

## OPEN LETTER - THE OBSERVATORY

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### GREECE: Open Letter to Mr. Ioannis-Spyridon Tentés, Prosecutor for the Supreme Court

Geneva-Paris, May 7, 2012

#### ***Re: Impunity following threats and abusive and racist messages against Messrs. Thanassis Tartis and Panayote Dimitras***

Dear Prosecutor,

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), is writing to urge you to order a thorough and impartial investigation into threats and abusive and racist messages made against Messrs. **Thanassis Tartis**, attorney and legal counsel working for the Greek Helsinki Monitor (GHM), and **Panayote Dimitras**, GHM Spokesperson and a member of OMCT General Assembly.

The Observatory recalls that on September 20, 2011, a hearing in the trial against coastguardsmen was held before the Naval Court of Piraneus for violation of Article 2 of the Antiracism Law 927/79 following two complaints filed by GHM and the Group of Lawyers for the Rights of Migrants and Refugees in relation to racist statements expressed publicly by 39 members of the Hellenic Coast Guard during their participation in the 2010 Greek Independence Day Parade, on March 25, 2010. Following the hearing, Mr. Thanassis Tartis, attorney for civil claimants, was pursued by supporters of the coastguardsmen who were shouting outside the courthouse racist slogans, to express their support with the coastguardsmen under trial and managed to escape. The police, which was witnessing the incident, failed to react to protect those threatened<sup>1</sup>.

Subsequently, hundreds of abusive and racist messages appeared on the Internet directed at Messrs. Thanassis Tartis, Panayote Dimitras, the initial plaintiff and prosecution witness who submitted one of the two original complaints and testified during the preliminary examination, and Pavlos Voskopoulos, a representative of the Macedonian minority in Greece, whose claims for racism were rejected by the court. Many of these messages contained direct threats against their physical integrity and even their lives, as well as incitements to commit violence against them, including killing them. On September 29, 2011, the three men decided to file a complaint for the threatening messages.

At a hearing held on December 16, 2011 in the same trial, verbal insults and threats were again directed against Messrs. Thanassis Tartis and Panayote Dimitras by unknown persons both outside and inside the courtroom. These verbal assaults culminated in a violent physical attack against them during Mr. Dimitras' testimony before the bench, in an area of the courtroom that is normally inaccessible to the public. Mr. Dimitras was punched in the head and knocked off balance. Mr. Tartis narrowly avoided the assailant's fist. This caused the interruption of Mr. Dimitras' testimony and the trial itself. Surprisingly, no sanctions were however imposed against the perpetrators of these incidents.

This was followed by hundreds of posts on the Internet in praise of the incidents, and of the physical attack in particular. There were also threats of new attacks, not only against Messrs. Thanassis Tartis and Panayote Dimitras but also against the Naval Court of Piraeus, in the event of a conviction.

The Observatory expresses its concern about the fact that, as of today, no sanctions have been imposed on the perpetrators of these threats and acts of harassment against Messrs.

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<sup>1</sup> See Observatory Urgent Appeal GRE 001/1011/OBS 120, issued on October 26, 2011.



Thanassis Tartis and Panayote Dimitras. This failure to investigate properly and sanction offenders and protect GHM members seem to merely aim at intimidating and sanctioning their human rights activities in defence of minorities subjected to racism.

Accordingly, the Observatory strongly urges you, Mr. Prosecutor, to put an end to this climate of impunity by ordering a thorough and impartial investigation into the above-mentioned acts in order to identify all those responsible, bring them before a competent and impartial tribunal and apply to them the penal sanctions provided by the law.

We express our sincere hope that you will take these considerations and requests into account.

Yours sincerely,

Souhayr Belhassen  
FIDH President

Gerald STABEROCK  
OMCT Secretary General