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Ethnic Identity on Trial



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Since the publication of its reports *Greece: Violations of the right to freedom of expression* (AI Index: EUR 25/15/92) and *Greece: Violations of the right to freedom of expression: further cases of concern* (AI Index: EUR 25/01/93), Amnesty International has become concerned about new charges against one of the defendants at a previous trial, arising from peaceful exercise of his right to freedom of expression.

On 5 October 1994 Christos Sideropoulos will stand trial for a statement he reportedly made at a press conference which was held in parallel with the meeting on minority rights of the Conference on Security and Co-operation in Europe (CSCE) in Copenhagen, Denmark, on 10 June 1990. He reportedly declared to the journalists present that he belongs to the ethnic Macedonian minority living in Greece and that his cultural rights were being violated.

In October 1993, soon after the elections which returned the Socialist party, PASOK (Panhellenic Socialist Movement), to power, the Greek Minister of Justice, Mr Georgios Kouvelakis, proposed amendments to articles of the Greek penal code which restrict the right to freedom of expression, on the grounds that "people have the right to say whatever they think". Referring to trials brought against people who have exercised their right to freedom of expression, he gave assurances that "there will be no repetition of such trials in the future".

In May 1994, under Article 191 of the Greek Penal Code, Christos Sideropoulos was charged with "spreading false information which may cause disruption of the international relations of Greece". Moreover, the prosecution against him may be legally inadmissible because Article 6 of the Greek Penal Code states that a Greek citizen can be prosecuted for a criminal act committed in a foreign country only if the "act is punishable under the laws of that country"; or there is "an application from the government of the country wherein the misdemeanour was committed". Neither of these two preconditions have been fulfilled.

His trial, which was postponed from 25 May 1994 is scheduled to take place at the Court for Misdemeanours in Florina on 5 October 1994. If he is convicted he faces a possible term of imprisonment of up to several years and heavy fines.

Amnesty International considers this prosecution to be in contravention of Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, ratified by Greece in 1974 and therefore binding, which states:

"Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers."

Amnesty International calls on the Greek authorities to drop the charges against Christos Sideropoulos. The organization urges that steps be taken to ensure that no further restrictions on the exercise of the right to freedom of expression are imposed.

BACKGROUND INFORMATION:

On 28 January 1994, after several postponements of their trial, Christos Sideropoulos and Anastasios Boulis stood trial in Athens for comments they had made in an interview with the Greek magazine *Ena* in March 1992 about their ethnic identity as Macedonians and the Greek Government's foreign policy. They were charged with spreading false information about the non-Greekness of Macedonia and the existence of a Macedonian minority on Greek territory, which is not officially recognized by the Greek authorities, and with initiating conflict among Greek citizens by differentiating between the speakers of a Slavic language and Greeks. The charges against them were dropped.