



ELDH European Association of Lawyers for Democracy & World Human Rights

EJDM Europäische Vereinigung von Juristinnen & Juristen für Demokratie und Menschenrechte in der Welt

EJDH Asociación Europea de los Juristas por la Democracia y los Derechos Humanos en el Mundo

EJDH Association Européenne des Juristes pour la Démocratie & les Droits de l'Homme

EGDU Associazione Europea delle Giuriste e dei Giuristi per la Democrazia e i diritti dell'Uomo nel Mondo

WITH LAWYERS
IN 22 COUNTRIES

Equality Privacy Social Rights
No Racism Peace No Torture No War
Self-Determination of Peoples Democracy
Human Rights Rights of Migrants

Bologna, Düsseldorf, London, Vienna, 07 December 2022

Greek court should not be accomplice for Turkish government

ELDH, the European Lawyers for Democracy and Human Rights, with members in 22 European countries, is gravely concerned about the trial in Athens against 11 political refugees from Turkey.

They have been convicted by the court of first instance in Athens for establishing, managing and acting together with a so-called terrorist organization, the DHKP-C. We are informed that this organisation does not exist in Greece. After 9 hearings, they were sentenced on 19 July 2021 to long prison terms, most of them to 30 years of imprisonment.

In our view the first-instance ruling did not take sufficient account of the fact that the Turkish government criminalizes almost the entire political opposition. The Turkish government abuses the anti-terror laws to eliminate its political opponents.

Turkey is the country against which there have been 3,385 judgments by the European Court of Human Rights since 1959. Turkey is therefore one of the countries with the highest number of adverse judgments and decisions by the European Court of Human Rights, even more than Russia. Unfortunately, Turkey is also one of the countries that frequently disregards the judgments and decisions of the ECtHR.

Many political refugees from Turkey are therefore seeking asylum abroad, especially in Greece. Greek courts should therefore, we urge, be extremely cautious in applying Greek anti-terror laws to Turkish political refugees.

The court also did not take into account in its decision that the DHKP-C is not active against Greek authorities and citizens. None of the defendants was accused in the court of first instance or sentenced for any violent acts committed in Greece.

Under these circumstances, any prison sentence at all and especially sentence of such an extreme scale, should be considered to be disproportionate.

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On November 16, 2022, an appellate review of the relevant judgment was adjourned. Three hearings of the Athens Court of Appeal have been scheduled for December.

Greece is one of the countries where the ECtHR has found a particularly high number of human rights violations. This applies in particular to violations of the right to a fair trial. We call on the Court of Appeal to overturn the erroneous decisions of the court of first instance, so as to avoid another adverse judgment by the ECtHR.

ELDH will monitor the appellate review in the Court of Appeal closely..