

# AMNESTY INTERNATIONAL

## Public Statement

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### **Greece: Amnesty International calls for re-trial of police officer acquitted of alleged rape of a Ukrainian woman**

Amnesty International wrote today to the Justice Minister, Philippos Petsalnikos, to express its concerns about the acquittal of the police officer who allegedly raped Ukrainian citizen Olga B in Amaliada on 26 February 1998.

Olga B had been working in a bar in Amaliada since the beginning of 1998. Together with two other Ukrainian, eight Russian and three Romanian women (their names are known to Amnesty International), Olga was allegedly forced into prostitution by the owner of the place. She described her ordeal to a local newspaper: "One evening on 26 February [1998], the police officer came to the bar. After having consumed alcohol he asked me to come with him. I refused but in the end, because of threats and pressure by the bar owner, I followed him to the hotel 'Ellinis' in Amaliada. There he asked me to have sex with him. As I refused, he threw himself upon me, threw me on the bed, took off my clothes, hit me and raped me. I was crying and shouting and he was insulting me. I was in an appalling state and my genitals hurt. I was afraid and just afterwards I discovered that I was bleeding."

Olga B's allegations were corroborated by medical evidence which recorded abdominal pain and slight bleeding. She subsequently lodged a formal complaint against the police officer who had allegedly raped her. She and her family in Ukraine, as well as another witness in the case (a Ukrainian woman who was working in the same bar), have since received repeated threats in order to coerce her to withdraw her complaint against the police officer.

Following an inquiry into the allegations of the victim, a trial was opened in Patras Mixed Jury Criminal Court on 23 May 2003 against the bar owner who was sentenced to three years' imprisonment for trafficking in prostitution. Another three co-defendants were sentenced to two years' imprisonment for procuring or assisting in trafficking women. The prison sentences were converted to fines of €1600 per annum for each of these defendants, as well as the bar owner. The police officer was cleared of the charge of rape but sentenced to two years' imprisonment for breach of duty. The sentence was suspended.

According to information given to Amnesty International by the non-governmental organization Greek Helsinki Monitor, who is now representing the victim, Olga B learned from reading the local newspapers that the trial had happened without her being called to testify as a witness. Another prosecution witness was also not called to testify in court during the trial. Given that the police officer was acquitted of the charge of rape after the court reportedly concluded that Olga B had consented to sexual intercourse, it is all the more crucial for a re-trial to be held in which all the relevant evidence would be heard.

After extensive public pressure and following a request by the Ministry of Justice, the Prosecutor of the Supreme Court filed, on 20 June 2003, a motion to overturn the decision to acquit the

police officer on the grounds that the verdict "lack[ed] specific and detailed explanation".

Amnesty International is concerned that the Prosecutor's decision amounts to a partial re-trial of only one of the defendants. Given that the trial procedures were overall improperly applied in this case, Amnesty International is calling on the Greek authorities to ensure that the entire verdict is examined by a higher appeal court (Court de Cassation).

Additionally, the organization urges the Greek authorities to initiate an investigation into the circumstances which led to Olga B not having been called to testify in the first trial; to grant Olga B and the other prosecution witness adequate protection against any form of intimidation; to ensure that proper trial procedures as stated in international standards and recommendations be respected, in particular the right of witnesses who are victims of alleged sexual assault, to be called to testify at the trial and be granted the means to afford proper legal representation; and to ensure that Olga B be granted fair and adequate compensation, as required by international and Greek law, if her allegations are proved to be founded.

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