

PRESS RELEASE

14 January 2010

**Greece: European Court conviction for ill-treatment in police hands.
Eleventh conviction for police violence.**

Greek Helsinki Monitor (GHM) expresses great satisfaction with the 14 January 2010 **European Court of Human Rights (ECtHR)** **unanimous conviction of Greece** in the **Case of Galostkin**. The application No. 2945/07 was submitted to the ECtHR by **GHM**. Greece violated twice Article 3 (prohibition of torture) of the **European Convention on Human Rights (ECHR)** both in its substantive part (police officers ill-treated **Panayote Galotskin**) and in its procedural part (there was no effective investigation into the ill-treatment). Greece also violated Article 6.1 of the ECHR (excessive length of proceedings). Greece must award the victim 17,000 euros for non-pecuniary damage, and GHM 1,500 euros for costs and expenses. The judgment is available at <http://cmiskp.echr.coe.int/tkp197/view.asp?action=html&documentId=861025&portal=hbkm&source=externalbydocnumber&table=F69A27FD8FB86142BF01C1166DEA398649>, while the press summary is appended here.

One more victim of police violence in the same incident, **Dimitris Zelilof**, has already won a similar judgment from the ECtHR on 24 May 2008, following an application filed also by GHM.

It is noteworthy that **Apostolos Aposotlidis** and **Paschalis Statharidis**, two of the police officers involved in the 23 December 2001 ill-treatment of Galotskin and Zelilof, were convicted at first instance on 16 December 2008 to a sentence of three years in prison convertible to a fine and suspended pending the appeal trial for the ill-treatment of Cypriot student **Avgoustinos Dimitriou**, on 17 November 2006, in Thessaloniki. Luckily for Avgoustinos Dimitriou, his aggravated beating by police officers was caught by a television camera. The video thus belied the initial police announcement that the student had been injured by a “jardinière” of Hotel ABC. In December 2001, though, there was no camera and that helped the police officers involved to avoid all disciplinary and criminal sanctions, as well as to continue their work (including beatings) in the following five years...

Background

This is the eleventh ruling in four years by an international judicial or quasi-judicial body finding Greece in violation of the prohibition of torture or of the right to life. Eight of these cases were submitted by GHM –occasionally with another international NGO.

There are four previous convictions of Greece by the ECtHR for ill-treatment by police. The first ruling, issued on 13 December 2005, in a case filed by GHM and the **European Roma Rights Center (ERRC)**, concerned the beating of Roma **Lazaros Bekos and Eleftherios Koutropoulos** on 8 May 1998 (see <http://cm.greekhelsinki.gr/index.php?sec=194&cid=1500>). The second ruling, issued on 18 January 2007, concerned the beating of Syrian **Mhn Ghassan Alsayed Allaham** (<http://cmiskp.echr.coe.int/tkp197/view.asp?action=html&documentId=813016&portal=hbkm&source=externalbydocnumber&table=F69A27FD8FB86142BF01C1166DEA398649>) on 8 September 1998. The third ruling, issued on 24 May 2007, in a case filed by GHM, concerned the beating of

Dimitris Zelilof (see <http://cm.greekhelsinki.gr/index.php?sec=194&cid=3136>) on 23 December 2001. The fourth ruling, issued on 6 December 2007, in a case filed by GHM and ERRC, concerned the beating of Romni **Fani-Yannula Petropoulou-Tsakiris** on 28 January 2002 (see <http://cm.greekhelsinki.gr/index.php?sec=194&cid=3210>).

On the other hand, there are four convictions of Greece by the ECtHR for injury or death from police shooting. The first ruling, issued on 20 December 2004, concerned the shooting of **Christos Makaratzis** on 13 September 1995 (<http://cmiskp.echr.coe.int/tkp197/view.asp?action=html&documentId=709521&portal=hbkm&source=externalbydocnumber&table=F69A27FD8FB86142BF01C1166DEA398649>). The second ruling, issued on 21 June 2007, in a case filed by GHM, concerned the shooting and rendering invalid, on 26 January 1998, of Rom **Ioannis Karagiannopoulos** (see <http://cm.greekhelsinki.gr/index.php?sec=194&cid=3153>). The third ruling, issued on 8 July 2007, in a case filed by GHM, concerned the fatal shooting of Albanian **Gentjan Celniku** on 21 November 2001 (see <http://cm.greekhelsinki.gr/index.php?sec=194&cid=3158>). The fourth ruling, issued on 8 January 2010, in a case filed by GHM, concerned the fatal shooting of **Nikos Leonidis** on 25 March 2000 (see <http://cm.greekhelsinki.gr/index.php?sec=194&cid=3398>).

Finally, there are also two convictions of Greece for police ill-treatment by the **United Nations Human Rights Committee** (HRC). On 28 March 2006, in a case submitted by **Alexandros Kouidis**, the HRC found that Greece's failure, at the level of the Supreme Court, to take account of the author's claims that his confession was given as a result of ill-treatment by police, from 17 May to 27 June 1991, amounted to a violation of article 14, paragraph 3(g) of the **International Covenant on Civil and Political Rights** (ICCPR) (<http://daccess-ods.un.org/TMP/32089.45.html>). On 24 July 2008 in the **Case of Andreas Kalamiotis v. Greece** submitted to the HRC by the **World Organization Against Torture** (OMCT) and **GHM**, the HRC found that Greece violated Article 2 paragraph 3 (right to an effective remedy) read together with Article 7 (prohibition of torture) of the ICCPR concerning the lack of an effective investigation into the allegations of police brutality against Rom **Andreas Kalamiotis**, on 14 June 2001, in Aghia Paraskevi (Greater Athens) (<http://daccess-ods.un.org/TMP/8566025.html> and <http://cm.greekhelsinki.gr/index.php?sec=194&cid=3329>).

EUROPEAN COURT OF HUMAN RIGHTS

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Press release issued by the Registrar

Chamber judgments concerning
Bulgaria, Croatia, Greece and Russia

<http://cmiskp.echr.coe.int/tkp197/view.asp?action=html&documentId=861045&portal=hbkm&source=externalbydocnumber&table=F69A27FD8FB86142BF01C1166DEA398649>

The European Court of Human Rights has today notified in writing the following ten Chamber judgments.

(...)

Galotskin v. Greece (no. 2945/07)

The applicant, Panayotis Galotskin, is a Greek national who lives in Ano Touba (Greece). Involved in an argument with the police in December 2001 when stopped in a car for an identity check,

Mr Galotskin alleged that he had been subjected to police brutality both during his subsequent arrest and detention and that the Greek authorities had failed to carry out an adequate investigation into the incident. He relied on Articles 3 (prohibition of inhuman or degrading treatment) and 13 (right to an effective remedy). Further relying on Article 6 § 1 (right to a fair trial within a reasonable time), he also complained in particular about the excessive length of the criminal proceedings brought against the police officers concerned and of the administrative proceedings in which he had sought damages.

Violations of Article 3 (treatment and investigation)

Violation of Article 6 § 1 (length)

Just satisfaction: EUR 17,000 (non-pecuniary damage) and EUR 1,500 (costs and expenses)
