



PERMANENT MISSION OF GREECE  
GENEVA

URGENT

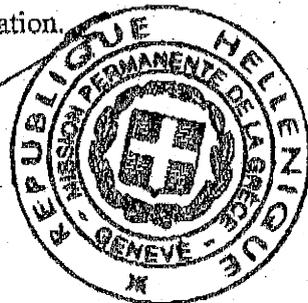
Ref. No. 6172.1 /17/AS 1681

NOTE VERBALE

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights, Special Procedures of the Human Rights Council and reference made to the latter's Verbal Note ALG/SO.214(67-17) G/SO 214(107-9) G/SO 214 (3-3-16) G/SO 214 (78-15) GR 1/2012, dated 8.6.2012 (concerning Mr. \_\_\_\_\_ and Mr. \_\_\_\_\_) has the honor to convey the relevant reply provided by the Greek Government (Ministry of Public Order and Citizen s Protection).

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 10 October 2012



To:  
-The Office of the High Commissioner for Human Rights  
Palais des Nations, CH-1211 Geneva 10, Switzerland  
Fax: 0041-22-917 9 006

Pages attached: 5

OHCHR REGISTRY

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Recipients : .....  
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MINISTRY OF PUBLIC ORDER AND CITIZEN'S PROTECTION

A. The Greek [redacted], through its representative in Greece Mr. [redacted] and a Group of Attorneys for the Rights of Immigrants and Refugees, submitted a complaint against officers of the Harbor Police Corps who, as a contingent, participated in the military parade which took place on 25 March, on commemoration of the anniversary of the Greek National Day.

B. In particular, according to the complaint, thirty nine (39) Harbor Police Guards, serving in the Underwater Missions Unit of the Harbor Police Corps, after parading before the grandstand in Syntagma Square, continued marching on PANEPISTIMIYOU Street, shouting the following racist slogans: "You are born a Hellene (Greek), you never become one, we will shed your blood, you Albanian pig", "They are called Skopjans, they are called Albanians, my clothes I shall sew with skins from them", "Massacre shall be, then I shall take revenge, when you pay respects to the flag with the Cross".

C. After charges were pressed by the NGOs "Greek [redacted]" and "Group of Attorneys for the Rights of Immigrants and Refugees", the trial of the above thirty nine (39) defendants, accused of violating the existing anti-racism law, was scheduled for Tuesday 20 Sept 2011, before the Naval court of Piraeus.

D. On the day of the hearing of the case, on the pavement opposite the entrance of the Naval Court, Moutsopoulou Coast (Akti Moutsopoulou), Piraeus, approximately two hundred persons of the extreme right wing were shouting slogans against politicians, journalists and aliens, while, at the same time, cheered in favor of the accused officers of Harbor Police Corps who entered the building in uniform.

- At about 11.00am, during a recess of the proceedings, the Head Officer contacted the attorney of prosecution Mr. [redacted], from whom he requested, since there

was tension among the persons gathered opposite the naval court, to stay until the end of the proceedings in order to be escorted by policemen to the area where he had parked his vehicle, so that his safe departure would be ensured without him taking the risk to be attacked.

- At the same time, the existence of a back exit was indicated so that he could depart without being noticed by the persons gathered. It was found that there was indeed another exit through the adjoining Naval Hospital, from where one could reach VALLANIOU Street, with which the persons gathered had no visual contact.

- The meeting was adjourned at 11.30am and a new hearing date was scheduled for Friday 16 Dec 2011. A few minutes later the Head Officer looked for Mr. [redacted] in the premises, however, he had already departed.

- Following complaints by Mr. [redacted], in particular that during his departure from the Naval Court, "*some of the supporters of the defendants pursued him, fortunately without reaching him*", on 17 Oct 2011 at 13.00, senior officers of the Directorate of Piraeus Police, visited the Chairman of the Naval Court, Military Judge A' Mr. [redacted]

at his office, who, after being informed about the complaints, he stated that (the following were stated by the Chairman and taken down in writing as dictated by himself):

"After the ending of the proceedings and during the departure of the litigant parties from the Chamber, clamoring of limited extent and undefined content was noted, with no further continuance, since the existing police forces and the staff of Police Military of Navy did not have to intervene. Mr [redacted] was escorted, for preventive reasons only, along with his assistant, by Colonel [redacted] and Officer [redacted]

[redacted] to the back of the Naval Court building which communicates with the Piraeus Naval Hospital, from where the Head of the Hospital security

escorted him to his vehicle on VALLANIOU Street. The above were fully certified by Colonel [redacted] who was in the office. Moreover, the Chairman added that no threats against Mr [redacted] were expressed, not even during the proceedings in open court, since, in that case, his intervention would be immediate.

E. Two or three days prior to 16 Dec 2011 (date of the new hearing date) and since threatening and insulting messages had been posted on the Internet by unknown persons against Mr [redacted] and prosecution witnesses [redacted] and [redacted],

with the initiative of the Directorate of Piraeus Police, a telephone conversation took place with the three aforementioned persons and the following was jointly decided:

- Witness Mr [redacted] expressed fears for his physical integrity during his arrival by the metro line, since he claimed that he is well-known. It was suggested to him to be transferred from his residence to the Naval Court and vice versa upon the end of the proceedings by a vehicle of the Hellenic Police, a solution that he accepted. Witness Mr [redacted] requested to come to Piraeus by his private vehicle, however he would park at a distance from the Naval Court (in particular at Karaiskaki stadium) from where he would be transferred by an official vehicle. His request was accepted. Mr [redacted] requested to park his vehicle in a private parking area at the port, from where he would be transferred with his assistant by an official vehicle to the Naval Court, a request which was satisfied as well.

- In the light of the above, it is obvious that on the part of the competent police services, every possible effort was made for the protection of prosecution witnesses to be safeguarded, as well as of Mr [redacted], during their arrival and departure from the Naval Court and during the court proceedings, a fact which the aforesaid acknowledged. Mr [redacted] indeed addressed to our Directorate a relevant thanking letter.

- With regard to the content of the letter, concerning insults within the Court and attack against the prosecution witness Mr [redacted], it is obvious that the whole procedure is under the authority of the Chairman of the Naval Court and, had he given the order to arrest or remove a certain person from those within the Chambers, the police forces would have acted immediately.

F. No charge or accusation has been filed to the Directorate of Security of Attica referring to acts or events that have occurred on 20 Sept 2011 outside or around the Naval Court of Piraeus, nor anything relevant was noticed by the policemen.

G. As to the Court Judgment, out of the thirty nine (39) defendants, officers of the Harbor Police Corps, 37 were found not guilty, due to doubts, and 2 were found guilty and were sentenced to imprisonment of three (3) months and fifteen (15) days, with a two year suspension.

H. During all hearing days of the case at the said Court, the competent Services were ordered by the General Police Directorate of Attica to take increased police measures, in cooperation with the bench of the Naval Court and the competent Military Authorities within the Chambers, common use areas, indoor and outdoor areas, outside, around and in the surrounding area of the court in order to maintain order, secure the unhindered conduct of the proceedings, protect the establishment, operations, services, court officers, witnesses, litigant parties and defendants as well as prevent / avert criminal and in general unlawful actions against persons or goods. The presence of strong police forces ensured security inside as well as outside the court chambers, a fact recognized by the judges, who conducted the hearing without any hindrance. Furthermore, at the entrance of the Naval Court, the Navy Officers conducted close controls / body searches to incomers, with the use of a magnetic gate and a portable metal detector.

I. As far as the protection is concerned a) of the offices of the Association of Communicative and Political Research of Greek

( STREET,

ATHENS), b) of the residence of their representative Mr.

( Street - )

) and c) the office of the attorney at law Mr.

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orders were issued by the competent Directorate of State Security of the Police Headquarters, to continue a 24-hour substantial police supervision of the aforementioned persons, in order to prevent and avert any unlawful action, for a period of six (6) months, prior to the lapse of which, the necessity of continuance thereof would be assessed by the competent Authorities.