

## GREECE

### **Violations of the right to freedom of expression: further cases of concern**

*Since the publication of its report *Greece: Violations of the right to freedom of expression* (AI Index: EUR 25/15/92), two further cases concerning convictions of people for peacefully exercising their right to freedom of expression have come to Amnesty International's attention.*

*Michail Papadakis*

On 10 December 1992 Michail Papadakis, a 17-year-old high-school pupil, was arrested in central Athens during a demonstration on Macedonia after handing a leaflet to a civilian, Vasilios Christou, who was present at the demonstration together with a friend, police officer Spyridon Psychogios of the "Zita" unit. The leaflet bore the words "Don't be consumed by nationalism. Alexander the Great: war criminal. Macedonia belongs to its people. There are no races; we are all of mixed descent".

According to a statement made by Officer Psychogios, Vasilios Christou gave him the leaflet and he then followed Michail Papadakis through the crowd. Officer Psychogios testified that Michail Papadakis was carrying an iron bar but when he caught up with Michail Papadakis and attempted to detain him, Michail Papadakis threw the iron bar into the crowd. However, although Vasilios Christou looked for the bar he could not find it. Officer Psychogios immobilized and searched Michail Papadakis whom he found to be in possession of about 30 of the leaflets and 270 other leaflets which stated: "Macedonia is not in danger from the people of Skopje but is certainly in danger from those governing us".

Michail Papadakis was held in custody for a week and on 17 December he was convicted on two charges: attempting to incite citizens to divisions among themselves and thereby disturb the public peace and carrying a weapon. He was sentenced to one year's

imprisonment. Following his trial, Michail Papadakis was freed pending appeal. A date for the appeal hearing has not yet been set.

Amnesty International is concerned that Michail Papadakis appears to have been convicted for peacefully exercising his right to freedom of expression and that he may therefore be at risk of being imprisoned as a prisoner of conscience. Although Michail Papadakis was also convicted of carrying a weapon no corroborative evidence was produced in court to support the statement of Officer Psychogos and Vasilios Christou. Amnesty International is calling on the Greek authorities to ensure that Michail Papadakis' conviction is made the subject of an early review.

The conviction of Michail Papadakis is the most recent in a series of convictions of people who have publicly declared themselves to be opposed to government policy on Macedonia. For information on other cases see *Greece: Violations of the right to freedom of expression* (AI Index: EUR 25/15/92).

*Prosecution and conviction of six members of the Organization for the Reconstruction of the Communist Party*

Amnesty International is calling for the conviction brought against six members of the political organization OAKKE (Organization for the Reconstruction of the Communist Party) in January 1992 to be quashed. The six were arrested while sticking up posters in central Athens on 10 January. The posters stated: "No to Patriots. Recognize Slav-Macedonia".

Thodoros Pagomenos, Dionysis Gournas, Roula Adamopoulou, Stergios Gioulakis, Anna Stai and Kostas Koutelos were convicted of defaming the authorities; inciting citizens to commit acts of violence between themselves and dividing the community; and illegally posting bills. Each was sentenced to six and a half months' imprisonment on 27 January 1992. They remained free pending appeal. A date for their appeal hearing has not yet been set.

While the unlawful posting of bills is punishable under Greek law, the law is rarely, if ever, enforced. In view of the fact that people constantly post bills in support of the main political parties and unions or to advertise cultural events without being prosecuted, there is little doubt that this prosecution was politically motivated.

Amnesty International considers that this conviction is in violation of the right to freedom of expression set out in Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.