

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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GREECE: HUMAN RIGHTS DEFENDERS' UPCOMING TRIAL FOR "FALSE ACCUSATION" OF RELIGIOUS LEADER WILL HAVE CHILLING EFFECT ON FREEDOM OF EXPRESSION

Amnesty International is deeply concerned about the pending trial of two human rights defenders on a charge of "false accusation" against a senior leader of the Orthodox Church in Greece. The charge stems from an official complaint submitted by the human rights defenders under an anti-racism law regarding a statement¹ that they believed was antisemitic and discriminatory against the Jewish people made in 2017 by the Metropolitan Bishop of Piraeus.²

On 15 February 2022, Greek Helsinki Monitor (GHM) spokesperson, Panayote Dimitras, and Andrea Gilbert, a GHM researcher on antisemitism and LGBTI rights, will stand trial at the Athens Three-Judge Misdemeanors Court accused of raising false accusations against the Metropolitan Bishop of Piraeus Seraphim. The two human rights defenders are accused of breaching Article 229 of the Greek Penal Code after GHM filed a complaint against the Bishop in April 2017 for public incitement to violence or hatred (Article 1 of Law 927/1979) and abuse of an ecclesiastical office. The complaint referred to a statement published by the Bishop on 28 April 2017, which the GHM considered to be flagrantly antisemitic ("antisemitic delirium") and thus in violation of Greek law.

In December 2019, however, a prosecutor dismissed GHM's complaint arguing that the Bishop's statement simply proclaimed the doctrine of the Christian Orthodox Church. In March 2020, following the dismissal of GHM's complaint, the Bishop filed a complaint against the two human rights defenders for an alleged false accusation made against him. In November 2021, the two human rights defenders were formally charged by a prosecutor and referred to trial. If convicted, they face a prison sentence of at least two years and a fine between one and 36,000 euros.

Under international human rights law, states are permitted to limit the right to freedom of expression including for the protection of the rights of others. However, limitations on the right to freedom of expression must be set forth in law in a precise manner, and must be necessary and proportionate to a legitimate aim, as stipulated in the International Covenant on Civil and Political Rights to which Greece is a party. In this regard, the Human Rights Committee has called on states to repeal laws criminalizing defamation and has concluded that imprisonment is never an appropriate penalty. Laws aiming to protect the honour and reputation of third parties should always be treated as a matter of civil litigation.

The charges and upcoming trial of Panayote Dimitras and Andrea Gilbert pose a direct threat to the right to freedom of expression and appear to be a tactic of intimidation aimed at silencing human rights defenders. Amnesty International is further concerned that the trial may create a chilling effect on human rights defenders advocating against racism and hate speech, who may be deterred from raising concerns in the future out of fear of reprisals. The Greek authorities must drop the charges against the two human rights defenders and close the case. The organization also calls on Greece's Special Envoy on combating antisemitism to take all appropriate action to combat hate speech and other human rights violations against Jewish people, and to work in cooperation with the Greek judicial authorities to ensure that human rights defenders who expose and oppose hate speech are shielded from abusive and intimidatory prosecutions.

1 See: [Statement](#) (in Greek) of the Metropolitan of Piraeus regarding the Israeli Government's Prohibition of his Participation as a Church of Greece Representative in the Holy Light Ceremony, 28 April 2017.

2 In the Greek Orthodox Church, a Metropolitan Bishop (Μητροπολίτης) is a Bishop that has under his jurisdiction a metropolitan region (Μητρόπολις).

BACKGROUND

In May 2017, the Central Board of Jewish Communities in Greece also denounced the Metropolitan's published statement and labelled it "antisemitic".

The European Commission against Racism and Intolerance stated in its 2015 Report on Greece that: "[a]ntisemitic stereotypes are not limited to far-right political parties, but have permeated large parts of society as well as some parts of the Greek Orthodox Church. Metropolitan Seraphim of Piraeus made openly antisemitic statements on television in December 2010 when he blamed Jews for orchestrating the Holocaust and accused world Zionism of a conspiracy to enslave Greece and the Orthodox Church."

In its 2016 Concluding Observations on Greece, the UN Committee on the Elimination of Racial Discrimination expressed concerns about the increase in hate speech since 2009, "coinciding with the rise of the Golden Dawn party, essentially targeting migrants, Roma, Jews and Muslims, including through the media, on the Internet and social media platforms".