

GREEK HELSINKI MONITOR (GHM)

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**Greece: Update on 2006-2007 anti-Roma and anti-GHM statements
by current Deputy Prosecutor of Supreme Court**

August 2007

Greek Helsinki Monitor (GHM) was informed that, on 20 January 2006, the **Head of the Appeals Prosecutor's Office in Patras, Anastassios Kanellopoulos**, said in an interview to the *Radio Omega* that all Roma in the Makrigianni settlement are crime perpetrators and that "perpetrators, instigators and accomplices" of Roma people who helped the latter "will be called to take the stand," specifically including as potential targets representatives of **Greek Helsinki Monitor**. "If it is proved that they too have helped the Roma, then be assured that they will be called to the stand", the Prosecutor noted. Anastassios Kanellopoulos announced that he ordered on that day the launching of an urgent preliminary investigation.

On 2 March 2006, the **Observatory for the Protection of Human Rights Defenders** sent a letter of concern to the Greek Prime Minister (see below) asking for an end to the harassment of GHM and for the sanctioning of the Prosecutor for breach of confidentiality, as specified in Greek law, when he made public announcements about possible implication of GHM in alleged crimes that were to be investigated judicially.

On 29 March 2006, the **Council of Europe Commissioner for Human Rights (CHR)** released a **Follow-Up Report on the Hellenic Republic (2002 – 2005)**, following a December 2005 mission

(<https://wcd.coe.int/ViewDoc.jsp?id=984125&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679>). It had a reference to the role and the harassment of GHM: *"The Commissioner would like to thank the Greek Helsinki Monitor (GHM) for the invaluable help afforded on the ground to his delegation for visiting Roma settlements and having access to their inhabitants. He observes with great concern statements of the Head of the Appeals Prosecutor's Office of Patras which give the impression that GHM is to be subject to legal action in connexion with their defence of the rights of six Greek Roma families living in the Makrigianni area in the city of Patras, which has been designated the Cultural Capital of Europe in 2006 and where festivities are foreseen throughout this year. It seems that the Roma families in question were threatened of being forcibly expelled, despite a decision of the Magistrate's Court of Patras (312/2005) dated 25 October 2005, ruling that they could legitimately believe they would not be evicted before measures for their resettlement are taken."* (note 11).

On 2 June 2006, concerns about the Prosecutor's hostile statements towards Roma and NGOs were included in an allegation letter sent to the Greek authorities by **the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Doudou Diène**; **the UN Special Rapporteur on the independence of judges and lawyers, Leandro Despouy**; and **the UN Special Representative of the Secretary-General on the situation of human rights defenders Hina Jilani**. The Greek authorities did not reply to that UN communication, even after they warned in the Rapporteurs' reports, made public in the spring of 2007, that an absence of reply will make them treat the case no longer as a mere allegation but as a proven fact (see below).

On 26 June 2006, numerous Patras-based newspapers reproduced what appeared to be a note handed out by the **Lambros Sofoulakis, Head of the First Instance Prosecutor's Office**: it cannot be a coincidence that practically all news articles contained virtually the same wording. According to these articles, the Appeals Prosecutor of Patras had requested the Prosecutor's Office of Patras to launch an urgent preliminary investigation into the potential criminal liability of the magistrates who issued in October 2005 decisions 312/2005 and 323/2005 that annulled protocols of evictions of Roma; of officials from the state authorities that own the plots of land where the Roma were squatting (for failing to protect state land, a euphemism for not evicting the Roma); of police officers for breach of duty (for not enforcing a precious Appeals Prosecutor's Decision no 15/2005 –since superceded by the magistrate decision-that called for the eviction of the Roma families squatting on the state owned plot of land in Makrigianni), and against Greek Helsinki Monitor (for inciting the Roma to commit various offences – mostly laid down by the Sanitary Regulation- as well as for pressing knowingly false charges and filling knowingly false reports to authorities). According to the same articles, criminal proceedings had been launched against unknown Roma for a variety of offences, ranging for violation of the Sanitary Regulation to illegal use of force, possession of firearms etc.

On 6 July 2006, in an interview to a local radio station, the Head of the Appeals Court Prosecutor's Office Anastassios Kanellopoulos stated that there is in the case file evidence that members of GHM have incited Roma to commit offences, evidence allegedly coming from Roma themselves. He then added that the prosecutor is a representative of the law and cannot concede that lawlessness should prevail in the said area (of Makrigianni)

On 27 September 2006, the two GHM advocates targeted by the defamatory statements of the Prosecutor, **Panayote Dimitras** and **Theo Alexandridis**, filed a criminal complaint against both Prosecutors **Lambros Sofoulakis** and **Anastassios Kanellopoulos** for aggravated defamation through the medium of the press, breach of duty and/or abuse of authority and breach of the anti-racist law 927/79. During the ensuing judicial preliminary examination, **representatives of the human rights sections of opposition parties PASOK (socialist) and Synaspismos (left)** as well as the leader of the **Greek Gypsy Union Yannis Halilopoulos** testified as witnesses for GHM, in addition to other GHM advocates. **Lambros Sofoulakis**, who in the meantime had become Deputy Prosecutor of Appeals in Corfu was then summoned and gave explanations. On the contrary, and in breach of Greek criminal procedure legislation, **Anastassios Kanellopoulos**, who had in the meantime become Deputy Prosecutor of the Supreme Court, was not summoned for explanations. Moreover, although the complaint filed in Athens, concerned Patras' top Prosecutors, the Athens Prosecutor Office assigned it to the Patras Prosecutor's Office, which could not be held to have the necessary objective impartiality.

On 23 April 2007, **First Instance Prosecutor of Patras Nikolaos Nikolaou** issued Decision 117/07 with which it rejected as totally groundless all the charges. It was served to the plaintiffs on 7 and 10 May 2007. On 18 May 2007, **Panayote Dimitras** and **Theo Alexandridis** filed an appeal against that Decision asking also for the case to be assigned to an independent and impartial prosecutor outside Patras. The appeal is pending.

In a future update, GHM will report extensively on what emerged from the brief and how some illiterate Roma were induced into signing statements (but not before a magistrate) against GHM whose content they were not aware of, which they have since retracted with sworn statements before magistrates. It will also present comprehensively the explanations of Prosecutor **Lambros Sofoulakis** in which he called **Panayote Dimitras** an "enemy."

At this stage, GHM is able to confirm from the documents that became available the fate of the two judicial investigations launched against GHM. In his explanations dated 28 December 2006, **Lambros Sofoulakis** confirmed that **Anastassios Kanellopoulos** had ordered him with Ref. No. 609/18-1-2006 to launch the first investigation against the Roma and GHM. After a preliminary examination in which neither the Roma nor any GHM were summoned to provide explanations, **Lambros Sofoulakis** with ABM I06-71/9-6-2006 pressed criminal charges against all Roma and with Ref. No. 4606/9-6-2006 (ABM I06/71) he ordered an urgent preliminary examination against inter alia the magistrate who had annulled the protocol of eviction for breach of duty and against the GHM representatives for incitation to disobedience, incitation to commit a misdemeanor, false accusation, and false reporting to authorities. Again neither the Roma nor the GHM advocates were ever summoned to give explanations. As **Lambros Sofoulakis** added, since in the meantime “*Roma left the area*” (GHM note: *were illegally evicted in mid-summer 2006*) and “*the situation de-escalated*,” the whole file was closed and archived. GHM believes that this is a blatant admission that the purpose of the two publicly announced judicial investigations against the Roma, GHM and the magistrate who took a decision preventing an eviction, was to intimidate them, neutralize most reactions and smoothly evict the Roma, as the authorities did and **Anastassios Kanellopoulos** subsequently took public credit for, with new racist statements against Roma and migrants (see below).

THE OBSERVATORY
for the Protection of Human Rights Defenders

**Open Letter to Mr. Costas Karamanlis,
Prime Minister of Greece**

Geneva-Paris, March 2, 2006

Re: Acts of harassment against the Greek Helsinki Monitor (GHM)

Dear Mr. Primer Minister,

The World Organisation Against Torture (OMCT) and the International Federation of Human Rights (FIDH), in the framework of their joint programme, the Observatory for the Protection of Human Rights Defenders, wish to express their deep concern about acts of harassment against the Greek Helsinki Monitor (GHM) by the Head of the Appeals Prosecutor’s Office, in relation with the assistance it provides to Greek Roma for the enjoyment of their basic human rights, including the right to adequate housing.

According to the information received, on January 20, 2006, the Head of the Appeals Prosecutor’s Office, Mr. Anastassios Kanellopoulos, said in an interview to the *Radio Omega* that “perpetrators, instigators and accomplices” of Roma people who helped the latter in the Makrigianni case “will be called to take the stand”, specifically including as potential targets representatives of the Greek Helsinki Monitor.

This declaration was made in reference to the case of six Greek Roma families living in the Makrigianni area, city of Patras (Cultural Capital of Europe 2006), who were threatened of being forcibly expelled, despite a decision of the Magistrate’s Court of Patras (312/2005) dated 25 October 2005, ruling that they could legitimately believe they would not be evicted before

measures for their resettlement are taken (See OMCT Letter to the authorities, February 1, 2006). GHM took part in the defence of these families.

Yet, Mr. Anastassios Kanellopoulos ordered on that day the launching of an urgent preliminary investigation into allegations that the Roma of Makrigianni threw litter in a river, following many protests by local residents against this situation. While explaining the various aspects of the judicial investigation, Mr. Kanellopoulos underlined that its objective was to identify the perpetrators and instigators of these acts, as well as their accomplices. When queried by a journalist from *Radio Omega*, the Prosecutor stated that all Roma are crime perpetrators and also admitted that he would examine the role of GHM representatives, known for their struggle for the rights of the Roma. "If it is proved that they too have helped the Roma, then be assured that they will be called to the stand", the Prosecutor noted.

Several weeks before Mr. Anastassios Kanellopoulos' statement, GHM had asked the First Instance Prosecutor (FIP) to launch a criminal investigation into a series of cumulated illegal evictions, attacks and acts of discrimination against Roma people. The organisation also asked the racist motive in those actions to be investigated, in light of the December 13, 2006 conviction of Greece by the European Court of Human Rights (Bekos case), for violation of article 14 for lack of such investigations. GHM had also publicly denounced those acts and brought media including the BBC to cover the problem.

The Observatory expresses its concern about these declarations, as they seem to be directly linked with GHM activities in favour of the defence of the rights of Roma people. In addition, article 40.2 of the Court Organisation Code (COC), on the need for judicial officers to respect confidentiality, combined with Articles 31 and 241 of the Code of Penal Procedure (on how investigations are carried out - "without publicity"), deny him the right to announce who an investigation will be turned against. As a consequence, the Prosecutor is liable for punishment according to article 91.3 of the COC for violation of confidentiality.

Therefore, the Observatory urges the Greek authorities to put an end to the harassment directed against GHM as well as all human rights defenders in Greece, and ensure that they be allowed to carry out their work without obstacles, as well as to ensure the implementation of the provisions of the Declaration on Human Rights Defenders adopted by the UN General Assembly on December 9, 1998, in particular in particular its article 1, which states that "every person has the right, individually or collectively, to promote the protection and fulfilment of human rights and fundamental liberties at the national and international level", and article 12.2, which states that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration".

More generally, the Observatory calls upon the authorities to comply with international and regional instruments for the protection of human rights ratified by Greece.

In the hope that you will take these considerations and requests into account,

We remain,

Sidiki KABA
President of FIDH

Eric SOTTAS
Director of OMCT

PRESS RELEASE

11 August 2007

Greece leaves unanswered UN reports on Greek Helsinki Monitor defamation and prosecution

Greek Helsinki Monitor (GHM) has just become aware of the references in two UN reports to the harassment and prosecution GHM advocates have been the object of in 2005 and 2006. Those violations of the rights of human rights defenders became the object of a joint allegation letter sent to the Greek authorities on 2 June 2006 by three UN Special Procedures: **the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Doudou Diène; the Special Rapporteur on the independence of judges and lawyers, Leandro Despouy; and the Special Representative of the Secretary-General on the situation of human rights defenders Hina Jilani.** They concerned public defamatory comments on 19 April 2005 by **then Minister Nikitas Kaklamanis and Secretary General Yanna Despotopoulou of the Ministry of Health;** the illegal arrest and detention on 13 October 2005 of **then GHM's lawyer Theo Alexandridis in the Aspropyrgos Police Department;** and the anti-Roma racist and defamatory for GHM public comments made on 20 January 2006 by **then Head of the Appeals Prosecutor's Office in Patras Anastasios Kanellopoulos** who had also announced the prosecution of the GHM advocates.

The two reports (full excerpts on Greece attached below) mentioned that by early 2007 Greece had not replied to that communication. In one, Greece was asked to provide an official reply by the fourth session of the UN Human Rights Council (12-30 March 2007) while in the other it was said that, in the absence of a response, the case will no longer be considered an allegation but a proven fact. It must be noticed that in the first report (by the "racism" Rapporteur) there were summaries of communications to 22 countries; only 7 had not replied in 2006 (**Greece, India, Bangladesh, Iran, Libya, Nepal and Sudan**). Moreover, in the second report (by the "independence of justice" Rapporteur) there were summaries of communications to 63 countries; only 12 had not replied in 2006 (**Greece, Gambia, Kyrgyzstan, Liberia, Moldova, Myanmar, Nepal, Pakistan, Serbia, Sierra Leone, Sri Lanka and Uzbekistan**).

The two reports were finally discussed on 11 June 2007, at the UN Human Rights Council (see http://www.ohchr.org/english/bodies/hrcouncil/docs/5session/A.HRC.5.L.10_28june07_new.pdf). Neither at that session did Greece provide any information or used its right of reply. It can be implied therefore that the case is now considered as proven fact by the UN and no longer an allegation based on reliable information the Rapporteurs had received.

GHM will provide these UN Special Procedures with an update on these three cases of harassment and prosecution, and will add information on additional instances of harassment and prosecution.

UNITED NATIONS

A/HRC/4/19/Add.1

5 June 2007

HUMAN RIGHTS COUNCIL

Fourth session

**Report by the Special Rapporteur on contemporary forms of racism,
racial discrimination, xenophobia and related intolerance,
Doudou Diène**

Addendum

Summary of cases transmitted to Governments and replies received (*excerpts on Greece*)

<http://daccessdds.un.org/doc/UNDOC/GEN/G07/128/09/PDF/G0712809.pdf?OpenElement>

Greece

Communication sent

74. On 2 June 2006, the Special Rapporteur, jointly with the Special Representative of the Secretary-General on the situation of human rights defenders and the Special Rapporteur on the independence of judges and lawyers, sent an allegation letter concerning **Theo Alexandridis**, legal counsel with the Greek Helsinki Monitor (GHM), and other staff members of GHM, an organization that monitors and reports on human rights violations in Greece, including violations against the Roma community.

75. According to the information received, on 19 April 2005, the Greek Minister of Health and the Secretary-General of Social Solidarity publicly accused certain nongovernmental organizations of existing only on paper and of publishing negative reports on the basis of unreliable, exaggerated and misleading information on the victims of the smuggling of human beings in Greece, in order to obtain an increase in funding from the Greek Ministry of Foreign Affairs. It was reported that GHM was specifically named in these accusations. Reports indicated that GHM has lodged a complaint against the Minister of Health and the Secretary-General of Social Solidarity.

76. Subsequently, on 13 October 2005, Mr. Alexandridis was arrested and detained in the Psari neighbourhood of Aspropyrgos, near Athens. It was reported that Mr. Alexandridis had gone to the police station to lodge a complaint against parents of non-Roma children who had allegedly committed violent acts against demonstrators who were protesting against the expulsion of Roma children from a school in the area. It was alleged that after he had filed the complaint, Mr. Alexandridis was told he was under arrest and was detained for four hours before being released without charge. Moreover, the president of the Pupils Parents Association allegedly lodged a complaint against Mr. Alexandridis for libel and defamation.

77. It was also reported that, on 20 January 2006, the Head of the Appeals Prosecutors Office stated during a radio interview that all Roma were criminals and announced that perpetrators, instigators and accomplices of Roma people who had helped them in a case concerning the alleged forced expulsion of Roma families in the Makrigianni area of Patras would be called on to take the stand, specifically including among this group representatives of GHM. The Head of the Appeals Prosecutors Office is also said to have stated in the same radio interview that he had

opened an inquiry into the involvement of GHM in petitioning the First Instance Prosecutor to open a criminal investigation into alleged illegal evictions and attacks against Roma people in Makrigianni.

Observations

78. The Special Rapporteur regrets that no reply to this communication had been received from the Government of Greece at the time this report was finalized.

79. The Special Rapporteur intends to follow up on this case. In the event that no response is received from the Government, he will no longer treat the case as a mere allegation but as a proven fact.

UNITED NATIONS

A/HRC/4/25/Add.1

5 April 2007

HUMAN RIGHTS COUNCIL

Fourth session

Report of the Special Rapporteur on the independence of judges and lawyers, Leandro Despouy

Addendum

Situations in specific countries or territories (*excerpts on Greece*)

<http://daccessdds.un.org/doc/UNDOC/GEN/G07/128/12/PDF/G0712812.pdf?OpenElement>

Greece

Communications sent

161. On 2 June 2006, the Special Rapporteur sent a joint allegation letter together with the Special Representative of the Secretary-General on the situation of human rights defenders concerning Theo Alexandridis, legal counsel with the Greek Helsinki Monitor (GHM), and other staff members of GHM. GHM is an organization that monitors and reports on human rights violations in Greece, including violations against the Roma community. According to the information received, on 19 April 2005 the Greek Minister of Health and the Secretary-General of Social Solidarity publicly accused non-governmental organizations of existing only on paper and of publishing negative reports on the basis of unreliable, exaggerated and misleading information on the victims of the smuggling of human beings in Greece, in order to obtain an increase in funding from the Greek Ministry of Foreign Affairs. It is reported that GHM was specifically named in these accusations. It is further reported that GHM lodged a complaint against the Minister of Health and the Secretary-General of Social Solidarity. On 13 October 2005 Mr. Alexandridis was arrested and detained in the Psari neighbourhood of Aspropyrgos, near Athens. It is reported that Mr. Alexandridis had gone to the police station to lodge a complaint against parents of non-Roma children who had allegedly committed violent acts against demonstrators protesting the expulsion of Roma children from a school in the area. After he had filed the complaint, Mr. Alexandridis was told that he was under arrest and was detained

for four hours before being released without charge. Moreover, the President of the Parents Association allegedly lodged a complaint against Mr. Alexandridis for libel and defamation. It is reported that on 20 January 2006 the Head of the Appeals Prosecutors Office, during a radio interview, stated that all Roma are criminals and announced that perpetrators, instigators and accomplices of Roma people who had helped them in a case concerning the alleged forced expulsion of Roma families in the Makrigianni area of the city of Patras would be called on to take the stand, specifically naming representatives of GHM. The Head of the Appeals Prosecutors Office also reportedly stated that he had opened an inquiry into the involvement of GHM in petitioning the First Instance Prosecutor to open a criminal investigation into alleged illegal evictions and attacks against Roma people in Makrigianni. Concern is expressed that the above-mentioned events are connected with the legitimate activities of Mr. Alexandridis and GHM in defence of human rights, in particular because of their involvement in defending the legal rights of the Roma community in Greece.

Communications received

162. None.

Special Rapporteur's comments and observations

163. The Special Rapporteur regrets the absence of an official reply and urges the Government of Greece to provide substantive detailed information at the earliest possible date, and preferably before the end of the fourth session of the Human Rights Council.

PRESS RELEASE

9 March 2007

Greece: Supreme Court Deputy Prosecutor urges Patras not to become a gyp-town, takes credit for illegal Roma evictions in 2006 and calls for similar eviction of immigrants

Greek Helsinki Monitor (GHM) highlights a recent interview in a Patras newspaper of the “architect” of the 2006 evictions of Roma in that city, then **Chief Appeals Prosecutor of Patras** and now **Deputy Supreme Court Prosecutor Athanassios Kanellopoulos**. In it he expresses racist feelings for the Roma, takes credit for the illegal evictions of the Roma from Patras’ Riganokampos and Makrigianni neighborhoods, and recommends a similar eviction of immigrants who live in similar wretched settlements in that city. The statements of the Prosecutor, who in July 2006 had said that there are no housing rights for the Roma, explain in full why the illegal evictions were possible in Patras and why in 2005-2006 more than a dozen cases against the Roma were litigated in Patras courts with the help of Greek Helsinki Monitor. It also explains why local authorities and non-Roma residents behave in an offending if not aggressive way towards the Council of Europe Commissioner for Human Rights during his September 2006 visit to the Patras Roma. **Greek Helsinki Monitor (GHM)** calls on every international organization that cares about human rights and the respect of the state of law in Greece to strongly protest to the Greek authorities. They should call for at least a reprimand if not the dismissal of the Prosecutor; the restoration of the housing rights of Roma; the compensation for their illegal evictions; and the respect of the housing rights of the migrants that would include the provision of alternative adequate housing to those living in settlements instead of the illegal summary eviction that the chief judicial official calls for.

“Kosmos tis Patras”

[Patras based weekly newspaper]

2 February 2007

Front page title

**Former Chief Appeals Prosecutor of Patras (and currently Deputy Prosecutor of the Supreme Court) Anastassios Kanellopoulos urges [in an interview]:
“DO NOT ALLOW PATRAS TO BECOME A GYP-TOWN”**

Page 21

Not mincing the truth A continuing “crime” with Roma and Afghans

Turning to the issue of foreigners currently living under wretched conditions in various localities of Patras, primarily at Heroon **Politehneiou St**, prompting protests from residents and shop-

owners, Mr. Kanellopoulos made it clear that this situation constitutes a crime too, since by definition a crime is anything that adversely affects the general public. He used the example of **Roma** living in **Glafkos** [Makrigianni] area, a distressing problem lingering for many years that was finally resolved during his tenure. According to Mr. Kanellopoulos, *“Both the prosecutors and I personally were involved in this issue from the very beginning, since we were at the receiving end of complaints on a daily basis. Local authorities would say... do not take action, we will address the situation, but we would wait to no avail. It was all words and no action... nothing more. So we decided to take the matter into our own hands”*. He then recalled that the owner of the squatted land [the state] filed an injunction for interim measures and the Police were ordered to evict the Roma immediately. Mr. Kanellopoulos said that *“The same course of action should also be followed in the case of foreigners”* and he emphasized that *“In my opinion, Patras should not be condemned to experience all these problems. Patras should not be turned into a gyp- town”*!

Insecurity

“One is in threat of criminals everywhere”

Mr. Kanellopoulos admitted that the citizens’ feeling of insecurity is a problem and recalled that he had emphasized the issue early on, at an event organized by the local department of the Hellenic Police, held a couple of years ago. The prosecutor stated that *“Back then, I warned about the dramatic increase and rapid spreading of criminality. The feeling of insecurity is prevalent, in large cities and villages, in rural areas or urban centers, threatening all Greeks. Unfortunately, no one feels safe. Whether at home, on the road, or at work”*. He then added that while there is a lot of talk about security, there is less talk about how to ensure it. He repeated his statement of two years ago, when he was predicting a dark future for Greeks as a result of criminality and because of non-implementation of preventive and suppressive measures.

They need a crash training program Police officers are untrained

Mr. Kanellopoulos stated that *“The fight against crime does not concern only the police, since the judicial but also the correctional system are also involved”*. In relation to the police however, he stated that *“I have already said that, in my opinion, the Hellenic Police should be restructured and a crash training program for police officers should be instituted since, generally speaking, police officers are untrained”*! He nonetheless did not fail to point out that the State should decide what type of police force it wanted. Finally, the Supreme Court Deputy Prosecutor stated that *“There should be a political will rendering it clear what constitutes the framework of police action because, as you have noticed, when the police act, they take flak from the media in Athens, when the police do not act, they also take flak.”*

PRESS RELEASE

20 April 2007

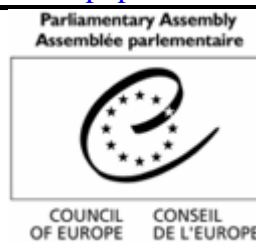
**Council of Europe calls on Greece to respect Roma rights, investigate evictions in Patras
and racist statement of Supreme Court Deputy Prosecutor**

Greek Helsinki Monitor (GHM) disseminates excerpts from the 17 April 2007 proceedings in the **Parliamentary Assembly of the Council of Europe (PACE)** on Roma evictions in Greece in general and Patras in particular and the racist statement by **Supreme Court Deputy Prosecutor Anastasios Kanellopoulos**. The text includes the oral question by **Latvia's socialist MP Boris Cilevics** and the reply by the **San Marino's Secretary of State for Foreign Affairs Fiorenzo Stolfi** who chairs the **Committee of Ministers (CM)**. GHM notes that once again the state **Athens News Agency** did not report on this serious human rights debate concerning Greece. GHM welcomes the fact that the **Committee of Ministers** this time subscribed to the related conclusions of the **Commissioner for Human Rights** in contrast with the CM's previous reply to a written question by the same MP which were solely based on the Greek state's positions. GHM also considers important the CM's expectation that Greece will investigate the racist statements of the one of Greece's top prosecutors that "Patras should not be turned into a gyp-town."

Previous related GHM press releases:

Greece: Parliamentary question on Hammarberg letter on Patras Roma evictions
Greece: Committee of Ministers ignores Human Rights Commissioner, adopts state version on Roma
Greece: OMCT and GHM denounce continuing discrimination against Roma (in Patras and elsewhere)
Greece: Commissioner for Human Rights on Patras Roma evictions, neighbors' racism, state negligence
Greece: Supreme Court Deputy Prosecutor - Patras must not become a gyp-town - yes to forced eviction
Greece named a Housing Rights Violator for persistently violating rights of Roma to adequate housing
Greece: Harassment of rights defenders, minorities, HR Commissioner and judges upholding Roma rights
Greece: Massive Roma evictions by the authorities
Greece: Commissioner for Human Rights in International Herald Tribune on Roma evictions in Patras
Greece: Government of Greece fails to stop forced evictions of Roma
Greece: Statement on Roma rights at the OSCE human dimension meeting
Greece: Open COHRE letter to Greek Prime Minister on forced evictions of Roma in Greece
Greece: Municipality of Patras completes evictions of Roma as no one tried to avert them
Greece: Blatantly illegal evictions of Roma in Makrigianni from the Municipality of Patras

Parliamentary Assembly
Assemblée parlementaire



AACR13_2007

AS (2007) CR 13

2007 ORDINARY SESSION

(Second part)

REPORT

Thirteenth sitting

Tuesday 17 April 2007 at 3 p.m.

<http://assembly.coe.int/Main.asp?link=/Documents/Records/2007/E/0704171500E.htm>

(...)

4. Communication from the Committee of Ministers

(...)

The first question is No. 1, tabled by Mr Cilevics, relating to the situation of Roma in Patras.

“Question No. 1:

Mr Cilevics,

In June 2005, the Committee of Ministers adopted a resolution on the violation of the Social Charter by Greece. The European Committee of Social Rights found that, one year later, Greece had not redressed the situation.

In its answer to my related Written Question No. 502, the Committee of Ministers included only information provided by the Greek authorities, while completely disregarding the conclusions of the European Committee of Social Rights, as well as findings of the Council of Europe Commissioner for the Human Rights arising from his September 2006 visit regarding the illegal evictions of Roma in Patras.

Recent NGO information indicates that the problems remain as acute as ever. The Deputy Supreme Court Prosecutor justified the evictions and stated that “Patras should not be turned into a gyp-town”.

To ask the Chairperson of the Committee of Ministers,

Does the Committee of Ministers intend to further address the situation of Roma evictions in Patras, in particular, in view of the Commissioner for Human Rights' findings; and

Does the Committee of Ministers intend to invite the Greek authorities to investigate the alleged illegal actions in respect of the Patras Roma, as well as the allegedly racist statements by the Deputy Supreme Court Prosecutor?"

Mr Stolfi, will you please answer this question?

Mr STOLFI (Translation). – The Committee of Ministers is closely monitoring the situation of the Roma in Greece. As the Commissioner for Human Rights pointed out in a letter to the Greek Minister of the Interior, evictions must be carried out only in exceptional circumstances and in a reasonable manner. The persons concerned should be allowed to challenge the eviction measure before the relevant courts.

In its reply dated February 2007, to which the honourable parliamentarian refers, the Committee of Ministers took note of the measures taken by the Greek authorities to redress the situation reported by the European Committee of Social Rights. It encouraged the Greek authorities to continue their efforts and to report to the European Committee of Social Rights on the progress made in implementing measures to redress the situation in question.

As Chair of the Committee of Ministers, I welcome this information and I trust that Greece will carefully consider the comments made by the Commissioner and the European Committee of Social Rights and continue to take all the necessary measures to improve the living conditions of the Roma. I would also like to point out that the Council of Europe – and assuredly the Greek Government – considers any racist or xenophobic remarks to be unacceptable. I therefore assume that the Greek authorities will examine these allegations with particular care.

THE PRESIDENT. – Thank you. Would you like to ask a supplementary question, Mr Cilevics?

Mr CILEVICS (*Latvia*). – Yes, I would. The situation that we are discussing occurred two years ago and we still have hope, so do you agree that the Committee of Ministers should back the activities of Council of Europe bodies and that it should not disregard the findings of the human rights commissioner and European committees?

THE PRESIDENT. – Would you like to reply, Mr Stolfi?

Mr STOLFI said that he could assure the member that the Committee of Ministers supported the work done by other bodies in this area.

THE PRESIDENT. – Thank you.
