING (arrested August 1971):

"I was arrested by three soldiers at my parking place in Kolonaki and was taken to ESA. I say this because the next day they wrote that I was arrested outside the camp. . . . They gave me paper at ESA to write on and I refused. They called me a communist. . . . I wanted to vomit. This thrilled them. You must know that humiliation is one of their main aims. The vomiting was a means of torture. They smeared people with their own vomit. . . . they put a desk in front of me and they began to rock it whilst others opened and shut the drawers in order to make me feel seasick. I tried to steady myself with my hands. I don't know how long it lasted . . . They told me they would torture others in front of me and would tell them that they were torturing them because I would not speak and give the names they were asking for. This nearly drove me mad, because I knew names and didn't want to give them. I didn't give them. Theofiloyannakos addressed me in the plural [i.e., the polite form] when he said, 'I will pull out your teeth one by one.' . . . Three times he offered me a Ministry. . . . When they realised I was not going to talk and saw that I had need of drinking water, they stopped the water for 20 hours. Fortunately for me this was followed by serious haematouria. In my case, the doctor came and I got the medicines I asked for. The doctor himself told me that he had instructions to keep me in good condition."

(iv) MAJOR SPYROS MOUSTAKLIS (arrested 22 May 1973):

Prosecutor: They beat you?

Moustaklis: Pat . . . Pat . . . Pat.

Prosecutor: On the throat?

Moustaklis: Yes, yes.

Prosecutor: That's enough. We'll stop the questioning. I think it's enough.

Mrs Moustakli, a dentist, gave evidence and explained how her husband had left the house on a 10-minute errand during the afternoon of 22 May 1973 and had then disappeared. She had hunted for him, and the next morning Security men came to the house and told her that he was under arrest: "I went to the Security with clothes and food but was never able to see him. . . . On Wednesday, 4 June, they telephoned from the Security that he was no longer there but at ESA. From then I went daily to ESA and asked to see him. . . . These daily visits continued till 7 July. . . . After a lot of discussion I was told I could see him next week and that 10 days ago he had got ill. I asked in what hospital he was and was told they could not tell me. . . . Dr Kofas told me: 'You are a doctor, and

I am going to tell you that your husband has suffered a thrombosis of the internal carotid. You understand how these things happen.' I replied that I did not understand at all as my husband had been completely healthy. . . . We got into a private car . . . and went to Hospital 401. I went in and saw Dr Davaroukas, who said, 'As you are a doctor, I can show you the file with your husband's records.' . . . I noted the date on one of the x-rays was 27 May. . . .

Everything there was locked. The two passage doors were locked and were opened by armed guards. I went into my husband's room, which was . . . in the psychiatric section. . . . The sight was appalling. I did not see a man but a ghost, a human vegetable with the dreadful mask of a stroke case. I tried to control myself. He recognised me. . . . Davaroukas told me that I should not complain to him as he was not responsible. . . . He took the dressings off my husband's wounds and showed me. There were two huge wounds. One on the right heel and one on the right shoulder. He said they were bed sores, but I could not believe this. . . . When we were alone for a little, my husband . . . made a sign to me to uncover him and look. I saw that besides the two wounds, his hips, thighs and genital organs were black. . . . He tried to tell me by nods that all this had happened because he would not speak. . . . Later examinations by Greek and foreign doctors showed that the cerebral stroke was the result of trauma. It was not pathological."

MRS MAGDALINI LEKKA-POLITI, the sister in charge of the neurological clinic at Military Hospital 401, also gave evidence: "On 28 May, they brought in Major Moustaklis. . . . He was in a dreadful state. . . . He was under guard; they were in civilian clothes. . . . He was admitted under the pseudonym of Michailidis."

DR ANDREAS DAVAROUKAS later said in evidence that he had been told at first that Moustaklis had been involved in a traffic accident.

(v) EVANGELOS TSEKOURAS, student (arrested 8 May 1973):

Mr Tsekouras was taken to EAT/ESA, where he was beaten, he said, not only by the guards, but also by an officer, Major Kouloumvakis, who on one occasion told him that he had studied the psychology of interrogation in the United States for two years.

Tsekouras: . . . My parents were simple enough to send a telegram to Papadopoulos denouncing my torture. The result was that they were summoned by Hajizisis who told them, 'I have the telegram here. Don't trouble yourselves in vain.' . . .

Prosecutor: You look almost a child. Didn't your youthfulness have any restraining effect on your ill-treatment?

Tsekouras: No. . . .

Prosecutor: Did the guards torture on their own initiative?

Tsekouras: They justified themselves by saying that they had been beaten severely during their training without having done anything and therefore we — who had done something — must be beaten too.

(vi) SPYRIDON LOUKAS, nuclear physicist (arrested 22 August 1969): "Someone trod on me and said . . ., 'I have been waiting 14 days for you.' It was Theofiloyannakos. He called an ESA man and told him: 'Take him and see only that you don't kill him.' Then 15 to 20 ESA men made a circle around me and began to beat me. This lasted for an hour and a half. I asked for water and they wouldn't give me any. . . . Theofiloyannakos asked me: 'Have you a father?' I said: 'Yes.' 'How old is he?' I replied: 'Sixty-five.' 'Arrest him too. . . . We will put him through it.' They did actually arrest him and kept him for an evening in the cellars. . . . I was told, 'You haven't told the truth.' . . . They were ordered, 'He's to remain standing and kept moving, no water.' . . . This continued for six or seven days . . . on the third or fourth day I began to have hallucinations. . . ."

Prosecutor: Was your original deposition freely made?

Loukas: No . . ., they'd done a scissors-and-paste job on it. . . .

Prosecutor: Did you try to say anything to the examining magistrate?

Loukas: No, no. Everything had been filled in. . . .

Prosecutor: Were you committed for trial?

Loukas: I was committed for trial, tried and sentenced to 18 years. . . .

Defence Counsel: You had placed a bomb . . . and people were injured.

Loukas: There were no injuries. At the trial one girl came forward and said her little finger had been injured.

(vii) KONSTANTINOS KOUMELIS, notary and leader of the anti-Junta royalist organisation "Eagle" (arrested 20 April 1974 after circulating leaflets warning of an impending coup in Cyprus):

"Spanos handed me over to the guards. . . . They tied a blanket over my head. . . . Then they put me into something very narrow. I thought it was a chest, but soon realised it was a large basket. Then I felt that the basket was being tied and that it began to rise. I called out to them that I had a heart condition. But they replied: 'You insulted our father, Ioannidis, and you'll die.' I remained a week in the basket and had to relieve myself there. The food was very salty with much pepper. . . . This basket, sometimes hanging in mid-air and sometimes not, was raised and let down suddenly. At least once a day they soused me from a hose-pipe although I told them I had a heart condition and couldn't stand the cold. . . . The first day I was in the basket they didn't give me any water. The next day they gave me a plastic mug which I drank down in one gulp and only then realised that it was soapy water. The next week, standing upright

began. A guard stood over me so that I should not move out of the chalk circle. Then, one night, three quite unknown ESA men came in and told me to unbutton my trousers and to take down my underpants. They fixed a bandage with three straps around my stomach. One pulled from behind and the other two from in front. At one point, I groaned loudly. I thought my liver would burst. I felt something break like a bubble in my stomach, and I still have the mark. The wound continued to discharge for quite some time. Then I got palpitations. . . . They left me on the floor without any attention. Next day . . . they put me back into the circle. I had no feeling in my body below the waist. Sometimes I found myself down on my knees and they picked me up and put me back in position. . . ."

(viii) ALEXANDROS PANAGOULIS (arrested 13 August 1968):

In August 1968, Panagoulis had attempted to assassinate Colonel Papadopoulos by plotting to blow up his car. The attempt was made on 13 August on the Athens-Sounion highway, but the explosion occurred too late. Panagoulis was arrested, and on 17 November 1968, he was condemned to death after a court-martial. The pressure of an international appeal for clemency resulted in the commutation of his sentence to life imprisonment. He escaped from prison in June 1969, but was recaptured four days later. He made several other abortive attempts to escape, one of which involved Lady Fleming. In August 1973, he was set free under the general amnesty proclaimed by Papadopoulos to celebrate his self-appointment as President of the Republic. When free elections were ultimately introduced in Greece, he stood as a candidate for the Centre Union Party and was elected as a parliamentary deputy for the Greater Athens Area:¹

"From the time of my arrest [two hours after his attempt on Papadopoulos' life] until I came out of prison in August 1973, I had many meetings with Theofiloyannakos. From the first moment . . . he began to burn me with his cigarette although my hands were tied behind my back. . . . They photographed me and Lieutenant-Colonel Davaroukas gave me a five-minute medical check-up. . . . Until my court-martial in 1968 [three months after arrest], I was continually tortured each day. . . . Interrogation was scaled up from blows, through burns and *falanga* to sexual torture. . . . At my trial, I asked if I could show the marks on my body. These still exist. . . . There is a scar on the right of my chest; Theofiloyannakos did it with a

¹Panagoulis was killed in a car accident on 2 May 1976. Although comparisons have been drawn with the May 1963 murder of parliamentary deputy Gregory Lambrakis in Salonika, in what was also described as a "traffic accident", there is no hard evidence to date that Panagoulis was killed by foul play.

paper-cutting knife on the first day of the trial after Papadopoulos' brother had come and threatened me with his pistol in front of Theofiloyannakos and Hajizisis, saying that he would blow my brains out. . . . Theofiloyannakos often beat me himself with a cable, and he was there when an iron needle was put up my urinary tract. . . . At my trial, they produced a forged deposition; I had not signed it. . . . Once I was taken to Military Hospital 401 covered in blood. It was the day the Soviet tanks entered Czechoslovakia. Theofiloyannakos came in foaming at the mouth, and showing me his newspaper, he said: 'Traitor, pimp, look what you've done!' Was it my fault the tanks entered Czechoslovakia? . . . Also, from the day of my arrest until the end of March 1969, they never took off my handcuffs."

V. STATEMENTS OF THE ACCUSED

On 28 August, the first defence witnesses were called to give evidence before the court-martial. Many who were called were absent and their evidence therefore went unheard. Almost all of those who did appear were "character" witnesses.

An equally important part of the defence in the Greek criminal process is the statement of the accused or "apology" in which he is free to set out the details of his background and character. On 30 August Petros Goros, the former commandant of Boyati Military Prison, entered the witness box to make the first defence statement. "I feel as though I were still wearing my uniform," he told the tribunal. "It has become one with my body." A little later on he said: "The title of torturer is a slander on me and a slander on our people. For me, torture means a man I saw in Crete with his ears and nose cut off and his eyes put out. That is torture which leaves you without a head or without legs. Not what they say the soldiers did."

The soldiers' statements were more or less consistent in substance. The individual personal histories were followed by a general denial of responsibility. Dimitrios Stambolidis, for example, who was posted to EAT/ESA in September 1970, said: "I worked to support my parents and my betrothed so that I could start a family. Now I'm in the dock — and that's because none of those in the front rows will take responsibility and say: 'Yes, they were carrying out our instructions.'"

"Mr Chairman, members of the tribunal, I am living through a drama," said Dimitrios Litsas, who had served at KESA. ". . . I'm in danger of being dismissed from my post. I have two old parents over 70 and an unmarried sister depending on me. It is those in the front rows who are responsible for all this. I was just one of their victims."

Major Hajizisis began his defence statement on 3 September. He claimed that the trial had been "started by the press". He explained that he had been compulsorily retired in early 1975 and that he had served by then 23½ years in the army "in the front line throughout". One theme of his statement was the legality of the system itself: "We were completely covered both legally and by the chain of command. The hierarchy started from the Minister for National Defence and went right down to the officer

in command at EAT. . . . I personally will not allow anyone," he said, "to rob me of the sweat of those seven years at EAT/ESA. It has watered the ground there and become one with the soil and the asphalt. . . . Our aim was to investigate cases of activity against the then regime. It was not a private pursuit of Hajizisis or Theofiloyannakos or of the jailor. It was a duty to the leadership of the armed forces."

The rigours of military training at KESA he believed to be justified. "The soldiers had to be capable of taking the initiative. They had to have had a good training, self-confidence and trust in superiors. . . . This training was not intended to annihilate their human personalities but to steel their characters and their physique. . . . Rightly or wrongly, army training does not always follow the regulations."

"A lot has been made of the so-called acts of humanity," he continued. "It is beneath the dignity of the court for our accusers to come here and say 'the guard gave me a cigarette' or 'the guard lit candles in church for me'. These are not acts of humanity because nobody was ever deprived of these benefits."

Hajizisis did not reach the point of actually denying the individual accusations of torture because his defence statement, though it lasted five hours, was not concluded and cross-examination was never reached. He broke off his statement after seeking to introduce into evidence documents which he had taken from EAT/ESA but which had not been previously submitted to the court. The chairman ruled against their admissibility:

Chairman: ". . . I don't want you to read us useless documents. It is illegal. The court is ready to listen to your defence, but it is not ready to condone illegal procedure."

Hajizisis: Then I shall not defend myself.

Chairman: Write in the minutes that he refuses to defend himself."

Major Theofiloyannakos then began his statement. "This trial is not a criminal trial," he told the tribunal, "but a political trial." He made a plea on the issue of the soldiers' responsibility: "I appeal to the commander-in-chief of the armed forces and to the rest of the leadership that not one ESA man be sentenced. If they are sentenced, army discipline will be shaken. Then the Communist Party — which has a very strong interest in this matter — will say to the soldiers, 'Act illegally and don't obey your commanders.' Sentence us, the commanding officers, to death if you like. All that matters is to save the state. The soldiers must not be sentenced. . . . I am responsible for what happened at EAT, not the soldiers."

"I am no longer an officer," he continued, "I am now a simple soldier. . . . I didn't beat anyone. . . . It is true that as commanding officer of EAT/ESA, I was a revolutionary commander. I introduced the revolu-

tionary spirit there.¹ I told them to be hard and inexorable. There were no excesses because the boys at EAT/ESA were the pick of the intake. . . . Perhaps when I told four or five of them to fall upon a prisoner and terrorise him by yelling, someone may have overdone it and administered a cuff. But it wasn't their fault. I am responsible and they should be acquitted. . . . Panagoulis was the only true resister . . . and he did suffer quite a bit. But he brought most of it on himself. There was not an officer in whose face he had not flung a mess-tin. . . .

"The tortures they are talking about represent a short ordeal of one or two days' duration and perhaps a cuff they may have collected. . . . The case of Kofas is the greatest injustice ever done to a man of science. He impeded the interrogators because he certified them all [the prisoners] unfit."

During specific questioning about the torture allegations, the following emerged:

Theofiloyannakos: What was said here, that soldiers were ordered by the officers to take clubs and beat, is unacceptable.

Chairman: In all cases?

Theofiloyannakos: In all cases. . . .

Chairman: We had 120 witnesses who testified that they had been beaten there. . . .

Theofiloyannakos: It's all lies. A year hence, when you've seen how the system develops, you too will understand. . . .

Chairman: Were all 120 lying?

Theofiloyannakos: I told you. Nothing happened.

Chairman: I ask you again.

Theofiloyannakos: You ask, you ask again, and again you ask again.

Chairman: Have I not got the right to ask?

Theofiloyannakos: Mr Chairman, you're again coming to the point of telling me I'm not behaving myself. It's the fifth time you've asked me.

Chairman: You keep on with the same tactics. I am particularly sorry in your case, as you say I am hostile to you.

Theofiloyannakos: And I think you are hostile to me now.

Chairman: Thank you.

With regard to the alleged torture of about 50 naval officers after the abortive mutiny in May 1973, Theofiloyannakos utterly denied it, saying: "The lies do not derive from the fact that the naval officers are liars. I do not accept that an officer can be a liar. . . . I accept what they say as exaggeration. Perhaps a push or two or a few careless words. . . . How can this court accept that officers who have gone through training school,

¹That is, the "Revolution" of 21 April 1967.

officers who have family traditions, could have raised their hands and ordered the guards to raise theirs? It is too much. . . . I do not believe that any army officer ever ordered the beating of a naval officer."

Later, on 4 September, the last commanding officer at EAT/ESA, Major Anastasios Spanos, began his defence statement. "I come from a small village in Macedonia near the town of Kavalla," he began. "I am the offspring of a poor peasant family uprooted from Asia Minor, of those who have paid a heavy price on the altar of our country. . . . I am proud that I come from a poor family. Virtue is not taught in colleges or palaces or in the villas where orgies take place. One learns it elsewhere, in the sort of life I experienced. . . .

"I was posted to EAT/ESA in September 1972. . . . I devoted myself wholeheartedly to my task. It has been said that the training at KESA over-stepped the bounds of permissible toughness, but the guards had to be equipped to carry out their duties. . . . It has been said that EAT/ESA ruled the Greek army and the country. That I cannot accept. . . . If Spanos, with his 12,000 drachmas monthly, with his cardiac farmer brother, his mother with a pension of 600 drachmas and his brother employed at a salary of 5,000 drachmas, ruled Greece, then I should be proud of this achievement."

He declared himself ready to take responsibility for his subordinates but, like Theofiloyannakos, denied the torture allegations against him and the allegations that naval officers had been struck.

Immediately following each "apology" the prosecutor and defence counsel were allowed to question the accused. It was during these periods of cross-examination that additional facts about the case of Major Moustaklis — which one defence counsel called "the most serious offence that has come before this court" — slowly emerged despite repeated attempts by defendants to shift the blame to others. There had been two groups of torturers in Moustaklis' cell. The first group beat him mainly on the legs; the second group beat him black and blue from the waist down, and someone in the second group dealt him the paralysing blow to the neck.

Earlier in the trial the prosecution witness and former ESA sergeant Nikolaos Kechagias had testified that he had seen Hajizisis, Spanos, Sergeant-major Gountevas and several unidentified guards in Moustaklis' cell and that Hajizisis in particular was kicking Moustaklis. Under cross-examination at the end of his defence statement, Sergeant Petrou, although disclaiming any first-hand knowledge of the case, concluded that the facial marks on the major were evidence that an officer had beaten him, as no soldier would have dared to strike an officer in the face.

When Sergeant-major Gountevas spoke, he denied responsibility for the injuries to Major Moustaklis. He said that while watering the garden,

he had seen Moustaklis brought in, and that in the evening, while repairing the wash basins, he had opened a door and had found him lying on a bed with his arms hanging. He had then reported the matter to Hajizisis, and that was his only connection with the matter. Under persistent questioning from the prosecutor and the chairman it became clear that Gountevas was reluctant to tell all he knew. His own counsel then tried to get clear answers from him in an effort to show that he was acting under someone else's orders. After an interruption by Hajizisis the dialogue continued as follows:

Gountevas' Counsel: You have sense and so have the members of the tribunal. You gave clear answers to the questions put to you by the active service officers. Why do you try to avoid giving a straight answer to the prosecutor? Do his questions embarrass you?

Gountevas: I've lived 20 years with the active service officers and know what they are going to say to me before they open their mouths.

Counsel: Do I put simple or complicated questions?

Gountevas: Simple.

Counsel: Well then. Did you see Moustaklis being ill-treated?

Gountevas: No.

Counsel: Did you hear anything?

Gountevas: Neither. I learned of it from the newspapers.

Counsel: How can I possibly defend you? Forget about what the witnesses said. What did you hear at that time?

Gountevas: I heard nothing. . . .

Counsel: Try and help me to help you.

Gountevas: They are accusing me. What do you want me to do?

Counsel: Are you trying to shield people? Would you say something if you knew it?

Gountevas: Yes.

Prosecutor: He is in a difficult position, Mr Counsel. You are his counsel but he is counsel for others. . . .

Prosecutor: Mr Gountevas, you are, or were, a regular service non-commissioned officer. Your type are even better disciplined than the officers. . . . If the person who wanted to beat Moustaklis was your superior and couldn't at that moment find anyone else at hand to do it and said to you, 'Come here, Mr Gountevas, and give him a few with the club' — I'm taking this as an imaginary example . . . what would you have done?

Gountevas: That's a difficult question.

Prosecutor: The answer is even more difficult.

Gountevas: . . . During all my 20 years of service I learned to be disciplined, and I think my record shows this. I was one of the best non-commissioned officers. I never answered back to an officer.

Prosecutor: I know that, Mr Gountevas. That is why I am asking you.

Gountevas: I would have done it.

Prosecutor: That's all I want.

At the end of Major Petalas' defence statement, he too was questioned about Major Moustaklis. He claimed that he was informed late one night that a prisoner had fallen to the floor. He thought that the prisoner was perhaps suffering from an epileptic fit, so he informed Dr Kofas and the commanding officer, Major Hajizisis.

Chairman: What happened afterwards? You were responsible.

Petalas: As the commanding officer had been informed, what else could I do? I ask Hajizisis to get up and tell us what happened.

Chairman: You say you informed the commanding officer. Did he come that evening?

Petalas: You are putting me in a difficult position, Mr Chairman. We are all officers. Let whoever is responsible get up and tell us himself.

Chairman: I want you to tell me. Did he come?

Petalas: Permit me not to reply, Mr Chairman.

The chairman continued to press Petalas, telling him that if Hajizisis did not come that evening, he (Petalas) as duty-officer was responsible. When Petalas continued to refuse to answer, the chairman said, "You are guilty." The prosecutor added, "I have no problems. It was not necessary for you to telephone the commanding officer because he was fully informed; nor for you to appeal for the responsible person to get up. It is known full well who it is and that he won't get up. . . ." Later, one of the tribunal members made the following intervention: "I have heard a lot from all of you [officers] about bravery and manliness, but so far — and the trial is nearing its end — there has not been a man to come forward and accept his responsibility. For me this is a stigma which attaches to us all. When there is a little girl [Moustaklis' child] who will never again hear her father's voice, that is an unprecedented crime which smirches all of us. . . ."

Hajizisis made a brief statement at the end of the cross-examination of Petalas: "As I should have to contradict the defendant, I am not going to question him, but I want to state that I was in my office that evening. Through the fault of the prosecutor I was deprived of my right to defend myself, so I am not going to play his game by defending myself now. What I have to say is that on 26 May 1973 I arrived at EAT between 5 and 6 pm. Moustaklis was in the section for three to four hours and after that suffered a cerebral stroke. The doctor was called at once and examined him. That must have been about 9 pm, and then he was taken to hospital. I repeat that, as commanding officer at EAT/ESA at that time, I take responsibility." "What do you mean 'take responsibility'?"

asked the prosecutor. "It is known who is responsible."

Immediately preceding the presiding judges' withdrawal to consider their verdicts, the accused were given a final opportunity to make supplementary remarks. Concerning the Moustaklis case, Sergeant-major Gountevas came forward, saying, ". . . something has been growing inside me . . ." and then proceeded to give a lengthy account that implicated Major Nikolopoulos among the first group who beat Moustaklis. The prosecutor interpreted Gountevas' last-minute intervention as a diversionary tactic intended to place blame on Nikolopoulos rather than where it actually belonged, namely on Hajzisis, who was responsible for the second and more damaging beating. According to the verdicts, the court accepted the prosecutor's interpretation.

VI. ASSESSMENT

On 12 September, after the closing speeches had been concluded, the members of the tribunal retired to consider their verdicts. At 7:15 pm the same day they returned to court. Theodoros Theoflyannakos was found guilty by unanimous vote and sentenced to 20 years' imprisonment. Nikolaos Hajzisis was found guilty by unanimous vote and sentenced to 23 years' imprisonment. Anastasios Spanos was found guilty by unanimous vote and sentenced to 20 years' imprisonment. Among the others who were convicted was Dr Dimitrios Kofas, who received a sentence of seven years' imprisonment for violation of duty. Fifteen soldiers, including Alexandros Lavranos, were acquitted, but only one by unanimous verdict. Michail Petrou, who had struck a number of prisoners but whose confession had greatly facilitated the trial, received a sentence of six years' imprisonment — the heaviest given to any soldier defendant — and was visibly overwhelmed at what he considered to be its severity. (See Appendix A for the complete list of defendants and a summary of the verdicts and sentences.)

To offer an adequate assessment of the first ESA trial is difficult. It is clearly not possible to weigh the credibility of each witness who testified; besides, in many cases, it must be said that cross-examination was unsatisfactory. In some cases, the allegations and the denials could have been proved either way. One of the defendants, Ioannis Angelis said, for example:

Students have come and testified that I beat them between 7 and 8 May. But I was on leave then and only returned on the 17th. . . . After the change of regime, Mr Vernikos [a prosecution witness] went up to Arachova for skiing. I was in a farm lorry with a friend and we ran into his car. We exchanged names and addresses. . . . That day he didn't recognise and remember me. Now he comes here and says I beat him.

Although ESA archives (including records of leave from duty) had been burned, thus making Angelis' first point impossible to document or refute, his second point could presumably have been pursued. But evidence was not called either to rebut or to confirm the latter point.

Nevertheless, from the totality of the evidence — even leaving aside

the several individual confessions by, for example, Michail Petrou — a portrait emerges of systematic torture by ESA. In many cases the details of methods employed are both specific and corroborative. In some cases, as with Major Moustaklis, the evidence of injury while in detention is indisputable. This systematic procedure of violence and deprivation was applied to a very large number of people who were arrested by ESA; it is a procedure which appears to have varied only in degree.

The main value of the trial lies in the exposure of such practice and in setting the example that torturers, even though protected and sponsored by a political regime, can be brought to trial and punished. The traditional process of detection, trial and sentence is here seen to work with torturers as with other criminals, and this should provide a deterrent. A clear precedent now exists to show that political torture is not a crime of immunity outside the rule of law and condemned only by international declaration. A state's domestic courts can, and should, provide a proper and effective forum for sanction in torture cases.

To what extent can this torture trial be regarded as a model for others and as an ideal precedent? The answer requires examination of two issues: first, the role played by the authorities in initiating the prosecution and the steps taken as a result; second, the manner in which the trial was conducted and its procedural fairness.

The Greek authorities are to be credited with bringing the prosecution, but the decision to prosecute was very largely the direct result of cumulative pressure from private civil suits that had been commenced by several former prisoners against their torturers. In this the government could be criticised. If, on the evidence, there is a case to answer, the decision to prosecute should be exercised solely with regard to that criterion and not to outside pressure or public opinion. On the evidence heard at the trial there was a clear case to answer, and the unfortunate inference is of an initial reluctance on the part of the authorities responsible to prosecute. One prosecution witness, G. Lambiris, said in evidence that he had been distrustful of the prosecutor because "the state had not taken up the issue of punishment on its own initiative".

Under Greek law, torture *per se* is not a crime. The ESA trial was held, therefore, within the limits of the only possible charges. These concerned "insults", "abuse of authority" and "bodily injury", which in Greek law are misdemeanours. It was only because some of the torture victims were officers superior in rank to the defendants that stiff sentences were imposed in the first ESA trial.

Although Article 7 of the new Greek Constitution expressly prohibits torture as well as other offences that are an affront to "human dignity", this proscription is not yet part of the Greek Penal Code since a constitutional prohibition further requires the enactment of a precise law. To

date, the Greek government has considered but has failed to put an implementing law to Parliament, so that torture remains only indirectly punishable.¹ A change in the Penal Code would automatically effect a change in the Military Penal Code, although it would be desirable for an explicit implementing law concerning torture to be specifically incorporated within the Military Penal Code as well. Clarification and simplification are urgently required within Greece on the judicial procedure that can be applied to torturers.

There is also the issue of the conduct of the first ESA trial and its procedural fairness. Several criticisms can be made, but, in making them, it is important to stress that this was a court-martial and not a trial in a domestic criminal court, and that the standards and procedural requirements of a judicial hearing — so far as they are over and above the principles of natural justice — vary from jurisdiction to jurisdiction.

The lack of depth in cross-examination, and the failure to investigate a number of allegations and denials which could have been substantially proved one way or the other, have already been mentioned. Perhaps this is not wholly surprising considering that the trial itself lasted only from 7 August until 12 September during which time well over a hundred witnesses gave evidence. It can be argued that a trial of several months would have allowed a more exhaustive examination of every issue. A desire for speed and efficacy is not necessarily a matter for criticism, however, nor is length necessarily a matter for praise. What is important is that neither the defence nor the prosecution should be curtailed or prejudiced in the presentation of its case, and there is no evidence in this case to suggest that it was.

Less easy to understand is the selection of defendants. Some former members of ESA against whom there appears to have been available evidence simply were not prosecuted, and it seems clear that, in return for testifying against their former colleagues, the prosecutor used his discretion in effect to grant them immunity. This procedure of allowing certain witnesses to escape prosecution by "turning state's evidence" prevented the bringing to trial of some who are possibly as guilty as those tried and convicted. With understandable grievance Spanos said in his defence statement that he regarded it as incomprehensible that he should be accused while neither Colonel Koutras (the first commanding officer of ESA) nor Major Bakas (the officer in command at KESA) was charged. Major Spyridon Triantos, a defence witness, and ESA soldiers Ioannis Kostouras and G. Panagopoulos, both prosecution witnesses, disclosed in their evidence that although initially charged they had not

¹Centre Union (opposition) deputies submitted a draft implementing law to Parliament in October 1976, but Parliament has not yet taken action on it.

been proceeded against. When Evstathios Panagoulis later came to give evidence, he identified Panagopoulos as one who had beaten him up and commented:

"Gentlemen of the tribunal, if Panagopoulos is a prosecution witness, then all the defendants from the third row backwards [i.e., the soldiers] ought to be allowed home. Panagopoulos broke two clubs on my body."

The trial itself received a good measure of both national and international press coverage, and the temptation to turn it into a show trial must have been great. The widespread desire for a public national purge was also fairly apparent. To the credit of all concerned, the trial never degenerated into spectacle. It should be stressed that the overall impression is that the prosecution was fair. The defendants had the offer of representation and the opportunity to cross-examine and state their case. Moreover, if during a prosecution witness's oral evidence his testimony differed from his deposition before the examining magistrates, the prosecutor declined to question him further and placed no reliance on his previous evidence.

Amnesty International welcomes the precedent of the first ESA trial in that it generally met high standards of jurisprudence while apportioning blame for individual acts of physical injury and abuse of authority. Primarily, the trial has established a truth and proved a point: torture was practised by the Junta's military police on a systematic scale as a means to enforce authority, and torture *can* be punished by the ordinary criminal process. The first ESA trial was a promising beginning.

EPILOGUE: SINCE THE FIRST ESA TRIAL

Amnesty International has chosen to publish this report on the first torturers' trial in Greece as a documentary record both of torture under a modern repressive government and of one example of submitting officials who torture to due process of law. It is our belief that if openly examined, the experience of Greece can be of benefit to the world community. The seven-year dictatorship was a tragedy for the nation and its citizens. At the same time it was a challenge to those outside Greece who worked towards the observance of international human rights norms prohibiting torture. The Council of Europe in particular was presented with an important test of its human rights machinery, which is designed to help protect the human rights of citizens in its member states. Confronted by an aroused international public opinion and severe diplomatic pressure, Greece withdrew from the Council of Europe late in 1969, but the process, while diminishing the Junta's use of torture temporarily, did not in the end prevent or stop torture. In addition, the painfully slow procedure, followed by Greece's departure from the Council, made member states hesitant to apply the human rights machinery in other situations. For example, when Amnesty International reported the results of missions to Turkey, which indicated a *prima facie* case of torture, to the Council of Europe in 1972 and again in 1973, no official investigation was forthcoming.

Since 1973, there has been a growing concern about torture manifested at the United Nations. Three resolutions and one declaration against torture have been issued by the General Assembly (see Appendix F); the International Covenants on Human Rights with a provision prohibiting torture have come into effect, and a Human Rights Committee responsible for implementing the Covenant on Civil and Political Rights has been elected. Indeed, since July 1974 the Greek government can be credited with standing at the forefront of the movement to abolish torture through intergovernmental organizations and international law. Although there has been progress in word, nevertheless, the world community has done little to halt torture in fact. Machinery to implement the unanimously adopted declaration against torture of the United Nations hardly exists, and its creation will be a complex and laborious task.

Because of the limitations of international law in this field at the present

time, the efforts of individual governments are still the most important instrument in the struggle against torture. The vast majority of offending governments have done nothing to prevent the use of torture within their own boundaries. In the recent past, however, a few governments have announced the administrative disciplining of torturers or their intention to bring torturers to trial. General Pinochet reported in Chile that several security personnel had been convicted and were serving sentences for torturing prisoners. But the only security personnel located in prison by foreign journalists were found to be serving sentences for criminal offences not related to the treatment of prisoners. The Philippines government announced on 15 October 1976 that in recent years some 2,700 military personnel had been disciplined for maltreating martial law detainees, but from public information available to Amnesty International it would appear that there has been only one trial concerning four accused torturers. There have been torture trials in Venezuela, Egypt and the USSR, but these have all dealt with specific cases of brutality rather than with officials responsible for state systems of torture.

Portugal and Greece are the only countries where torture trials have been held on a somewhat sizeable scale. The Portuguese state has been slow in bringing to trial the torturers of the old regime. To date only a handful of former PIDE (secret police) agents have been tried, and these trials were hardly exemplary in procedures, verdicts or sentences. In the first week of January 1977 the military courts released 12 former PIDE agents who had been convicted of assassinations and acts amounting to torture because the sentences they received were shorter than the period they had spent in prison since the Portuguese revolution of April 1974. At present only Henrique de Seixas, sentenced on 20 January 1977 after much public outcry against the earlier releases, has received anything approximating a serious sentence — seven years and eight months. He was convicted on the single charge of having savagely beaten a prisoner in 1974. Five charges alleging responsibility for systematic torture dating back to the 1930s, when he was chief of the guards at the Tarrafal concentration camp in the Cape Verde Islands, were dismissed by an army court-martial.

It is in this context that the Greek torture trials bear close examination. In Greece, largely by means of privately initiated prosecutions and to a considerably lesser degree through initiatives taken by the country's prosecuting authorities, numerous torturers have been brought to trial, and a few are serving exemplary sentences. Unfortunately, the Greek government, for whatever reasons, has allowed the torturers, with a very small number of exemplary exceptions, to get off extremely lightly.

Nor have the prosecuting authorities undertaken a thorough, centrally coordinated investigation of the Junta's system of torture, which would

have been possible under existing Greek law, but instead have investigated only those cases that were first taken by plaintiffs to civilian courts. On the basis of the evidence to date, the conclusion appears inescapable that, with the exception of the navy court-martial of the *Elli* torturers and perhaps a few local police (gendarmerie) trials, there would have been no torture trials at all had the initiative been left entirely to the prosecuting authorities acting either *ex officio* or on behalf of the new government. As a result of this method of investigation and prosecution, there are cases of torturers who will not be tried because their victims refused to sue privately believing as a matter of principle that it was the state's responsibility to prosecute the torturers without the pressure of private lawsuits.

According to a government assessment given to Amnesty International in December 1976, there have been "more than 400 torturers' trials"¹ held in various towns and cities of Greece since the fall of the Junta (see Appendix B for a partial list). It would be impossible in this Epilogue to evaluate or even to summarize more than a few of the major ones. A second trial of ESA officers and soldiers ended in December 1975 in which, because of the de-centralized system of prosecution, some defendants at the first trial were prosecuted again as a result of private lawsuits by a different group of plaintiffs. The appeals from both courts-martial were heard in March 1976, and many sentences were substantially reduced. Naval officers who tortured civilians and naval personnel on the ship *Elli* were also tried in December 1975. All their sentences were subsequently suspended on appeal except one, which was reduced from eight to two years.

The Athens security police (*Asfaleia*) were even more pampered by the courts. At the first security police trial, at Chalkis in November 1975, four cases were dropped, four other policemen were acquitted, and the remainder given sentences of under one year, which were then suspended or commuted by payment of a fine.

Only in September 1976 did the trial of a handful of Athens gendarmerie

¹The government's statement is unclear in that it does not indicate whether there have been 400 trials of torturers or 400 torturers on trial. In April 1976 Mr Panayotis Lambrias, the Assistant Minister to the Office of the Prime Minister, told Mr James Becket that there had been approximately 100 trials of torturers (see *International Herald Tribune*, 27 April 1976, letters to the editor). It is impossible for Amnesty International to verify these figures. We note that when we sought information concerning the number of trials, their locations, the defendants, charges, verdicts and sentences from the Ministry of Justice and the Greek Embassy in London on four occasions in 1975 and 1976, we were informed (on the last occasion) that there were no central records of the trials and thus no means of answering our inquiries. We would welcome detailed information from the Ministry of Justice concerning these trials.

and a second trial of Athens security policemen begin. A year earlier the Greek press had reported that 150 gendarmerie and security police officers and men from the Athens area would be tried for acts of torture. After depositions were taken, the lower courts recommended the trials of only 28. Subsequently the Court of Appeal dismissed charges against 12 of the 28 and reduced the charges against the remaining 16 from felonies to misdemeanors. Of these, only 13 were tried; seven officers and one policeman from the Athens security police headquarters on Bouboulinas Street, plus a separate trial for five gendarmerie officers and men from the northern Athens suburb of Nea Ionia. They were charged with involvement in acts of torture dating from April 1967. The gendarmerie officers were given sentences of up to six years.¹ Once again, however, the security police were let off lightly: two acquittals, three sentences of between one and two years, and three sentences of under one year — which under Greek law may be commuted by payment of a fine. Inspector Vasilis Lambrou (retired), former deputy head of the Athens security police, named as a torturer by Amnesty International in 1968 and by the Council of Europe in 1969, walked away a free man after paying a £750 fine in lieu of serving the 10-month sentence he received on conviction.

The security police trials at Chalkis in November 1975 and at Rouf in September/October 1976 suggest a disturbing reluctance on the part of both prosecutors and the judiciary to deal with the leading security police torturers in an exemplary manner. At these trials prosecution witnesses were intimidated in court by the prosecution itself. For example, at the Rouf trial the prosecutor, Mr Menelaos Pegiadis, accused one prosecution witness, an actress, of writing a scenario for her evidence. He also encouraged the court to dismiss charges against the defendants related to a prisoner's miscarriage following her maltreatment (she had been beaten and pushed down steps). The court subsequently ruled that although the woman had protested to the security policemen that she was pregnant, they had not known this to be a fact when they maltreated her, and therefore the court dismissed these charges. When light sentences were handed down, the prosecutor, who had in fact asked for such sentences, then appealed the sentences because they were too light. As of this writing, the appeal has not been heard, but the Athens Chief Prosecutor has declined to appeal for a re-trial, so only the lesser appeal against the sentences will go forward.

Many prosecution witnesses have recently refused to participate, except under compulsion, in trials they feel to be biased in favour of the accused torturers. Dr Stefanos Pandelakis, for example, told a British Amnesty International member in Athens in December 1976:

¹On appeal, however, the single six-year sentence was reduced to 23 months; two of the officers were acquitted, and the sentences on the remaining two officers were commuted to fines.

I think the important thing is not just to punish one or two people, but to destroy the structure of torture, and nothing has been done in this field. I therefore think it is of no use my attending further trials as a witness. For example, in one of the trials where the security police of the suburbs were on trial, about 120 accused were on the list, but only five were brought to trial; all the others were sent home even before being tried. When so many have participated and only five are charged, this is a trick and I refused to go as a witness.

At another trial, I attended the first hearing even though I felt that it was a comedy and, in fact, said so to the court. So many are not only free but still hold their posts — my personal torturer is still a police officer — that I did not see the point of my telling my personal miseries at the trial. Many witnesses, including me, refused to attend again and we were fined 2,000 drachmas each. The next hearing is due in January and I don't intend to go. . . .

At the October 1976 gendarmerie torturers' trial, Professor Dionysios Karagiorgas raised the even more disturbing question about the continuing presence of torturers among the security police. "I appear under compulsion . . ." he said. "After this I shall not testify. The torturers are still serving in the security." In support of the latter allegation the Athens newspaper *Kathimerini* on 14 October 1976 published the names of high-ranking Junta security agents who are still in positions of power. Ioannis Iliadis, for example, formerly the commander of the Agia Paraskevi Gendarmerie (a torture center) and who was also responsible for Papadopoulos' security at Lagonisi, is now Head of V.I.P. Security, and as such is in charge of security operations for the President of the Republic.

In examining the record of trials since the first ESA torture trial, Amnesty International is disturbed by how many of the Greek torturers appear not to have been brought to trial; by how frequently the trials that took place resulted in acquittals, suspended or commutable sentences; and by the large number of substantial reductions of sentences on appeal. The procedures whereby the trials were initiated and conducted also cause concern. The privately initiated prosecutions have been almost the sole basis for initiating public prosecutions. In addition, the government passed a law (the 4th Constitutional Act) in January 1976 fixing a time-limit on the period during which victims could bring the civil suits that would initiate prosecutions against those responsible for torture: from the date of enactment of the laws, six months for high Junta officials and three months for other officials. No implementing law has been incorporated in the Greek Penal Code to make torture a specific offence under domestic criminal law. Little has been done to afford redress and compensation to the many victims of torture.

Prior to and during the preparation of this report Amnesty International

broached these concerns to representatives of the Greek government as well as to independent Greek lawyers, and we have taken into account their responses in seeking to assess the overall approach of the Greek government to the prosecution of torturers.

Amnesty International recognizes that any democratic government that succeeded the Junta would inherit a highly complex political and legal environment, and that any new government's task of censuring the torturers of the old regime would have to take the circumstances of the day into account. Amnesty International also acknowledges that the government has created or retained the judicial prerequisites for the prosecutions, which in turn set in motion the trials. While welcoming this progress, Amnesty International nevertheless remains critical of the limited nature of these actions in that they have failed to ensure the investigation and prosecution of all the Junta's torturers and have not provided adequate legal censure for many of the torturers who have been brought to trial.

Both informally and in comments submitted to Amnesty International the government has argued that it was faced with the choice between geographical dispersal of the trials and the establishment of special courts for the centralized prosecution of the accused torturers. It chose geographical dispersal on the grounds that trials held in various towns and cities would fulfil the elementary norm of meting out justice in the place where the crimes were allegedly committed. It chose to allow individuals citizens to initiate the majority of the prosecutions on the grounds that Greek law has traditionally provided for this means of criminal prosecution against other citizens and that the private citizen should have the possibility of exercising this right even against public officials.

Amnesty International of course respects the right, which is indeed the duty, of every government to make the choice appropriate to its country's national traditions and legal system that will ensure the best implementation of a policy of justice for its citizens. What is important is that the choice made should be effective and should result in the dismantling of the security procedures which permitted torture and other abuses of authority. Likewise, it should ensure that those responsible for crimes of torture in the past are properly prosecuted. Amnesty International understands that special courts would not be required in Greece for a more thorough investigation of the Junta's security forces which were involved in torture. Thus all the torturers could be brought to justice, and special legislation would not be needed to encourage prosecutors to initiate more prosecutions against torturers where the evidence warrants it. Such would be possible, for example, under Article 129 of the Code of Penal Procedure.

Moreover, public prosecutors in Greece are empowered to initiate prosecutions, *ex officio* or as a result of lawsuits lodged with them by public authorities, by the aggrieved parties, or by any other private

citizen. Given that torturers often hide their identities and are not known to their victims by name (as was true in many instances in Greece), it was inevitable that private lawsuits alone would not bring about the needed investigations and prosecutions. Consequently, it remains to the public prosecutors and other public authorities, including the government, to assure the fullest possible investigation and prosecution of torturers.

Since the Minister of Justice has the right and presumably the duty to ask for the investigation and prosecution of any criminal offence under Article 30 of the Penal Code, it is fair to ask why this right has not once been exercised on torture cases. Likewise, under Greek law it is possible for the government to establish teams of investigators under the authority of the public prosecutors, but this, too, has for some reason not been done. These possibilities for legal action would appear to Amnesty International to lie within the range of responsibilities of the office of the Minister of Justice in that these responsibilities include, when necessary, the initiation, limitation and postponement of prosecutions. Similarly, it would appear possible for the government to effect these actions through the public prosecutors, who are responsible in a pyramidal hierarchy of public prosecutors and chief prosecutors, including the Chief Prosecutor of the Supreme Court, to the Minister of Justice.¹

The long-standing provisions under Greek law for privately initiated lawsuits against state officials or former officials offer private citizens a significant additional possibility for recourse against injustice. Nevertheless, with regard to the recent and current torturers' trials, Amnesty International believes that the major burden of initiating investigations and prosecutions against members of the Junta's security forces should not have fallen on private individuals. More initiative should have been and could still be taken centrally by the competent authorities. This would mean simply the implementation — within Greece's existing laws — of Article 9 of the 1975 UN declaration against torture: "Wherever there is reasonable ground to believe that an act of torture as defined in Article 1 has been committed, *the competent authorities of the State concerned shall promptly proceed to an impartial investigation even if there has been no formal complaint.*" (emphasis added)

As it is, some torture victims, left to act on their own, have found it impossible to collect the kind of evidence required by the public prosecutors. For example, despite the fact that torture does not always leave objective signs, there are cases where public prosecutors have refused to pursue complaints brought by plaintiffs because they could not prove precise

¹Under Article 93 of the "Court's Regulations", i.e., the laws governing the function and personnel of the courts, the Supreme Court Chief Prosecutor is obliged to follow the instructions of the Minister of Justice.

physical damage to themselves. Other torture victims whose physical damage was apparent have been required by public prosecutors to prove that they were physically sound before their torture, the most extreme example of which was the torture victim who had lost a testicle as a result of torture and whose case was not pursued on the grounds that he could not prove that he had had two testicles before his torture.

With regard to the time-limit placed by law on the filing of private lawsuits against torturers (six months for high Junta officials and three months for other officials), the government argues that its intention "was to create a sense of urgency in dealing with torturers and in bringing them before Justice within the shortest time possible in response to public opinion in the country". The purpose of the relatively short delay was to "speed up the prosecution of these crimes and to ensure that those accused of torture should stand trial within the same period of time, taking also into account the fact that, by its very nature, evidence of torture is not easily preserved".¹

Whatever their intention, the deadline introduced by the government has clearly hampered the course of justice. Two-thirds of the privately initiated cases against accused torturers were dismissed by the courts on the grounds that the torture victims filed their private lawsuits with the public prosecutors one day too late. By this interpretation, the legal deadline was three months of 30 days each despite the plaintiffs' argument that two of the three calendar months had 31 days. Thus those torture victims who waited until the last day to file their lawsuits — the vast majority — either in protest against the state's failure to take the initiative or in order to collect as much evidence as possible, found that the courts dismissed their complaints on a procedural technicality. Torture allegations should not be dismissed on a quibble.

Although the government's justification for introducing such a deadline provides an interpretation of its necessity, the actual result is disturbing. It would not seem reasonable to deny torture victims a hearing in court on the basis of these particular court rulings, at least not without an appeal against the rulings by the competent public authorities, specifically the Minister of Justice.

In response to the criticisms of too many acquittals and of excessively sharp reductions of sentences on appeal, the government has replied that "nothing warrants the challenging of judicial decisions taken by independent courts". Amnesty International does not find this logic persuasive, because if taken to its conclusion, it would undermine the process of appeal itself, over which the Minister of Justice exercises responsibility. Some of

¹These statements appear in a Memorandum submitted by the Greek government to Amnesty International in December 1976.

the decisions of the lower courts have been patently questionable, as for example the acquittals of defendants against whom substantial testimony was heard in public hearings at the Council of Europe, or the sentences awarded to convicted torturers that were altogether incommensurate with the seriousness of the crimes committed. Nor has the government sought to appeal any of the preliminary decisions of the Judicial Councils, which prior to trials before the competent courts have reduced the charges against numerous torturers from felonies to misdemeanors. Nor did it lodge any appeal "for the sake of the Law" (Article 479, paragraph 2 and Article 483, paragraph 3 of the Greek Code of Penal Procedure), which at least would affect the charges brought in succeeding cases if not in the case under consideration.

In Article 7 of the new Greek Constitution there is a general prohibition against torture. This is not dissimilar to the torture prohibitions that have been a part of every Greek constitution since 1822, including those promulgated by the Junta in 1968 and 1973. What is still lacking, however, is an implementing law which would make torture *per se* a crime under Greek penal law. Amnesty International was informed in December 1976 by the Greek government that it has under consideration the introduction in Parliament of just such an implementing law. There are indications, however, that similar legislation was under consideration at least as early as the autumn of 1975, and Amnesty International is aware of no compelling reason for the delay. By its failure to act promptly the government risks giving the impression that it regards torture as a mere misdemeanor. On the other hand, the introduction of an implementing law, while not interfering with the independence of the judiciary and while not implying retroactive application, would be a timely indication that from the government's point of view torture is a serious, not a minor, offence.

Amnesty International is likewise concerned about the need for just compensation to the victims of torture, some of whom suffer long-term disabilities. In response to queries (see Appendix E), the Greek government has pointed to the provisions in the Greek Penal Code and the Code of Penal Procedure that allow torture victims to seek compensation. It is equally true, however, that few torture victims have come forward to claim compensation. This is almost certainly caused in part by the fact that the legal procedures are lengthy and expensive, with a century-long history of unsuccessful suits against the state. In the Penal Court claims for compensation can only be categorized (i.e., as warranting substantial compensation or merely symbolic compensation for "moral damage"), and this only if the plaintiff is accorded "partie civile" standing in the criminal proceedings. Claimants must then obtain transcripts of the criminal court proceedings at their own expense, and their lawsuits in the civil courts often take three to five years to reach conclusion. In the military courts, where many

of the torture trials have been held, plaintiffs are not allowed this status and therefore cannot seek compensation, even for "moral damage".

The Greek government, to Amnesty International's knowledge, has awarded compensation to only one torture victim, and in his case the award was indirect. The case for compensating Colonel (formerly Major) Moustaklis was of obvious validity, but rather than receiving compensation for his disabilities caused by torture, he was promoted, thus gaining him a higher pension. An opportunity to set a precedent was lost. It would be a generous sign of the government's desire to aid torture victims directly, and would also be in accordance with the spirit of Article 11 of the 1975 UN declaration against torture, if the Greek government simplified the procedures whereby torture victims could seek such compensation.

Amnesty International believes that torture is a crime against humanity. As such it is an affront to the whole human community wherever and whenever it occurs. The procedures whereby governments and nations seek to punish the torturers are therefore of international interest and concern. The achievements of the first torturers' trial in Greece were significant for all nations; the shortcomings of subsequent prosecutions are a disappointment. For it is not only Greece that is deprived: a more consistent policy of model justice could act as a warning to would-be torturers in all societies and as an encouragement to decent officers and men who are trapped in other torture systems and who wish not to obey orders that violate the most basic human rights. Amnesty International offers these comments on the Greek experience in the hope that Greece itself will complete the task it has begun and in the belief that other nations can learn from Greece's example.

In order that the positive precedent of the first ESA trial be applied to accused torturers throughout the Junta torture agencies, Amnesty International respectfully urges the Greek government to initiate further and more thorough investigations within all the Junta's torture agencies, thereby definitively dismantling the machine that made torture both possible and permissible. Such investigations would assure public opinion at home and abroad that *all* the torturers have been brought to trial. Amnesty International further recommends that the implementing law against torture now being considered by the government be forthwith incorporated in the Greek Penal Code and the Military Penal Code so that torture will become a specific offence under domestic criminal law. Finally, Amnesty International urges the government to ensure redress and compensation to the hundreds of victims who have suffered torture.

Each of these recommendations is based on the 1975 United Nations Declaration on the Protection of All Persons from Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, wherein responsibility is placed on the state to provide the machinery for complaints,

trials and compensation. Amnesty International respectfully urges the Greek government to lead the way to full implementation of this declaration. By implementing a consistent domestic policy of indicting political torturers under criminal law and of convicting them publicly as criminals, the Greek authorities could set a precedent of truly international significance and could fulfil the great hopes that their early measures raised after the return of civilian government to Greece in 1974. Their actions would hasten the day when violence as an acceptable political means or valid military order is demonstrably and finally destroyed.

APPENDIX A

Summary of Verdicts and Sentences at the First ESA Trial

1. Officers

Antonopoulos, Dimitrios. By unanimous vote guilty of insult to a non-serving (i.e., retired) superior and of simple participation in violence to a non-serving superior. By three votes to two innocent of abuse of authority in the case of Mrs Tsouderou. By unanimous vote guilty of abuse of authority in four instances. Sentence: six years' imprisonment.

Diamantopoulos, Pavlos, Commandant of Piraeus ESA section. By unanimous vote guilty of moral responsibility for simple physical injury. By three votes to two innocent of abuse of authority. Sentence: two years' imprisonment.

Georgiou, Andreas. Acquitted by three votes to two.

Goros, Petros. By unanimous vote guilty of simple and minor physical injury. Sentence: six months' imprisonment non-suspended and non-commutable.

Hajizisis, Nikolaos. By unanimous vote guilty of repeated abuse of authority, of violence to a non-serving superior, of simple physical injury, of severe physical injury, of two instances of insult to a non-serving superior, of three instances of moral responsibility for severe physical injury and of moral responsibility for simple physical injury. Sentence: 23 years' imprisonment plus 10 years' deprivation of political rights.

Kofas, Dr Dimitrios. By unanimous vote guilty of violation of duty in 11 instances. Sentence: seven years' imprisonment.

Kouloumvakis, Michail. By three votes to two innocent of abuse of authority in two instances. By unanimous vote innocent of moral responsibility for severe physical injury in the case of Lambiris.

Nikolopoulos, Ilias. By three votes to two innocent of abuse of authority.

Oikonomou, Theofanis. By unanimous vote guilty of simple participation in abuse of authority in three instances. Sentence: one year's imprisonment suspended for three years, non-commutable by payment.

Papacharalambous, Dimitrios. By unanimous vote innocent of abuse of authority in the case of Professor Georgiou. By unanimous vote guilty of abuse of authority in three instances. Sentence: two years' imprisonment.

Petalas, Fotios. By unanimous vote guilty of violence to a non-serving superior in two instances. By three votes to two innocent of insult to a non-serving superior and of abuse of authority in three instances. Sentence: four years' imprisonment.

Spanos, Anastasios. By three votes to two innocent of illegal detention in the cases of Koumelis, Apostolakis and Minis. By unanimous vote guilty of abuse of authority in 15 instances. By three votes to two innocent of insult to a non-serving superior in the case of Panagiotareas. By unanimous vote guilty of insult to a non-serving superior in two instances. By three votes to two innocent of direct participation in severe physical injury and of simple physical injury. By three votes to two guilty of violence to a non-serving superior. Sentence: 20 years' imprisonment plus 10 years' deprivation of political rights.

Theofiloyannakos, Theodoros. By unanimous vote guilty of abuse of authority in 15 instances, of moral responsibility for simple physical injury in two instances, of simple physical injury, and of severe physical injury to Konstantopoulos, though the tribunal accepted by a vote of three to two that this injury was not intended by the defendant. By three votes to two innocent of detention in violation of the Constitution. Sentence: 20 years' imprisonment plus 10 years' deprivation of political rights.

Tsalas, Georgios. By unanimous vote guilty of violence to a non-serving superior in two instances. By three votes to two innocent of insult to a non-serving superior in the case of Papadongonas. By unanimous vote guilty of insult to a non-serving superior in three instances. By three votes to two innocent of abuse of authority in the case of Karimitsos. By unanimous vote guilty of abuse of authority in seven instances. Sentence: 15 years' imprisonment plus 10 years' deprivation of political rights.

2. Other Ranks

Angelis, Ioannis. By unanimous vote guilty of violence to a non-serving superior in six instances and of direct participation in abuse of authority in seven instances. By unanimous vote innocent of severe physical injury in the case of Moustaklis but guilty of simple physical injury in the case of Pangalos. By unanimous vote innocent of insult to a non-serving superior in two instances. Sentence: five years' imprisonment.

Barlias, Anastasios. By three votes to two innocent of dangerous physical injury, by reason of legal error.

Blionas, Iraklis. By three votes to one [sic] innocent of simple physical injury and direct participation in abuse of authority, by reason of legal error.

Botis, Michail. By three votes to two innocent, by reason of legal error.

- Demertzidis, Evangelos. By unanimous vote guilty of simple physical injury in 10 instances. Sentence: four years' imprisonment.
- Gountevas, Christoforos. By unanimous vote guilty of physical injury. Sentence: five months' imprisonment suspended for three years but non-commutable by payment.
- Kainich, Nikolaos. By unanimous vote guilty of simple physical injury in nine instances. Sentence: three years' imprisonment.
- Kambanas, Georgios. By three votes to two innocent of physical injury in four instances and of simple physical injury, by reason of legal error.
- Lavranos, Alexandros. By three votes to two innocent of direct participation in abuse of authority and violence to a non-serving superior.
- Litsas, Dimitrios. By three votes to two innocent of direct participation in abuse of authority in the case of I. Starakis and also innocent of the same offence in three instances, by reason of legal error.
- Makriyannis, Nektarios. By three votes to two innocent of direct participation in abuse of authority, by reason of legal error.
- Mouratidis, Anthimos. By three votes to two innocent of dangerous physical injury, by reason of legal error.
- Mouyanos, Christoforos. Charged with repeated physical injury. (*in absentia* because abroad and not summonsed).
- Petrou, Michail. By unanimous vote guilty of violence to a non-serving superior in 11 instances, of direct participation in abuse of authority in 12 instances and of simple physical injury in two instances. Sentence: six years' imprisonment.
- Sougioutzoglou, Stylianos. By three votes to two innocent of direct participation in abuse of authority in the case of I. Starakis and innocent of the same offence in three instances, by reason of legal error.
- Stambolidis, Dimos. By three votes to two innocent of simple physical injury and of direct participation in abuse of authority, by reason of legal error.
- Starakis, Georgios. By three votes to two innocent of direct participation in severe physical injury, by reason of legal error.
- Youlis, Spyridon. By unanimous vote innocent of direct participation in abuse of authority.

APPENDIX B

Partial List of Other Torture Trials in Greece

There have been 100 to 400 torture trials in Greece. Because there appears to be no central record of these trials, any list would of necessity be very incomplete. Furthermore, the charges against the defendants in these trials are usually recorded only as assaults of various kinds or as abuses of authority (rather than as "torture"), thus making it even more difficult to compile a central record that distinguishes a "torture trial" from a more ordinary local criminal proceeding. Therefore, the following list summarizes only the major trials of the various security agencies — ESA, the navy, the gendarmerie and the Athens security police.

1. Other ESA trials

a. The second ESA trial

Date: 13 October — 9 December 1975

Jurisdiction: Athens Permanent Court Martial

Chairman: Brigadier Belkas

Prosecutor: Lt. Colonel Konstantinos Anargyros

Charges: Related to the last year of the dictatorship but not including offences against senior officers

Defendants and sentences:

Angelis, three years

Antonopoulos, two and one-half years

Goros, three years

Hajizisis, five years

Manousakakis (Lt. Colonel), two years

Petalas, two years

Petrou, 18 months

Simos (Major), 22 months

Spanos, five years

Theofiloyannakos, seven years

Tsalas, four years

The following defendants were given suspended sentences:

Anastasopoulos (Major), six and one-half months

Dotas (Captain), one year

Georgakopoulos (Major), one year
 Kollios (Warrant Officer), one year
 Mantzoros (soldier), 10 months
 Mouratidis (soldier), one year
 Papageorgiou (Lt. Colonel), eight months
 Sidiropoulos (Second Lieutenant, reserves), eight months
 Tsoulas (Captain), 32 months

The following defendants were acquitted:

Bellos (Major)
 Boufas (Lt. Colonel)
 Denelavas (soldier)
 Gountevas (Sergeant-major)
 Katsaounis (Major)
 Kesikidis (Warrant Officer)
 Panayotidis (soldier)
 Papacharalambous (Major)
 Triantafyllopoulos (Major)
 Vyzaniaris (Second Lieutenant, reserves)
 Zacharakis (Lt. Colonel)

In addition the prosecution dropped charges against the defendants Giaouris and Michalis. Eleven of these defendants were also defendants at the first ESA trial: Hajizisis, Theofiloyannakos, Spanos, Goros, Tsalas, Antonopoulos, Petalas, Papacharalambous, Gountevas, Petrou and Angelis.

b. The ESA appeals trial

On 22 April 1976 a Military Appeals Court reduced the sentences passed on several defendants, including the commanding officers. This Appeals Court considered the cumulative sentences on some ESA officers and soldiers from the two ESA trials. Hajizisis' cumulative sentence was cut from 28 years to 22 years; Theofiloyannakos' cumulative sentence was reduced from 27 years to 21 years, and Spanos had his 25-year cumulative sentence reduced to 17 years. Almost all the remainder had their sentences either suspended or cut by about half.

2. Naval torturers' trial

Date: 8 — 12 December 1975

Jurisdiction: Naval Court Martial

Chairman: Major-General Plevrakis (from the army legal service)

Prosecutor: Colonel Tzoumakas (from the army legal service)

Charges: abuse of authority, violence against an inferior, simple physical injury, participation in abuse of authority and moral responsibility for abuse of authority

Defendants and sentences:

Dakoulas (Coxswain, retired), two years

Evangelopoulos (Vice-Admiral, retired), eight years
 Kamarineas (Captain, retired), seven years
 Kiosses (Commander, retired), eight years
 Somaripas (Coxswain, retired), 18 months
 Tsipouridis (Petty Officer), six months, suspended

On appeal all of these sentences were suspended except Kiosses' sentence, which was reduced to two years.

3. Gendarmerie trials

a. Athens gendarmerie trial (officers from the Athens suburb of Nea Ionia)

Date: 28 September — 14 October 1976

Jurisdiction: Athens Court of Appeal

Venue: Women's wing of Korydallos Prison, Piraeus (for security reasons)

Chairman: I. Daskalopoulos

Prosecutor: S. Merianos

Charges: inflicting bodily injuries, threats, illegal detention and abuse of authority

Defendants and sentences:

Favatas, Vasilios (Lt. Colonel, retired), six years

Karabatsos, Konstantinos (Lt. General, retired), three years

Karageorgis, Georgios (Lt. Colonel), 28 months

Moroyannis, Mavroidis (Captain), 38 months

Tsavaras, Xenophon (Lt. General, retired), three years

The ruling of the appeal from this trial was given on 5 February 1977.

Favatas' sentence was reduced from six years to 23 months; Karabatsos' and Tsavaras' convictions were quashed; and Karageorgis' and Moroyannis' sentences were commuted to fines.

b. Twenty-one gendarmerie officers were tried at Chanea (Crete) from 13 to 15 October 1976, on charges of maltreating detainees in Heraklion. The trial opened with a joint statement from the defendants expressing regret for the maltreatment of their victims and repudiating torture. The plaintiffs then withdrew the charges, but the trial proceeded. The court passed suspended prison sentences of four to ten months on three officers and acquitted the other eighteen. (Gendarmerie trials are also known to have taken place in Patras and Amfissa.)

4. Athens security police (*Asfaleia*) trials

a. The first Athens *Asfaleia* trial

Date: 11 — 30 November 1975

Jurisdiction: Chalkis Mixed Criminal Court

Venue: Chalkis

Chairman: Athanasios Poulos (with five jurymen)

Prosecutor: Evthymios Markakis

Charges: physical injury, severe physical injury, moral responsibility for physical injury and severe physical injury, and abuse of authority

Defendants and sentences:

Babalis, charges dropped on legal technicality

Gogos, five months suspended sentence

Kalyvas, did not appear because he was standing trial in the Poly-technic case at the time

Kanellos, acquitted

Karapanayotis, acquitted

Kotsakis, acquitted

Kravaritis, charges dropped on legal technicality

Loukopoulos, four months suspended sentence

Mallios, 10 months sentence commutable by payment of a fine of 150 drachmas a day

Pavlou, four months suspended sentence

Smailis, charges dropped on legal technicality

Tsikripis, charges dropped on legal technicality

Zouzoulas, acquitted

b. The second Athens *Asfaleia* trial

Date: 17 September — 12 October 1976

Jurisdiction: Athens Permanent Court Martial

Venue: Rouf

Chairman: variously reported as P. Moschonas or D. Kostas

Prosecutor: Menelaos Pegiadis

Charges: severe physical injury, abuse of authority, intimidation, etc.

Defendants and sentences:

Babalis, two years

Kallivas, 11 months commutable by payment of a fine

Karapanayotis, 15 months

Karathanassis, acquitted

Kravaritis, 11 months commutable by payment of a fine

Lambrou, 10 months commutable by payment of a fine

Mallios,¹ 17 months

O. Spanos, acquitted

On the first day of the trial charges against the defendants Chrystakis, Gerakios and Vasilakopoulos were dismissed because the civil suits against them had been wrongly dated.

¹Former Lieutenant-Colonel Evangelos Mallios, at one time head of intelligence with the Athens *Asfaleia*, was assassinated on 14 December 1976.

APPENDIX C

Excerpt on Torture from Amnesty International's Report "Situation in Greece", January 1968

The following account presents in summary form the evidence the Amnesty International Delegation took from the 16 people they saw who reported that they had been tortured, and from the 32 people still in prison about whose cases they received second-hand evidence which they found convincing because it was in many cases corroborated.

Organisations, Places and Persons Engaged in Torture

Torture as a deliberate practice is carried out by the Security Police (*Asfaleia*) and the Military Police (*Elliniki Stratiotiki Astynomia*). The Delegation heard first-hand evidence that the army and the gendarmerie also carried out torture, but it was difficult to determine if these were isolated cases or standard procedure.

Those whose names are most frequently mentioned as directing and carrying out torture are: Inspector Lambrou, the Director of the Security Police Headquarters in Athens at Bouboulinas Street, and the following officers — Mallios, Babalis, Karapanayotis, Kravaritis, Spanos, Yannikopoulos, all of the same office; Major Theophiloyannakos of the Military Police located at the Dionysos Camp outside Athens. Others mentioned frequently were Zagouras at Dionysos, Lt. Kapoglou, Director of *Asfaleia* at Aigeleo, and Kouvas of the *Asfaleia* in Piraeus.

The places where the most serious torture was reported in the Athens area are the Bouboulinas *Asfaleia*, Military Hospital 401, and the Dionysos camp.

Techniques of Torture

A. Physical Torture

1. The standard initial torture reported from every *Asfaleia* station is the so-called *falanga*. The prisoner is tied to a bench and the soles of his feet are beaten with a stick or pipe. Between beatings the prisoner is usually made to run around the bench under a heavy rain of blows. We examined

the feet of a person who suffered this treatment four months before and his sole was covered with thick scar tissue. One prisoner now in Averoff prison had his foot broken under this torture. As he went without medical attention, the bones have not set properly and he is crippled. The next step in this method is to strike the prisoner on the sternum. Prisoners vomiting blood from the lungs have generally undergone this treatment. *Falanga* is almost always accompanied by other inflictions of pain on the prisoner. In general five or six men are engaged in the torture of one prisoner. Common methods accompanying *falanga* are: pouring water down the mouth and nose while the prisoner is screaming from pain; putting "Tide" soap in the eyes, mouth and nose; banging the head on a bench or on the floor; beating on other parts of the body, etc.

2. Numerous incidents of sexually-orientated torture were reported. In the case of women, the torturers shove as many fingers as possible, or an object, into the vagina and twist and tear brutally. This is also done with the anus. A tube is inserted into the anus and water is driven into the prisoner under very high pressure. In the case of men, beatings on the genitals with long, thin sandbags have frequently been reported. One trade unionist was beaten so much that a testicle was driven up into his body.
 3. Techniques of gagging are frequently reported. The throat is grasped in such a way that the windpipe is cut off, or a filthy rag (often soaked in urine) is shoved down the throat. Suffocation is prevented only at the last moment.
 4. Beating on the head with sandbags or beating the head against the wall or floor are standard procedure. Many cases of concussion have been reported.
 5. Beating naked flesh with wires knotted together into a whip.
 6. Prisoners have been hung up for long periods of time. Usually the wrists are tied behind the back and the prisoner is suspended from the wrists.
 7. Jumping on the stomach.
 8. Tearing out the hair from the head and from the pubic region.
 9. Rubbing pepper on sensitive areas of the body, such as the genitals, under-arms, eyes, nose, etc.
 10. Pulling-out toe-nails and finger-nails.
 11. Different methods of inflicting burns, including putting out cigarettes on parts of the body.
 12. Use of electric shock. This is done at Military Hospital 401 and unconfirmed reports state that it is done at the *Asfaleia* Station at Bouboulinas.
- Physical beatings by the army and police as a method of intimidation and interrogation are general. Physical beating can be classified as torture if it is done in a systematic way. One man of over sixty contacted by the

Delegation was beaten at regular intervals for more than 12 hours. He suffered broken ribs but reported that young people were beaten steadily for periods of up to five days. Generally from four to six men beat a prisoner with their fists and kick with their booted feet, or use instruments such as planks, pipes, canes, etc. At the Dionysos camp, which houses Greece's elite soldiers, prisoners are made to run a gauntlet. A reliable second-hand report from this camp is that a man literally had his eye knocked out of his head. The Amnesty International Delegation spoke with others who had broken ribs, noses, ear-drums, etc.

B. Non-Physical Torture

Many informants who have undergone torture consider that the non-physical methods were more difficult to bear.

1. Certain prisoners are intentionally moved to cells within ear-shot of other prisoners who are being violently interrogated. This has caused a number of nervous break-downs. One informant said that listening to the cries of the others was worse than undergoing the torture, one wanted to run in and be beaten rather than listen to the sufferings of another. It is reported that Mikis Theodorakis, the composer, who was never physically tortured, suffered a nervous collapse under this method.
2. Conditions of detention in some places are particularly bad. One technique is to leave the prisoner in a tiny, dark, cell, without food, water or blankets, for some days. The cells at Dionysos, which are cut into the side of Mount Pendeli, have 10 centimetres of water in them all the time. There is an iron bench in the cell. As prisoners held here are not allowed to go out of the cells, the water is filled with their own excrement. The cells in the basement of Bouboulinas used for solitary confinement are full of vermin.
3. Threats to kill, maim and rape. People who had been tortured were often told that it would be repeated at a certain hour in the night, and were kept in constant terror by threats that they would have to undergo again what they had just experienced.
4. Stripping prisoners naked is particularly effective in Greece, where the association of nakedness with shame is very strong in the culture.
5. Mock executions were frequently reported. The prisoner faces a firing-squad, is blindfolded and the rifles are fired. Some prisoners experienced this more than once. It is often done at Kaisariani, in the place where war-time executions took place.
6. Signing declarations is considered by many to be the most inhuman technique of the regime. Compulsion to sign a paper denouncing parents, wife or political beliefs particularly affects a person of highly developed conscience and ideals. This is used in a deliberate way to break down the

spirit of the prisoner. The expert in these matters is Mr Tournas, promoted to be Director of Greek Prisons under the regime. He begins by getting the prisoner to sign something innocuous, then tears up the paper, and makes the prisoner renounce more and more that he holds sacred. The Delegation interviewed people who had signed under this pressure, and all were in some sense broken. One particularly moving case was that of a man who signed in order to be free to see his daughter who was dying of cancer. She died before he was released and he has had a nervous breakdown.

The Security Police and the Military Police are unrestricted today in Greece. Since, in Mr Pattakos's words, "the laws sleep", the police may arrest anyone, in any place, at any time, with no obligation to charge him or inform anyone of his arrest. Believing that their own position is threatened by opposition to the government, they have reacted brutally to those engaged in opposition. Those who have particularly suffered at the hands of the security forces are the young people, those who are not known abroad, and those believed to be of the left.

27 January 1968
Amnesty International
[excerpt]

APPENDIX D

*Excerpt on Greece and the Council of Europe from
Amnesty International's Report on Torture, 1975*

During the summer of 1969 the Sub-Commission was drafting its Report. There was considerable behind-the-scenes negotiation. Efforts were made, as required by the Convention, for the two parties to come to a "friendly settlement". The Greek government as a result of these negotiations signed an accord with the International Committee of the Red Cross giving them free access to all detention places in Greece, including police stations. The stumbling-block in negotiations appears to have been over a time-table for elections and the restoration of democracy. The Scandinavians demanded a fixed date for elections, but the Greeks were unwilling. The Report was submitted to the full Commission and adopted on 5 November 1969. It was sent to the Foreign Ministers of member states on 18 November 1969. The Report found that torture was an administrative practice of the Greek government. A confrontation was building up for the Council of Ministers meeting of the Council of Europe in Paris on 11 December, a confrontation between those countries who wished to expel Greece and those who wished to keep it in and thus retain influence over it.

The US government, while not a member of the Council of Europe, had played an active diplomatic role from the beginning. Diplomatic pressure had first been put on the states bringing the action to abandon it. When the US was not successful in this endeavour, it had its ambassadors in Europe put pressure on the member states of the Council not to expel Greece, urging that this would lead to difficulty within NATO. The US government was in an awkward position: on the one hand all the European States believed only the US could change the situation in Greece, and at the same time the US was defending the regime and arguing that it should remain in the Council of Europe, an organisation based on democratic principles.

The coming clash was sharpened by the leaking of the Report to the London *Sunday Times* and other newspapers. This created a climate of public opinion which the Ministers could not ignore. The Council of Europe had never received so much attention. The Greek delegation

arrived prepared to defend their position and stay in. Despite an eloquent speech by Foreign Minister Pipinelis, the votes were clearly against him, and under orders from Athens he walked out before the vote, and Greece denounced the European Convention of Human Rights. Tanks moved in Greece, flags were ordered flown, but the victory against those who used torture was only a moral victory.

In terms of the European Convention system and in terms of the history of the international protection of human rights, the Greek Case pushed the available international remedies the furthest yet, but these alone were clearly insufficient to stop the practice. Where power counted, in the US government, the Report was nearly ignored.

[excerpt, pages 97-98]

APPENDIX E

Selected Correspondence between the Greek Authorities and Amnesty International

On 22 August 1974 and on several later occasions Amnesty International wrote to Prime Minister Constantine Karamanlis and other Greek government representatives to raise matters, among other issues, concerning the desirability of domestic legislation against torture, the prosecution of all former torturers in Greece, and redress and compensation for torture victims. Secretary General Martin Ennals again raised these and other issues in letters to Mr Karamanlis dated 3 May and 17 November 1976, both of which are among those letters reproduced below.

In reply to the letter of 17 November, with which Amnesty International enclosed a copy of a draft of the Epilogue to this report, the Greek government submitted comments on the Epilogue. Those comments as well as further information received from independent Greek lawyers were taken into account in the Epilogue as now published.

22 August 1974

His Excellency Mr Constantine Karamanlis
Prime Minister
Palais Anaktora,
Athens
Greece

Dear Prime Minister,

On behalf of Amnesty International I would like to express our relief at the decision of your Government to free all political prisoners as soon as you assumed office. This was an historic act which has already been widely acclaimed, both within Greece and internationally.

Throughout the period of the military rule, Amnesty International had been concerned at the use of torture by the Greek authorities as was first proved in the Amnesty International reports in 1968, and subsequently by the Report of the European Human Rights Commission

in 1969. While there has been much publicity with regard to the practice of torture in Greece, it is unfortunate that Greece is by no means the only country where torture has been practised and Amnesty International in 1973 launched a Campaign for the Abolition of Torture and published a report on allegations of torture covering some 60 countries. At an international Conference which we held in Paris on 10th December 1973, it was decided to continue the Campaign and a permanent department has been established within our International Secretariat for this purpose. We have been encouraged by the extent of the response and support which we have received from international non-governmental organisations, as well as from governments. The United Nations General Assembly in 1973 in Resolution 3059, condemned the use of torture by member states and decided to have a further discussion on ways of eradicating it at a future meeting of the General Assembly. The subject will also probably be discussed again under the Report of ECOSOC during the forthcoming session of the General Assembly in the autumn.

During 1974 both Portugal and Greece have undergone changes of government which have resulted in the release of prisoners, including many who have undergone torture under the previous regime. In Portugal, a team of medical experts has been collaborating with the Government in preparing a report on torture practices, particularly with a view to bringing to trial those interrogators who are thought to be guilty. There is furthermore widespread concern amongst doctors and psychiatrists at the long-term effects of torture, a subject which has been studied intensively in Holland and Norway.

On behalf of Amnesty International I would like to request and urge the present Greek Government to undertake its own study of torture practices of the past seven years, both with a view to ensuring that such practices cannot recur in the future and with a view to providing rehabilitation and compensation for the victims of the past. It is our view that such a study and practice would benefit not only the people of Greece but would provide an example to other governments who are at present still using torture against prisoners and detainees and could also provide a model to other countries as a means and procedure whereby the practice of torture can be prevented.

The case against Greece in the Council of Europe was of considerable international significance. It represented one of the first occasions upon which the European Human Rights Conventions were properly applied, despite the lack of cooperation of the then Greek Government. We would now like to propose that on behalf of

the Greek Government, you invite the European Commission on Human Rights to appoint representatives to visit Greece and re-examine the files of the cases which were brought before the Commission, as well as cases of which the Commission at the time was unaware. The results and verification of the cases would provide further strength to the European human rights machinery and so serve to create an example to other states within the European community.

We recognise that you are at present deeply involved in the re-establishment of civilian government as well as in external, international difficulties which keep your time and attention. I would however urge that an opportunity be sought to give serious consideration to the proposal which I have made on behalf of Amnesty International.

I have the honour to be, Sir,

Yours respectfully and sincerely,
Martin Ennals
Secretary General

Greek Embassy
1a Holland Park
London W11 3TP

11 June 1975

Dear Mr Ennals,

We understand that you have written to the Greek Prime Minister concerning the welfare and rehabilitation of persons, who were imprisoned and tortured by the military regime.

We have been instructed to inform you that the old, sick and poor for whom you have expressed your concern could ask to benefit from the provisions of existing legislation such as the Legislative Decree (Nomothetikon Diatagma) 57/73 both for financial help and for free medical treatment. This assistance is supervised by the Ministry of Social Services. The persons you mention can apply for such assistance to local municipal committees set up in each Prefecture if they have no other means of support or are not protected by any other social or medical insurance scheme or organization.

Yours sincerely,
G. Christoyannis
Counsellor

13 November 1975

His Excellency Mr Constantine Stephanakis
Minister of Justice
Ministry of Justice
Socratous and Zenonos
Athens
Your Excellency,

At the most recent meeting of the Amnesty International Executive Committee it was decided to write and eventually to publish an analytical record of the trials of accused torturers that have occurred and will occur in Greece. In the context of our worldwide Campaign for the Abolition of Torture, Amnesty International believes that these trials are of historic importance and should be internationally recognized as precedents for bringing to justice those accused of torture.

Such a study will require the most careful scholarship, and it is in this regard that I am writing to you. We should like to check the quotations in our survey against the official court transcript in order to ensure that there are no errors of fact. I should appreciate hearing from you whether it would be possible for Amnesty International to obtain a copy of the official court transcript of the August/September trial of the 32 enlisted men and officers of the Special Investigation Branch of the Athens Military Police.

Your assistance would be most deeply appreciated.

Yours respectfully,
Han Ehrenstrale
Deputy Secretary General

His Excellency Mr Constantine Karamanlis
The Prime Minister
Palais Anaktora
Athens
Greece
Your Excellency,

3 May 1976

In my letter to you of 14 January 1976 I expressed appreciation on behalf of Amnesty International for the contribution which the Greek government representatives made toward the adoption of the United Nations General Assembly in December 1975 of the Declaration on the Protection of All Persons from Being Subjected

to Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. We are now turning our attention to the measures needed to secure the implementation of this declaration by all governments, including those of countries where the practice of torture has been eradicated. The declaration is addressed to all governments and makes specific provision for the introduction of the appropriate national legislation designed to protect the victims and punish the torturers.

The Greek government is in a unique position to set the example to all other countries in this field, while the very recent experiences of the Greek people are still fresh in the minds not only of those who suffered, but also of the international community as a whole. The recent prosecutions and cases affecting the leading torturers have received worldwide publicity but were nonetheless brought as private prosecutions and were not the result of government action.

The UN declaration on torture provides in article 4 that "each state shall, in accordance with the provisions of this declaration, take effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment from being practised within its jurisdiction". We would welcome a statement by your government that the necessary legislation will be introduced to categorize all acts of torture as criminal offences as proscribed by article 7 of the UN declaration. Clarification as to the judicial procedures to be applied to offenders and the legal courses of action open to the victims of torture would also be particularly valuable and would reinforce the leadership role played by your government in seeking international action to eliminate this utmost abuse of fundamental human rights of those least in a position to protect themselves. An example set by your government would be of real importance.

It has also become apparent in the course of the medical research undertaken in recent months that a sizeable number of former victims of torture in Greece are in need of substantial support in financial, mental and physical terms. The after-effects of torture can be, and frequently are, of a long-term nature and in some cases can prevent the person concerned from full and active participation in society for years, and may even not become apparent in the early period after the torture. Article 11 of the UN declaration provides for the redress and compensation of victims of torture in accordance with national law where it is proved that acts of torture have been committed by or at the instigation of public officials. We would be most grateful for information as to the procedures to be followed by your government to enable victims to benefit from such redress and compensation, or whether new legislative measures are necessary

and planned.

Articles 9 and 10 of the declaration, which call for impartial investigation by the competent authorities wherever there is reasonable grounds to believe that acts of torture have been committed, are of special relevance for those wishing to claim compensation or needing special care and attention. There is of course no doubt that torture was widely practised in Greece, and the testimonies in the Greek courts and in 1969 before the Council of Europe have spotlighted those responsible. It appears, however, that a certain disillusionment is felt at present among those inside and outside Greece who are most anxious that the case of Greece should prove to be, not only important in exposing the practices of the torturers, but also in ensuring their punishment and the protection of possible victims against all future malpractices and regimes.

The significance of Greek government action in this whole field of the protection of human rights is so important that we had hoped that it would prove possible for you to have provided the venue and sponsorship of a seminar on the whole subject of the implementation of the UN declaration on torture, and the preparation and introduction of the various codes of ethics for doctors, lawyers and law enforcement personnel which have been the subject of UN debate. It was with regret therefore that we learned that you do not feel that such a seminar is feasible at this time. We hope that it will be possible to return to this proposal in the relatively near future.

If you feel that a discussion of these questions would be valuable, we would be happy to meet with your Ambassador in London or at the United Nations in New York or Geneva to pursue the questions which we have raised.

Yours respectfully and sincerely,
Martin Ennals
Secretary General

16 June 1976

Mr Martin Ennals
Secretary General
Amnesty International
53 Theobald's Road
London WC1X 8SP

Dear Mr Ennals,

Thank you very much for your letter of 3 May enclosing a copy of your letter to the Prime Minister of Greece, His Excellency Mr Constantine Karamanlis.

I feel that it would be of interest to you if I gave you some details of my Government's recent activities in the United Nations framework regarding questions of human rights.

At the sixtieth session of the Economic and Social Council (April-May 1976), the Greek delegation stressed that resolution 4(XXXII) of the Commission on Human Rights, relating to human rights in Cyprus, must be implemented in its entirety.

Speaking at the same session on the preparation of a code of ethics for doctors, the Greek delegation referred to resolution 3453(XXX) in order to point out that the World Health Organization should submit to the General Assembly, at its thirty-first session, a draft body of principles on medical ethics.

On the question of the human rights of all persons subjected to any form of detention or imprisonment, Greece proposed (document E/AC-7/L.689) that the Committee on Crime Prevention and Control at its fourth session (21 June-2 July 1976) should study the range of application of the Standard Minimum Rules for the Treatment of Prisoners, should formulate a set of implementing procedures for the Rules and should report to the Economic and Social Council at its sixty-second session.

This Greek proposal was adopted by the Council and became operative paragraph 6 of ECOSOC resolution 1993(LX) of 12 May 1976.

In accordance with that paragraph, the Secretary-General prepared a Note, for consideration by the Committee on Crime Prevention and Control, on the range of application and the implementation of the Standard Minimum Rules for the Treatment of Prisoners (document E/AC.57/28).

Furthermore, the Greek delegation played an active part in the drafting of the ECOSOC resolution on human rights in Chile and co-sponsored that resolution (document E/AC.7/L.698/Rev. 1).

During the Diplomatic Conference on Humanitarian Law, recently held at Geneva, the Greek delegation made an important contribution

to the drafting and adoption of provisions dealing with the obligation of belligerents (a) to facilitate the reunion of families whose members have been separated during and as a result of armed conflict and (b) to provide families with information regarding the fate of their relatives.

With kind regards,

Yours sincerely,
George Papoulias
Ambassador,
Permanent Representative
of Greece to the U.N.

30 June 1976

His Excellency Mr George Papoulias,
Ambassador,
Permanent Mission of Greece to
the United Nations,
69 East 79th Street,
New York, N.Y. 10021.
Your Excellency,

Thank you for your letter of 16 June (ref. 6175/AS 1561 (6116.3)). I very much appreciate your Government's continuous efforts, as exemplified in your letter, to achieve improvements in international law and procedures relating to human rights.

I look forward to receiving your Government's response to those points raised in my letter of 3 May to the Prime Minister which concerned the domestic application of relevant international human rights instruments in Greece, in particular the United Nations declaration on torture.

Yours respectfully and sincerely,
Martin Ennals
Secretary General

17 November 1976

His Excellency Mr Constantine Karamanlis
The Prime Minister
Palais Anaktora
Athens,
Greece
Your Excellency,

In an earlier letter of 3 May 1976 I requested your Government's attention to legislation against torture, the investigation and prosecution of all accused torturers from the Junta period, and the need for rehabilitation and compensation for the Junta's torture victims. I am now pleased to inform you that early in 1977 Amnesty International will publish a report on a related matter — the first ESA torturers' trial that ended in September 1975.

The Amnesty International report on the first ESA trial commends the Greek authorities for investigating and prosecuting the accused ESA torturers. It also commends the truly admirable work done by your Government's representatives at such international *fora* as the United Nations and the fifth UN Congress on the Prevention of Crime and the Treatment of Offenders (Geneva 1975). However, the report is somewhat critical of the Greek authorities for undertaking the recent investigations and prosecutions only under pressure of private lawsuits by torture victims and for not being more rigorously consistent in the bringing to justice all accused torturers from all the security forces.

Enclosed is a confidential copy of a draft of the Epilogue to the report, which raises the main points of criticism. If your Government wishes to respond to these general criticisms, Amnesty International would gladly publish the response along with this letter and my previous letter of 3 May as an appendix to the report. For the practical necessities of printing, we would need any response before 20 December.

I am taking the liberty of sending a copy of this letter to His Excellency Mr George Papoulias at the United Nations with the request that he permit Amnesty International to publish his informative letter of 16 June 1976 (in reply to my letter to you on 3 May of which I had sent him a copy) concerning Greece's excellent work at the international level against torture.

Yours respectfully and sincerely,
Martin Ennals
Secretary General

APPENDIX F

DECLARATION ON THE PROTECTION OF
ALL PERSONS FROM TORTURE AND OTHER CRUEL,
INHUMAN OR DEGRADING TREATMENT
OR PUNISHMENT

The United Nations General Assembly adopted on 9 December 1975 a Declaration condemning any act of torture or other cruel, inhuman or degrading treatment as "an offence to human dignity". Under its terms, no State may permit or tolerate torture or other inhuman or degrading treatment, and each State is requested to take effective measures to prevent such treatment from being practised within its jurisdiction.

The Declaration was first adopted and referred to the Assembly by the Fifth United Nations Congress on the Prevention of Crime and Treatment of Offenders, held in Geneva in September 1975. In adopting the Declaration without a vote, the Assembly noted that the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights provide that no one may be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

The Assembly has recommended that the Declaration serve as a guideline for all States and other entities exercising effective power.

The text of the Declaration follows:

Article 1

1. For the purpose of this Declaration, torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted by or at the instigation of a public official on a person for such purposes as obtaining from him or a third person information or confession, punishing him for an act he has committed or is suspected of having committed, or intimidating him or other persons. It does not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions to the extent consistent with the Standard Minimum Rules for the Treatment of Prisoners.

2. Torture constitutes an aggravated and deliberate form of cruel, inhuman or degrading treatment or punishment.

Article 2

Any act of torture or other cruel, inhuman or degrading treatment or punishment is an offence to human dignity and shall be condemned as a denial of the purposes of the Charter of the United Nations and as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights.

Article 3

No State may permit or tolerate torture or other cruel, inhuman or degrading treatment or punishment. Exceptional circumstances such as a state of war or a threat of war, internal political instability or any other public emergency may not be invoked as a justification of torture or other cruel, inhuman or degrading treatment or punishment.

Article 4

Each State shall, in accordance with the provisions of this Declaration, take effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment from being practised within its jurisdiction.

Article 5

The training of law enforcement personnel and of other public officials who may be responsible for persons deprived of their liberty shall ensure that full account is taken of the prohibition against torture and other cruel, inhuman or degrading treatment or punishment. This prohibition shall also, where appropriate, be included in such general rules or instructions as are issued in regard to the duties and functions of anyone who may be involved in the custody or treatment of such persons.

Article 6

Each State shall keep under systematic review interrogation methods and practices as well as arrangements for the custody and treatment of persons deprived of their liberty in its territory, with a view to preventing any cases of torture or other cruel, inhuman or degrading treatment or punishment.

Article 7

Each State shall ensure that all acts of torture as defined in article 1 are offences under its criminal law. The same shall apply in regard to acts which constitute participation in, complicity in, incitement to or an attempt to commit torture.

Article 8

Any person who alleges that he has been subjected to torture or other cruel, inhuman or degrading treatment or punishment by or at the instigation of a public official shall have the right to complain to, and to have his case impartially examined by, the competent authorities of the State concerned.

Article 9

Wherever there is reasonable ground to believe that an act of torture as defined in article 1 has been committed, the competent authorities of the State concerned shall promptly proceed to an impartial investigation even if there has been no formal complaint.

Article 10

If an investigation under article 8 or article 9 establishes that an act of torture as defined in article 1 appears to have been committed, criminal proceedings shall be instituted against the alleged offender or offenders in accordance with national law. If an allegation of other forms of cruel, inhuman or degrading treatment or punishment is considered to be well founded, the alleged offender or offenders shall be subject to criminal, disciplinary or other appropriate proceedings.

Article 11

Where it is proved that an act of torture or other cruel, inhuman or degrading treatment or punishment has been committed by or at the instigation of a public official, the victim shall be afforded redress and compensation in accordance with national law.

Article 12

Any statement which is established to have been made as a result of torture or other cruel, inhuman or degrading treatment may not be invoked as evidence against the person concerned or against any other person in any proceedings.

Amnesty International Publications

Report of an Inquiry into Allegations of Ill-Treatment in Northern Ireland, A4, 48 pages, March 1972: 75 pence (US \$1.85).

Report on Allegations of Torture in Brazil, A5, 108 pages, first edition September 1972, re-set with updated preface March 1976: £1.20 (US \$3.00).

Political Prisoners in South Vietnam, A4, 36 pages, July 1973: 35 pence (US \$0.90).

A Chronicle of Current Events (Journal of the Human Rights Movement in the USSR), numbers 17, 18, 21, 24, 27 published individually: 65 pence (US \$1.60); double volumes 19-20, 22-23, 25-26: 85 pence (US \$2.10); numbers 28-31 in one volume: 95 pence (US \$2.50); numbers 32-33, one volume, £1.95 (US \$4.95).

Amnesty International Report on Torture, 246 pages. First published December 1973, second (updated) edition January 1975: £1.50 (US \$3.75).

Chile: an Amnesty International Report, A5, 80 pages in English, 88 pages Spanish, September 1974: 85 pence (US \$2.10).

Short Report on Prison Conditions in West Bengal Jails, A4, 16 pages, September 1974.

Report of an Amnesty International Mission to Israel and the Syrian Arab Republic to Investigate Allegations of Ill-Treatment and Torture, A5, 34 pages, April 1975: 50 pence (US \$1.25).

Workshop on Human Rights: Report and Recommendations, A5, 15 pages, April 1975, issued by the Amnesty International Campaign for the Abolition of Torture.

Report of an Amnesty International Mission to Spain, A5, 24 pages in English, 28 pages Spanish, September 1975: 35 pence (US \$0.90).

Prisoners of Conscience in the USSR: Their Treatment and Conditions, A5, 154 pages, November 1975: £1.00 (US \$2.50).

AI in Quotes, A5, 24 pages, May 1976: 25 pence (US \$0.50).

Amnesty International 1961-1976: A chronology, May 1976: 20 pence (US \$0.40).

Report of an Amnesty International Mission to the Republic of Korea, A4, 36 pages, June 1976: 50 pence (US \$1.00).

Report of an Amnesty International Mission to the Republic of the Philippines, A5, 60 pages, September 1976: 90 pence (US \$1.80).

Professional Codes of Ethics, A5, 32 pages, October 1976: 40 pence (US \$1.00).

Report of an Amnesty International Mission to Sri Lanka, A4, 52 pages. Second edition December 1976: 75 pence (US \$1.25).

In addition to these major reports, Amnesty International also publishes a monthly **Newsletter**, an **Annual Report** and a regular series of **Amnesty International Briefing Papers**. These are available singly or by subscription:

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Amnesty International Newsletter and Annual Report: The Newsletter is a six-page monthly account of Amnesty International's work for human rights in countries throughout the world and includes a two-page bulletin on the work of the Campaign for the Abolition of Torture. The **Annual Report** gives a country-by-country survey of human rights violations which have come to the attention of Amnesty International. Yearly subscription £6 (US \$15) inclusive.

Amnesty International Publications are available in English and in most cases have been translated into other major world languages by the International Secretariat or by the national sections of Amnesty International.

Copies of Amnesty International Publications can be obtained from the offices of the national sections of Amnesty International. Office addresses and further information may be obtained from the International Secretariat, 53 Theobald's Road, London WC1X 8SP, England.

AMNESTY INTERNATIONAL is a worldwide human rights movement which is independent of any government, political faction, ideology, economic interest or religious creed. It works for the release of men and women imprisoned anywhere for their beliefs, colour, ethnic origin, language or religion, provided they have neither used nor advocated violence. These are termed "prisoners of conscience".

AMNESTY INTERNATIONAL opposes torture and capital punishment in all cases and without reservation. It advocates fair and early trials for all political prisoners and works on behalf of persons detained without charge or without trial and those detained after expiry of their sentences.

AMNESTY INTERNATIONAL seeks observance throughout the world of the United Nations Universal Declaration of Human Rights and the UN Standard Minimum Rules for the Treatment of Prisoners.

AMNESTY INTERNATIONAL has 1,665 adoption groups and national sections in 33 countries in Africa, Asia, Europe, the Middle East, North America and Latin America and individual members in 78 countries. Each adoption group works for three prisoners of conscience in countries other than its own. The three countries are balanced geographically and politically to ensure impartiality. Information about prisoners and human rights violations emanates from Amnesty International's Research Department in London.

AMNESTY INTERNATIONAL has consultative status with the United Nations (ECOSOC), UNESCO and the Council of Europe, has cooperative relations with the Inter-American Commission on Human Rights of the Organization of American States, and has observer status with the Organization of African Unity (Bureau for the Placement and Education of African Refugees).

AMNESTY INTERNATIONAL is financed by subscriptions and donations of its worldwide membership. To safeguard the independence of the organization, all contributions are strictly controlled by guidelines laid down by AI's International Council, and income and expenditure are made public in an annual financial report.

"We are a poor but decent family
and now I see him in the dock
to examine how a boy who even
a torturer. Who morally destr

So spoke the father of one of the
and soldiers who faced trial in
Permanent Court Martial on charges
seven years of dictatorship under
1974.

Amnesty International presents
trial, one of the few contemporary
submitting accused torturers to d

The trial was important not only
Greece on a systematic basis
from the point of view of all
abolition of torture in all countries
insight into part of the inner clock