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Greece: Concerns over trial of human rights defenders

On 24 January 2011, the spokesperson and the specialist on anti-semitism of the non-governmental organization Greek Helsinki Monitor (GHM) and four members of the Central Board of Jewish Communities in Greece (KIS) will be tried before the 6th Misdemeanors Court of Athens for charges of false accusations and aggravated defamation against the author of the book "Jews – The Whole Truth", Konstantinos Plevris, following a complaint he filed on 4 January 2007. Panayote Dimitras, the Greek Helsinki Monitor spokesperson is also charged with perjury.

Each of the offences for which the individuals concerned have been charged attracts a maximum sentence of five years in prison.

According to the indictment, the content of the testimonies and/or statements made by the GHM representatives and the KIS officers in the case against Konstantinos Plevris in 2006 was false and defamatory.

Indicatively, the indictment considers as false and defamatory the testimonies and/or statements that Konstantinos Plevris exhibited the desire for there to be no Jews in Europe in his article in the newspaper "Eleftheros Kosmos" and in his book and that he intentionally urged, through the Greek press, actions that could lead to discrimination, hatred and violence against individuals and groups of persons solely because of their racial and ethnic origin. The indictment accepts that the texts were directed against "Jewish-Zionists" and that Konstantinos Plevris had no intention of inciting hatred or violence but rather of citing historical texts that give rise to evidence for his allegations against the Zionist-Jews.

Amnesty International wishes to express its concern over the criminal prosecution of the representatives of the Greek Helsinki Monitor and KIS members for false claims, defamation and perjury. The organization considers that the dispute reflects a debate about differing interpretations of the publications concerned, and such a dispute should not be criminalized. Imprisonment is never an appropriate remedy for alleged defamation and Amnesty International believes that charges such as these have a chilling effect on freedom of expression and the ability of human rights defenders to do their work.

Background

The case is linked with complaints filed against Konstantinos Plevris in 2006.

More specifically, in October 2006, the Greek Helsinki Monitor (GHM) sent a letter to the Head of the Prosecutor's Office of the Athens First-Instance Courts calling for the *ex officio* prosecution of Konstantinos Plevris and the newspaper "Eleftheros Kosmos" in relation to articles published therein on the ground that the articles concerned were anti-Semitic.

In December 2006, the GHM specialist on anti-semitism, Andrea Gilbert, and KIS members (Benjamin Albalas, Leon Gavrilidis, Moisis Konstantinis, and Avraam Reitan) filed complaints for violation of the anti-racism law 927/79 against Konstantinos Plevris based on content of his book "Jews – The Whole Truth" and a related text in the newspaper "Eleftheros Kosmos".

The complaint was also filed against the newspaper for publishing texts with extracts of the book and other texts that the claimants also considered anti-Semitic.

On 20 July 2007, Konstantinos Plevris and the newspaper were referred to trial for violations of the anti-racism law.

On 13 December 2007, Konstantinos Plevris was convicted by the Second three-member Appeal Court of Athens to a suspended prison sentence of 14 months' imprisonment for inciting racial violence and hatred and for racial insults in relation to his book. Konstantinos Plevris was acquitted for his article in the newspaper. The newspaper "Eleftheros Kosmos" was acquitted as well.

In March 2009, an Athens Appeals' Court reversed the December 2007 judgment and acquitted Konstantinos Plevris. In July 2009, the Supreme Court Prosecutor filed a "cassation for the benefit of the law", appealing against the Court of Appeal's judgment. On 15 July 2010, the Supreme Court rejected the cassation appeal of the Prosecutor and upheld the acquittal.